

Tab 1	CS/SB 266 by HE, Grall; (Similar to CS/H 00999) Higher Education						
459430	D	S	RCS	AED, Grall	Delete everything after	04/13 01:37 PM	
126800	AA	S	RCS	AED, Grall	btw L.134 - 135:	04/13 01:37 PM	
350942	AA	S	RCS	AED, Grall	Delete L.597 - 633:	04/13 01:37 PM	
Tab 2	CS/SB 958 by HE, Perry; (Similar to CS/H 00931) Postsecondary Educational Institutions						
Tab 3	CS/SB 986 by ED, Burgess; (Compare to CS/CS/H 00443) Education						
688696	A	S	L RCS	AED, Burton	btw L.49 - 50:	04/13 01:37 PM	
179658	A	S	L RCS	AED, Jones	btw L.140 - 141:	04/13 01:37 PM	
790278	A	S	L RCS	AED, Collins	btw L.140 - 141:	04/13 01:37 PM	
Tab 4	SB 1112 by Burgess; (Similar to CS/H 00733) Middle School and High School Start Times						
316962	A	S	WD	AED, Jones	btw L.74 - 75:	04/12 03:40 PM	
Tab 5	SB 1386 by Perry (CO-INTRODUCERS) Collins; (Similar to H 01393) Florida School for Competitive Academics						
810550	A	S	RCS	AED, Perry	Delete L.99 - 165:	04/13 01:37 PM	
Tab 6	SB 1424 by Calatayud; (Similar to CS/CS/H 07039) Student Outcomes						
Tab 7	SB 1446 by Wright; (Similar to CS/H 01125) Interstate Education Compacts						
Tab 8	SB 1448 by Wright; (Similar to CS/H 01127) Public Records and Meetings/Interstate Teacher Mobility Compact Commission						

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**APPROPRIATIONS COMMITTEE ON EDUCATION**

**Senator Perry, Chair**  
**Senator Jones, Vice Chair**

**MEETING DATE:** Wednesday, April 12, 2023

**TIME:** 11:30 a.m.—2:00 p.m.

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

**MEMBERS:** Senator Perry, Chair; Senator Jones, Vice Chair; Senators Avila, Book, Broxson, Burton, Calatayud, Collins, Davis, Harrell, Hutson, Simon, and Thompson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>CS/SB 266</b> Education Postsecondary / Grall (Similar CS/H 999)	Higher Education; Revising requirements in the Board of Governors duties relating to the mission of each state university; requiring each state university to annually report certain research expenditures of a specified amount; authorizing the Board of Trustees of the University of Florida to use funds to establish and fund the Hamilton College for Classical and Civic Education; revising how general education core courses are established; specifying a one-time limit on the requirement to change accrediting agencies, etc.  HE 03/15/2023 Fav/CS AED 04/12/2023 Fav/CS FP	Fav/CS Yeas 8 Nays 4
2	<b>CS/SB 958</b> Education Postsecondary / Perry (Similar CS/H 931)	Postsecondary Educational Institutions; Requiring the Board of Governors of the State University System to establish a Committee on Public Policy Events; requiring offices to report to specified state university offices; prohibiting public institutions of higher education from requiring the completion of a political loyalty test or for persons to meet certain qualifications; designating the Florida Student Association as the nonprofit advocacy organization for students of the State University System; requiring the board of directors to adopt certain bylaws, etc.  HE 03/22/2023 Fav/CS AED 04/12/2023 Favorable FP	Favorable Yeas 11 Nays 0
3	<b>CS/SB 986</b> Education Pre-K -12 / Burgess (Similar CS/H 443)	Education; Revising which students may be eligible for an enrollment preference for charter schools; specifying training and reporting requirements for charter school sponsors; requiring the State Board of Education to adopt rules to implement a standard monitoring tool; revising how a district school board calculates certain teachers' shares of funds from the Florida Teachers Classroom Supply Assistance Program, etc.  ED 03/14/2023 Temporarily Postponed ED 03/27/2023 Fav/CS AED 04/12/2023 Fav/CS FP	Fav/CS Yeas 9 Nays 3

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations Committee on Education

Wednesday, April 12, 2023, 11:30 a.m.—2:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 1112</b> Burgess (Similar CS/H 733)	Middle School and High School Start Times; Providing requirements for middle school and high school start times; requiring such school start times to be implemented by a specified date; providing district school board requirements, etc.  ED 03/27/2023 Favorable AED 04/12/2023 Temporarily Postponed FP	Temporarily Postponed
5	<b>SB 1386</b> Perry (Similar H 1393)	Florida School for Competitive Academics; Revising the components of the delivery of public education within the Florida Early Learning-20 education system to include the Florida School for Competitive Academics; providing for the establishment of the Florida School for Competitive Academics; requiring the Auditor General to conduct audits of the school; exempting the school from specified requirements in the Florida Early Learning-20 Education Code, etc.  ED 03/20/2023 Favorable AED 04/12/2023 Fav/CS FP	Fav/CS Yeas 11 Nays 0
6	<b>SB 1424</b> Calatayud (Similar CS/CS/H 7039, Compare S 758)	Student Outcomes; Revising the responsibilities of the Just Read, Florida! Office; providing that a charter school application must include certain reading instructional strategies; providing that district school board instructional materials must include certain reading instructional strategies; revising requirements for an individualized progress monitoring plan; requiring a school district to evaluate the students at the end of each grading period for a mathematics deficiency; revising training requirements for reading coaches, classroom teachers, and school administrators to include certain instructional strategies, etc.  ED 03/27/2023 Favorable AED 04/12/2023 Favorable FP	Favorable Yeas 11 Nays 0
7	<b>SB 1446</b> Wright (Similar CS/H 1125, Compare CS/H 1127, Linked S 1448)	Interstate Education Compacts; Creating the Interstate Teacher Mobility Compact; providing requirements for the licensure of teachers in member states who hold specified licenses in other member states; providing requirements for licensed teachers who are also eligible military spouses; establishing the Interstate Teacher Mobility Compact Commission; requiring courts and administrative agencies of member states to take judicial notice of the compact, commission rules, and certain information, etc.  ED 03/27/2023 Favorable AED 04/12/2023 Favorable FP	Favorable Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations Committee on Education

Wednesday, April 12, 2023, 11:30 a.m.—2:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	<b>SB 1448</b> Wright (Similar CS/H 1127, Compare CS/H 1125, Linked S 1446)	Public Records and Meetings/Interstate Teacher Mobility Compact Commission; Providing an exemption from public meetings requirements for certain portions of meetings of the Interstate Teacher Mobility Compact Commission and its executive committee; providing an exemption from public records requirements for recordings, minutes, and records generated during exempt portions of such meetings and for certain files and information relating to specified investigations; providing for future legislative review and repeal of the exemptions; providing statements of public necessity, etc.  ED 03/27/2023 Favorable AED 04/12/2023 Favorable FP	Favorable Yeas 12 Nays 0

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Other Related Meeting Documents

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Appropriations Committee on Education

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BILL: CS/CS/SB 266

INTRODUCER: Appropriations Committee on Education; Education Postsecondary Committee; and Senator Grall

SUBJECT: Higher Education

DATE: April 14, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Bouck	HE	<b>Fav/CS</b>
2.	Gray	Elwell	AED	<b>Fav/CS</b>
3.			FP	

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/CS/SB 266 includes a number of provisions intended to focus state university administrative and curricular activities on education that benefits students and the state. Specifically, the bill:

- Requires the Board of Governors (BOG) of the State University System to:
  - Include in the alignment of university missions, and in its strategic plan, economic development needs of the state and nondegree credential attainment, respectively.
- Modifies personnel policies at each university by:
  - Assigning hiring authority to the president, who may delegate authority to the executive team or individual deans.
  - Prohibiting a pledge or oath in the admissions or personnel process except those to state or federal law, or the State or United States Constitution.
  - Specifying that the faculty grievance process terminates with the university president.
  - Requiring the university president to present to the university board of trustees evaluations and salaries for personnel earning over \$200,000.
- Requires the BOG to provide a directive for universities to review programs violations of state law regarding discrimination and those based on specified theories; and
  - provides additional restrictions on public education institution spending, with exceptions for specified programs.
  -
- Adds to the preeminent state research universities program a metric regarding STEM-related research, and revises the number of standards an institution must meet to earn a designation.

- Modifies the general education program to:
  - Require a periodic review of general education core courses.
  - Specify standards for general education core course. Require a college or university board of trustees and its state-level governing board to approve general education courses at the institution.

Creates the Institute for Risk Management and Insurance Education, and modifies the purpose, goals, or authorized activities of the Hamilton Center for Classical and Civic Education, Florida Institute of Politics, and the Adam Smith Center for the Study of Economic Freedom.

- Specifies that a required change in accreditation for public postsecondary institutions is a one-time-only change, and prohibits an accrediting agency from compelling an institution to violate state law.
- Modifies the “buy one, get one free” tuition waiver program to include up to two state-approved teacher preparation programs, and specifies that students may not lose the tuition waiver if the program is removed from the approved list after enrollment.

The bill takes effect on July 1, 2023.

## II. Present Situation:

The Present Situation is included in the Effect of Proposed Changes section of the analysis.

## III. Effect of Proposed Changes:

### Board of Governors

#### *Present Situation*

##### Powers and Duties

The State University System (SUS) is composed of 12 public universities. The Board of Governors (BOG) is responsible to operate, regulate, control, and be fully responsible for the management of the whole SUS. Fourteen of the 17 members of the BOG are appointed by the Governor and confirmed by the Senate.<sup>1</sup>

For each constituent university, the BOG, is responsible for cost-effective policy decisions appropriate to the university’s mission, the implementation and maintenance of high-quality education programs within law, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.<sup>2</sup> The BOG is, among other duties, responsible for defining the distinctive mission of each constituent university, accounting for expenditures, adopting a strategic plan for the university system and each university, and taking action on proposed or current degree programs.<sup>3</sup>

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<sup>1</sup> FLA. CONST., art. IX, s. 7.

<sup>2</sup> Section 1001.706(1), F.S.

<sup>3</sup> Section 1001.705(2), F.S.

### Tenure Review

The Board of Governors may adopt a regulation requiring each tenured state university faculty member to undergo a comprehensive post-tenure review every 5 years. The board may include other considerations in the regulation, but the regulation must address:

- Accomplishments and productivity;
- Assigned duties in research, teaching, and service;
- Performance metrics, evaluations, and ratings; and
- Recognition and compensation considerations, as well as improvement plans and consequences for underperformance.<sup>4</sup>

On March 29, 2023, the BOG approved its regulation requiring each university BOT to adopt policies regarding a post-tenure faculty review.<sup>5</sup>

According to Integrated Postsecondary Education Data System, in Fall 2021, there were 12,435 individuals with faculty status at Florida public universities, of those, 5,652 are tenured, 2,058 are on a tenure track, and 4,725 are not on a tenure track or are at an institution without a tenure system.<sup>6</sup> Florida Gulf Coast University and Florida Polytechnic University do not have a tenure system.

### ***Effect of Proposed Changes***

#### Powers and Duties

The bill modifies s. 1001.706, F.S., to require the BOG, in its alignment of the mission of state universities to specified goals, include the existing and emerging economic development needs of the state. Similarly, the bill requires the BOG to include in its strategic plan criteria and metrics for non-degree credentials.

#### Tenure Review

The bill modifies s. 1001.706, F.S., to require, rather than authorize, the BOG to adopt a regulation requiring each tenured state university faculty member to undergo a comprehensive post-tenure review every 5 years.

### **Personnel**

#### ***Present Situation***

##### University Board of Trustees

Each local constituent university is administered by a board of trustees (BOT) composed of 6 citizen members appointed by the Governor and 5 citizen members appointed by the Board of Governors (BOG), all confirmed by the Senate.<sup>7</sup> The BOG establishes the powers and duties of

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<sup>4</sup> Section 1001.706(6)(b), F.S.

<sup>5</sup> Board of Governors Regulation 10.003.

<sup>6</sup> Integrated Postsecondary Education Data System. Statistical Tables: Fall 2021; (Report on file with Senate Committee on Education).

<sup>7</sup> FLA. CONST., art. IX, s. 7(c).

the boards of trustees. The university president serves as the chief executive officer to the board of trustees and is responsible to the board of trustees for all operations of the university.<sup>8</sup>

Responsibilities of a university BOT include:

- Administration of the university in a manner that is dedicated to, and consistent with the university's and system's mission.
- Preparing a workplan to outline strategic directions and specific actions, and performance expectations and outcomes for institutional and systemwide goals.
- Adopting university regulations regarding degree programs, access, academic performance standards, student activities, and student code of conduct.
- Establishing a personnel program for all employees of the university.
- The financial management of the university.
- Compliance with all applicable laws, rules, regulations, and requirements.<sup>9</sup>

Each board of trustees establishes the powers and duties of the university president. The university president serves as the chief executive officer to the board of trustees and is responsible to the board of trustees for all operations of the university.<sup>10</sup>

### Pledges and Oaths

Nearly one in five professors are now being selected based on not only academic merit but also their commitment to a particular ideological vision.<sup>11</sup> In a 2020 survey, most college students believe efforts at diversity and inclusion “frequently” (27%) or “occasionally” (49%) come into conflict with free speech rights.<sup>12</sup>

At the University of North Carolina, the board of trustees recently approved a change to its policy regarding political activities, to read:

[T]he University shall neither solicit nor require an employee or applicant for academic admission or employment to affirmatively ascribe to or opine about beliefs, affiliations, ideals, or principles regarding matters of contemporary political debate or social action as a condition to admission, employment, or professional advancement. Nor shall any employee or applicant be solicited or required to describe his or her actions in support of, or in opposition to, such beliefs, affiliations, ideals, or principles. Practices prohibited here include but are not limited to solicitations or requirements for statements of commitment to particular views on matters of contemporary political debate or social

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<sup>8</sup> Board of Governors Regulation 1.001.

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

<sup>10</sup> Board of Governors Regulation 1.001(2).

<sup>11</sup> American Enterprise Institute, *Other Than Merit: The Prevalence of Diversity, Equity, and Inclusion Statements in University Hiring* (Nov. 2021) available at <https://www.aei.org/wp-content/uploads/2021/11/Other-than-merit-The-prevalence-of-diversity-equity-and-inclusion-statements-in-university-hiring.pdf?x91208>, at 10.

<sup>12</sup> Knight Foundation, *The First Amendment on Campus 2020 Report: College Students' Views of Free Expression* (2020) available at <https://knightfoundation.org/wp-content/uploads/2020/05/First-Amendment-on-Campus-2020.pdf>, at 1.

action contained on applications or qualifications for admission or employment or included as criteria for analysis of an employee's career progression.<sup>13</sup>

The U.S. Supreme Court (Court) has repeatedly held that the right to free speech protected by the first amendment to the constitution protects an individual from being compelled to speak. "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."<sup>14</sup> Stated even more plainly, the Court has held that free speech principles prohibit the government from telling people what they must say.<sup>15</sup> Additionally, an individual is also protected from being compelled to host or accommodate the speech of another.<sup>16</sup>

The Court has consistently struck down mandatory political loyalty oaths, particularly in the education setting.<sup>17</sup> The Court established a four-part test for reviewing the constitutionality of such oaths, requiring that:

- The oath may not infringe on First or Fourteenth Amendment rights;
- Employment may not be conditioned on an oath that one has not engaged in, or will not engage in, protected speech activities;
- Employment may not be conditioned on an oath denying past or avoiding future associational activities protected by the Constitution; and
- The oath may not be so vague that a person of ordinary intelligence must guess at its meaning.<sup>18</sup>

### Grievance Procedures

Each public employer and bargaining agent is required to negotiate a grievance procedure to be used for the settlement of disputes between employer and employee, or group of employees, involving the interpretation or application of a collective bargaining agreement. The grievance procedure must have as its terminal step a final and binding disposition by an impartial neutral, mutually selected by the parties. If an employee organization is certified as the bargaining agent of a unit, the grievance procedure then in existence may be the subject of collective bargaining, and any agreement which is reached shall supersede the previously existing procedure. All public employees shall have the right to a fair and equitable grievance procedure administered without regard to membership or nonmembership in any organization.<sup>19</sup>

<sup>13</sup> University of North Carolina, *UNC Policy Manual 300.5.1, Political Activities of Employees*, <https://www.northcarolina.edu/apps/policy/doc.php?id=125> (last visited Apr. 13, 2023).

<sup>14</sup> *West Virginia State Board of Education v. Barnette*, 319 U.S. 624, 642 (1943).

<sup>15</sup> *Rumsfeld v. Forum for Academic and Institutional Rights*, 547 U.S. 47, 61 (2006).

<sup>16</sup> *See Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston, Inc.*, 515 U.S. 557 (1995) (state law cannot require a parade to include a group whose message the parade's organizer does not wish to send) and *Miami Herald Publishing Co. v. Tornillo*, 418 U.S. 241 (1974) (right-of-reply statute violates editors' right to determine the content of their newspapers).

<sup>17</sup> *See, e.g., Baggett v. Bullitt*, 377 U.S. 360 (1964); *Elfbrandt v. Russell*, 384 U.S. 11 (1966); and *Keyishian v. Board of Regents*, 385 U.S. 589 (1967).

<sup>18</sup> *Cole v. Richardson*, 405 U.S. 676 (1972).

<sup>19</sup> Section 447.401, F.S.

***Effect of Proposed Changes*****Hiring and Personnel Authority**

The bill creates s. 1001.741, F.S., to assign final authority for hiring the provost, deans, and full-time faculty to the president of the university. The president may delegate hiring authority to individuals on the university's executive management team, to the provost, or to individual deans; however, the bill specifies that the president or the person delegated hiring authority is not bound by the recommendations or opinions of faculty or other individuals.

The bill specifies that the president has an ongoing duty to assess the performance, productivity, and employment practices of the university's provost and deans. The president of the university is encouraged to engage in faculty recruiting as appropriate, and shall provide a regular report and recommendations on employment practices to the university board of trustees at least twice annually.

The bill requires each state university board of trustees to have procedures for the review of the president's selection and reappointment of each member of the university's executive management team, and his or her respective contract and annual salary, before such contracts and salaries become effective, in accordance with the personnel program established by the Board of Governors.

Finally, the bill requires each university president to annually present to his or her board of trustees for review the results of performance evaluations and associated salaries of all evaluated personnel earning an annual compensation of \$200,000 or more, regardless of fund source.

**Pledges and Oaths**

The bill prohibits a state university from requiring any statement, pledge, or oath other than to uphold general and federal law, the United States Constitution, and the State Constitution as a part of any admissions, hiring, employment, promotion, tenure, disciplinary, or evaluation process.

**Grievance Procedures**

The bill replaces the requirement in law regarding grievance procedures to specify that personnel actions or decisions regarding faculty, including in the areas of evaluations, promotions, tenure, discipline, or termination, may not be appealed beyond the level of a university president or designee. Such actions or decisions must have as their terminal step a final agency disposition, which must be issued in writing to the faculty member, and are not subject to arbitration. The filing of a grievance does not pause or delay the action or decision of the university, including the termination of pay and benefits of a suspended or terminated faculty member.

***Requirements for College and University Programs and ExpendituresPresent Situation***

A recent statement by the presidents of the Florida College System (FCS) addressed discrimination in instruction, training, and policies, which states in part:

In the development of knowledge, research endeavors, and creative activities, a college faculty and student body must be free to cultivate a spirit of inquiry and scholarly criticism, and to examine ideas in an atmosphere of freedom and confidence, free from shielding and in a nondiscriminatory manner.

The FCS presidents remain committed to developing campus environments that uphold objectivity in teaching and learning and in professional development and that welcome all voices—environments in which students, faculty, and staff can pursue their academic interests without fear of reprisal or being “canceled.”

To be clear in this environment, the FCS presidents, by and through the FCS Council of Presidents (COP), will ensure that all initiatives, instruction, and activities do not promote any ideology that suppresses intellectual and academic freedom, freedom of expression, viewpoint diversity, and the pursuit of truth in teaching and learning. As such, our institutions will not fund or support any institutional practice, policy, or academic requirement that compels belief in critical race theory or related concepts such as intersectionality, or the idea that systems of oppression should be the primary lens through which teaching and learning are analyzed and/or improved upon.

Critical Theory is a philosophical and social theory originating from several generations of German philosophers and social theorists in the Western European Marxist tradition known as the Frankfurt School. It involves an examination of social structures to seek “human emancipation” in circumstances of domination and oppression.<sup>20</sup> Critical theorists maintain that a primary goal of philosophy is to understand and to help overcome the social structures through which people are dominated and oppressed.<sup>21</sup> Examples of Critical Theory are feminist theory, critical race theory, postcolonial theory, and Marxist theory.

On December 28, 2022, the Executive Office of the Governor directed the colleges and universities to provide a comprehensive list of all staff, programs and campus activities related to diversity, equity and inclusion and critical race theory. The list must include costs associated with the administration of each program or activity, including a description of the activities, paid positions and how much of the money is provided by the state. The results of the survey for the State University System indicated that state universities spend approximately \$34.5 million on such activities, with about \$20.7 million from state funds.<sup>22</sup>

#### Florida Educational Equity Act

The “Florida Educational Equity Act” prohibits discrimination in any program or employment condition on the basis of race, color, national origin, sex, disability, religion, or marital status against a student or an employee in the state system of public K-20 education.

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<sup>20</sup> Stanford Encyclopedia of Philosophy, *Critical Theory*, <https://plato.stanford.edu/entries/critical-theory/> (last visited Apr. 13, 2023).

<sup>21</sup> Encyclopedia Britannica, *critical theory*, <https://www.britannica.com/topic/critical-theory> (last visited Apr. 13, 2023).

<sup>22</sup> Executive Office of the Governor, Memorandum # 23-021, *Higher Education Program and Activity Survey* (Dec. 28, 2022).

Included in the prohibition on discrimination on the basis of race, color, national origin, or sex is subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:

- Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.
- Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex.<sup>23</sup>

### *Effect of Proposed Changes*

#### University Mission and Accountability

The bill modifies s. 1001.706, F.S., to require the BOG to periodically review the mission of each constituent university and make updates or revisions as needed. Upon completion of a review of the mission, the BOG must review existing academic programs to ensure alignment with the mission. The BOG must include in its review a directive to each constituent university to examine its programs for any violation of the Florida Educational Equity Act in s. 1000.05, F.S., or that are 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.

#### Prohibited Expenditures

The bill adds to current spending restrictions in law for memberships or good and services from any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion.<sup>24</sup> The bill modifies s. 1004.06, F.S., to specify that a Florida College System institution, state university, Florida College System institution direct-support organization,<sup>25</sup> or state

<sup>23</sup> Section 1000.05(4)(a), F.S.

<sup>24</sup> Section 1004.06, F.S.

<sup>25</sup> Direct-support organizations (DSOs) are statutorily created private entities that are generally required to be non-profit corporations, and are authorized to carry out specific tasks in support of public entities or public causes.



university direct-support organization may not expend any funds, regardless of source, to promote, support, or maintain any programs or campus activities that:

- Violate the concepts in Florida Educational Equity Act in s. 1000.05, F.S.
- Are 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.

However, the bill exempts from this provision programs required for compliance with federal laws or regulations; for obtaining or retaining institutional or discipline-specific accreditation; for securing or retaining research contracts, grants, and cooperative agreements; or access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, “2+2” transfer students from the Florida College System, students from low-income families, or students with unique abilities.

The bill authorizes the SBE and BOG to adopt rules and regulations to implement these provisions.

### **Preeminent State Research Universities Program**

#### ***Present Situation***

The Preeminent State Research University program is a collaborative partnership between the Board of Governors (BOG) and the Legislature to elevate the academic and research preeminence of Florida’s highest performing state research universities.<sup>26</sup> A state research university that meets at least 11 of the 12 academic and research excellence standards specified in law is designated as a preeminent state research university.<sup>27</sup>

The academic and research excellence standards are:

- An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1200 or higher on a 1600-point scale or an average ACT score of 25 or higher on a 36 score scale, for fall semester incoming freshmen.
- A top-50 ranking on at least two well-known and highly respected national public university rankings using the most recent rankings.
- A freshman retention rate of 90 percent or higher for full-time, first-time-in-college (FTIC) students.
- A 4-year graduation rate of 60 percent or higher for full-time, FTIC students.
- Six or more faculty members at the state university who are members of a national academy.
- Total annual research expenditures, including federal research expenditures, of \$200 million or more.
- Total annual research expenditures in diversified nonmedical sciences of \$150 million or more.
- A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study.

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<sup>26</sup> Section 1001.7065(1), F.S.

<sup>27</sup> Section 1001.7065(3), F.S.

- One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.
- Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines.
- Two hundred or more postdoctoral appointees annually.
- An endowment of \$500 million or more.<sup>28</sup>

A state university that meets at least 6 of the 12 academic and research excellence standards is designated as an “emerging preeminent state research university.”<sup>29</sup>

In the most recent State University System Accountability Plan, Florida State University, the University of Florida, and the University of South Florida are designated as preeminent state research universities. Florida International University and the University of Central Florida are designated as emerging preeminent state research universities.<sup>30</sup>

### ***Effect of Proposed Changes***

The bill amends s. 1001.7065, F.S. to add another criteria to the academic and research excellence standards for designation as a preeminent or emerging preeminent state research university. The bills adds the total annual STEM-related research expenditures of \$50 million or more, which includes federal research expenditures.

Accordingly, because the bill increases from 12 to 13 the total number of standards, the bill modifies the total number of standards that an institution must meet to be designated as a preeminent or emerging preeminent state research university. The bill specifies that an institution must meet 12 standards for a preeminence designation, and 7 standards for an emerging preeminent designation.

## **General Education**

### ***Present Situation***

Associate in Arts (AA) degrees at an FCS or SUS institution to be no more than 60 semester hours of college credit and include 36 semester hours of general education course work. A baccalaureate degree must be no more than 120 semester hours of college credit, unless prior approval has been granted by the BOG or the SBE, as applicable, and include 36 semester hours of general education coursework.

### **General Education Core**

Students initially entering an FCS or SUS institution in 2015-2016 and thereafter, are required to complete at least one identified general education core course in each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. All public postsecondary educational institutions are required to accept these courses as meeting general

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<sup>28</sup> Section 1001.7065(2), F.S.

<sup>29</sup> Section 1001.7065(3)(b), F.S.

<sup>30</sup> Board of Governors, 2022 Accountability Plan, State University System of Florida Summary (Sept. 14, 2022), available at [https://www.flbog.edu/wp-content/uploads/2022/10/2022\\_SYSTEM\\_Accountability\\_Plan\\_Final.pdf](https://www.flbog.edu/wp-content/uploads/2022/10/2022_SYSTEM_Accountability_Plan_Final.pdf), at 11.

education core course requirements. Beginning in 2022-2023, the general education core course requirement is extended to students in an associate in applied science and associate in science degree program.<sup>31</sup>

General education core course options consist of a maximum of five courses in each identified subject area, but may exceed that limit with SBE or BOG approval. The general education core courses are established in SBE rule<sup>32</sup> and BOG regulation<sup>33</sup> and include the following courses:

- Communication:
  - ENC X101 English Composition I.
- Humanities:
  - ARH X000 Art Appreciation;
  - HUM X020 Introduction to Humanities;
  - LIT X000 Introduction to Literature;
  - MUL X010 Music Literature/Music Appreciation;
  - PHI X010 Introduction to Philosophy; or
  - THE X000 Theatre Appreciation.
- Mathematics for students initially entering in the Fall Term, 2015, through the 2023-24 academic year:
  - MAC X105 College Algebra;
  - MAC X311 Calculus I;
  - MGF X106 Liberal Arts Mathematics I;
  - MGF X107 Liberal Arts Mathematics II; or
  - STA X023 Statistical Methods.
- Mathematics for students initially entering in the 2024-25 academic year and thereafter:
  - MAC X105 College Algebra;
  - MAC X311 Calculus I;
  - MGF X130 Mathematical Thinking; or
  - STA X023 Statistical Methods.
- Natural Sciences:
  - AST X002 Descriptive Astronomy;
  - BSC X005 General Biology;
  - BSC X010 General Biology I;
  - BSC X085 Anatomy and Physiology I;
  - CHM X020 Chemistry for Liberal Studies;
  - CHM X045 General Chemistry I;
  - ESC X000 Introduction to Earth Science;
  - EVR X001 Introduction to Environmental Science;
  - PHY X020 Fundamentals of Physics;
  - PHY X048 General Physics with Calculus; or
  - PHY X053 General Physics I.
- Social Sciences:
  - AMH X020 Introductory Survey Since 1877;
  - ANT X000 Introduction to Anthropology;

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<sup>31</sup> Section 1007.25, F.S.

<sup>32</sup> Rule 6A-14.0303, F.A.C.

<sup>33</sup> Board of Governors Regulation 8.005.

- ECO X013 Principles of Macroeconomics;
- POS X041 American Government;
- PSY X012 Introduction to Psychology; or
- SYG X000 Principles of Sociology.

A student has completed that core subject area if the student completes a communication, mathematics, or natural science course for which the designated course is a prerequisite.<sup>34</sup>

#### Transfer of General Education Courses

Each public postsecondary institution must accept in transfer general education core courses taken at another institution. After completing the general education core course requirements, the remaining courses and credits that fulfill the total 36-hour general education requirement for an associate in arts or baccalaureate degree are at the discretion of the FCS or SUS institution.<sup>35</sup>

General education programs in Florida, while consistent at the general education core requirements and the total of 36 hours for completion, vary in the selection of institutionally-required courses. Students who transfer with an AA or associate in science (AS) degree, or who have completed their block of 36 general education hours do not have to meet the receiving institution's general education program requirements. If a student does not complete the total 36-hour general education curriculum prior to transfer, each course, outside of courses taken as general education courses, will be reviewed individually to determine if it meets the general education requirements of the new institution.<sup>36</sup>

#### Articulation Coordinating Committee

The Commissioner of Education, in consultation with the Chancellor of the State University System, establishes the Articulation Coordinating Committee (ACC), whose primary role is to recommend statewide articulation policies. Specifically, the ACC must monitor articulation between education systems, propose guidelines for articulation agreements, publish lists of general education and common prerequisite courses, establish dual enrollment course equivalencies to high school credit, and annually review the Statewide Articulation Agreement.<sup>37</sup> The Office of K-20 Articulation within the Florida Department of Education provides administrative support to the ACC.<sup>38</sup>

#### Statewide Course Numbering System

The Florida statewide course numbering system (SCNS) is a taxonomy of courses offered by participating postsecondary institutions in order to improve program planning and communication among all delivery systems, and facilitate student acceleration and the transfer of students and credits between public school districts, public postsecondary educational institutions, and participating nonpublic educational institutions.

<sup>34</sup> Rule 6A-14.0303, F.A.C. and Board of Governors Regulation 8.005.

<sup>35</sup> Florida Board of Governors, *Regulation 8.005 General Education Core Course Options*, available at [https://www.flbog.edu/wp-content/uploads/8\\_005GeneralEducationCore\\_final.pdf](https://www.flbog.edu/wp-content/uploads/8_005GeneralEducationCore_final.pdf) and Rule 6A -14.0303(5), F.A.C.

<sup>36</sup> Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 15, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

<sup>37</sup> Section 1007.01(3), F.S.

<sup>38</sup> Section 1007.01(3), F.S.; s. 20.15(3)(h), F.S.

Any student who transfers among participating postsecondary educational institutions must be awarded credit by the receiving institution for equivalent courses satisfactorily completed at the previous institution. Courses are considered equivalent if they are judged by the appropriate SCNS faculty committees to be academically equivalent, and are then assigned an equivalent course number. Credits awarded for equivalent courses must satisfy institutional requirements on the same basis as credits awarded to native students.<sup>39</sup>

All 12 of Florida's state universities, 28 FCS institutions, 38 participating nonpublic postsecondary institutions, and 48 career education centers participate in the SCNS.<sup>40</sup>

### ***Effect of Proposed Changes***

#### **General Education Core Course Options**

The bill modifies s. 1007.25, F.S., to require revisions to the general education core course options by faculty committees appointed by the State Board of Education (SBE) and Board of Governors (BOG). Faculty committees must, by July 1, 2024, and each four years thereafter, review and recommend to the Articulation Coordinating Committee (ACC) and the SBE and BOG changes to the core course options.

The bill establishes conditions and standards for the content and identification of courses as general education core, which include the following:

- General education core courses may not distort significant historical events or include a curriculum that teaches identity politics that violates Florida Educational Equity Act, or that are 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.
- General education core courses must meet the following standards:
  - Communication courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking.
  - Humanities courses must afford students the ability to think critically through the mastering of subjects concerned with human culture, especially literature, history, art, music, and philosophy, and must include selections from the Western canon.
  - Social science courses must afford students an understanding of the basic social and behavioral science concepts and principles used in the analysis of behavior and past and present social, political, and economic issues.
  - Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific method to explain natural experiences and phenomena.
  - Mathematics courses must afford students a mastery of foundational mathematical and computation models and methods by applying such models and methods in problem solving.

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<sup>39</sup> Section 1007.24(7), F.S.

<sup>40</sup> Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 3, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

The bill requires each public postsecondary institution to offer at least one general education core course in each of the identified subject areas, and accept all such courses, whether or not the receiving institution offers that course.

The bill also protects a student who has completed a general education core course from having to take an additional core course in that subject area if the course is later removed from the identified list.

#### General Education Courses

The bill creates s. 1007.55, F.S., to specify general education course principles, standards, and content. The bill asserts that every undergraduate student of a Florida public postsecondary educational institution should graduate as an informed citizen through participation in rigorous general education courses that promote and preserve the constitutional republic through traditional, historically accurate, and high-quality coursework. General education courses should provide broad foundational knowledge to help students develop intellectual skills and habits that enable them to become more effective and lifelong learners. Courses with a curriculum based on unproven, speculative, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit.

The bill specifies that general education courses must meet the following criteria:

- Meet the course standards as provided in law.
- Whenever applicable, provide instruction on the historical background and philosophical foundations of Western civilization and this nation's historical documents, such as the Declaration of Independence, the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

The bill specifies that public postsecondary educational institution boards of trustees (BOT) and presidents are responsible for annually reviewing and approving, at a public meeting, general education course requirements.

The following information must be included for each general education course record on the list for approval by the institution BOT:

- The general education distribution area;
- The number of state universities that offer the course and the number of Florida College System institutions that offer the course; and
- The course level.

Once the institution BOT has approved its general education list, each public postsecondary educational institution must annually submit to the Board of Governors or the State Board of Education, as applicable, the institution's listing of approved general education courses, which must include the information included on the BOT list of courses. The applicable state board must approve the institution general education course lists.

The bill requires public postsecondary educational institutions to report courses meeting institutional general education subject requirements to the department by their statewide course number, which is a current practice of the statewide course numbering system.

Public postsecondary educational institutions that fail to comply with the requirements of this section are not eligible to receive performance-based funding.

Finally, similar to the general education core courses, the bill specifies that an institution may not require a student who has completed a general education course from having to take an additional core course in that subject area if the course is later removed from the institution's identified list.

### **Institute for Risk Management & Insurance Education**

#### ***Present Situation***

Risk management and insurance is a major industry in Florida with a concentration in Volusia County. Like many others, the insurance industry is being revolutionized by integration of technology, predictive analytics, and data science, and becoming more complex given its exposure to transformative trends in the economy and the environment.

In Florida, the insurance industry is facing a capacity crisis given the state's population growth, attractiveness to business relocation, and multifaceted economic development. As risk valuations and comprehensive insurance solutions become more complex, the industry's workforce must be well versed in transformative technological, economic, and environmental trends, and develop a holistic set of skills in sales, service, negotiations, finance, economics, data analytics, and systems-level problem solving.

#### ***Effect of Proposed Changes***

The bill creates the Institute for Risk Management & Insurance Education within the College of Business at the University of Central Florida. The bill requires that institute be located in Volusia County to best serve the partner industries, which are concentrated in that area. The purpose of the institute is to respond to the ever-evolving insurance and risk management industry and present and emerging needs of the state of Florida and its residents. The bill establishes following goals of the institute:

- Pursue technological innovations that advance risk valuation models and operational efficiencies in the insurance industry.
- Drive the development of workforce competencies in data analytics, system-level thinking, technology integration, entrepreneurship, and actuarial science.
- Leverage the University of Central Florida's world class assets in data science, artificial intelligence, computer science, engineering, finance, economics, and sales.
- Take advantage of the University of Central Florida's robust portfolio of academic program offerings and draw on faculty and industry experts in diverse fields, including actuarial science, computer science, economics, engineering, environmental science, finance, forensics, law, management, marketing, and psychology.
- Develop and offer risk management and insurance education, including education that recognizes risks in areas such as the environment, pandemic disease, and digital security.
- Offer programs, workshops, case studies, and applied research studies that integrate technology and artificial intelligence with soft skills while preparing students and professionals for the technology-enabled insurance industry of the future.

## **Hamilton Center for Classical and Civic Education**

### ***Present Situation***

The Hamilton Center for Classical and Civic Education at the University of Florida was created in 2022<sup>41</sup> to support teaching and research concerning the ideas, traditions, and texts that form the foundations of Western and American civilization.<sup>42</sup>

The goals of the center are to:<sup>43</sup>

- Educate university students in core texts and great debates of Western civilization.
- Educate university students in the principles, ideals, and institutions of the American political order.
- Educate university students in the foundations of responsible leadership and informed citizenship.
- Provide programming and training related to civic education and the values of open inquiry and civil discourse to support the K-20 system.
- Coordinate with the Florida Institute of Politics,<sup>44</sup> the Adam Smith Center for the Study of Economic Freedom,<sup>45</sup> and assist in the curation and implementation of Portraits in Patriotism.<sup>46</sup>

### ***Effect of Proposed Changes***

The bill modifies s. 1004.6496, F.S., to authorize, until July 1, 2024, the UF BOT to use charitable donations to establish and fund the center. The bill specifies that funds appropriated to the center may not be used for any other purpose, but UF may provide additional funding to the college.

The bill includes in the goals of the center educating university students on the Great Books of Western civilization. Also, the bill provides additional authorization to the center to:

- Hire necessary faculty and staff, pursuant to university president hiring authority specified in the bill;
- Enroll students;
- Develop curriculum and offer new courses, including honors courses, certificates, and major and minor programs;
- Hold events, including fundraisers;
- Fulfill other actions approved by the president of the university; and
- Generate resources based on student credit hour enrollment, in the same manner as any other college within the institution.

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<sup>41</sup> Ch. 2022-154, s. 35, Laws of Fla.

<sup>42</sup> Section 1004.6496(1), F.S.

<sup>43</sup> Id. at (2).

<sup>44</sup> Section 1004.6499, F.S.

<sup>45</sup> Section 1004.64991, F.S.

<sup>46</sup> Section 1003.44, F.S.



The bill authorizes the UF president to hire and remove a center director, and specifies that the director, must report directly to the president.

Finally, the bill specifies that faculty of the center may be awarded tenure subject to the tenure policies at UF.

## **Florida Institute of Politics**

### ***Present Situation***

The Florida Institute of Politics (institute) was created in 2020<sup>47</sup> at Florida State University (FSU) to provide the southeastern region of the United States with a world class, bipartisan, nationally renowned institute of politics.

The goals of the institute are to:

- Motivate students throughout FSU to become aware of the significance of government and civic engagement at all levels and politics in general.
- Provide students with an opportunity to be politically active and civically engaged.
- Nurture a greater awareness of and passion for public service and politics.
- Plan and host forums to allow students and guests to hear from and interact with experts from government, politics, policy, and journalism on a frequent basis.
- Become a national and state resource on polling information and survey methodology.
- Provide fellowships and internship opportunities to students in government, nonprofit organizations, and community organizations.
- Provide training sessions for newly elected state and local public officials.
- Organize and sponsor conferences, symposia, and workshops throughout this state to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.
- Create and promote research and awareness regarding politics, citizen involvement, and public service.
- Collaborate with related policy institutes and research activities at FSU and other institutions of higher education to motivate, increase, and sustain citizen involvement in public affairs.<sup>48</sup>

### ***Effect of Proposed Changes***

The bill modifies s. 1004.6499, F.S., to change the name of the Florida Institute of Politics (institute) at Florida State University (FSU) to the Florida Institute for Governance and Civics. The bill removes the requirement that the institute be housed in the FSU College of Social Sciences and Public Policy, and removes the stated purpose in favor of specified goals.

The bill substantially changes the goals of the institute to:

- Provide students with access to an interdisciplinary hub that will develop academically rigorous scholarship and coursework on the origins of the American system of government, its foundational documents, its subsequent political traditions and evolutions, and its impact on comparative political systems.

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<sup>47</sup> Ch. 2020-114, ss. 9, 110, Law of Fla.

<sup>48</sup> Section 1004.6499(1), F.S.

- Encourage civic literacy in this state through the development of educational tools and resources for K-12 and postsecondary students which foster an understanding of how individual rights, constitutionalism, separation of powers, and federalism function within the American system.
- Model civic discourse that recognizes the importance of viewpoint diversity, intellectual rigor, and an evidence-based approach to history.
- Plan and host forums to allow students and guests to hear from exceptional individuals who have excelled in a wide range of sectors of American life, to highlight the possibilities created by individual achievement and entrepreneurial vision.
- Become a national and state resource on using polling instruments and other assessments to measure civic literacy and make recommendations for improving civic education.
- Provide fellowships and internship opportunities to students in government.
- Create through scholarship, original research, publications, symposia, testimonials, and other means a body of resources that can be accessed by students, scholars, and government officials to understand the innovations in public policy in this state over a rolling 30-year time period.

## **The Adam Smith Center for the Study of Economic Freedom**

### ***Present Situation***

The Adam Smith Center for the Study of Economic Freedom was created in 2020<sup>49</sup> at Florida International University to:

- Study the effect of government and free market economies on individual freedom and human prosperity.
- Conduct and promote research on the effect of political and economic systems on human prosperity.
- Plan and host research workshops and conferences to allow students, scholars, and guests to exchange in civil discussion of democracy and capitalism.
- Provide fellowship and mentoring opportunities to students engaged in scholarly studies of the effect of political and economic systems on human prosperity.<sup>50</sup>

### ***Effect of Proposed Changes***

The bill modifies s. 1004.64991, F.S., to authorize the Adam Smith Center for the Study of Economic Freedom to:

- Hire necessary faculty and staff, pursuant to university board of trustees hiring authority specified in the bill;
- Enroll students;
- Develop curriculum and offer new courses, including honors courses, certificates, and major and minor programs;
- Hold events, including fundraisers;
- Fulfill other actions approved by the president of the university; and

<sup>49</sup> Ch. 2020-117, s. 8, Laws of Fla.

<sup>50</sup> Section 1004.64991, F.S.

- Generate resources based on student credit hour enrollment, in the same manner as any other college within the institution.

## **Accreditation**

### ***Present Situation***

In order for students to receive federal student aid from the U.S. Department of Education (USDOE) for postsecondary study, the institution must be accredited by a nationally recognized accrediting agency, be authorized by the State in which the institution is located, and receive approval from the USDOE through a program participation agreement.<sup>51</sup>

To gain or renew accreditation, an institution must be evaluated through a set of procedures established by an accrediting agency. Many of the procedures are guided by federal requirements.

The Commission on Colleges of the Southern Association of Colleges and Schools (SACSCOC) is the body for the accreditation of degree-granting higher education institutions in the Southern states. It serves as the common denominator of shared values and practices primarily among the diverse institutions in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia and Latin America and certain other international sites approved by the SACSCOC Board of Trustees that award associate, baccalaureate, master's, or doctoral degrees.<sup>52</sup>

SACSCOC accredits 74 Florida public and private colleges and universities,<sup>53</sup> including 12 universities that make up the State University System of Florida, 28 institutions in the Florida College System, and 34 private colleges and universities.

The Board of Governors and the State Board of Education must identify accrediting agencies or associations best suited to serve as an institutional accreditor for state universities and Florida College System institutions, respectively. Such accrediting agencies or associations must be recognized by the database created and maintained by the United States Department of Education. A public postsecondary institution may not be accredited by the same accrediting agency or association for consecutive accreditation cycles. In the year following reaffirmation or fifth-year review by its accrediting agency or association, each public postsecondary institution is required to seek and obtain institutional accreditation from an accrediting agency or association identified by the BOG or SBE, respectively, before its next reaffirmation or fifth-year review date.

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<sup>51</sup> United States Department of Education, *Overview of Accreditation in the United States*, <https://www2.ed.gov/admins/finaid/accresd/accacreditation.html> (last visited March 24, 2022).

<sup>52</sup> The Southern Association of Colleges and Schools Commission on Colleges website at <https://sacscoc.org/about-sacscoc/> (last visited March 24, 2022).

<sup>53</sup> Southern Association of Colleges and Schools Commission on Colleges, *SACSCOC Accredited and Candidate List* (July 2021), available at <https://sacscoc.org/app/uploads/2019/11/Institutionswebmemlist.pdf>.

### ***Effect of Proposed Changes***

The bill modifies s. 1008.47, F.S., to clarify that a public postsecondary institution is not required to change accrediting agencies each accreditation cycle, but that the change in accreditation required in law is restricted to a one-time change, prior to the expiration of this requirement on December 31, 2032.

The bill also prohibits an accrediting agency or association from compelling any public postsecondary institution to violate state law, and specifies that any adverse action on the institution based upon the institution's compliance with state law constitutes a violation that may be enforced through the cause of action in law, which may result from agency retaliatory or adverse actions taken against the institution. The bill provides an exception to the consequences for specified accrediting agency actions to the extent that state law is preempted by a federal law that recognizes the necessity of the accreditation standard or requirement.

### **Buy One, Get One Free Tuition Waiver**

State universities must provide a "buy one, get one free" (BOGO) tuition and fee waiver on upper-level courses in one of ten science, technology, engineering, or math (STEM) programs of strategic emphasis (PSE), as adopted by the Board of Governors (BOG). Specifically, for every course in a qualifying PSE in which a student is enrolled, a state university must waive 100 percent of the tuition and fees for an equivalent course in such program. To be eligible, a student must:

- Be an resident for tuition purposes;<sup>54</sup>
- Earn at least 60 semester credit hours towards a baccalaureate degree within two academic years after initial enrollment at a Florida public postsecondary institution; and
- Be enrolled in one of 10 STEM PSE.<sup>55</sup>

On June 22, 2021, the BOG adopted eight programs for the BOGO fee waiver: Civil Engineering, Computer + Information Science, Computer Engineering, Electrical + Electronics Engineering, Information Technology, Management Information Systems, Mathematics, and Physics.<sup>56</sup>

Beginning in the 2022-2023 academic year, students are eligible to receive the tuition and fee waiver in two additional PSE, finance and accounting,<sup>57</sup> as adopted by the BOG.<sup>58</sup>

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<sup>54</sup> A student who is classified as a "resident for tuition purposes" is a student who qualifies for the in-state tuition rate. Section 1009.21(1)(g), F.S.

<sup>55</sup> Section 1009.26(18)(a), F.S.

<sup>56</sup> State University System, *Strategic Planning Committee Meeting Agenda for June 22, 2021*, available at <https://www.flbog.edu/session/strategic-planning-committee-klwekql/Strategic-Planning-Committee-State-University-System-of-Florida-flbog.edu>.

<sup>57</sup> State University System, *Strategic Planning Committee Meeting Agenda for June 29, 2022*, available at <https://www.flbog.edu/wp-content/uploads/2022/06/Full-Board-SPC-PSE-Tuition-Waiver-ai-CE-1.pdf>

<sup>58</sup> The Florida Channel, *Florida BOG Meeting Part 2 June 29, 2022*, available at <https://thefloridachannel.org/videos/6-29-22-florida-board-of-governors-meeting-part-2/> at 6:20.

The tuition and fee waiver is applicable only for upper-level courses and for up to 110 percent of the number of required credit hours of the degree program for which the student is enrolled.<sup>59</sup> For example, for a 120-credit hour state university baccalaureate degree program, the waiver is applicable unless the student has earned an excess of 132 credit hours.

### *Effect of Proposed Changes*

The bill modifies s. 1009.26, F.S., to add to the eligible programs under the tuition and fee waiver a state-approved teacher preparation program identified by the BOG. The bill specifies that beginning in the 2023-2024 academic year, a student may receive the waiver for enrollment in one of two state-approved teacher preparation programs identified by the BOG.

The bill clarifies that the criteria provided for the BOG to select a program for eligibility for the tuition waiver must apply only at the time the BOG approves the list.

Finally, the bill protects students from losing the waiver based on a change to an approved program. The bill authorizes a student to continue receiving the waiver until he or she graduates, exceeds the number of allowable credits, or exits the program, regardless of whether the program is removed from the approved list subsequent to the student's enrollment.

The bill takes effect on July 1, 2023.

## **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>59</sup> Section 1009.26(18)(b), F.S.

**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: 1001.706, 1001.7065, 1004.06, 1004.6496, 1004.6499, 1004.64991, 1007.25, 1008.47, and 1009.26.

This bill creates the following sections of the Florida Statutes: 1001.725 and 1007.55.

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

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

**CS/CS by Appropriations Committee on Education on April 12, 2023:**

The committee substitute:

- Regarding powers and duties of the Board of Governors (BOG), the CS:
  - Adds to the bill a requirement that the Board of Governors (BOG) provide direction to universities to examine programs for those that are 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.
  - Requires, rather than authorizes, the BOG to adopt a regulation regarding a post-tenure review, but removes from the bill the requirement that the BOG regulation on post-tenure reviews include a provision that authorizes a post-tenure review at any time, for cause.
- Changes the research metric in the bill regarding the preeminent state research universities program to specify that STEM-related expenditures includes federal

- expenditures, but removes the requirement that such research benefit Florida industry and employ Florida residents.
- Relating to university personnel:
    - Modifies hiring authority in the bill to reserve authority to the president, and specifies that the president is responsible for assessing employment practices for provosts and deans.
    - Authorizes the president to delegate hiring authority to the executive team and individual deans.
    - Authorizes only specified pledges or other oaths in admissions or personnel processes.
    - Specifies that faculty grievances terminate with the president of the university.
    - Specifies that the university board of trustees must have procedures to review executive team contracts and salaries.
  - Prohibits public postsecondary institution and direct support organization expenditures for programs that are 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; and adds additional exempt activities or functions.
  - Creates the Institute for Risk Management and Insurance Education; and retains the Hamilton Center at the University of Florida as a center, rather than a college.
  - Relating to the general education program:
    - Prohibits general education core courses from content that 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.
    - Requires specified course information that must be approved by the university board of trustees.
    - Requires each university to submit general education lists for approval to the SBE or BOG, as applicable.
  - Prohibits an accrediting agency from compelling any public institution to violate state law.
  - Includes teacher preparation programs in the buy-one-get-one tuition waiver program, and specifies that programs selected must meet specified criteria only at the time of selection.

### **CS by Education Postsecondary on March 15, 2023:**

The committee substitute:

- Relating to the powers and duties of the Board of Governors (BOG), requires the BOG to:
  - Align university missions with the existing and emerging economic development needs of the state, and removes education for citizenship in the constitutional republic and workforce needs.
  - Include in its strategic plan provisions for nondegree credential attainment, and removes a requirement to include education for citizenship in the constitutional republic and industry certifications.

- Include in its regulation regarding tenure review a provision for each university to initiate a post-tenure review at any time, with cause.
- In provisions relating to discriminatory concepts:
  - Requires as a part of the BOG review of university missions, direction to each university to examine programs for discriminatory concepts in s. 1000.05(4)(a), F.S., and removes specific reference to majors, minors, critical race theory, gender studies, and intersectionality.
  - Removes the requirement for each university to submit documentation relating to education for citizenship in the constitutional republic and intellectual autonomy of undergraduates, as well as documentation in its accountability plan of the removal from any major or minor specified discriminatory concepts.
- Related to powers and duties of the university board of trustees (BOT):
  - Specifies hiring authority for full-time faculty.
  - Prohibits a president from delegating hiring authority to anyone outside of the executive team, and removes the provision requiring the BOT to approve or deny any selection.
  - Prohibits activities in university admissions, hiring, promotion, tenure, or evaluations that violate the discrimination provisions of s. 1000.05(4)(a), F.S.
- Provides additional restrictions on prohibited expenditures by public postsecondary institutions, with exceptions, and expands the list of individuals protected from discrimination to include color and disability, and replaces gender with sex; and provides rule and regulation authority.
- Modifies the general education provisions by:
  - Tying a prohibition on distorting historical events to a violation of the discrimination provisions of s. 1000.05(4)(a), F.S., and removes reference to critical race theory.
  - Replacing the requirement for communication courses to focus on Western literacy traditions with a requirement for humanities courses to include selections from the Western canon.
  - Extending a reporting date for the Articulation Coordinating Committee from July 1, 2023 to July 1, 2024.
  - Specifying that a student may not be required to take additional general education courses if the course completed was subsequently removed from an identified list.
- Specifies that students may continue receiving the “buy one, get one free” tuition waiver even if their programs are removed as eligible program after their enrollment.

**B. Amendments:**

None.





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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2023	.	
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The Appropriations Committee on Education (Grall) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraphs (a) through (d) of subsection (5) and paragraph (b) of subsection (6) of section 1001.706, Florida Statutes, are amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(a) The Legislature intends that the Board of Governors



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11 shall align the missions of each constituent university with the  
12 academic success of its students; the existing and emerging  
13 economic development needs of the state; the national reputation  
14 of its faculty and its academic and research programs; the  
15 quantity of externally generated research, patents, and  
16 licenses; and the strategic and accountability plans required in  
17 paragraphs (b) and (c). The Board of Governors shall  
18 periodically review the mission of each constituent university  
19 and make updates or revisions as needed. Upon completion of a  
20 review of the mission, the board shall review existing academic  
21 programs for alignment with the mission. The board shall include  
22 in its review a direction to each constituent university to  
23 examine its programs for any curriculum that violates s. 1000.05  
24 or that is based on theories that systemic racism, sexism,  
25 oppression, and privilege are inherent in the institutions of  
26 the United States and were created to maintain social,  
27 political, and economic inequities. The mission alignment and  
28 strategic plan must ~~shall~~ consider peer institutions at the  
29 constituent universities. The mission alignment and strategic  
30 plan must ~~shall~~ acknowledge that universities that have a  
31 national and international impact have the greatest capacity to  
32 promote the state's economic development through: new  
33 discoveries, patents, licenses, and technologies that generate  
34 state businesses of global importance; research achievements  
35 through external grants and contracts that are comparable to  
36 nationally recognized and ranked universities; the creation of a  
37 resource rich academic environment that attracts high-technology  
38 business and venture capital to the state; and this generation's  
39 finest minds focusing on solving the state's economic, social,



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environmental, and legal problems in the areas of life sciences, water, sustainability, energy, and health care. A nationally recognized and ranked university that has a global perspective and impact must ~~shall~~ be afforded the opportunity to enable and protect the university's competitiveness on the global stage in fair competition with other institutions of other states in the highest Carnegie Classification.

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan must:

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, licensure passage, nondegree credential attainment, average wages of employed graduates, average cost per graduate, excess hours, student loan burden and default rates, faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.

2. Consider reports and recommendations of the Florida Talent Development Council under s. 1004.015 and the Articulation Coordinating Committee under s. 1007.01.

3. Include student enrollment and performance data



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delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

4. Include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis. The programs of emphasis list adopted by the Board of Governors before July 1, 2021, shall be used for the 2021-2022 academic year. Beginning in the 2022-2023 academic year, the Board of Governors shall adopt the criteria to determine value for and prioritization of degree credentials and degree programs established by the Credentials Review Committee under s. 445.004 for designating high-demand programs of emphasis. The Board of Governors must review designated programs of emphasis, at a minimum, every 3 years to ensure alignment with the prioritization of degree credentials and degree programs identified by the Credentials Review Committee.

5. Include criteria for nondegree credentials.

(c) The Board of Governors shall develop an accountability plan for the State University System and each constituent university. The accountability plan must address institutional and system achievement of goals and objectives specified in the strategic plan adopted pursuant to paragraph (b) and must be submitted as part of its legislative budget request. Each university shall submit, as a component of the university's annual accountability plan:

1. Information on the effectiveness of its plan for improving 4-year graduation rates; and

2. The level of financial assistance provided to students pursuant to paragraph (h).

~~(d) Beginning in the 2014-2015 academic year and annually~~



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~~thereafter~~, The Board of Governors shall annually require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity pursuant to s. 445.07. In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:

1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.

2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(b) The Board of Governors shall ~~may~~ adopt a regulation requiring each tenured state university faculty member to undergo a comprehensive post-tenure review every 5 years. The board may include other considerations in the regulation, but the regulation must address:

1. Accomplishments and productivity;
2. Assigned duties in research, teaching, and service;
3. Performance metrics, evaluations, and ratings; and
4. Recognition and compensation considerations, as well as improvement plans and consequences for underperformance.

Section 2. Paragraph (m) is added to subsection (2) of section 1001.7065, Florida Statutes, to read:



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1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(m) Total annual STEM-related research expenditures, including federal research expenditures, of \$50 million or more.

Section 3. Section 1001.741, Florida Statutes, is created to read:

1001.741 State university personnel.—

(1) Except as delegated pursuant to paragraph (a), each state university president has the final authority for hiring the provost, the deans, and all full-time faculty for the university, and has an ongoing duty to assess the performance, productivity, and employment practices of the university's provost and deans. The president of the university is encouraged to engage in faculty recruiting as appropriate, and shall provide a regular report and recommendations on employment practices to the board at least twice annually.

(a) The president may delegate hiring authority to individuals on the university's executive management team within the president's office, to the provost, or to individual deans; however, the president or the person delegated such hiring authority is not bound by the recommendations or opinions of faculty or other individuals.

(b) A state university may not require any statement, pledge, or oath other than to uphold general and federal law, the United States Constitution, and the State Constitution as a



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part of any admissions, hiring, employment, promotion, tenure,  
disciplinary, or evaluation process.

(2) Notwithstanding s. 447.401 or any other law, personnel  
actions or decisions regarding faculty, including in the areas  
of evaluations, promotions, tenure, discipline, or termination,  
may not be appealed beyond the level of a university president  
or designee. Such actions or decisions must have as their  
terminal step a final agency disposition, which must be issued  
in writing to the faculty member, and are not subject to  
arbitration. The filing of a grievance does not toll the action  
or decision of the university, including the termination of pay  
and benefits of a suspended or terminated faculty member.

(3) Each state university board of trustees must have  
procedures for the review of the president's selection and  
reappointment of each member of the university's executive  
management team, and his or her respective contract and annual  
salary, before such contracts and salaries become effective, in  
accordance with the personnel program established by the Board  
of Governors.

(4) Each state university president shall annually present  
to the state university board of trustees the results of  
performance evaluations and associated annual salaries for all  
evaluated academic and administrative personnel earning an  
annual salary of \$200,000 or more, regardless of the funding  
source for such salaries. The results may be presented in a  
summary or written format.

Section 4. Section 1004.06, Florida Statutes, is amended to  
read:

1004.06 Prohibited expenditures.—



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(1) ~~A No~~ Florida College System institution, state university, Florida College System institution direct-support organization, or state university direct-support organization may not ~~shall~~ expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability ~~gender~~, or religion.

(2) A Florida College System institution, state university, Florida College System institution direct-support organization, or state university direct-support organization may not expend any funds, regardless of source, to promote, support, or maintain any programs or campus activities that:

(a) Violate s. 1000.05; or

(b) Are 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.

(3) Subsection (2) does not prohibit programs or campus activities and functions required for compliance with federal laws or regulations; for obtaining or retaining institutional or discipline-specific accreditation; for securing or retaining research contracts, grants, and cooperative agreements; or for access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, "2+2" transfer students from the Florida College System, students from low-income families, or students with unique abilities.

(4) The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to implement





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this section.

Section 5. Section 1004.3841, Florida Statutes, is created to read:

1004.3841 The Institute for Risk Management and Insurance Education.—The Institute for Risk Management and Insurance Education is established within the College of Business at the University of Central Florida. Since insurance and risk management is a major industry in the state, with a concentration of such industry in Volusia County, the institute shall be located in Volusia County. Like many other industries in the state, the insurance and risk management industry is being revolutionized by, among other things, the integration of technology, predictive analytics, and data science, and is becoming more complex, given its exposure to transformative trends in the economy and environment. The purpose of the institute is to respond to the ever-evolving insurance and risk management industry and the present and emerging needs of this state and its residents. The goals of the institute are to:

(1) Pursue technological innovations that advance risk valuation models and operational efficiencies in the insurance industry.

(2) Drive the development of workforce competencies in data analytics, system-level thinking, technology integration, entrepreneurship, and actuarial science.

(3) Leverage the University of Central Florida's world-class assets in data science, artificial intelligence, computer science, engineering, finance, economics, and sales.

(4) Take advantage of the University of Central Florida's robust portfolio of academic program offerings and draw on



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faculty and industry experts in diverse fields, including  
actuarial science, computer science, economics, engineering,  
environmental science, finance, forensics, law, management,  
marketing, and psychology.

(5) Develop and offer risk management and insurance  
education, including education that recognizes risks in areas  
such as the environment, pandemic disease, and digital security.

(6) Offer programs, workshops, case studies, and applied  
research studies that integrate technology and artificial  
intelligence with soft skills while preparing students and  
professionals for the technology-enabled insurance industry of  
the future.

Section 6. Section 1004.6496, Florida Statutes, is amended  
to read:

1004.6496 Hamilton Center for Classical and Civic  
Education.—

(1) By July 1, 2024, the Board of Trustees of the  
University of Florida may use funds as provided in the General  
Appropriations Act and charitable donations to establish and  
fund the Hamilton Center for Classical and Civic Education as an  
academic unit within the University of Florida. The purpose of  
the center is to support teaching and research concerning the  
ideas, traditions, and texts that form the foundations of  
Western and American civilization.

(2) The goals of the center are to:

(a) Educate university students in core texts and great  
debates of Western civilization and the Great Books.

(b) Educate university students in the principles, ideals,  
and institutions of the American political order.



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(c) Educate university students in the foundations of responsible leadership and informed citizenship.

(d) Provide programming and training related to civic education and the values of open inquiry and civil discourse to support the K-20 system.

(e) Coordinate with the Florida Institute for Governance and Civics ~~of Politics~~ created pursuant to s. 1004.6499 and the Adam Smith Center for the Study of Economic Freedom created pursuant to s. 1004.64991 and assist in the curation and implementation of Portraits in Patriotism created pursuant to s. 1003.44.

(3) In order to carry out the purposes set forth in subsection (2), the center is authorized to:

(a) Hire necessary faculty and staff pursuant to s. 1001.741;

(b) Enroll students;

(c) Develop curriculum and offer new courses, including honors courses, certificates, and major and minor programs;

(d) Hold events, including fundraisers;

(e) Fulfill other actions approved by the president of the university; and

(f) Generate resources based on student credit hour enrollment, in the same manner as any other center within the institution.

(4) The president of the university may hire a director for the center.

(a) The president of the university may remove the director in accordance with the policies and procedures established at the university.



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(b) The director of the center must report directly to the president or provost of the university.

(5) Faculty of the center may be awarded tenure, subject to the tenure regulations adopted by the university board of trustees.

(6) Funds appropriated specifically to the center may not be used for any other purpose at the university; however, the university can provide additional funding as available to the center.

Section 7. Section 1004.6499, Florida Statutes, is amended to read:

1004.6499 Florida Institute for Governance and Civics ~~of Politics.~~—

(1) The Florida Institute for Governance and Civics ~~of Politics~~ is established at the Florida State University ~~within the College of Social Sciences and Public Policy. The purpose of the institute is to provide the southeastern region of the United States with a world class, bipartisan, nationally renowned institute of politics.~~

(2) The goals of the institute are to:

(a) Provide students with access to an interdisciplinary hub that will develop academically rigorous scholarship and coursework on the origins of the American system of government, its foundational documents, its subsequent political traditions and evolutions, and its impact on comparative political systems ~~Motivate students throughout the Florida State University to become aware of the significance of government and civic engagement at all levels and politics in general.~~

(b) Encourage civic literacy in this state through the



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development of educational tools and resources for K-12 and  
postsecondary students which foster an understanding of how  
individual rights, constitutionalism, separation of powers, and  
federalism function within the American system ~~Provide students~~  
~~with an opportunity to be politically active and civically~~  
~~engaged.~~

(c) Model civic discourse that recognizes the importance of  
viewpoint diversity, intellectual rigor, and an evidence-based  
approach to history ~~Nurture a greater awareness of and passion~~  
~~for public service and politics.~~

(d) Plan and host forums to allow students and guests to  
hear from exceptional individuals who have excelled in a wide  
range of sectors of American life, to highlight the  
possibilities created by individual achievement and  
entrepreneurial vision ~~and interact with experts from~~  
~~government, politics, policy, and journalism on a frequent~~  
~~basis.~~

(e) Become a national and state resource on using polling  
instruments and other assessments to measure civic literacy and  
make recommendations for improving civic education ~~information~~  
~~and survey methodology.~~

(f) Provide fellowships and internship opportunities to  
students in government, ~~nonprofit organizations, and community~~  
~~organizations.~~

(g) Create through scholarship, original research,  
publications, symposia, testimonials, and other means a body of  
resources that can be accessed by students, scholars, and  
government officials to understand the innovations in public  
policy in this state over a rolling 30-year time period ~~Provide~~



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~~training sessions for newly elected state and local public officials.~~

~~(h) Organize and sponsor conferences, symposia, and workshops throughout this state to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.~~

~~(i) Create and promote research and awareness regarding politics, citizen involvement, and public service.~~

~~(j) Collaborate with related policy institutes and research activities at the Florida State University and other institutions of higher education to motivate, increase, and sustain citizen involvement in public affairs.~~

Section 8. Subsection (3) is added to section 1004.64991, Florida Statutes, to read:

1004.64991 The Adam Smith Center for the Study of Economic Freedom.—

(3) In order to carry out the purpose set forth in this section, the institute is authorized to:

(a) Hire necessary faculty and staff pursuant to s. 1001.741;

(b) Enroll students;

(c) Develop curriculum and offer new courses, including honors courses, certificates, and major and minor programs;

(d) Hold events, including fundraisers;

(e) Fulfill other actions approved by the president of the university; and

(f) Generate resources based on student credit hour enrollment, in the same manner as any college within the institution.



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Section 9. Subsection (3) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to review and recommend to the Articulation Coordinating Committee for approval by the State Board of Education and the Board of Governors ~~identify~~ statewide general education core course options for inclusion in the statewide course numbering system established under s. 1007.24. Faculty committees shall, by July 1, 2024, and by July 1 every 4 years thereafter, review and submit recommendations to the Articulation Coordinating Committee and the commissioner for the removal, alignment, realignment, or addition of general education core courses that satisfy the requirements of this subsection.

(a) General education core course options shall consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. The core courses may be revised, or the five-course maximum within each subject area may be exceeded, if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area.

(b) Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully



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complete the course.

(c) General education core courses may not distort significant historical events or include a curriculum that teaches identity politics, violates s. 1000.05, 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.

(d) General education core courses must meet the following standards:

1. Communication courses must afford students the ability to communicate effectively, including the ability to write clearly and engage in public speaking.

2. Humanities courses must afford students the ability to think critically through the mastering of subjects concerned with human culture, especially literature, history, art, music, and philosophy, and must include selections from the Western canon.

3. Social science courses must afford students an understanding of the basic social and behavioral science concepts and principles used in the analysis of behavior and past and present social, political, and economic issues.

4. Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific method to explain natural experiences and phenomena.

5. Mathematics courses must afford students a mastery of foundational mathematical and computation models and methods by applying such models and methods in problem solving.

(e) Beginning with students initially entering a Florida





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College System institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. Beginning in the 2022-2023 academic year and thereafter, students entering a technical degree education program as defined in s. 1004.02(13) must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded.

(f) All public postsecondary educational institutions shall offer at least one general education core course in each of the identified subject areas and accept these courses as meeting general education core course requirements upon transfer, regardless of whether the receiving institution offers the identical general education core courses. The remaining general education course requirements shall be identified by each institution as approved in accordance with this section and listed in the statewide course numbering system ~~and reported to the department by their statewide course number.~~

(g) A public postsecondary educational institution may not require a student to complete an additional course to meet a subject area distribution requirement that was completed by the student with a course that has since been removed as a general education core course.

(h) The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

Section 10. Section 1007.55, Florida Statutes, is created to read:



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1007.55 General education course principles, standards, and content.—

(1) The Legislature finds it necessary to ensure that every undergraduate student of a Florida public postsecondary educational institution graduates as an informed citizen through participation in rigorous general education courses that promote and preserve the constitutional republic through traditional, historically accurate, and high-quality coursework. General education courses should provide broad foundational knowledge to help students develop intellectual skills and habits that enable them to become more effective and lifelong learners. Courses with a curriculum based on unproven, speculative, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit. General education courses must:

(a) Meet the course standards as provided in s. 1007.25; and

(b) Whenever applicable, provide instruction on the historical background and philosophical foundation of Western civilization and this nation's historical documents, such as the Declaration of Independence, the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

(2) Public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course requirements, as authorized and approved in accordance with ss. 1007.24 and 1007.25 and this section, at their respective institutions. The following must be included for each listed



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general education course:

(a) The general education distribution area;

(b) The number of state universities that offer the course  
and the number of Florida College System institutions that offer  
the course; and

(c) The course level.

(3) Each public postsecondary educational institution must  
annually submit to the Board of Governors or the State Board of  
Education, as applicable, the institution's listing of approved  
general education courses, which must include the information in  
paragraphs (2)(a), (b), and (c). The applicable board must  
approve the institution general education course lists.

(4) Public postsecondary educational institutions must  
report courses meeting institutional general education subject  
requirements to the department by their statewide course number.

(5) Public postsecondary educational institutions that fail  
to comply with the requirements of this section are not eligible  
to receive performance-based funding pursuant to ss. 1001.66 or  
1001.92.

(6) A public postsecondary educational institution may not  
require a student to take an additional course to meet a subject  
area distribution requirement that was completed by the student  
with a course that has since been removed as a general education  
course.

(7) The State Board of Education and the Board of Governors  
shall adopt rules and regulations, respectively, to implement  
this section.

Section 11. Present subsections (3) and (4) of section  
1008.47, Florida Statutes, are redesignated as subsections (4)



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and (5), respectively, a new subsection (3) is added to that section, and subsection (2) and present subsection (3) of that section are amended, to read:

1008.47 Postsecondary education institution accreditation.—

(2) ACCREDITATION.—

(a) By September 1, 2022, the Board of Governors or the State Board of Education, as applicable, shall identify and determine the accrediting agencies or associations best suited to serve as an accreditor for public postsecondary institutions. Such accrediting agencies or associations must be recognized by the database created and maintained by the United States Department of Education. ~~A public postsecondary institution may not be accredited by the same accrediting agency or association for consecutive accreditation cycles.~~ In the year following reaffirmation or fifth-year review by its accrediting agencies or associations, each public postsecondary institution must seek and obtain accreditation from an accrediting agency or association identified by the Board of Governors or State Board of Education, respectively, before its next reaffirmation or fifth-year review date. The requirements in this section are limited to a one-time change in accreditation. The requirements of this subsection are not applicable to those professional, graduate, departmental, or certificate programs at public postsecondary institutions that have specific accreditation requirements or best practices, including, but not limited to, law, pharmacy, engineering, or other similarly situated educational programs.

(b) Once a public postsecondary institution is required to seek and obtain accreditation from an agency or association



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identified pursuant to paragraph (a), the institution shall seek accreditation from a regional accrediting agency or association and provide quarterly reports of its progress to the Board of Governors or State Board of Education, as applicable. If each regional accreditation agency or association identified pursuant to paragraph (a) has refused to grant candidacy status to an institution, the institution must ~~shall~~ seek and obtain accreditation from any accrediting agency or association that is different from its current accrediting agency or association and is recognized by the database created and maintained by the United States Department of Education. If a public postsecondary institution is not granted candidacy status before its next reaffirmation or fifth-year review date, the institution may remain with its current accrediting agency or association.

(c) This subsection expires December 31, 2032.

(3) PROHIBITION.—An accrediting agency or association may not compel any public postsecondary institution to violate state law, and any adverse action upon the institution based upon the institution's compliance with state law constitutes a violation of this section that may be enforced through subsection (4), except to the extent that state law is preempted by a federal law that recognizes the necessity of the accreditation standard or requirement.

(4) ~~(3)~~ CAUSE OF ACTION.—A postsecondary education institution negatively impacted by retaliatory or adverse action taken against the postsecondary education institution by an accrediting agency or association may bring an action against the accrediting agency or association in a court of competent jurisdiction and may obtain liquidated damages in up to ~~up to~~ the



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amount of federal financial aid received by the postsecondary education institution, court costs, and reasonable attorney fees.

Section 12. Paragraphs (a), (b), and (c) of subsection (18) of section 1009.26, Florida Statutes, are amended to read:

1009.26 Fee Waivers.—

(18) (a) For every course in a Program of Strategic Emphasis, as identified in subparagraph 3., or a state-approved teacher preparation program, in which a student is enrolled, a state university shall waive 100 percent of the tuition and fees for an equivalent course in such program for a student who:

1. Is a resident for tuition purposes under s. 1009.21.

2. Has earned at least 60 semester credit hours towards a baccalaureate degree within 2 academic years after initial enrollment at a Florida public postsecondary institution.

3. Enrolls in one of 10 Programs of Strategic Emphasis as adopted by the Board of Governors, or a state-approved teacher preparation program. The Board of Governors shall adopt eight Programs of Strategic Emphasis in science, technology, engineering, or math and, beginning with the 2022-2023 academic year, two Programs of Strategic Emphasis in the critical workforce gap analysis category for which a student may be eligible to receive the tuition and fee waiver authorized by this subsection. The programs identified by the board must reflect the priorities of the state and be offered at a majority of state universities at the time the Board of Governors approves the list.

(b) A waiver granted under this subsection is applicable only for upper-level courses and up to 110 percent of the number



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of required credit hours of the baccalaureate degree program for which the student is enrolled. A student granted a waiver under this subsection shall continue receiving the waiver until the student graduates, exceeds the number of allowable credit hours, or withdraws from an eligible program, regardless of whether the program is removed from the approved list of eligible programs subsequent to the student's enrollment.

(c) Upon enrollment in a Program of Strategic Emphasis or a state-approved teacher preparation program, the tuition and fees waived under this subsection must be reported for state funding purposes under ss. 1009.534 and 1009.535 and must be disbursed to the student. The amount disbursed to the student must ~~shall~~ be equal to the award amount the student has received under s. 1009.534(2) or s. 1009.535(2).

Section 13. This act shall take effect July 1, 2023.

===== 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 higher education; amending s.  
1001.706, F.S.; revising the duties of the Board of  
Governors relating to the mission of each state  
university; revising requirements for the Board of  
Governors' strategic plan relating to the goals and  
objectives of the State University System; requiring  
the Board of Governors to annually require each state  
university to include certain information in its



459430

economic security report; requiring, rather than authorizing, a Board of Governors regulation to include a post-tenure review of state university faculty on a specified basis; amending s. 1001.7065, F.S.; requiring the Board of Governors Accountability Plan to annually report certain research expenditures of a specified amount; creating s. 1001.741, F.S.; providing that each state university president is responsible for hiring the provost, the deans, and full-time faculty; proving that the president has a duty to assess the performance of the provost and deans; authorizing the president to delegate hiring authority to specified individuals and entities; prohibiting a university from using specified methods in its admissions or personnel processes; providing that certain actions regarding personnel may not be appealed beyond the university president; requiring each state university board of trustees to have review procedures for the president's selection and reappointment of certain faculty; requiring each state university president to annually present specified performance evaluations and salaries to the board of trustees; amending s. 1004.06, F.S.; prohibiting specified educational institutions from expending funds to promote specified concepts; providing exceptions; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; creating s. 1004.3841, F.S.; creating the Institute for Risk Management and Insurance





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Education within the College of Business at the University of Central Florida; requiring that the institute be located in a specified county; providing the purpose and goals of the institute; amending s. 1004.6496, F.S.; authorizing the Board of Trustees of the University of Florida to use charitable donations in addition to appropriated funds to fund the Hamilton Center for Classical and Civic Education; revising the goals of the center; providing powers of the center; amending s. 1004.6499, F.S.; renaming the Florida Institute of Politics at the Florida State University as the Florida Institute for Governance and Civics; providing the goals of the institute; amending s. 1004.64991, F.S.; authorizing the Adam Smith Center for the Study of Economic Freedom to perform certain tasks in order to carry out its established purpose; amending s. 1007.25, F.S.; revising how general education core courses are established; requiring the State Board of Education and the Board of Governors to consider approval of certain courses; requiring faculty committees to review and submit recommendations to the Articulation Coordinating Committee and the commissioner relating to certain courses by a specified date and periodically thereafter; prohibiting general education core courses from teaching certain topics or presenting information in specified ways; providing requirements for general education core courses; requiring specified educational institutions to offer certain courses;



459430

prohibiting public postsecondary educational institutions from requiring students to take certain additional general education core courses; creating s. 1007.55, F.S.; providing legislative findings; providing requirements for general education courses; requiring public postsecondary educational institution boards of trustees and presidents to annually review and approve general education requirements; requiring public postsecondary educational institutions to report certain courses to the department; providing a penalty for failing to meet such review and approval requirements; prohibiting public postsecondary educational institutions from requiring students to take certain additional general education courses; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; amending s. 1008.47, F.S.; specifying a one-time limit on the requirement to change accrediting agencies; providing for expiration; prohibiting an accrediting entity from requiring a public postsecondary institution to violate state law; amending s. 1009.26, F.S.; providing that certain provisions apply to a state-approved teacher preparation program; providing that certain postsecondary fee waivers continue until specified criteria are met; providing an effective date.



126800

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2023	.	
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The Appropriations Committee on Education (Grall) recommended the following:

**Senate Amendment to Amendment (459430) (with directory and title amendments)**

Between lines 134 and 135  
insert:

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state university that annually meets at least 12 ~~11~~ of the 13 ~~12~~ academic and research excellence standards identified in subsection (2) as a “preeminent state research university.”



126800

(b) The Board of Governors shall designate each state university that annually meets at least 7 ~~6~~ of the 13 ~~12~~ academic and research excellence standards identified in subsection (2) as an "emerging preeminent state research university."

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

And the directory clause is amended as follows:

Delete lines 125 - 126

and insert:

Section 2. Paragraph (m) is added to subsection (2) of section 1001.7065, Florida Statutes, and subsection (3) of that section is amended, to read:

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

And the title is amended as follows:

Delete line 655

and insert:

of a specified amount; revising the number of standards an institution must meet to receive a specified designation; creating s. 1001.741, F.S.;



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LEGISLATIVE ACTION

Senate	.	House
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The Appropriations Committee on Education (Grall) recommended the following:

**Senate Amendment to Amendment (459430) (with title amendment)**

Delete lines 597 - 633  
and insert:

(18) (a) For every course in a Program of Strategic Emphasis, or in a state-approved teacher preparation program identified by the Board of Governors, as identified in subparagraph 3., in which a student is enrolled, a state university shall waive 100 percent of the tuition and fees for



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an equivalent course in such program for a student who:

1. Is a resident for tuition purposes under s. 1009.21.

2. Has earned at least 60 semester credit hours towards a baccalaureate degree within 2 academic years after initial enrollment at a Florida public postsecondary institution.

3. Enrolls in one of 10 Programs of Strategic Emphasis as adopted by the Board of Governors or in one of two state-approved teacher preparation programs identified by the Board of Governors. The Board of Governors shall adopt eight Programs of Strategic Emphasis in science, technology, engineering, or math; ~~and~~, beginning with the 2022-2023 academic year, two Programs of Strategic Emphasis in the critical workforce gap analysis category; and beginning with the 2023-2024 academic year, two state-approved teacher preparation programs for which a student may be eligible to receive the tuition and fee waiver authorized by this subsection. The programs identified by the board must reflect the priorities of the state and be offered at a majority of state universities at the time the Board of Governors approves the list.

(b) A waiver granted under this subsection is applicable only for upper-level courses and up to 110 percent of the number of required credit hours of the baccalaureate degree program for which the student is enrolled. A student granted a waiver under this subsection shall continue receiving the waiver until the student graduates, exceeds the number of allowable credit hours, or withdraws from an eligible program, regardless of whether the program is removed from the approved list of eligible programs subsequent to the student's enrollment.

(c) Upon enrollment in a Program of Strategic Emphasis or



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in one of two teacher preparation programs identified by the  
Board of Governors, the tuition and fees waived under this  
subsection must be reported for state funding purposes under ss.  
1009.534 and 1009.535 and must be disbursed to the student. The  
amount disbursed to the student must ~~shall~~ be equal to the award  
amount the student has received under s. 1009.534(2) or s.  
1009.535(2).

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

And the title is amended as follows:

Delete lines 728 - 730

and insert:

amending s. 1009.26, F.S.; requiring the Board of  
Governors to identify state-approved teacher  
preparation programs eligible for a tuition waiver;  
providing that certain

By the Committee on Education Postsecondary; and Senator Grall

589-02628-23

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1 A bill to be entitled  
 2 An act relating to higher education; amending s.  
 3 1001.706, F.S.; revising requirements in the Board of  
 4 Governors duties relating to the mission of each state  
 5 university; revising requirements for the Board of  
 6 Governors' strategic plan relating to the goals and  
 7 objectives of the State University System; requiring  
 8 the Board of Governors to annually require each state  
 9 university to include certain information in its  
 10 economic security report; authorizing a Board of  
 11 Governors regulation to include a post-tenure review  
 12 of state university faculty at any time, with cause;  
 13 amending s. 1001.7065, F.S.; requiring each state  
 14 university to annually report certain research  
 15 expenditures of a specified amount; creating s.  
 16 1001.725, F.S.; providing that each state university  
 17 board of trustees is responsible for hiring full-time  
 18 faculty; authorizing the board to delegate hiring  
 19 authority to the president; prohibiting the president  
 20 from delegating hiring authority except as specified;  
 21 prohibiting a university from using specified methods  
 22 in its admissions or personnel processes; requiring  
 23 each state university board of trustees to confirm  
 24 specified employee reappointments and contracts;  
 25 requiring each state university president to annually  
 26 present specified performance evaluations and salaries  
 27 to the board of trustees; amending s. 1004.06, F.S.;  
 28 expanding definition of discrimination; prohibiting  
 29 specified educational institutions from expending

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

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30 funds to promote specified concepts; providing  
 31 exceptions; requiring the State Board of Education and  
 32 the Board of Governors to adopt rules and regulations,  
 33 respectively; amending s. 1004.6496, F.S.; authorizing  
 34 the Board of Trustees of the University of Florida to  
 35 use funds to establish and fund the Hamilton College  
 36 for Classical and Civic Education; revising the goals  
 37 of the college; providing powers of the college;  
 38 amending s. 1004.6499, F.S.; renaming the Florida  
 39 Institute of Politics at the Florida State University  
 40 as the Florida Institute for Governance and Civics;  
 41 providing the goals of the institute; amending s.  
 42 1004.64991, F.S.; authorizing the Adam Smith Center  
 43 for the Study of Economic Freedom to perform certain  
 44 tasks in order to carry out its established purpose;  
 45 amending s. 1007.25, F.S.; revising how general  
 46 education core courses are established; requiring the  
 47 Commissioner of Education and Chancellor of the State  
 48 University System to consider approval of certain  
 49 courses; requiring faculty committees to review and  
 50 submit recommendations to the Articulation  
 51 Coordinating Committee and the commissioner relating  
 52 to certain courses by a specified date and every 3  
 53 years thereafter; prohibiting general education core  
 54 courses from teaching certain topics or presenting  
 55 information in specified ways; providing requirements  
 56 for general education core courses; requiring  
 57 specified educational institutions to offer certain  
 58 courses; prohibiting public postsecondary educational

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59 institutions from requiring students to take certain  
 60 additional general education core courses; creating s.  
 61 1007.55, F.S.; providing legislative findings;  
 62 requiring the Articulation Coordinating Committee to  
 63 submit an annual report to specified entities relating  
 64 to courses that have been approved as meeting  
 65 specified requirements to be used by public  
 66 postsecondary educational institutions; providing  
 67 requirements for general education courses; requiring  
 68 public postsecondary educational institution boards of  
 69 trustees and presidents to annually review and approve  
 70 general education requirements; providing a penalty  
 71 for failing to meet such review and approval  
 72 requirements; requiring public postsecondary  
 73 educational institutions to report certain courses to  
 74 the department; prohibiting public postsecondary  
 75 educational institutions from requiring students to  
 76 take certain additional general education courses;  
 77 requiring the State Board of Education and the Board  
 78 of Governors to adopt rules and regulations,  
 79 respectively; amending s. 1008.47, F.S.; specifying a  
 80 one-time limit on the requirement to change  
 81 accrediting agencies; amending s. 1009.26, F.S.;  
 82 providing that certain postsecondary fee waivers  
 83 continue until specified criteria are met; providing  
 84 an effective date.

86 Be It Enacted by the Legislature of the State of Florida:  
 87

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88 Section 1. Paragraphs (a) through (d) of subsection (5) and  
 89 paragraph (b) of subsection (6) of section 1001.706, Florida  
 90 Statutes, are amended to read:  
 91 1001.706 Powers and duties of the Board of Governors.—  
 92 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—  
 93 (a) The Legislature intends that the Board of Governors  
 94 shall align the missions of each constituent university with the  
 95 academic success of its students; the existing and emerging  
 96 economic development needs of the state; the national reputation  
 97 of its faculty and its academic and research programs; the  
 98 quantity of externally generated research, patents, and  
 99 licenses; and the strategic and accountability plans required in  
 100 paragraphs (b) and (c). The Board of Governors shall  
 101 periodically review the mission of each constituent university  
 102 and make updates or revisions as needed. Upon completion of a  
 103 review of the mission, the board shall review existing academic  
 104 programs to ensure alignment with the mission. The board shall  
 105 include in its review direction to each constituent university  
 106 to examine its programs for any violation of s. 1000.05(4)(a).  
 107 The mission alignment and strategic plan shall consider peer  
 108 institutions at the constituent universities. The mission  
 109 alignment and strategic plan shall acknowledge that universities  
 110 that have a national and international impact have the greatest  
 111 capacity to promote the state's economic development through:  
 112 new discoveries, patents, licenses, and technologies that  
 113 generate state businesses of global importance; research  
 114 achievements through external grants and contracts that are  
 115 comparable to nationally recognized and ranked universities; the  
 116 creation of a resource rich academic environment that attracts

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high-technology business and venture capital to the state; and this generation's finest minds focusing on solving the state's economic, social, environmental, and legal problems in the areas of life sciences, water, sustainability, energy, and health care. A nationally recognized and ranked university that has a global perspective and impact shall be afforded the opportunity to enable and protect the university's competitiveness on the global stage in fair competition with other institutions of other states in the highest Carnegie Classification.

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan must:

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, licensure passage, nondegree credential attainment, average wages of employed graduates, average cost per graduate, excess hours, student loan burden and default rates, faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.

2. Consider reports and recommendations of the Florida Talent Development Council under s. 1004.015 and the

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Articulation Coordinating Committee under s. 1007.01.

3. Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

4. Include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis. The programs of emphasis list adopted by the Board of Governors before July 1, 2021, shall be used for the 2021-2022 academic year. Beginning in the 2022-2023 academic year, the Board of Governors shall adopt the criteria to determine value for and prioritization of degree credentials and degree programs established by the Credentials Review Committee under s. 445.004 for designating high-demand programs of emphasis. The Board of Governors must review designated programs of emphasis, at a minimum, every 3 years to ensure alignment with the prioritization of degree credentials and degree programs identified by the Credentials Review Committee.

5. Include criteria for nondegree credentials.

(c) The Board of Governors shall develop an accountability plan for the State University System and each constituent university. The accountability plan must address institutional and system achievement of goals and objectives specified in the strategic plan adopted pursuant to paragraph (b) and must be submitted as part of its legislative budget request. Each university shall submit, as a component of the university's annual accountability plan:

1. Information on the effectiveness of its plan for improving 4-year graduation rates; and

2. The level of financial assistance provided to students

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pursuant to paragraph (h).

(d) ~~Beginning in the 2014-2015 academic year and annually thereafter,~~ The Board of Governors shall annually require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity pursuant to s. 445.07. In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:

1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.

2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(b) The Board of Governors may adopt a regulation requiring each tenured state university faculty member to undergo a comprehensive post-tenure review every 5 years. The regulation must include a process and criteria for each university to initiate a post-tenure review of a faculty member at any time, with cause. The board may include other considerations in the regulation, but the regulation must address:

1. Accomplishments and productivity;
2. Assigned duties in research, teaching, and service;
3. Performance metrics, evaluations, and ratings; and

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4. Recognition and compensation considerations, as well as improvement plans and consequences for underperformance.

Section 2. Paragraph (m) is added to subsection (2) of section 1001.7065, Florida Statutes, to read:

1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(m) Total annual research expenditures of \$50 million or more benefiting STEM-related occupations, businesses, or industry partners located in this state and currently employing, or seeking to employ, residents of this state.

Section 3. Section 1001.725, Florida Statutes, is created to read:

1001.725 University boards of trustees; personnel.—

(1) Each university board of trustees is responsible for hiring full-time faculty. The president may provide hiring recommendations to the board. The president and the board are not bound by recommendations or opinions of faculty or other individuals or groups.

(a) The board may delegate its hiring authority to the president; however, the president may not delegate hiring authority to anyone outside the executive management team within the president's office.

(b) A university is prohibited from using diversity, equity, and inclusion statements, critical race theory, or other forms of political identity filters that violate s.

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1000.05(4)(a) in any university admissions, hiring, promotion, tenure, or evaluation process.

(2) Each university board of trustees shall confirm its president's selection and reappointment of the university's executive management team members and their respective contracts and annual salaries, in accordance with the university's personnel program established by the Board of Governors. Contracts and responsibilities of the president and executive team members, including, but not limited to, provost positions, must explicitly delineate that the duties of positions, other than the president, are limited to administrative oversight and operational supervision of curricular, instructional, and research affairs, as applicable to the position.

(3) Each university president shall annually present to his or her board of trustees for review the results of performance evaluations and associated salaries of all evaluated personnel earning an annual compensation of \$200,000 or more, regardless of fund source.

Section 4. Section 1004.06, Florida Statutes, is amended to read:

1004.06 Prohibited expenditures.—

(1) No Florida College System institution, state university, Florida College System institution direct-support organization, or state university direct-support organization shall expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability gender, or religion.

(2)(a) No Florida College System institution, state

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university, Florida College System institution direct-support organization, or state university direct-support organization may expend any funds, regardless of source, to promote, support, or maintain any programs or campus activities that violate s. 1000.05(4)(a).

(b) Programs required for compliance with federal regulations, or access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, "2+2" transfer students from the Florida College System, students from low-income families, or students with unique abilities, are not prohibited by this subsection.

(3) The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to implement this section.

Section 5. Section 1004.6496, Florida Statutes, is amended to read:

1004.6496 Hamilton College Center ~~Center~~ for Classical and Civic Education.—

(1) By July 1, 2024, the Board of Trustees of the University of Florida may use funds as provided in the General Appropriations Act and charitable donations to establish and fund the Hamilton College Center ~~Center~~ for Classical and Civic Education as an academic unit within the University of Florida. The purpose of the college center is to support teaching and research concerning the ideas, traditions, and texts that form the foundations of Western and American civilization.

(2) The goals of the college center are to:

(a) Educate university students in core texts and great

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debates of Western civilization and the Great Books.

(b) Educate university students in the principles, ideals, and institutions of the American political order.

(c) Educate university students in the foundations of responsible leadership and informed citizenship.

(d) Provide programming and training related to civic education and the values of open inquiry and civil discourse to support the K-20 system.

(e) Coordinate with the Florida Institute for Governance and Civics of Politics created pursuant to s. 1004.6499 and the Adam Smith Center for the Study of Economic Freedom created pursuant to s. 1004.64991 and assist in the curation and implementation of Portraits in Patriotism created pursuant to s. 1003.44.

(3) In order to carry out the purposes set forth in subsection (2), the college is authorized to:

(a) Hire necessary faculty and staff pursuant to s. 1001.725;

(b) Enroll students;

(c) Develop curriculum and offer new courses, including honors courses, certificates, and major and minor programs;

(d) Award degrees;

(e) Hold events, including fundraisers;

(f) Fulfill other actions approved by the president of the university; and

(g) Generate resources based on student credit hour enrollment, in the same manner as any other college within the institution.

(4) The president of the university may hire a dean for the

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college, subject to the approval of the board of trustees.

(a) If at any time the position of dean becomes vacant, the president of the university may appoint a faculty member of the college to serve as the acting dean. The president of the university may remove the dean in accordance with the policies and procedures established at the university.

(b) The dean of the college must report directly to the president of the university.

(c) The dean of the college has the same delegated authority, in the same manner, as any other dean at the university.

(5) Faculty of the college may be awarded tenure subject to the tenure policies of the university.

(6) Funds appropriated specifically to the college may not be used for any other purpose at the university; however, the university can provide additional funding as available to the college.

Section 6. Section 1004.6499, Florida Statutes, is amended to read:

1004.6499 Florida Institute for Governance and Civics of Politics.—

(1) The Florida Institute for Governance and Civics of Politics is established at the Florida State University ~~within the College of Social Sciences and Public Policy. The purpose of the institute is to provide the southeastern region of the United States with a world class, bipartisan, nationally renowned institute of politics.~~

(2) The goals of the institute are to:

(a) Provide students with access to an interdisciplinary

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hub that will develop academically rigorous scholarship and coursework on the origins of the American system of government, its foundational documents, its subsequent political traditions and evolutions, and its impact on comparative political systems. Motivate students throughout the Florida State University to become aware of the significance of government and civic engagement at all levels and politics in general.

(b) Encourage civic literacy in this state through the development of educational tools and resources for K-12 and postsecondary students which foster an understanding of how individual rights, constitutionalism, separation of powers, and federalism function within the American system Provide students with an opportunity to be politically active and civically engaged.

(c) Model civic discourse that recognizes the importance of viewpoint diversity, intellectual rigor, and an evidence-based approach to history Nurture a greater awareness of and passion for public service and politics.

(d) Plan and host forums to allow students and guests to hear from exceptional individuals who have excelled in a wide range of sectors of American life, to highlight the possibilities created by individual achievement and entrepreneurial vision and interact with experts from government, politics, policy, and journalism on a frequent basis.

(e) Become a national and state resource on using polling instruments and other assessments to measure civic literacy and make recommendations for improving civic education information and survey methodology.

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(f) Provide fellowships and internship opportunities to students in government, ~~nonprofit organizations, and community organizations.~~

(g) Create through scholarship, original research, publications, symposia, testimonials, and other means a body of resources that can be accessed by students, scholars, and government officials to understand the innovations in public policy in this state over a rolling 30-year time period Provide training sessions for newly elected state and local public officials.

~~(h) Organize and sponsor conferences, symposia, and workshops throughout this state to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.~~

~~(i) Create and promote research and awareness regarding politics, citizen involvement, and public service.~~

~~(j) Collaborate with related policy institutes and research activities at the Florida State University and other institutions of higher education to motivate, increase, and sustain citizen involvement in public affairs.~~

Section 7. Subsection (3) is added to section 1004.64991, Florida Statutes, to read:

1004.64991 The Adam Smith Center for the Study of Economic Freedom.—

(3) In order to carry out the purpose set forth in this section, the institute is authorized to:

(a) Hire necessary faculty and staff pursuant to s. 1001.725;

(b) Enroll students;

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407 (c) Develop curriculum and offer new courses, including  
 408 honors courses, certificates, and major and minor programs;  
 409 (d) Award degrees;  
 410 (e) Hold events, including fundraisers;  
 411 (f) Fulfill other actions approved by the president of the  
 412 university; and  
 413 (g) Generate resources based on student credit hour  
 414 enrollment, in the same manner as any other college within the  
 415 institution.

416 Section 8. Subsection (3) of section 1007.25, Florida  
 417 Statutes, is amended to read:

418 1007.25 General education courses; common prerequisites;  
 419 other degree requirements.—

420 (3) The chair of the State Board of Education and the chair  
 421 of the Board of Governors, or their designees, shall jointly  
 422 appoint faculty committees to review and recommend to the  
 423 Articulation Coordinating Committee for approval by the  
 424 Commissioner of Education and Chancellor of the State University  
 425 System identify statewide general education core course options  
 426 for inclusion in the statewide course numbering system  
 427 established under s. 1007.24. Faculty committees shall, by  
 428 December 1, 2023, and by December 1 every 3 years thereafter,  
 429 review and submit recommendations to the Articulation  
 430 Coordinating Committee and the commissioner for the removal,  
 431 alignment, realignment, or addition of general education core  
 432 courses that satisfy the requirements of this subsection.

433 (a) General education core course options shall consist of  
 434 a maximum of five courses within each of the subject areas of  
 435 communication, mathematics, social sciences, humanities, and

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436 natural sciences. The core courses may be revised, or the five-  
 437 course maximum within each subject area may be exceeded, if  
 438 approved by the State Board of Education and the Board of  
 439 Governors, as recommended by the subject area faculty committee  
 440 and approved by the Articulation Coordinating Committee as  
 441 necessary for a subject area.

442 (b) Each general education core course option must contain  
 443 high-level academic and critical thinking skills and common  
 444 competencies that students must demonstrate to successfully  
 445 complete the course.

446 (c) General education core courses may not distort  
 447 significant historical events or include a curriculum that  
 448 teaches identity politics, violates s. 1000.05(4) (a), or defines  
 449 American history as contrary to the creation of a new nation  
 450 based on universal principles stated in the Declaration of  
 451 Independence.

452 (d) General education core courses must meet the following  
 453 standards:

454 1. Communication courses must afford students the ability  
 455 to communicate effectively, including the ability to write  
 456 clearly and engage in public speaking.

457 2. Humanities courses must afford students the ability to  
 458 think critically through the mastering of subjects concerned  
 459 with human culture, especially literature, history, art, music,  
 460 and philosophy, and must include selections from the Western  
 461 canon.

462 3. Social science courses must afford students an  
 463 understanding of the basic social and behavioral science  
 464 concepts and principles used in the analysis of behavior and

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past and present social, political, and economic issues.

4. Natural science courses must afford students the ability to critically examine and evaluate the principles of the scientific method, model construction, and use the scientific method to explain natural experiences and phenomena.

5. Mathematics courses must afford students a mastery of foundational mathematical and computation models and methods by applying such models and methods in problem solving.

(e) Beginning with students initially entering a Florida College System institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. Beginning in the 2022-2023 academic year and thereafter, students entering a technical degree education program as defined in s. 1004.02(13) must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded.

(f) All public postsecondary educational institutions shall offer at least one general education core course in each of the identified subject areas and accept ~~these~~ courses as meeting general education core course requirements upon transfer, regardless of whether the receiving institution offers the identical general education core courses. The remaining general education course requirements shall be identified by each institution as approved in accordance with this section and listed in the statewide course numbering system and reported to the department by their statewide course number.

(g) A public postsecondary educational institution may not

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require a student to complete an additional course to meet a subject area distribution requirement that was completed by the student with a course that has since been removed as a general education core course.

(h) The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

Section 9. Section 1007.55, Florida Statutes, is created to read:

1007.55 General education course principles, standards, and content.—

(1) The Legislature finds it necessary to ensure that every undergraduate student of a Florida public postsecondary educational institution graduates as an informed citizen through participation in rigorous general education courses that promote and preserve the constitutional republic through traditional, historically accurate, and high-quality coursework. Courses with a curriculum based on unproven, speculative, or exploratory content are best suited as elective or specific program prerequisite credit, not general education credit.

(2) In performing its duties under ss. 1007.24 and 1007.25, by July 1, 2024, and each July 1 thereafter, the Articulation Coordinating Committee shall submit to the State Board of Education and the Board of Governors courses that have been approved to be used by public postsecondary educational institutions as meeting the additional general education requirements.

(3) General education courses must meet the following criteria:



589-02628-23

2023266c1

(a) Be in the general education core subject areas and meet the course standards as provided in s. 1007.25;

(b) Be offered by at least half of all public postsecondary educational institutions;

(c) Be identified as lower level in the statewide course numbering system; and

(d) Whenever applicable, provide instruction on the historical background and philosophical foundation of Western civilization and this nation's historical documents, such as the Declaration of Independence, the United States Constitution, the Bill of Rights and subsequent amendments, and the Federalist Papers.

(4) If a course is approved as a general education course, that course must be accepted as a general education course, in the same subject area and regardless of whether it is offered by the institution, by all public postsecondary educational institutions.

(5) Public postsecondary educational institution boards of trustees and presidents are responsible for annually reviewing and approving, at a public meeting, general education course requirements, as authorized and approved in accordance with ss. 1007.24 and 1007.25 and this section, at their respective institutions. Public postsecondary educational institutions that fail to comply with the requirements of this section are not eligible to receive performance-based funding pursuant to ss. 1001.66 and 1001.92.

(6) Public postsecondary educational institutions must report courses meeting institutional general education subject requirements to the department by their statewide course number.

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(7) A public postsecondary educational institution may not require a student to take an additional course to meet a subject area distribution requirement that was completed by the student with a course that has since been removed as a general education course.

(8) The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to implement this section.

Section 10. Paragraph (a) of subsection (2) of section 1008.47, Florida Statutes, is amended to read:

1008.47 Postsecondary education institution accreditation.—

(2) ACCREDITATION.—

(a) By September 1, 2022, the Board of Governors or the State Board of Education, as applicable, shall identify and determine the accrediting agencies or associations best suited to serve as an accreditor for public postsecondary institutions. Such accrediting agencies or associations must be recognized by the database created and maintained by the United States Department of Education. ~~A public postsecondary institution may not be accredited by the same accrediting agency or association for consecutive accreditation cycles.~~ In the year following reaffirmation or fifth-year review by its accrediting agencies or associations, each public postsecondary institution must seek and obtain accreditation from an accrediting agency or association identified by the Board of Governors or State Board of Education, respectively, before its next reaffirmation or fifth-year review date. The requirements in this section are limited to a one-time change in accreditation. The requirements of this subsection are not applicable to those professional,

589-02628-23

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graduate, departmental, or certificate programs at public postsecondary institutions that have specific accreditation requirements or best practices, including, but not limited to, law, pharmacy, engineering, or other similarly situated educational programs.

Section 11. Paragraph (b) of subsection (18) of section 1009.26, Florida Statutes, is amended to read:

1009.26 Fee Waivers.—

(18)

(b) A waiver granted under this subsection is applicable only for upper-level courses and up to 110 percent of the number of required credit hours of the baccalaureate degree program for which the student is enrolled. A student granted a waiver under this subsection shall continue receiving the waiver until the student graduates, exceeds the number of allowable credit hours, or withdraws from an eligible program, regardless of whether the program is removed from the approved list of eligible programs subsequent to the student's enrollment.

Section 12. This act shall take effect July 1, 2023.



The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Appropriations Committee on Education

**Subject:** Committee Agenda Request

**Date:** March 16, 2023

---

I respectfully request that **Senate Bill #266**, relating to Higher Education, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in blue ink that reads "Erin K. Grall".

---

Senator Erin Grall  
Florida Senate, District 29

4/12/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

HB 907 SB 266

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Shalaysia Timms

Phone 352 460 6479

Address 1505 W Tharpe St Apt 432

Email shalaysiat@icloud.com

Tallahassee FL 32303  
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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

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4.12.2023

Meeting Date

EDUCATION APPROP.

Committee

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Name HELEN BACIK Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Street

SRQ

City

State

Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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4/12

Meeting Date

The Florida Senate  
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SB266 / HB 999

Bill Number or Topic

Committee

Name

Johana Dauphin

Phone

4078600694

Address

1505 W Tharpe ST

Email

JohanaDauphin@gmail.com

Street

Tallahassee

FL

32303

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  
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S-001 (08/10/2021)

4/12/2023

Meeting Date

Education Appropriations

Committee

The Florida Senate  
**APPEARANCE RECORD**

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SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Name Rachel Lumsden

Phone 718-216-3265

Address 1717 Chestnut Hill

Street

Email rllumsden@gmail.com

Tallahassee FL

City

State

32312

Zip

Speaking: ☐ For ☒ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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The Florida Senate

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4/12/23

Meeting Date

Ed Appropriations

Committee

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Andrew Gothard

Phone

(205) 389-4981

Address

14401 S Military Trail C-101

Street

Email

jandrewgothard@gmail.com

Delray Beach

City

FL

State

33484

Zip

Speaking:

☐

For

☒

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☒

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

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SB 266 / HB 997

Bill Number or Topic

Committee \_\_\_\_\_

Amendment Barcode (if applicable) \_\_\_\_\_

Name

Aashutosh Pyakurel

Phone \_\_\_\_\_

Address

130 E COLONIAL DR

Email \_\_\_\_\_

Street

Orlando

City

FL

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  
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sponsored by:

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The Florida Senate

**APPEARANCE RECORD**

4/12/23

Meeting Date

266

Bill Number or Topic

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~~Sp~~ Education Appropriations  
Committee

Amendment Barcode (if applicable)

Name

Emily Stewart

Phone

(256) 457-5498

Address

2405 San Pedro Ave

Email

emily.maris.stewart@gmail.com

Street

Tallahassee

FL

32304

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

**OR**

Waive Speaking:

☐ In Support

☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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The Florida Senate

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Meeting Date

Ed App

Committee

266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

REV DR RUSSELL MEYER

Phone

813 435 5335

Address

3838 W CYPRESS ST

Email

advocacy@floridachwolves.org

Street

TRA

City

FL

State

33607

Zip

Speaking:

☐ For

☒ Against

☐ Information

**OR**

Waive Speaking:

☐ In Support

☐ Against

## PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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4/22/23

Meeting Date

SB 266

Bill Number or Topic

Appropriations Committee on Education

Committee

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Amendment Barcode (if applicable)

Name

Joe Cohn

Phone

215-717-3473

Address

Street

510 WALNUT STREET, SUITE 1250

Email

joe@the-fire.org

City

Philadelphia

State

PA

Zip

19106

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:

The Foundation For Individual Rights and Expression

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, [df: flsenate.gov](http://www.flsenate.gov)

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4/12/23

Meeting Date

Appropriations Committee  
on Education

Committee

SB266

Bill Number or Topic

SB266

Amendment Barcode (if applicable)

Name Megan McEnery

Phone 727-259-5670

Address 431 Buttonwood Lane  
Street

Email mcenerymegan@gmail.com

Largo  
City

Florida  
State

33770  
Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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4/12/23

Meeting Date

SB 246

Bill Number or Topic

Ed Approps

Committee

Amendment Barcode (if applicable)

Name

Dr. Rich Templin

Phone

850 224 8926

Address

135 S. Monroe

Email

Street

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:

Florida AFL-CIO

☐ 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](https://www.flsenate.gov/2020-2022/jointrules). [df.flsenate.gov](https://www.flsenate.gov/)

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Apr 12 2023

Meeting Date

266

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

WILL HANLEY

Phone

850 912 9143

Address

1911 WATKINS

Street

Email

Whanley@pm.me

City

TALLAH

State

Zip

32301

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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## APPEARANCE RECORD

4/12/23

Meeting Date

SB 266

Bill Number or Topic

Appropriations Committee on Education

Committee

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Amendment Barcode (if applicable)

Name Joe Cohn Phone 215-777-3473Address 510 WALNUT Street, Suite 1250 Email joe@the fire.org  
Street  
Philadelphia PA 19106  
City State ZipSpeaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.☒ I am a registered lobbyist,  
representing:☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:The Foundation for Individual Rights and Expression

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, [df.flsenate.gov](http://df.flsenate.gov)

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Meeting Date

EDUCATION

Committee

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Lola Smyth

Phone

863-215-3631

Address

Street

Email

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

**OR**

Waive Speaking:

☐ In Support

☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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4/12/2024

Meeting Date

2660

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Ed. Appropriations

Name

Phone

Address

Email

Street

City

State

Zip

Shelley Krach

4205 Four Oaks Blvd

Tall

FL

32311

KatKrach@hohmair.com

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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S-001 (08/10/2021)

April 12, 2023

**APPEARANCE RECORD**

CS/SB 266

Meeting Date

Approp. Cmte. on Education

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Bill Number or Topic

Committee

Michael Buchler

Amendment Barcode (if applicable)

Name

703-473-3787

Phone

Address

2069 Wildridge Drive

michael.buchler@gmail.com

Email

Street

Tallahassee

FL

32303

City

State

Zip

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

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S-001 (08/10/2021)

**APPEARANCE RECORD**CS/SB 266  
Bill Number or Topic

Meeting Date

April 12, 2023

Deliver both copies of this form to

Senate professional staff conducting the meeting

Committee

Approp cont on Education

Amendment Barcode (if applicable)

Name

Robin Goodman

Phone

850-345-0146

Address

850 S Gadsden St Apt 418

Email

robintruthy@aol.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,  
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The Florida Senate

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05/12/2023

Meeting Date

Appropriations Committee on EA

Committee

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

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

Name Eric Scarffe

Phone 617 422 5321

Address 11200 SW 8th St

Email eric.scarffe@uff-fla.org

Miami

City

FL

State

33199

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:

UFF-FIU

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)

**APPEARANCE RECORD**

Bill Number or Topic

Meeting Date

Deliver both copies of this form to

Senate professional staff conducting the meeting

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: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](https://www.flsenate.gov/2020-2022/jointrules) [df flsenate.gov](https://www.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

SB266

Bill Number or Topic

Amendment Barcode (if applicable)

4/12/2023  
Appropriations Committee  
Education

Name Celia Caputi

Phone (850) 566-6463

Address 89 Gulf Breeze Dr.

Email Cdaleador@fsu.edu

Street  
City Crawfordville FL 32327  
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

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

4/12/23

Meeting Date

SB266

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Alyssa Zucker

Phone 202-210-0891

Address 4646 NW 12th Pl.

Street

Email alyssa.zucker@gmail.com

Gainesville

City

FL

State

32605

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

7/12/22

Meeting Date

EDUCATION

Committee

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

SB264

Bill Number or Topic

Amendment Barcode (if applicable)

Name KAITLYNN DANEHY-SAMITZ

Phone 941.932.6287

Address

Email ADMIN@WVSUFL.COM

Street

BRADENTON

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)

**APPEARANCE RECORD**

4/12/23

Meeting Date

53266

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Kyle Moore

Phone

Address

Street

Email

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, df \(flsenate.gov\)](#)

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

5-001 (08/10/2021)

4/12/2023

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

SB266

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Daniel Powell

Phone

Address

Street

Email

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)

4/12/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB266

Bill Number or Topic

Committee

Name

Sierra Christiana

Phone

850-545-3396

Address

Email

SierraChristiana@gmail.com

Street

City

State

Zip

Tallahassee FL 32309

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)

4/12/23

Meeting Date

Approp. Comm. on Educ.

Committee

The Florida Senate

## APPEARANCE RECORD

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

266

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Kara Gross**

Phone **786-363-4436**

Address **4343 West Flagler St**  
Street

Email **kgross@aclufl.org**

**Miami**

City

**FL**

State

**33134**

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:

**ACLU of 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](#) ([flisenate.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

4/12/23

Meeting Date

SB266

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

Karolyn Burns

Phone

Address

Street

Tallahassee

City

FL

State

32303

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](#)*

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

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Street

Email

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)

4/12/23

Meeting Date

## APPEARANCE RECORD

SB 266

Bill Number or Topic

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

Education

Committee

Amendment Barcode (if applicable)

Name

Tsi Day Smyth

Phone

Address

316 Ulrich Ave.

Email

sheri.meyer85@gmail.com

Street

Winter Haven

FL

33881

City

State

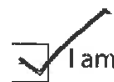
Zip

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](#)

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

5-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

April 12 2023

Meeting Date

S B 266

Bill Number or Topic

Higher Education

Committee

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

Amendment Barcode (if applicable)

Name Erica Esch

Phone 561-250-2118

Address 1221 Federal Hwy, Lake Worth FL 33460  
Street Apt 7

Email eri8rie8@gmail.com

Lake Worth  
City

FL  
State

33460  
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, df flsenate.gov](https://www.flsenate.gov/2020-2022/jointrules)

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

4/12/2023

Meeting Date

SB 266

Bill Number or Topic

Appropriations in Education

Committee

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

Amendment Barcode (if applicable)

Name Bryan Gonzalez

Phone (971)-235-3784

Address 500 Chapel Dr  
Street

Email bg1a1@fsu.edu

Tallahassee FL  
City 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**

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

4/12/23

Meeting Date

Post-Secondary Edu.

Committee

5266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Ian Hughes

Phone

954-249-4343

Address

100 Stadium Dr. Unit 209 B

Email

ish19a@fsu.edu

Street

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)

4/12/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB 266

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Trinyan Mariano

Phone

908-334-8893

Address

1915 Cordell Ave.

Email

tmariano908

Street

Tallahassee FL 32309

@gmail.com

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)

**APPEARANCE RECORD**

04/12/23

Meeting Date

Higher-Education

Committee

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

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Genesis Robinson

Phone

386-341-6346

Address

424 Central Ave

Street

Email

genesis@equal-ground.com

Orlando

City

FL

State

32801

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](https://www.flsenate.gov/2020-2022/joint-rules), [df.flsenate.gov](https://www.flsenate.gov)

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

S-001 (08/10/2021)

04/12/23

Meeting Date

Higher Education

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB 266

Bill Number or Topic

459430

Amendment Barcode (if applicable)

Name Genesis Robinson

Phone 386-341-6346

Address 424 Central Ave  
Street

Email genesis@c9val-ground.com

Orlando FL 32801  
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 266

Meeting Date

4/12/2023

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

Bill Number or Topic

Strike a/ # 459430

Committee

EDUCATION APPROPRIATIONS

Amendment Barcode (if applicable)

Name

MARK WALSH

Phone

850 228 8236

Address

4202 E. FOWLER AVE, CGS301

Email

MWALSH@USF.EDU

Street

TAMPA

City

FL

State

33620

Zip

PCS & AAs to the PCS

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:

USF

☐

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](#) [iflisenate.gov](#)

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

S-001 (08/10/2021)

4/12/23  
(S) Ed Approps

Meeting Date

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB 266  
Bill Number or Topic  
459430  
Amendment Barcode (if applicable)

Name Florida State University  
Lina Rojas

Phone \_\_\_\_\_

Address \_\_\_\_\_  
Street

Email \_\_\_\_\_

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: FSU

☐ 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

# 04/12/23  
Meeting Date  
Education  
Committee

SB286

Bill Number or Topic

Amendment Barcode (if applicable)

Name Rain Johnson 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:
- ☐ 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)

**APPEARANCE RECORD**

SB 266

Meeting Date

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☒

Against

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)

## APPEARANCE RECORD

SB 266

4/12/23

Meeting Date

Bill Number or Topic

Appropriation

Committee

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

Amendment Barcode (if applicable)

Name Joseph D'Elia

Phone

Address 19377 Ne 10 ave #501

Email

Street

Miami

City

FL

State

33179

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)

April 12, 2023

The Florida Senate  
**APPEARANCE RECORD**

SB 266

Meeting Date  
**Education Appropriations**

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

Bill Number or Topic

Committee  
**Pamela Burch Fort**

Amendment Barcode (if applicable)  
**850-425-1344**

Name

Phone

Address

Email

**104 South Monroe Street**

**TcgLobby@aol.com**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

**Reset Form**

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:

**NAACP Florida State Conference**

☐

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 \(flsenate.gov\)](#)

t of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

4/12/23

Meeting Date

APPROPRIATIONS COMMITTEE ON EDUCATION

Committee

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

SBO266

Bill Number or Topic

Amendment Barcode (if applicable)

Name Kevin Day

Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Street

Fort Myers FL 33908

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

4-12-23

Meeting Date

Education

Committee

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jaden Spike Poma

Phone

X

Address

X  
Street

Email

X

X  
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)

4/12/2023

Meeting Date

Appropriations Committee on Education

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB266

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Trish Neely / League of Womens Voters**

Phone **407-377-5777**

Address **PO box 1911**

Email **trish@lwvfl.org**

Street

**Orlando**

City

**FL**

State

**32802**

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**

4/12/23

Meeting Date

266

Bill Number or Topic

Ed. Approp.  
Committee

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

Amendment Barcode (if applicable)

Name Ashley Hayek, America First Works Phone 858-248-2931

Address 1001 Pennsylvania Avenue NW, Ste. 510  
Street

Email

Washington D.C. 20004  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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

S-001 (08/10/2021)



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

04 / 12 / 23

Meeting Date

SB 266

Bill Number or Topic

Appropriation

Committee

Amendment Barcode (if applicable)

Name

James E. BARKER JR

Phone

787-416-2719

Address

3011 N.W. 186 Ter

Email

Street

Miami Gardens

City

FL

State

33056

Zip

Speaking:

☐ For☐ Against☐ Information**OR**

Waive Speaking:

☐ In Support☒ Against**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without  
compensation or sponsorship.I am a registered lobbyist,  
representing:I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

SB 266

Meeting Date

Bill Number or Topic

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

Amendment Barcode (if applicable)

4-12-23  
Appropriation  
Committee

Name André Brown

Phone 305-987-3897

Address 19031 N.W. 7th  
Street

Email

Miami  
City

FL  
State

33169  
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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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

SB 0266

Bill Number or Topic

Amendment Barcode (if applicable)

4-12-23

Meeting Date

APPROPRIATIONS COMMITTEE  
ON EDUCATION

Committee

Name

FERNANDO RENDON

Phone

Address

Street

Email

ROCKLEDGE

FL

32955

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**

4-12-23

Meeting Date

SB 0266

Bill Number or Topic

Appropriations Committee on  
Committee Education

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

Amendment Barcode (if applicable)

Name Lorraine Rendon

Phone

Address

Email

Street

Rockledge

City

FL

State

32955

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

4/12/23

Meeting Date

SB 266

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Lisa Tripp

Phone 831-420-7876

Address 1134 Circle Dr.  
Street

Email lisatripp1@gmail.com

Tallahassee, FL 32301  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

**APPEARANCE RECORD**

4/12/23

Meeting Date

SB 1266

Bill Number or Topic

Appropriations Committee on Education

Committee

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

Amendment Barcode (if applicable)

Name Jordan Appelberg

Phone

Address

Email

Street

Crestview

City

FL

State

32536

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)

4/12

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB 266

Bill Number or Topic

Approps Edu

Committee

Amendment Barcode (if applicable)

Name

Travis Medling

Phone

Address

Street

Ruskin

City

FL

State

33570

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)

4/12/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

266

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

NSabrina Gates

Phone

Address

Email

Street

Lithia

FL

33547

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)



April 12, 2023

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

266/Histor

Bill Number or Topic

Ed.

Appropriations Committee  
On Education Committee

Amendment Barcode (if applicable)

Name Dr. Linda Hill-Pendre

Phone \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

Street

Land O Lakes, Fl. 34638

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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

11/12/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SBB266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Approp  
Committee

Michael Woods

Phone

Address

Email

Street

West Palm Beach 33406

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)

4/12/23

Meeting Date

Education

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Mike Hunt Smills

Phone

Address

4420 W Lake Mary Blvd

Email

Street

Lake Mary

City

FL

State

32746

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.

5-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

04/12/23

Meeting Date

266

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

DAVID SOULE

Phone

Address

Street

DAYTONA BEACH FL 32118

City

State

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

## PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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

Meeting Date

Bill Number or Topic

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

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:

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

Equality Florida

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](http://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

4/12/23

Meeting Date

SB 2144

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Roderick Wilson

Phone

Address

Street

Email

Cape Coral

City

State

33909

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

4/12/23

Meeting Date

SB 0266

Bill Number or Topic

Appropriations Com on Educ

Committee

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

Amendment Barcode (if applicable)

Name Charla S Fox

Phone 239-940-5095

Address 4627 Kestrel Cir

Street

Email

Ft. Myers

City

FL

State

33966

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

SB 264

Bill Number or Topic

Meeting Date

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:

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

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S-001 (08/10/2021)



4-12-23

Meeting Date

Appropriate

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

266

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Vanessa Tillman

Phone

Address

Street

Ft Pierce

City

FL

State

34982

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)

**APPEARANCE RECORD**

4-12-23

Meeting Date

266

Bill Number or Topic

Appropriations

Committee

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

Amendment Barcode (if applicable)

Name

Janice Poirier

Phone

Address

6213 Garrett St.

Email

Street

City

Jupiter

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](#), [df 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:

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

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S-001 (08/10/2021)

4/12/2023

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB 206

Bill Number or Topic

Committee

Name

Trenece Robertson

Phone

Address

Street

Email

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

266

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date  
4/12/23  
Committee  
Appropriations

Name Gilda Morgan-Williams Phone

Address 1459 N. Mangonia Circle 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:

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

04/12/23

Meeting Date

Appropriations

Committee

SB266

Bill Number or Topic

SB266

Amendment Barcode (if applicable)

Name Isabella Barthelmess

Phone 954-309-3673

Address 9990 SW 144th St

Email ibarthelmess123@gmail.com

Miami

City

FL

State

33170

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

SB 266

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

Committee

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:

☐

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

4/12/23

Meeting Date

266

Bill Number or Topic

Apprentices on Education

Committee

Amendment Barcode (if applicable)

Name **BARRY TILLYS**

Phone

Address

Email

Street

Orlando

City

FL

State

32809

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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S-001 (08/10/2021)



The Florida Senate

# APPEARANCE RECORD

4/12/23

Meeting Date

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

SB 266

Bill Number or Topic

Education Appropriations

Committee

Amendment Barcode (if applicable)

Name Zina Ward

Phone 802-373-7858

Address 1412 N ML King Jr Blvd  
Street

Email zina.b.ward@gmail.com

Tallahassee  
City

FL  
State

32303  
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/jointrules)

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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

04/12/2023

Meeting Date

SB 266

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Annika Ware

Phone

Address

Street

Email

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

2760

Bill Number or Topic

Amendment Barcode (if applicable)

4/12/23  
Meeting Date  
Ed Approps  
Committee

Name Alexis Montalvo

Phone \_\_\_\_\_

Address 213 S Adams St  
Street

Email Alexis.Montalvo@  
Floridaea.org

JLH  
City

FL  
State

32307  
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:

FEA

☐ 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)

4/11/23  
Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

JB 266  
Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name Daniel Fay

Phone 352-215-3464

Address 1332 N Duval St  
Street

Email dan.l.fay@gmail.com

Tallahassee FL 32303  
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**

Meeting Date

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Street

Email

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

4-12/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB 286

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Mary Eakin

Phone

Address

Street

Ft. Lauderdale FL

City

State

Zip

Email

mary@equalityflorida.org

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

4/12/23

Meeting Date

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

SB 266

Bill Number or Topic

Appropriations Educ.

Committee

Amendment Barcode (if applicable)

Name Stephanie Yocum

Phone 863-533-0908

Address 730 E. Davidson St  
Street

Email

Bartow FL 33830  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

9/12/23

The Florida Senate  
**APPEARANCE RECORD**

SB 266

Meeting Date

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

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

Eric Rodriguez

Phone

Address

Email

Street

Live Oak

FL

City

State

Zip

Speaking:

☐ For

☐ Against

☐ Information

**OR**

Waive Speaking:

☐ In Support

☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☒

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

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S-001 (08/10/2021)



April 12, 2023  
Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB 266  
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Angela Thornton Phone (850) 284-3681

Address 3343 Dartmouth Dr. Email amthornton@aol.com  
Street  
Tallahassee FL 32317  
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, df 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

4/12/23  
Meeting Date

SB266  
Bill Number or Topic

Ed Approps  
Committee

Amendment Barcode (if applicable)

Name Lauren Hartmann

Phone 727-743-6228

Address \_\_\_\_\_  
Street

Email lhartmann@ust.edu

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: USF

☐ 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)

4-12-2023

Meeting Date

ED Approps

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

266

Bill Number or Topic

Amendment Barcode (if applicable)

Name **CASEY WELCH**

Phone **941 - 359 - 4572**

Address **8350 N. Tamiami Trail**  
Street

Email **CaseyWelch@USF.EDU**

**SARASOTA** **FL** **34212**  
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: **USF**

☐ 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)

**APPEARANCE RECORD**

SB 266

Bill Number or Topic

4/12/23

Meeting Date

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

Amendment Barcode (if applicable)

Appropriations

Committee

Name Melinda Stanwood

Phone 850-727-1275

Address 4721 Flowerwood Drive

Email FrenchyFrye@

Tallahassee, FL 32303

hotmail.com

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

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his 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 Appropriations Committee on Education

---

BILL: CS/SB 958

INTRODUCER: Education Postsecondary Committee and Senator Perry

SUBJECT: Postsecondary Educational Institutions

DATE: April 11, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	HE	<b>Fav/CS</b>
2.	Gray	Elwell	AED	<b>Favorable</b>
3.			FP	

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

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 958 modifies provisions related to intellectual freedom and viewpoint diversity, the use of political loyalty tests in hiring and admissions, and due process for students participating in student governments. Specifically, the bill:

- Revises the date the State Board of Education and Board of Governors (BOG), respectively, must annually compile and publish the Intellectual Freedom and Viewpoint Diversity survey results.
- Requires the BOG to create a Committee on Public Policy Events and each state university to establish an Office of Public Policy Events, to organize, publicize, and stage debates, group forums, and lectures at each SUS institution that address, from multiple, divergent, and opposing perspectives, an extensive range of public policy issues widely discussed and debated in society at large.
- Prohibits the use of political loyalty tests in a state university's hiring, admissions, or promotion process.
- Extends due process protections to each university's student body president that serves on the Florida Student Association.

The fiscal impact of the bill can be absorbed within the existing resources of the BOG and SUS institutions. See section V.

The bill is effective July 1, 2023.

## II. Present Situation:

The Present Situation is included in the Effect of Proposed Changes section of the analysis.

## III. Effect of Proposed Changes:

### Intellectual Freedom and Viewpoint Diversity Assessments

#### *Present Situation*

##### Intellectual Freedom and Viewpoint Diversity in Higher Education

In January 2015, the Committee on Freedom of Expression at the University of Chicago produced a free speech policy statement (referred to as the “Chicago Statement”) that affirmed the centrality of unfettered debate to the university’s mission.<sup>1</sup> The statement provided in part:

[I]t is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The Chicago Statement continues a tradition of institutions and organizations affirming the importance of the free expression and sharing of ideas on college and university campuses.<sup>2</sup>

The 2017 National Survey of Student Engagement revealed that most students surveyed (64 percent) felt that postsecondary coursework generally respected the expression of diverse ideas, and that the postsecondary institution generally demonstrated a commitment to diversity (71 percent). This was reflected when specific forms of diversity were considered, such as gender, religious affiliation, or disability status. When political affiliation was considered, only half of students surveyed felt their postsecondary institution was generally supportive of different political ideas.<sup>3</sup>

The Campus Free Expression Act became Florida law in 2018.<sup>4</sup> Under the law, outdoor areas of campus are considered traditional public forums for individuals, organizations, and guest speakers. A public institution of higher education may create and enforce restrictions that are

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<sup>1</sup> University of Chicago, *Report of the Committee on Free Expression* (2015), available at <https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf>.

<sup>2</sup> See American Council on Education, *Statement on Academic Rights and Responsibilities* (June 23, 2005), available at <https://www.acenet.edu/Documents/Statement-on-Academic-Rights-and-Responsibilities-2005.pdf>; American Association of University Professors, *1940 Statement of Principles on Academic Freedom and Tenure* (1940), available at <https://www.aaup.org/file/1940%20Statement.pdf>.

<sup>3</sup> National Survey of Student Engagement, *2017 Topical Module: Inclusiveness and Engagement with Cultural Diversity*, available at [https://scholarworks.iu.edu/dspace/bitstream/handle/2022/23392/NSSE\\_2017\\_Annual\\_Results.pdf?sequence=1&isAllowed=y](https://scholarworks.iu.edu/dspace/bitstream/handle/2022/23392/NSSE_2017_Annual_Results.pdf?sequence=1&isAllowed=y).

<sup>4</sup> Ch. 2018-4, s. 6, Laws of Fla.

reasonable and content-neutral on time, place, and manner of expression, and that are narrowly tailored to a significant institutional interest. Restrictions must be clear and published and must provide for ample alternative means of expression. A public institution of higher education may not otherwise designate any area of campus as a free-speech zone or create policies restricting expressive activities to a particular outdoor area of campus. A person whose expressive rights are violated may bring an action against a public institution of higher education in a court of competent jurisdiction to obtain declaratory and injunctive relief, reasonable court costs, and attorney fees.<sup>5</sup>

In April of 2019, the Chancellor of the State University System (SUS), all twelve state university presidents, and the chair of the Florida College System (FCS) Council of Presidents signed resolutions affirming their commitment to providing for free expression on campus.<sup>6</sup> FCS institutions and state universities further acknowledge their responsibility to foster and protect faculty rights to intellectual freedom in their collective bargaining agreements with faculty unions.<sup>7</sup>

In 2023, according to the Foundation for Individual Rights in Education (FIRE), only four out of the eleven state universities in Florida that FIRE evaluated had policies that did not inhibit free expression.<sup>8</sup> A national survey revealed, in part, that:

- 22 percent of students would have felt very uncomfortable publicly disagreeing with a professor about a controversial topic;
- 29 percent of students felt that the college administration did not make it clear that free speech was protected on campus;
- 60 percent of students had felt they could not express their opinion on a subject because of how students, a professor, or the administration would respond; and
- 60 percent of students could recall at least one time during their college experience when they did not share their perspective for fear of how others would respond. Students who identified as conservative were more likely to report a prior self-censorship incident (72 percent for conservative students, 55 percent for liberal students).<sup>9</sup>

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<sup>5</sup> Section 1004.097, F.S.

<sup>6</sup> Foundation for Individual Rights in Education, *Spotlight of Speech Codes 2023*, <https://www.thefire.org/research-learn/spotlight-speech-codes-2023> (last visited Mar. 24, 2023) [hereinafter *Spotlight on Speech*]; Executive Office of the Governor, *Governor Ron DeSantis Calls on State Colleges and Universities to Adopt Free Speech Resolution* (April 15, 2019), <https://www.flgov.com/2019/04/15/governor-ron-desantis-calls-on-state-colleges-and-universities-to-adopt-free-speech-resolution/> (last visited April 3, 2023).

<sup>7</sup> See, e.g., Tallahassee Community College and United Faculty of Florida, *Tallahassee Community College and United Faculty of Florida 2020-2021* (Oct. 15, 2020), available at [https://blogs.tcc.fl.edu/labor-negotiations/wp-content/uploads/sites/13/2020/10/TCC-UFF\\_2020-21\\_FINAL.pdf](https://blogs.tcc.fl.edu/labor-negotiations/wp-content/uploads/sites/13/2020/10/TCC-UFF_2020-21_FINAL.pdf); Florida State University and United Faculty of Florida, *Collective Bargaining Agreement: The Florida State University Board of Governors and the United Faculty of Florida General Faculty Bargaining Unit 2019-2022* (October 30, 2020), available at [https://hr.fsu.edu/sites/g/files/upcbnu2186/files/PDF/Publications/UFF\\_CBA\\_Updated\\_2021.pdf](https://hr.fsu.edu/sites/g/files/upcbnu2186/files/PDF/Publications/UFF_CBA_Updated_2021.pdf).

<sup>8</sup> *Spotlight on Speech*, *supra* note 9. The four Florida universities with policies that were not found to inhibit free speech include the University of Florida, Florida State University, the University of South Florida, and the University of North Florida. Florida has twelve public universities but FIRE has never rated Florida Polytechnic University.

<sup>9</sup> College Pulse, et al., *College Free Speech Rankings: What's the Climate for Free Speech on America's College Campuses?* (2020), at 2 and 53-59, [https://marketplace.collegepulse.com/img/2020\\_college\\_free\\_speech\\_rankings.pdf](https://marketplace.collegepulse.com/img/2020_college_free_speech_rankings.pdf) (last visited April 3, 2023).

In 2021, the Legislature passed legislation requiring an individual freedom and viewpoint diversity survey to be administered by all FCS and SUS institutions. The State Board of Education (SBE) and the Board of Governors (BOG) were required to select or create an objective, nonpartisan, and statistically valid survey to assess intellectual freedom and viewpoint diversity at Florida's state universities and FCS institutions. The surveys were required to be designed to capture the extent to which competing ideas and perspectives are presented on campus as well as the extent to which those surveyed feel free to express their beliefs and viewpoints on campus and in the classroom. All FCS institutions and state universities must conduct the survey annually and the SBE and the BOG must compile and annually publish the survey results beginning September 1, 2022.<sup>10</sup>

#### Board of Governors

The BOG operates, regulates, controls, and is fully responsible for the management of the whole university system.<sup>11</sup> For each constituent university, the BOG, or the board's designee, is responsible for cost-effective policy decisions appropriate to the university's mission, the implementation and maintenance of high-quality education programs within law, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.<sup>12</sup>

#### *Effect of Proposed Changes*

##### Intellectual Freedom and Viewpoint Diversity Assessment

The bill modifies ss. 1001.03 and 1001.706, F.S., to revise the date the SBE and the BOG, respectively, must annually compile and publish each institution's intellectual freedom and viewpoint diversity assessment from September 1 to December 31, beginning on December 31, 2024.

##### Offices of Public Policy Events within the State University System

The bill creates s. 1001.93, F.S., to establish the Offices of Public Policy Events (OPPE or office) within the SUS. The bill requires the BOG to establish a Committee on Public Policy Events and each state university to establish an OPPE. Each state university is required to appoint a Director of Public Policy Events who is responsible for the duties and reporting responsibilities of the office.

The bill defines "debate" as an event at which two or more participants speak in favor or opposing approaches to the same public policy dispute, after which each participant is allotted time to address and rebut the position presented by the opposing speakers. Additionally, the bill defines a "group forum" as an event at which two or more speakers address a public policy dispute from divergent or opposing perspectives, after which each participant is allotted time to address questions from the audience and to comment on the other speakers' positions.

Each state university's OPPE is required, at a minimum, to organize, publicize, and stage debates, group forums, and individual lectures at the state university that address, from multiple,

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<sup>10</sup> Section 1001.706(13), F.S.

<sup>11</sup> Fla. Const. Art. IX, s. 7.

<sup>12</sup> Section 1001.706(1), F.S.



divergent, and opposing perspectives, an extensive range of public policy issues widely discussed and debated in society at large. The bill requires the state university to hold no less than four events each academic year, with at least two events occurring in the fall semester and at least two events occurring in the spring semester.

The bill specifies that the debates, group forums, and lectures must include speakers who represent widely held views on opposing sides of the most widely discussed public policy issues of the day and who hold a wide diversity of perspectives from within and outside of the state university community.

The bill specifies that if the OPPE is unable to readily find an advocate from within the state university community who is well-versed in a perspective, the office is required to invite a speaker who is able to represent such perspective. For those speakers from outside of the state university community, the OPPE must provide per diem and travel expenses.

The bill requires the OPPE to maintain a permanent, publicly accessible, searchable, and up-to-date calendar in print, on the office's website, and on the state university's website listing all of the events sponsored by the office and all other debates, group forums, and individual lectures open to the entire campus community at the state university that address public policy issues. The calendar must be kept in the library system of the university, itemize the title of the event or lecture, the name and institutional affiliation of all speakers, and the office, institute, department, program, or organization that sponsored the event, excluding those events sponsored by off-campus groups in rented state university facilities.

Beginning September 1, 2024, and annually thereafter, the OPPE is responsible for providing a report to the BOG Committee on Public Policy and Events detailing the following prior year academic statistics:

- The number of debates, group forums, and individual lectures.
- In chronological order, the itemized calendars.
- The number of enrolled students attending the event.
- Expenditure information relating to any per diem or reimbursement for travel expenses.

The OPPE is required to make publicly available, in an online format, a complete video record of every debate, group forum, and individual lecture organized by the office. Such video recordings must be made available on the office's website within 10 days after the event and remain accessible on the office's website for five years. Additionally, the video recordings must be permanently preserved, and made available to the public, through the library of the state university where the event was held.

The bill authorizes the duties of the OPPE to be assigned to an existing administrative office within the state university, upon the approval of the BOG and board of trustees of the state university. Each OPPE is required to report directly to either the state university's office that is responsible for compiling and reporting the Integrated Postsecondary Education Data System's graduation rate survey or the Office of General Counsel.

Finally, the bill requires each event or lecture organized by the OPPE to be open to all students, faculty, and staff of the state university, and must unless restricting attendance to such an event is necessary to achieve a compelling governmental interest, be open to the general public.

### **Political Loyalty Tests in Hiring and Admissions**

#### ***Present Situation***

Diversity, Equity, and Inclusion (DEI) initiatives are intended to provide equal access as well as a more welcoming and inclusive environment for underrepresented minorities within the institution. The impetus behind DEI initiatives is the belief that having a more diverse representation coupled with creating space where everyone feels a sense of belonging and can bring their authentic selves to work, is better for the business.<sup>13</sup>

However, research indicates that DEI initiatives may have negative impacts that directly undermine the reported goals of the programs. The presence of DEI initiatives can lead to lower evaluations and perceptions of members of the organization based on the implication that individuals are not present due to merit but simply to satisfy the DEI initiative's goals. This impact is not only external, the individuals themselves can be led to underestimate their own competence and ability due to the presence of a DEI initiative.<sup>14</sup> The mere presence of a DEI initiative within an organization can undermine the very purpose the DEI initiative allegedly serves.

#### **Diversity, Equity, and Inclusion in Florida Public Postsecondary Institutions**

A position statement by the Southern Association of Colleges and Schools (SACS) describes the benefits of diversity, equity, and inclusion policies in postsecondary institutions.

By creating and sustaining an equitable and inclusive institutional culture, colleges and universities can foster a community in which all members can be respected and appreciated for their differences, and in which all learners can be engaged to reach their full potential. Promoting diversity, equity and inclusion is an opportunity for institutions to recruit students of all backgrounds, identities, and abilities; to support them, adapt teaching methods and use technology to meet their needs and break down barriers to learning; and to successfully guide, mentor, retain, and graduate them.<sup>15</sup>

A statement by the presidents of the Florida College System (FCS) echoes the SACS statement in its description of DEI as a tool “to increase diversity of thought as well as the enrollment and the success of underrepresented populations.” However, this statement also warns that DEI “initiatives and instruction in higher education under the same title have come to mean and

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<sup>13</sup> See Florida International University, *Diversity Equity and Inclusion Institutional Goals*, <https://dei.fiu.edu/our-foundations/institutional-goals/index.html> (last visited March 28, 2023).

<sup>14</sup> Fortune, Michelle Frank, *The problem with diversity and inclusion initiatives*, May 18, 2022, <https://fortune.com/2022/05/18/problem-diversity-inclusion-initiatives-dei-women-careers-work-leadership-stereotypes-michele-frank/> (last visited March 28, 2023).

<sup>15</sup> Southern Association of Colleges and Schools, Commission on Colleges, *Diversity, Equity and Inclusion* (December 2020), available at <https://sacscoc.org/app/uploads/2019/08/DiversityStatement.pdf>.

accomplish the very opposite and seek to push ideologies such as critical race theory and its related tenets.” The statement continues:

To be clear in this environment, the FCS presidents, by and through the FCS Council of Presidents (COP), will ensure that all initiatives, instruction, and activities do not promote any ideology that suppresses intellectual and academic freedom, freedom of expression, viewpoint diversity, and the pursuit of truth in teaching and learning. As such, our institutions will not fund or support any institutional practice, policy, or academic requirement that compels belief in critical race theory or related concepts such as intersectionality, or the idea that systems of oppression should be the primary lens through which teaching and learning are analyzed and/or improved upon.

Specifically, by February 1, 2023, the FCS presidents commit to having fully evaluated and removed any institutional instruction, training, and policies opposed to the forms of discrimination described in this statement.<sup>16</sup>

On December 28, 2022, the Executive Office of the Governor directed the colleges and universities to provide a comprehensive list of all staff, programs and campus activities related to diversity, equity and inclusion and critical race theory. The list must include costs associated with administration of each program or activity, including a description of the activities, paid positions and how much of the money is provided by the state.<sup>17</sup> The results of the survey for the State University System indicated that state universities spend approximately \$34.5 million on such activities, with about \$20.7 million from state funds.<sup>18</sup>

### Compelled Speech

The U.S. Supreme Court (Court) has repeatedly held that the right to free speech protected by the first amendment to the constitution protects an individual from being compelled to speak. “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.”<sup>19</sup> Stated even more plainly, the Court has held that free speech principles prohibit the government from telling people what they must say.<sup>20</sup> Additionally, an individual is also protected from being compelled to host or accommodate the speech of another.<sup>21</sup>

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<sup>16</sup> Florida College System, *Florida College System Presidents Statement on Diversity, Equity, Inclusion and Critical Race Theory* (January 18, 2023), available at <https://www.fldoe.org/core/fileparse.php/5673/urlt/FCSDEIstatement.pdf>.

<sup>17</sup> Executive Office of the Governor, Memorandum # 23-021, *Higher Education Program and Activity Survey* (December 28, 2022).

<sup>18</sup> Florida Board of Governors, *Combined SUS DEI Response*, available at [https://drive.google.com/file/d/1vQbcRDZmWzewqD\\_vuFx97zjTIscoG1O8/view](https://drive.google.com/file/d/1vQbcRDZmWzewqD_vuFx97zjTIscoG1O8/view).

<sup>19</sup> *West Virginia State Board of Education v. Barnette*, 319 U.S. 624, 642 (1943).

<sup>20</sup> *Rumsfeld v. Forum for Academic and Institutional Rights*, 547 U.S. 47, 61 (2006).

<sup>21</sup> See *Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston, Inc.*, 515 U.S. 557 (1995) (state law cannot require a parade to include a group whose message the parade's organizer does not wish to send) and *Miami Herald Publishing Co. v. Tornillo*, 418 U.S. 241 (1974) (right-of-reply statute violates editors' right to determine the content of their newspapers).

The Court has consistently struck down mandatory political loyalty oaths, particularly in the education setting.<sup>22</sup> The Court established a four-part test for reviewing the constitutionality of such oaths, requiring that:

- The oath may not infringe on First or Fourteenth Amendment rights;
- Employment may not be conditioned on an oath that one has not engaged in, or will not engage in, protected speech activities;
- Employment may not be conditioned on an oath denying past or avoiding future associational activities protected by the Constitution; and
- The oath may not be so vague that a person of ordinary intelligence must guess at its meaning.<sup>23</sup>

#### Equity and Access in Florida's State Universities

The Board of Governors (BOG) Regulation 2.003 governs state university system institution policies and procedure regarding equity and access for both students and employees. The regulation prohibits discrimination on the basis of race, color, national origin, sex, religion, age, disability, marital status, veteran status, or any basis protected by applicable law. Covered individuals include prospective and enrolled students, prospective and current employees, and university program invitees. However, this does not prohibit an institution from using legal methods to achieve a broadly diverse student body, faculty and staff.

Each state university system institution must:

- Make available classes, programs, facilities, employment, and services without regard to the protected status or category of an individual;
- Establish policies, procedures, and reporting mechanisms that prohibit and address unlawful discrimination; and
- Establish a designated office or person responsible for the development and implementation of the equal employment opportunity program at each university.

Relating to equal opportunity in employment, each state university system institution must:

- Offer equal opportunity and access in employment to all qualified individuals without regard to the protected status or category of the individual.
- Maintain an annual equity plan for remedying underutilization of women and minorities, as applicable, in senior-level administrative positions and by faculty rank and/or tenure status.

In compliance with state, federal, and National Collegiate Athletic Association (NCAA) requirements regarding equal opportunity and access to students to participate in intercollegiate athletics, as well as in intramural, club, or recreational athletics, each state university system institution must develop an equity plan addressing sex equity in sports offerings and funding, including the proper level of support for women's athletic scholarships.

Finally, the BOG requires an annual Florida Equity Report, subject to the following requirements:

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<sup>22</sup> See, e.g., *Baggett v. Bullitt*, 377 U.S. 360 (1964); *Elfbrandt v. Russell*, 384 U.S. 11 (1966); and *Keyishian v. Board of Regents*, 385 U.S. 589 (1967).

<sup>23</sup> *Cole v. Richardson*, 405 U.S. 676 (1972).

- At a minimum, each university's equity report must include information on the institution's progress in implementing strategic initiatives and performance related to equity and access as they pertain to academic services, programs, and student enrollment; equity in athletics; and employment.
- Each university's equity report shall assess sex equity in athletics, as well as representation by race and sex in student enrollment, senior level administrative positions and by faculty rank and/or tenure status.
- Each equity report shall include a web citation of the university's nondiscrimination policy adopted by its university board of trustees.
- Such reports are to be submitted to the BOG by September 30th of each year.
- Each university board of trustees or designee shall approve the annual Florida Equity Report for its institution prior to submission to the BOG.
- The BOG shall annually assess the progress of each university's plan and advise the Governor and the Legislature regarding compliance.<sup>24</sup>

#### Preferences in State University Admissions

The BOG adopted regulation 6.001 prohibiting Florida's universities from using admissions criteria that include preferences on the basis of race, color, national origin, disability, religion, or sex.<sup>25</sup>

#### ***Effect of Proposed Changes***

The bill prohibits a public postsecondary institution from requiring or soliciting a person to complete a political loyalty test as a condition of employment by, admission into, or promotion within the institution. The bill also prohibits public postsecondary institutions from giving preferential consideration to a person for an opinion or actions in support of a partisan, a political, or an ideological set of beliefs or another person or group of persons based on the person's or group's race or ethnicity or support of a specified ideology or movement.

The bill specifies that a political loyalty test includes compelling, requiring, or soliciting a person to identify commitment to or to make a statement of personal belief in support of:

- Any ideology or movement that promotes the differential treatment of a person or a group of persons based on race or ethnicity, including an initiative or a formulation of diversity, equity, and inclusion beyond upholding the equal protection of the laws guaranteed by the 14th Amendment to the United States Constitution or a theory or practice that holds that systems or institutions upholding the equal protection of the laws guaranteed by the 14th Amendment to the United States Constitution are racist, oppressive, or otherwise unjust.
- A specific partisan, political, or ideological set of beliefs.

The bill explicitly states that a political loyalty test does not include fidelity to, or an oath or effort taken to uphold, the United States Constitution or the Florida Constitution.

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<sup>24</sup> Florida Board of Governors, Regulation 2.003.

<sup>25</sup> Florida Board of Governors, Regulation 6.001(3).

The bill authorizes the SBE and the BOG to adopt rules and regulations, respectively, to implement these provisions. Such rules and regulations may provide penalties for the willful violation of these prohibitions.

The bill provides a severability clause for these provisions.

## **Due Process for Students Participating in Student Government**

### ***Present Situation***

#### Student Governments at State Universities

Each state university has a student government on its main. A state university student government is required to be comprised of at least a student body president, a student legislature, and a student judiciary. Each student government is required to adopt internal procedures that provide for the operation and administration of the student government as well as the fulfillment of all statutory duties including, but not limited to, establishing procedures for the suspension, removal, and discipline of officers of the student government.<sup>26</sup> The statutory requirements for university student governments are mirrored in Board of Governors (BOG) regulation.<sup>27</sup>

Student government organizations are a part of the university at which they are established.<sup>28</sup> Actions taken by student government entities are subject to the approval of the university.<sup>29</sup> When a student government acts, it acts under the color of state law and such actions are considered state action.<sup>30</sup>

In 2021, the Legislature established additional due process protections for students participating in student governments. Every university student government body must include a provision in its internal procedures permitting an officer that is disciplined, suspended, or removed from office to appeal directly to the vice president of student affairs or other designated senior university administrator. Neither the student government nor the university may impose any conditions precedent on such an appeal.<sup>31</sup>

#### Florida Student Association

The Florida Student Association (FSA) is a nonprofit entity established to advocate on behalf of Florida's State University System (SUS) students. The FSA consists of the 12 university student body presidents.<sup>32</sup> The president of the FSA serves as a student member of the BOG.<sup>33</sup> Additionally, the FSA nominates a student to serve on financial aid appeals committees.<sup>34</sup>

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<sup>26</sup> Sections 1004.26, F.S.

<sup>27</sup> Florida Board of Governors, Regulation 6.014.

<sup>28</sup> Section 1004.26(1), F.S.

<sup>29</sup> See, e.g., Florida Board of Governors, Regulation 6.014(5); Florida State University Board of Trustees Regulation FSU-3.001(3).

<sup>30</sup> See *Ala. Student Party v. Student Gov't Ass'n of the Univ. of Ala.*, 867 F.2d 1344, 1345 (11th Cir. 1989).

<sup>31</sup> Section 1004.26(4)(d), F.S.

<sup>32</sup> Florida Student Association, *About FSA*, <https://www.floridastudentassociation.com/about> (last visited March 29, 2023).

<sup>33</sup> Art. IX, s. 7(d), Fla. Const. and s. 1001.70(1), F.S.

<sup>34</sup> Section 1009.42(1), F.S.

***Effect of Proposed Changes***

The bill designates the FSA as the nonprofit advocacy group for SUS students. With the approval of the BOG, the Chancellor of the SUS is authorized to designate an alternate entity if the FSA fails to meet the standard established in law.

The bill codifies current practice that the governing board of directors of the FSA be comprised of the 12 SUS institution student body presidents. The chair of the board of directors must be annually selected by the members of the board and shall also serve as the president of the FSA.

Additionally, the bill requires the FSA to adopt bylaws similar to the internal procedures required of student governments units at each state university. Specifically:

- A due process for the removal or impeachment of the president of the association. The due process must provide that the president of the association may be removed by the majority vote of members of the board of directors. The bill specifies that grounds for removal of the president of the association are limited to malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.
- Procedures for the suspension and removal of the president of the association following the conviction of a felony.
- Procedures for a president of the association who has been disciplined, suspended, or removed from his or her position to directly appeal such decision to the Vice Chancellor for Academic and Student Affairs for the Board of Governors. The bylaws may not place any condition before a president may appeal such decision. The association may not elect a new president until the exhaustion of the appeals process or any other due process rights established in the bill.

The bill takes effect on July 1, 2023.

**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:**

Each university must have an Office of Public Policy Events that is responsible for the duties outlined for the office in the bill. The Board of Governors (BOG) estimates the fiscal for each institution will vary, but will be approximately \$484,718 and can be absorbed within existing resources.<sup>35</sup>

The bill allows for an institution to cover per diem and travel expenses for certain speakers, which the BOG estimates to be approximately \$200,000 per institution, which can be absorbed within existing resources.<sup>36</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1001.03, 1001.706, 1004.097, and 1004.26.

This bill creates section 1001.93 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 Postsecondary on March 22, 2023:**

The committee substitute retains requirements in the bill regarding intellectual freedom and viewpoint diversity, the use of political loyalty tests in hiring and admissions, and due process for students participating in student governments. The committee substitute also:

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<sup>35</sup> Email, Tony Lee, Assistant Vice Chancellor, Public Policy and Advocacy, Board of Governors ((March 15, 2023) (on file with Senate Committee on Education).

<sup>36</sup> *Id.*



- Requires the Board of Governors (BOG) to establish a Committee on Public Policy Events.
- Requires each state university within the state university system (SUS) to have an Office of Public Policy Events (OPPE) and appoint a Director of Public Policy Events responsible for the duties and reporting of the office.
- Requires the OPPE at the university to hold no less than four events a year, with at least two events occurring in the fall semester and at least two events in the spring semester.
- Specifies the OPPE at each SUS institution must provide the BOG an annual report detailing the following:
  - Number of enrolled students attending each event.
  - Number of debates, group forums, and individual lectures.
  - Calendar in chronological order itemizing the title of each event or lecture, name and institutional affiliation of the speaker(s), and the office, institute, department, program, or organization that sponsored the event.
  - Expenditure information regarding per diem or reimbursements for travel expenses.
- Provides that upon approval of the board of trustees and the BOG, a state university may assign the duties of the OPPE to an existing administrative office within the state university rather than establish a separate office.

B. Amendments:

None.

By the Committee on Education Postsecondary; and Senator Perry

589-02907-23

2023958c1

1 A bill to be entitled  
 2 An act relating to postsecondary educational  
 3 institutions; amending ss. 1001.03 and 1001.706, F.S.;  
 4 revising the date by which the State Board of  
 5 Education and the Board of Governors, respectively,  
 6 must annually compile and publish specified  
 7 assessments; creating s. 1001.93, F.S.; providing  
 8 legislative findings; defining terms; requiring the  
 9 Board of Governors of the State University System to  
 10 establish a Committee on Public Policy Events;  
 11 requiring each state university to establish an Office  
 12 of Public Policy Events; providing the duties of the  
 13 offices, including requirements for specific events,  
 14 recording of such events, maintaining calendars, and  
 15 requirements for reporting; authorizing a state  
 16 university to assign duties of the office to an  
 17 existing administrative office upon the approval of  
 18 specified entities; requiring offices to report to  
 19 specified state university offices; amending s.  
 20 1004.097, F.S.; prohibiting public institutions of  
 21 higher education from requiring the completion of a  
 22 political loyalty test or for persons to meet certain  
 23 qualifications; providing requirements for such  
 24 prohibited tests and qualifications; requiring the  
 25 State Board of Education and the Board of Governors to  
 26 adopt rules and regulations, respectively, for  
 27 specified purposes; providing severability; amending  
 28 s. 1004.26, F.S.; designating the Florida Student  
 29 Association as the nonprofit advocacy organization for

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

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30 students of the State University System; requiring the  
 31 Chancellor of the State University System, with  
 32 approval from the Board of Governors, to designate  
 33 another organization to serve such students under  
 34 certain circumstances; providing membership for the  
 35 board of directors of the association; providing  
 36 requirements for such board of directors relating to  
 37 the board's chair and the association's president;  
 38 requiring the board of directors to adopt certain  
 39 bylaws; providing an effective date.

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

42  
 43 Section 1. Paragraph (b) of subsection (19) of section  
 44 1001.03, Florida Statutes, is amended to read:

45 1001.03 Specific powers of State Board of Education.—  
 46 (19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY  
 47 ASSESSMENT.—

48 (b) The State Board of Education shall require each Florida  
 49 College System institution to conduct an annual assessment of  
 50 the intellectual freedom and viewpoint diversity at that  
 51 institution. The State Board of Education shall select or create  
 52 an objective, nonpartisan, and statistically valid survey to be  
 53 used by each institution which considers the extent to which  
 54 competing ideas and perspectives are presented and members of  
 55 the college community, including students, faculty, and staff,  
 56 feel free to express their beliefs and viewpoints on campus and  
 57 in the classroom. The State Board of Education shall annually  
 58 compile and publish the assessments by December 31 ~~September 1~~

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

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of each year, beginning on December 31, 2024 ~~September 1, 2022~~.  
The State Board of Education may adopt rules to implement this paragraph.

Section 2. Paragraph (b) of subsection (13) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(13) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY ASSESSMENT.—

(b) The Board of Governors shall require each state university to conduct an annual assessment of the intellectual freedom and viewpoint diversity at that institution. The Board of Governors shall select or create an objective, nonpartisan, and statistically valid survey to be used by each state university which considers the extent to which competing ideas and perspectives are presented and members of the university community, including students, faculty, and staff, feel free to express their beliefs and viewpoints on campus and in the classroom. The Board of Governors shall annually compile and publish the assessments by December 31 ~~September 1~~ of each year, beginning on December 31, 2024 ~~September 1, 2022~~.

Section 3. Section 1001.93, Florida Statutes, is created to read:

1001.93 Offices of Public Policy Events within the State University System.—

(1) The Legislature finds that the advancement of knowledge is the fundamental purpose of the State University System and that such advancement is facilitated by the fearless sifting and winnowing of a wide diversity of views and that the open discussion and debate of contested public policy issues from

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diverse perspectives provides essential preparation for mature citizenship and an informed exercise of the right to vote.

(2) For purposes of this section, the term:

(a) "Debate" means an event at which two or more participants speak in favor of opposing approaches to the same public policy dispute, after which each participant is allotted time to address and rebut the position presented by the opposing speakers.

(b) "Group forum" means an event at which two or more speakers address a public policy dispute from divergent or opposing perspectives, after which each participant is allotted time to address questions from the audience and to comment on the other speakers' positions.

(3) The Board of Governors of the State University System shall establish a Committee on Public Policy Events. Each state university within the State University System shall establish an Office of Public Policy Events and shall appoint a Director of Public Policy Events who is responsible for the duties and reporting responsibilities of the office. The office shall, at a minimum:

(a) 1. Organize, publicize, and stage debates, group forums, or individual lectures at the state university. These events must address, from multiple, divergent, and opposing perspectives, an extensive range of public policy issues widely discussed and debated in society at large. The university shall hold no less than four events each academic year. At least two events must occur during the fall semester and at least two events must occur during the spring semester.

2. Such debates, group forums, and individual lectures must

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include speakers who represent widely held views on opposing sides of the most widely discussed public policy issues of the day and who hold a wide diversity of perspectives from within and outside of the state university community.

3. If the office is unable to readily find an advocate from within the state university community who is well-versed in a perspective, the office must invite a speaker who is able to represent such perspective. The office shall, when necessary, provide such speakers who are not from within the state university community with per diem and reimburse them for travel expenses.

(b) Maintain a permanent, publicly accessible, searchable, and up-to-date calendar in print, on the office's website, and on the state university's website listing all of the events sponsored by the office and all other debates, group forums, and individual lectures open to the entire campus community at the state university which address public policy issues. The calendar must itemize the title of the event or lecture, the name and institutional affiliation of all speakers, and the office, institute, department, program, or organization that sponsored the event, excluding those events sponsored by off-campus groups in rented state university facilities. Such calendars must be kept in the library system of each state university.

(c) Beginning September 1, 2024, and annually each September 1 thereafter, provide to the Board of Governors Committee on Public Policy Events a report detailing the following: the number of debates, group forums, and individual lectures; in chronological order, the calendars itemizing the

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title of each event or lecture, name and institutional affiliation of the speaker or speakers, and the office, institute, department, program, or organization that sponsored the event; the number of enrolled students attending each event; and expenditure information relating to any per diem or reimbursement for travel expenses. The report must reflect prior academic year statistics.

(d) Make publicly available, in an online format, a complete video record of every debate, group forum, and individual lecture organized by the office. The video recording for an event organized by the office must be posted on the office's website within 10 business days after the event. Such video must remain publicly accessible on the office's website for at least 5 years after the date of the event. Such videos must also be permanently preserved within, and made available to the public through, the library of the state university that hosted the event.

(4) Upon approval of the board of trustees of the state university and the Board of Governors, a state university may assign the duties of the office to an existing administrative office within the state university in lieu of establishing a separate office.

(5) Each office shall report directly to either the state university's office that is responsible for compiling and reporting the Integrated Postsecondary Education Data System's graduation rate survey or the Office of General Counsel.

(6) Each debate, group forum, and individual lecture organized by the office must be open to all students, faculty, and staff of the state university and must, unless restricting

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attendance to such event is necessary to achieve a compelling governmental interest, be open to the general public.

Section 4. Present subsection (4) of section 1004.097, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

1004.097 Free expression on campus.—

(4) (a) A public institution of higher education may not:

1. Require or solicit a person to complete a political loyalty test as a condition of employment or admission into, or promotion within, such institution.

2. Give preferential consideration to a person for employment by, admission into, or promotion within the institution for an opinion or actions in support of:

a. A partisan, a political, or an ideological set of beliefs; or

b. Another person or group of persons based on the person's or group's race or ethnicity or support of an ideology or movement identified under sub-subparagraph (b)1.a.

(b)1. A political loyalty test includes compelling, requiring, or soliciting a person to identify commitment to or to make a statement of personal belief in support of:

a. Any ideology or movement that promotes the differential treatment of a person or a group of persons based on race or ethnicity, including an initiative or a formulation of diversity, equity, and inclusion beyond upholding the equal protection of the laws guaranteed by the 14th Amendment to the United States Constitution or a theory or practice that holds that systems or institutions upholding the equal protection of the laws guaranteed by the 14th Amendment to the United States

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Constitution are racist, oppressive, or otherwise unjust; or  
b. A specific partisan, political, or ideological set of beliefs.

2. A political loyalty test does not include fidelity to, or an oath or effort taken to uphold, the United States Constitution or the State Constitution.

(c) The State Board of Education and the Board of Governors may adopt rules and regulations, respectively, to implement this subsection and establish penalties for a willful violation of this section.

(d) If any provision of this subsection or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this subsection or chapter which can be given effect without the invalid provision or application, and to this end the provisions of this subsection are severable.

Section 5. Present subsection (5) of section 1004.26, Florida Statutes, is redesignated as subsection (6), and a new subsection (5) is added to that section, to read:

1004.26 University student governments; the Florida Student Association.—

(5) (a) The Florida Student Association is designated as the nonprofit advocacy organization serving the needs of the students of the State University System. If the Florida Student Association fails to meet the requirements of this section, the Chancellor of the State University System must designate an equivalent nonprofit advocacy organization to serve the needs of the students of the State University System with the approval of the Board of Governors.

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(b) The Florida Student Association shall be governed by a board of directors. The membership of the board of directors shall be composed of the 12 student body presidents of the state universities. The board of directors shall annually elect a chair from among the board's members. The chair shall also serve as president of the association.

(c) The Florida Student Association shall adopt bylaws to establish:

1. A due process for the removal or impeachment of the president of the association. Such due process must provide that the president of the association may be removed by the majority vote of members of the board of directors. The grounds for removal of the president of the association are limited to malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony.

2. Procedures for the suspension and removal of the president of the association following the conviction of a felony.

3. Procedures for a president of the association who has been disciplined, suspended, or removed from his or her position to directly appeal such decision to the Vice Chancellor for Academic and Student Affairs for the Board of Governors. The bylaws may not place any condition precedent on the exercise of such right granted by this paragraph, and the association may not elect a new president until the exhaustion of the appeals process or any other due process rights afforded by this section.

Section 6. This act shall take effect July 1, 2023.



The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Appropriations Committee on Education

**Subject:** Committee Agenda Request

**Date:** March 22, 2023

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I respectfully request that **Senate Bill #958**, relating to Postsecondary Educational Institutions, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in black ink that reads "W. Keith Perry". The signature is written in a cursive style with a long, sweeping underline.

Senator Keith Perry  
Florida Senate, District 9

4/12/2023

Meeting Date

Appropriations Committee on Education

Committee

The Florida Senate

## APPEARANCE RECORD

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

SB958

Bill Number or Topic

Amendment Barcode (if applicable)

Name Trish Neely / League of Womens Voters Phone 407-377-5777

Address PO box 1911 Email trish@lwvfl.org

Street

Florida

FL

32802

City

State

Zip

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

### PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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

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

S-001 (08/10/2021)



4/12/23

Meeting Date

Approp. Comm. on Educ.

Committee

Name Kara Gross

The Florida Senate

## APPEARANCE RECORD

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

SB 958

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 786-363-4436

Address 4343 West Flagler St  
Street

Email kgross@aclufl.org

Miami

City

FL

State

33134

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:

ACLU of 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](#))*

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

S-001 (08/10/2021)

**APPEARANCE RECORD**

Meeting Date

4/12/23

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

Bill Number or Topic

SB 958

Committee

Appropriations Committee on Education

Amendment Barcode (if applicable)

454430

Name

Joe Cohn

Phone

215-717-3473

Address

Street

510 Walnut Street, Suite 1250

Email

joe@the fire.org

City

Philadelphia, PA

State

Zip

19106

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:

The Foundation for Individual Rights and Expression

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](https://www.flsenate.gov/2020-2022/JointRules), [df flsenate.gov](https://www.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 Appropriations Committee on Education

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BILL: CS/CS/SB 986

INTRODUCER: Appropriations Committee on Education; Education Pre-K -12 Committee; and Senator Burgess

SUBJECT: Education

DATE: April 14, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sagues	Bouck	ED	<b>Fav/CS</b>
2.	Gray	Elwell	AED	<b>Fav/CS</b>
3.			FP	

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

COMMITTEE SUBSTITUTE - Substantial Changes

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## **I. Summary:**

CS/CS/SB 986 modifies provisions related to charter school enrollment preferences, charter school sponsors, and the Florida Teachers Classroom Supply Assistance Program. The bill authorizes a charter school to give enrollment preference to students who are the children of a school safety officer or officers assigned to the charter school, and adds accountability measures for charter school sponsors by requiring the:

- Sponsor to provide training to charter schools on systems the sponsor will require the charter school to use.
- Sponsor to annually provide a report to its charter schools and the Florida Department of Education on what services are being rendered from the sponsor's portion of the administrative fee.
- Sponsor to make timely payments and reimbursement of eligible federal grant funds.
- State Board of Education to adopt rules for a standard charter school monitoring tool.

In addition, the bill modifies the Florida Teachers Classroom Supply Assistance Program (Program) to support more classroom teachers by:

- Expanding the definition of a classroom teacher for purposes of the Program.
- Requiring a school district to calculate a prorated share of the funds to a classroom teacher who teaches less than full time.

The Bill requires the district to post step-by-step instructions on how to provide first aid for choking in each public school cafeteria within the district.

Lastly, the bill authorizes private tutoring for up to 25 students in identified facilities.

The bill takes effect on July 1, 2023.

## **II. Present Situation:**

### **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.<sup>1</sup> Forty-five states and the District of Columbia have enacted charter school laws as of January 2020.<sup>2</sup> Nationally, between the 2009-2010 and 2018-2019 school years, the percentage of all public schools that were charter schools increased from 5 to 8 percent, and the total number of charter schools increased from 5,000 to 7,400. The percentage of public school students nationwide attending charter schools increased from 3 to 7 percent between fall 2009 and fall 2018.<sup>3</sup>

All charter schools in Florida are public schools and are part of the state’s public education system.<sup>4</sup> During the 2021-2022 school year, 361,939 students were enrolled in 703 charter schools in 47 districts. Seventy percent of the students attending charter schools in the 2021-2022 school year were minorities. Hispanic students comprised 45 percent of Florida’s charter school enrollment, and 19 percent were African-American students.<sup>5</sup>

### **Charter School Student Eligibility**

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. Additionally, a charter school may give enrollment preference to the following student populations:<sup>6</sup>

- Siblings of current charter school students.
- Children of a charter school governing board member or employee.
- Children of employees of the business partner of a charter school-in-the-workplace<sup>7</sup> or resident of the municipality in which such a charter is located.

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

<sup>2</sup> Education Commission of the States, *50-State Comparison: Charter School Policies* <https://www.ecs.org/charter-school-policies/> (last visited Mar. 5, 2022).

<sup>3</sup> National Center for Education Statistics, *Public Charter School Enrollment*, <https://nces.ed.gov/programs/coe/indicator/cgb> (last visited Mar. 5, 2022).

<sup>4</sup> Section 1002.33(1), F.S.

<sup>5</sup> Florida Department of Education, Fact Sheet Office of Independent Education & Parental Choice, *Florida’s Charter Schools* (September 2022), 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. 27, 2023). Section 1002.33(10), F.S.

<sup>7</sup> Section 1002.33(15), F.S.

- Children of residents of a municipality that operates a charter school-in-a-municipality.<sup>8</sup>
- Students who have successfully completed a voluntary prekindergarten program provided by the charter school during the previous year.
- Children of an active-duty member of any branch of the US Armed Forces.
- Students who attended or are assigned to failing schools.<sup>9</sup>

### **Charter School Sponsors**

A district school board may sponsor a charter school in the county over which the district school board has jurisdiction. A state university may sponsor a charter school (charter lab school) and upon the approval by the State Board of Education (SBE), may sponsor a charter school to meet regional education or workforce demands by serving students from multiple school districts. Additionally, Florida College System (FCS) institutions, upon the approval of the SBE, may sponsor a charter school in any county within its service area to meet workforce demands and may offer postsecondary programs leading to industry certification to eligible charter school students.

A charter school sponsor has several responsibilities, including:

- Approving or denying charter school applications.
- Overseeing each sponsored school's progress toward the goals established in the charter.
- Monitoring the revenues and expenditures of the school.
- Ensuring that the school participates in the state's education accountability system.
- Ensuring that the charter is innovative and consistent with state education goals.
- Intervening when a sponsored school demonstrates deficient student performance or financial instability.<sup>10</sup>

### Administrative and Educational Services

A sponsor must provide administrative and educational services including 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 school lunch services under the National School Lunch Program; test administration services; processing of teacher certificate data services; and information services.

A sponsor may withhold an administrative fee of up to five percent of each charter school's total operating funds for enrollment of up to and including:

- 250 students in a charter school or virtual charter school.
- 500 students within a charter school system which meets specified conditions.

A sponsor may withhold an administrative fee of up to 2 percent of each charter school's total operating funds for enrollment of up to and including 250 students in a high performing charter school or 250 students in an exceptional student education center that meets specified requirements.<sup>11</sup>

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<sup>8</sup> *Id.*

<sup>9</sup> Section 1002.38, F.S.

<sup>10</sup> Section 1002.33(5), F.S. and Section 1002.34(3)(b), F.S.

<sup>11</sup> Section 1002.33(20), F.S.

### **Safe-school Officers**

For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent must partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement any combination of the following options in to best meet the needs of the school district and charter schools:

- School Resource Officer.
- School Safety Officer.
- School Guardian.
- School Security Guard.<sup>12</sup>

### **First Aid for a Choking Student**

Approximately 66 to 77 children under the age of 10 die from choking on food each year in the United States.<sup>13</sup> The Florida Department of Health (DOH) published an Emergency Guidelines for Schools which contains step-by-step instructions for performing emergency first aid on a choking conscious individual. The DOH recommends that schools designate at least one employee who has received instruction in choking rescue be present in the cafeteria at all meals.<sup>14</sup>

### **The Florida Teachers Classroom Supply Assistance Program**

The Florida Teachers Classroom Supply Assistance Program (Program) provides funds for classroom teachers to purchase supplemental materials and supplies for public school students assigned to them. Program funds are appropriated by the Legislature in the General Appropriations Act (GAA) and distributed by July 15 to each school district by the Commissioner of Education based on each district's unweighted full-time equivalent student enrollment.<sup>15</sup>

School districts are required to calculate an identical amount from the funds available to the school districts for the program for each classroom teacher who will be employed by the district or a charter school in the district on September 1. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. As of July 1, if a teacher is expected to be employed by a school district or a charter school in the district on September 1, the district school board and each charter school board may provide the teacher with the

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<sup>12</sup> Section 1006.12, F.S.

<sup>13</sup> American Academy of Pediatrics, *Prevention of Choking Among Children*, <https://publications.aap.org/pediatrics/article/125/3/601/72642/Prevention-of-Choking-Among-Children> (last visited Apr. 10, 2023)

<sup>14</sup> Florida Department of Health, *Emergency Guidelines for Schools (2019)*, [https://www.floridahealth.gov/programs-and-services/childrens-health/school-health/\\_documents/emergency-guidelines-for-schools-2019.pdf](https://www.floridahealth.gov/programs-and-services/childrens-health/school-health/_documents/emergency-guidelines-for-schools-2019.pdf)

<sup>15</sup> Section 1012.71, F.S.

teacher's proportionate share of funds by August 1. If a teacher's expected employment is determined after July 1, the district school board and each charter school board must provide the teacher with the teacher's proportionate share of funds by September 30.<sup>16</sup>

A teacher must acknowledge receipt of the funds and keep receipts for at least four years to show that funds were spent in accordance with Program requirements. Any unused funds must be returned to the district school board at the end of the school year.<sup>17</sup>

The 2022-2023 GAA appropriated \$54,143,275 to the Program.<sup>18</sup>

### **III. Effect of Proposed Changes:**

The bill modifies provisions related to charter schools, school district requirements, private tutoring and the Florida Teachers Classroom Supply Assistance Program (Program).

#### **Charter Schools**

The bill modifies s. 1002.33, F.S., to authorize a charter school to give enrollment preference to students who are the children of a school safety officer or officers assigned to the charter school, and adds accountability measures for charter school sponsors by requiring the sponsor to:

- Provide training to charter schools on systems the sponsor will require the charter school to use.
- Annually provide a report to its charter schools on the services provided from the sponsor's portion of the administrative fee. The report must include the listed services and be submitted to the FDOE annually by September 15.
- Require the sponsor to process timely payments and reimbursements of eligible federal grant funds.
- Require the State Board of Education to adopt rules for a standard monitoring tool.

#### **School District Requirements**

The bill modifies s. 1003.02, F.S., to require each school district to post step-by-step first aid instructions for choking conscious individuals in each school cafeteria in the district.

#### **Private Tutoring**

The bill modifies s. 1002.43, F.S., to authorize private tutoring for up to 25 students in identified facilities, so long as certain criteria is met.

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<sup>16</sup> Section 1012.71(3), F.S. A job-share classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher.

<sup>17</sup> Section 1012.71(4), F.S.

<sup>18</sup> Specific Appropriations 5 and 86, s. 2, ch. 2022-156, Laws of Fla.

**The Florida Teachers Classroom Supply Assistance Program**

The bill modifies s. 1012.71, F.S., to expand the reach of the Florida Teachers Classroom Supply Assistance Program (Program) by:

- Expanding the definition of a classroom teacher for purposes of the Program to include an administrator or a substitute teacher who is filling a vacancy in an identified teaching position on or before September 1 of each year and who holds a valid teaching certificate.
- Requiring a school district to calculate a prorated share of the funds to a classroom teacher who teaches less than full time.

**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:****VIII. Statutes Affected:**

This bill substantially amends sections 1002.33, 1002.43, 1003.02 and 1012.71 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 Appropriations Committee on Education on April 12, 2023:**

The committee substitute adds to the bill provisions that:

- Require the charter sponsor to make timely payments and reimbursement of eligible federal grant funds.
- Require the school districts to post step-by-step instructions on how to provide emergency first aid for choking conscious individuals in each public school cafeteria within the district.
- Authorize private tutoring for up to 25 students in identified facilities, as long as such tutoring meets all applicable state and local health, safety and welfare laws, including those pertaining to fire and building safety.

**CS by Education PreK-12 on March 27, 2023:**

The committee substitute removes from the bill the provisions that:

- Require the Florida Department of Education (DOE) to develop a standardized annual periodic review and evaluation form to meet the criteria of the charter contract and replacing it with requiring the State Board of Education to adopt rules to implement a standard monitoring tool.
- Require the charter school sponsor to provide training to charter schools, to the same extent it provides training to its employees, and to notify charter schools of open vacancies for training in the district and allow them to participate, subject to financial penalties and replacing it with requiring a sponsor to provide training on systems the sponsor will require the charter school to use.
- Assess financial penalties associated with the report submitted to the DOE by the sponsor on what services are being rendered from the sponsor's portion of the administrative fee.
- Extend the validity period of a professional certificate from 5 years to 10 years, and removing general knowledge and subject area knowledge requirements for educators meeting specified training and evaluation criteria.
- Authorize an administrator or a substitute teacher acting dually as a classroom teacher to petition the DOE for a portion of the Florida Teachers Classroom Supply Assistance Program allocation.

In addition, the committee substitute adds children of a school safety officer or officers assigned to a charter school to receive enrollment preference at the charter school.

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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688696

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2023	.	
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	.	
	.	

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The Appropriations Committee on Education (Burton) recommended the following:

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

Between lines 49 and 50  
insert:

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in a school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(e) Sponsors shall make timely and efficient payment and



688696

11 reimbursement to charter schools, including processing paperwork  
12 required to access special state and federal funding for which  
13 they may be eligible, including the timely review and  
14 reimbursement of federal grant funds. Payments of funds under  
15 paragraph (b) must ~~shall~~ be made monthly or twice a month,  
16 beginning with the start of the sponsor's fiscal year. Each  
17 payment must ~~shall~~ be one-twelfth, or one twenty-fourth, as  
18 applicable, of the total state and local funds described in  
19 paragraph (b) and adjusted as set forth therein. For the first 2  
20 years of a charter school's operation, if a minimum of 75  
21 percent of the projected enrollment is entered into the  
22 sponsor's student information system by the first day of the  
23 current month, the sponsor must ~~shall~~ distribute funds to the  
24 school for the months of July through October based on the  
25 projected full-time equivalent student membership of the charter  
26 school as submitted in the approved application. If less than 75  
27 percent of the projected enrollment is entered into the  
28 sponsor's student information system by the first day of the  
29 current month, the sponsor must ~~shall~~ base payments on the  
30 actual number of student enrollment entered into the sponsor's  
31 student information system. Thereafter, the results of full-time  
32 equivalent student membership surveys must ~~shall~~ be used in  
33 adjusting the amount of funds distributed monthly to the charter  
34 school for the remainder of the fiscal year. The payments must  
35 ~~shall~~ be issued no later than 10 working days after the sponsor  
36 receives a distribution of state or federal funds or the date  
37 the payment is due pursuant to this subsection. With respect to  
38 federal grant funds submitted for reimbursement, the sponsor  
39 shall have 60 days after the date of the submittal to fund them,



688696

if the submittal provides all the necessary information to  
qualify for reimbursement. If a warrant for payment is not  
issued within 10 working days after receipt of funding by the  
sponsor, or within 60 days after an approved submittal for the  
reimbursement of federal grant funds, the sponsor must ~~shall~~ pay  
to the charter school, in addition to the amount of the  
scheduled disbursement, interest at a rate of 1 percent per  
month calculated on a daily basis on the unpaid balance from the  
expiration of the 10 working days until such time as the warrant  
is issued. The district school board may not delay payment to a  
charter school of any portion of the funds provided in paragraph  
(b) based on the timing of receipt of local funds by the  
district school board.

==== D I R E C T O R Y C L A U S E A M E N D M E N T =====  
And the directory clause is amended as follows:

Delete line 16  
and insert:  
Section 1. Paragraph (d) of subsection (10), paragraph (e)  
of subsection (17), paragraph (a)

===== T I T L E A M E N D M E N T =====  
And the title is amended as follows:

Delete line 4  
and insert:  
enrollment preference for charter schools; revising  
requirements relating to the funding of students  
enrolled in charter schools and reimbursement of such  
funds by the sponsor; specifying



179658

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2023	.	
	.	
	.	
	.	

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The Appropriations Committee on Education (Jones) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 140 and 141  
insert:

Section 2. Paragraph (k) is added to subsection (1) of  
section 1003.02, Florida Statutes, to read:

1003.02 District school board operation and control of  
public K-12 education within the school district.—As provided in  
part II of chapter 1001, district school boards are  
constitutionally and statutorily charged with the operation and



179658

control of public K-12 education within their school districts. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following areas:

(k) Instructions on emergency first aid for choking.—  
Require that a poster that contains step-by-step instructions on  
how to provide emergency first aid for choking on conscious  
individuals be posted in each public school cafeteria within the  
school district. The poster must be easily visible and  
prominently placed.

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

And the title is amended as follows:

Between lines 7 and 8  
insert:

amending s. 1003.02, F.S.; requiring that a poster containing specified information relating to choking be placed in public school cafeterias; requiring that the posters be easily visible and prominently placed;



790278

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2023	.	
	.	
	.	
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The Appropriations Committee on Education (Collins) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 140 and 141  
insert:

Section 2. Subsection (3) is added to section 1002.43,  
Florida Statutes, to read:

1002.43 Private tutoring programs.—

(3) Private tutoring may be provided to no more than 25  
students at one time in any commercial building with a valid  
certificate of occupancy, including, but not limited to, a





790278

library, community center, museum, performing arts center,  
theatre, cinema, or church facility; any facility or land owned  
by a Florida College System institution or university; any  
similar public institution facilities; and any facility recently  
used to house a school or child care facility licensed under s.  
402.305 within the preexisting zoning and land use designations  
of the facility without obtaining a special exception, rezoning,  
or a land use change so long as the provision of such tutoring  
meets all applicable state and local health, safety, and welfare  
laws, codes, and rules, including those related to firesafety  
and building safety.

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

And the title is amended as follows:

Between lines 7 and 8

insert:

amending s. 1002.43, F.S.; authorizing the provision  
of private tutoring to up to a specified number of  
students in certain facilities;

By the Committee on Education Pre-K -12; and Senator Burgess

581-03088-23

2023986c1

A bill to be entitled

An act relating to education; amending s. 1002.33, F.S.; revising which students may be eligible for an enrollment preference for charter schools; specifying training and reporting requirements for charter school sponsors; requiring the State Board of Education to adopt rules to implement a standard monitoring tool; amending s. 1012.71, F.S.; revising the definition of the term "classroom teacher"; revising how a district school board calculates certain teachers' shares of funds from the Florida Teachers Classroom Supply Assistance Program; providing an effective date.

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

Section 1. Paragraph (d) of subsection (10), paragraph (a) of subsection (20), and subsection (28) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(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:

Page 1 of 7

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

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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 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 school safety officer or officers assigned to the charter school.

(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

Page 2 of 7

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

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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 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. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, 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.

2. A sponsor shall provide training 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 weighted full-time equivalent students. If the charter school serves 75 percent or more exceptional education students as defined in s. 1003.01(3), the percentage shall be calculated

581-03088-23

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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).

~~4.3-~~ 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

581-03088-23

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school for any funds specifically allocated by the Legislature for teacher compensation.

~~5.4-~~ 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.

(28) RULEMAKING.—The Department of Education, after consultation with sponsors and charter school directors, shall recommend that the State Board of Education adopt rules to implement specific subsections of this section. Such rules shall require minimum paperwork and shall not limit charter school flexibility authorized by statute. The State Board of Education shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to implement a standard charter application form, standard application form for the replication of charter schools in a high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts in accordance with this section.

Section 2. Subsections (1) and (3) of section 1012.71, Florida Statutes, are amended to read:

1012.71 The Florida Teachers Classroom Supply Assistance Program.—

(1) For purposes of the Florida Teachers Classroom Supply

581-03088-23

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Assistance Program, the term "classroom teacher" means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A "job-share" classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher. The term "classroom teacher" may also include an administrator or a substitute teacher who holds a valid teaching certificate and who is filling a vacancy in an identified teaching position on or before September 1 of each year.

(3) From the funds allocated to each school district and any funds received from local contributions for the Florida Teachers Classroom Supply Assistance Program, the district school board shall calculate an identical amount for each classroom teacher who is estimated to be employed by the school district or a charter school in the district on September 1 of each year, which is that teacher's proportionate share of the total amount allocated to the district from state funds and funds received from local contributions. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The school district shall calculate a prorated share of the funds for a classroom teacher who teaches less than full time. For a classroom teacher determined eligible on July 1, the district school board and each charter

581-03088-23

2023986c1

175 school board may provide the teacher with his or her total  
176 proportionate share by August 1 based on the estimate of the  
177 number of teachers who will be employed on September 1. For a  
178 classroom teacher determined eligible after July 1, the district  
179 school board and each charter school board shall provide the  
180 teacher with his or her total proportionate share by September  
181 30. The proportionate share may be provided by any means  
182 determined appropriate by the district school board or charter  
183 school board, including, but not limited to, direct deposit,  
184 check, debit card, or purchasing card. If a debit card is used,  
185 an identifier must be placed on the front of the debit card  
186 which clearly indicates that the card has been issued for the  
187 Florida Teachers Classroom Supply Assistance Program.  
188 Expenditures under the program are not subject to state or local  
189 competitive bidding requirements. Funds received by a classroom  
190 teacher do not affect wages, hours, or terms and conditions of  
191 employment and, therefore, are not subject to collective  
192 bargaining. Any classroom teacher may decline receipt of or  
193 return the funds without explanation or cause.

194 Section 3. This act shall take effect July 1, 2023.



The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Appropriations Committee on Education

**Subject:** Committee Agenda Request

**Date:** April 5, 2023

---

I respectfully request that **Senate Bill #986**, relating to Education, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Danny", is written over a horizontal line. Below the line, the text "Senator Danny Burgess" and "Florida Senate, District 23" is printed.

Senator Danny Burgess  
Florida Senate, District 23

The Florida Senate

# APPEARANCE RECORD

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

4/27/23

Meeting Date

Ed Approps

Committee

986

Bill Number or Topic

Amendment Barcode (if applicable)

Name

David Strubs (pronounced Stroose)

Phone

8507065551

Address

215 S. Monroe St

Street

Email

david@afloridapromise.org

Tallahassee FL 32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

Foundation for Florida's  
Future

☐

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

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 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  
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4/12/23

Meeting Date

Ed. Approps.

Committee

SB 986

Bill Number or Topic

→ 790278

Amendment Barcode (if applicable)

Name

Alexis Laroe, Step Up For Students

Phone

802-363-1011

Address

Street

Email

alaroe@sufs.org

Tallahassee

City

FL

State

32303

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:

Step Up For Students

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

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S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

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4/12/23

Meeting Date

986

Bill Number or Topic

790278

Amendment Barcode (if applicable)

Ed Approp's

Committee

Name

David Struhls (pronounced Stroose)

Phone

850 766 5551

Address

215 S. Monroe St

Street

Email

dauid@afloridapromise.org

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:

Foundation for Florida's  
Future

☐

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something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

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The Florida Senate

**APPEARANCE RECORD**

986

4/12/23

Meeting Date

Bill Number or Topic

Approps Committee on Edu

Committee

Deliver both copies of this form to  
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Amendment Barcode (if applicable)

Name Edward Briggs

Phone 850-933-5994

Address 113 E. College Ave.  
Street

Email edward@teamrsa.com

Tallahassee FL  
City 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:

Charter School Leaders of  
FL

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

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

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S-001 (08/10/2021)

**APPEARANCE RECORD**

4/12/23

Meeting Date

986

Bill Number or Topic

Appropriations - Education

Committee

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

Amendment Barcode (if applicable)

Name

Marco Paredes

Phone

850-354-7608

Address

106 E College Ave., Ste 700

Street

Tallahassee FL 32301

City

State

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**☐I am appearing without  
compensation or sponsorship.☒I am a registered lobbyist,  
representing:On Top of the World  
Communities☐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/JointRules.pdf)

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The Florida Senate

**APPEARANCE RECORD**

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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:

Spark Learning

☐ 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**

986 School  
Charter amendment

Meeting Date

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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Sierra Bush Register

Phone

Address

Street

Tallahassee FL

City

State

Zip

32309

Email

SierraChristianaV12@gmail.com

Speaking:

☐

For

☒

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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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 Appropriations Committee on Education

---

BILL: SB 1112

INTRODUCER: Senator Burgess

SUBJECT: Middle School and High School Start Times

DATE: April 11, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sabitsch	Bouck	ED	<b>Favorable</b>
2.	Gray	Elwell	AED	<b>Pre-meeting</b>
3.			FP	

---

## **I. Summary:**

SB 1112 provides requirements for middle school and high school start times. Specifically the bill requires that, by July 1, 2026, district school boards must implement a school start time no earlier than 8:00 a.m. for middle schools and 8:30 a.m. for high schools.

The bill requires each district school board to inform its community concerning impacts of sleep habits of middle and high school students, and to discuss strategies to implement the later school start times.

The bill also specifies that charter schools must comply with the school start times required in the bill.

The bill has no impact on state revenues or expenditures, but could have a significant fiscal impact to school districts.

The bill takes effect on July 1, 2023.

## **II. Present Situation:**

### **District School Boards**

Each district school board is responsible for the establishment, organization, and operation of schools in the district's geographic area. Each district school board is required to adopt policies for the opening and closing of schools within the district, however the opening date of schools may not be earlier than August 10th of each year.<sup>1</sup> Current law does not prescribe daily start times for schools. However district school board policy must ensure that no more than one and

---

<sup>1</sup> Section 1001.42(4)(f), F.S.

one-half hours will elapse between the time a student boards a district operated bus and the time school begins.<sup>2</sup>

### **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. All charter schools in Florida are public schools and are part of the state’s public education system. During the 2021-2022 school year, 361,939 students were enrolled in 703 charter schools in 47 districts.<sup>3</sup> Charter schools are afforded a number of exemptions from certain requirements which include matters related to the overall operation of the school such as facilities, operations, and finance. However, charter schools must comply with certain statutory requirements which are described in law.<sup>4</sup> Like other public schools, no law directs charter schools to establish specific daily start times for the schools.

### **Importance of Sleep for Adolescents**

The American Academy of Pediatrics (AAP) recognizes insufficient sleep in adolescents as an important public health issue that significantly affects the health and safety, as well as the academic success, of our nation’s middle and high school students. Although a number of factors, including biological changes in sleep associated with puberty, lifestyle choices, and academic demands, negatively affect middle and high school students’ ability to obtain sufficient sleep, the evidence strongly implicates earlier school start times (i.e., before 8:30 a.m.) as a key modifiable contributor to insufficient sleep, as well as circadian rhythm disruption, in this population. Furthermore, a substantial body of research has now demonstrated that delaying school start times is an effective countermeasure to chronic sleep loss and has a wide range of potential benefits to students with regard to physical and mental health, safety, and academic achievement. The AAP strongly supports the efforts of school districts to optimize sleep in students and urges high schools and middle schools to aim for start times that allow students the opportunity to achieve optimal levels of sleep (i.e., 8.5 to 9.5 hours) and to improve physical and mental health (e.g., reduced obesity risk and lower rates of depression), safety (e.g., drowsy driving crashes), academic performance, and quality of life.<sup>5</sup>

The Florida chapter of the AAP stresses that medical and academic research on teens’ developing bodies and brains show that sleep is directly linked to their physical and mental health, learning, and academic success. Teenagers in high school need, on average, 8 to 10 hours of sleep each school night. A policy change to start high schools after 8:00 a.m. is needed. School districts across the nation, where 8:00 a.m. school start times have been implemented, have decreased tardiness, decreased sleeping in class, increased attendance, increased graduation rates, and higher standardized test scores. Students are reported to be better prepared, more alert,

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<sup>2</sup> Rule 6A-3.0171(6), F.A.C.

<sup>3</sup> Florida Department of Education, Fact Sheet Office of Independent Education & Parental Choice, *Florida’s Charter Schools* (September 2022), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

<sup>4</sup> Section 1002.33(16), F.S.

<sup>5</sup> American Association of Pediatrics, School Start Times for Adolescents, Policy statement, (Sept 1., 2014), available at: <https://publications.aap.org/pediatrics/article/134/3/642/74175/School-Start-Times-for-Adolescents?autologincheck=redirected> (last visited Mar. 14, 2023).

and motivated to do well. Economists suggest that delaying school start times would have a substantial benefit-to-cost ratio (9:1). This finding is based on a conservative estimate of both costs per student largely related to transportation and the increase in projected future earnings per student in present value because of test score gains related to moving start times 1 hour later (approximately \$17,500).<sup>6</sup>

### **School Start Times in Florida**

According to the Office of Program Policy Analysis and Government Accountability (OPPAGA), the average start time for all Florida high schools (541 schools) is 7:45 a.m. Forty-six percent of high schools start before 7:30 a.m., and 19 percent of high schools start between 7:30 a.m. and 8:00 a.m. There were 49 Florida school districts with at least one high school that started before 8:00 a.m. and of those, 22 districts had a least one high school that started before 7:30 a.m. For Florida middle schools (490 schools) the average start time is 9:03 a.m., with only eight percent of schools starting prior to 8:00 a.m.<sup>7</sup>

OPPAGA requested specific information from twelve districts that had either recently changed or are considered changing school start times to determine motivations and barriers. Eight of those school districts had recently changed some or all of their start times while four school districts had considered changes to start time but did not make changes. Reported motivations among the respondents included:

- Transportation issues to improve on-time bus schedules, address driver shortages, reduce transit times, comply with Center for Disease Control (CDC) social distancing recommendations, and improve operational efficiencies.
- Student health and safety issues to improve general student health and to address the health needs of high school students in particular.
- Student learning issues to promote student academic achievement, increase learning time lost due to weather-related closures, and increase the length of the elementary school day.

Reported barriers that were confronted when considering start time changes included:

- Child care and student supervision issues concerning care for siblings, childcare arrangements, limited school staff and concerns about child safety in dawn/pre-dawn hours.
- Afterschool activities issues concerning afterschool employment for high school students, effects on extended day programs, and the ability to attend afterschool activities.
- Transportation issues concerning costs of adding bus routes and buses, rising bus driver wages and limited bus drivers, and capital funding issues.<sup>8</sup>

### **III. Effect of Proposed Changes:**

The bill amends s. 1001.42 F.S., regarding school start times for middle and high schools. Specifically, the bill requires each school district to adopt policies regarding middle school and high school start times such that, by July 1, 2026, the instructional day:

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<sup>6</sup> Email, Florida Chapter of the American Academy of Pediatrics, *Position Statement: Start Schools after 8:00 a.m.* (Mar. 13, 2023) (on file with Senate Committee on Education).

<sup>7</sup> Email, OPPAGA Report: *OPPAGA Research on School Start Times*, (Mar. 13, 2023) (on file with Senate Committee on Education).

<sup>8</sup> *Id.*



- For a middle school begins no later than 8:00 a.m.
- For a high school start times begins no later than 8:30 a.m.

The bill requires each district school board to inform parents, students, teachers, school administrations, athletic coaches, and other stake-holders about the health, safety, and the academic impacts of sleep deprivation on middle and high school students and the benefits of a later school start time. The bill also requires the board to discuss local strategies to successfully implement the later school start times.

The bill amends s. 1002.33, F.S., to clarify that charter schools must comply with the start time requirements for middle and high schools established in the bill.

The bill takes effect on July 1, 2023.

#### **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:

There may be a significant, but indeterminate, fiscal impact to school district transportation costs in preparation for a July 1, 2026, implementation.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The bill does not modify the provision in State Board of Education Rule 6A-3.0171(6), F.A.C., authorizing up to 1.5 hours between a bus pickup and the school start time. Therefore, the positive effect of a later school start time may be moderated by an early bus pickup time.

**VIII. Statutes Affected:**

This bill substantially amends sections 1001.42 and 1002.33 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.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/12/2023	.	
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The Appropriations Committee on Education (Jones) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 74 and 75  
insert:

Section 3. Paragraph (k) is added to subsection (1) of  
section 1003.02, Florida Statutes, to read:

1003.02 District school board operation and control of  
public K-12 education within the school district.—As provided in  
part II of chapter 1001, district school boards are  
constitutionally and statutorily charged with the operation and



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control of public K-12 education within their school districts. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following areas:

(k) Instructions on emergency first aid for choking.—  
Require a poster that contains step-by-step instructions on how to provide emergency first aid for choking on conscious individuals to be posted in each public school cafeteria within the school district. The poster must be easily visible and prominently placed.

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

And the title is amended as follows:

Delete lines 2 - 10  
and insert:

An act relating to public schools; amending s.  
1001.42, F.S.; providing requirements for middle  
school and high school start times; requiring such  
school start times to be implemented by a specified



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date; providing district school board requirements;  
amending s. 1002.33, F.S.; requiring charter schools  
to meet certain requirements relating to middle school  
and high school start times; amending s. 1003.02,  
F.S.; requiring a poster containing specified  
information to be placed in public school cafeterias;  
providing requirements for the placement of such  
posters; providing an effective date.

By Senator Burgess

23-01764-23

20231112\_\_

A bill to be entitled

An act relating to middle school and high school start times; amending s. 1001.42, F.S.; providing requirements for middle school and high school start times; requiring such school start times to be implemented by a specified date; providing district school board requirements; amending s. 1002.33, F.S.; requiring charter schools to meet certain requirements relating to middle school and high school start times; providing an effective date.

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

Section 1. Paragraph (f) of subsection (4) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.—Adopt and provide for the execution of plans for the establishment, organization, and operation of the schools of the district, including, but not limited to, the following:

(f) *Opening and closing of schools; fixing uniform date; middle school and high school start times.*—Adopt policies for the opening and closing of schools, and fix uniform dates, and middle school and high school start times. ~~—however,~~

1. The opening date for schools in the district may not be earlier than August 10 of each year.

2. By July 1, 2026, the instructional day for middle

23-01764-23

20231112\_\_

schools may not begin earlier than 8 a.m. and the instructional day for high schools may not begin earlier than 8:30 a.m. Each district school board must inform its community, including parents, students, teachers, school administrators, athletic coaches, and other stakeholders, about the health, safety, and academic impacts of sleep deprivation on middle school and high school students and the benefits of a later school start time and discuss local strategies to successfully implement the later school start times.

Section 2. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

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

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.

23-01764-23

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59       8. Section 1006.12, relating to safe-school officers.  
60       9. Section 1006.07(7), relating to threat assessment teams.  
61       10. Section 1006.07(9), relating to School Environmental  
62 Safety Incident Reporting.  
63       11. Section 1006.07(10), relating to reporting of  
64 involuntary examinations.  
65       12. Section 1006.1493, relating to the Florida Safe Schools  
66 Assessment Tool.  
67       13. Section 1006.07(6)(d), relating to adopting an active  
68 assailant response plan.  
69       14. Section 943.082(4)(b), relating to the mobile  
70 suspicious activity reporting tool.  
71       15. Section 1012.584, relating to youth mental health  
72 awareness and assistance training.  
73       16. Section 1001.42(4)(f)2., relating to middle school and  
74 high school start times.  
75       Section 3. This act shall take effect July 1, 2023.



The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Appropriations Committee on Education

**Subject:** Committee Agenda Request

**Date:** April 5, 2023

---

I respectfully request that **Senate Bill #1112**, relating to Middle and High School Start Times, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A blue ink signature of Senator Danny Burgess, written in a cursive style, is positioned above a horizontal line.

---

Senator Danny Burgess  
Florida Senate, District 23



4/12/2023

The Florida Senate

1112

# APPEARANCE RECORD

Meeting Date

Bill Number or Topic

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

Appropriations ED

Committee

Amendment Barcode (if applicable)

Name

Nancy Lawther, PhD

Phone

407-855-7604

Address

Street

1747 Orlando Central PKwy

Email

legislation@floridapta.org

City

Orlando

State

FL 32809

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 PTA

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

4/12/23

Meeting Date

Ed Approps

Committee

1112

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Doug Bell

Phone

850 205 9000

Address

119 S. Monroe

Email

doug.bell@mhdfirm.com

Street

TLH

City

FL

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 Chapter of the American Academy of Pediatrics

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

4/12/23

Meeting Date

SB 1112

Bill Number or Topic

Appropriations Edu

Committee

Amendment Barcode (if applicable)

Name Stephanie Youn

Phone 863-533-0908

Address 730 E Davidson St

Street

Email

Bartow

City

FL

State

33830

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, df \(flsenate.gov\)](#)

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

5-001 (08/10/2021)

**APPEARANCE RECORD**

Meeting Date

Bill Number or Topic

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

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

Small School Districts

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)

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 Appropriations Committee on Education

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BILL: CS/SB 1386

INTRODUCER: Appropriations Committee on Education; Senator Perry; and others

SUBJECT: Florida School for Competitive Academics

DATE: April 14, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bouck</u>	<u>Bouck</u>	<u>ED</u>	<b>Favorable</b>
2.	<u>Gray</u>	<u>Elwell</u>	<u>AED</u>	<b>Fav/CS</b>
3.	_____	_____	<u>FP</u>	_____

---

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1368 establishes the Florida School for Competitive Academics (FSCA) as a public school in Alachua County for students in grades 6-12, to be admitted starting in the 2024-2025 school year. The school is intended to provide a rigorous academic curriculum, and to prepare students for regional, state, and national academic competitions in all areas of study, including, but not limited to, science, technology, engineering, and mathematics.

The bill establishes a board of trustees to govern the FSCA, appointed by the Governor and confirmed by the Senate. The board of trustees is authorized to manage, maintain, support, and control the FSCA. Specific authority includes, but is not limited to, admissions, personnel, purchasing, school safety, budgets, and records.

The FSCA is exempted from Florida Statutes in the same manner as charter schools, and is subject to financial and operational audits by the Auditor General in the same manner as other public educational institutions.

Funding for the FSCA will be as specified in the General Appropriations Act.

The bill takes effect on July 1, 2023.

## II. Present Situation:

Buchholz High School (BHS) in Alachua County has won 14 national championship in 15 years at the National Mu Alpha Theta Competition. The Mu Alpha Theta currently has more than 100,000 members across 2,420 schools in the United States and in 23 Foreign Countries.<sup>1</sup> The BHS team broke records by winning a total of 304 trophies, with many of the team members earning first-place awards. The team has taken first place in 32 out of 39 national competitions.<sup>2</sup>

Walt Frazer, the coach of the BHS team, believes in competition. He refuses to call the Buchholz math students a club because he wants them to think of themselves as a team. “A club is a social organization,” he said. “A team comes together to win.” And he was out to win. He believes the pipeline for the high school’s math team must begin long before students reach high school, so Mr. Frazer searches for prospects in elementary school and steers them to accelerated math classes in middle school. The mathletes who try out for the team and make the cut are combined into one class section and fly through competitive algebra, geometry and calculus during the school day. “I cover everything the state wants me to cover,” he said. “But there is no restriction on covering extra material.”<sup>3</sup>

### Advanced Academic Public Schools

Florida offers a number of public school options for academically talented students, for example:

- The **Pine View School**, established in 1969 in Sarasota County, serves intellectually gifted students in grades 2-12. Its mission is to provide a qualitatively different learning environment that nurtures a passion for intellectual curiosity, encourages risk taking, independence and innovation, and is committed to a tradition of academic excellence and social responsibility. Children are admitted based on a series of tests, recommendations and other pertinent admissions data. These are reviewed by a committee of teachers and other personnel. The basic curriculum conforms to local and state requirements as expressed in accreditation standards and the officially approved programs of studies.<sup>4</sup>
- **Stanton College Preparatory School** opened in 1981 in Duval County as the district’s first magnet school. The school serves grades 9-12, with a mission to provide a rigorous academic program of all advanced academic courses supplemented by philanthropic, artistic, and forensic activities. Stanton consistently ranks first in the county and in the top three in the state for the number of National Merit Semi-Finalists.<sup>5</sup>
- **The School for Advanced Studies (SAS)** is a nationally recognized collegiate high school of excellence, a combined effort between Miami-Dade County Public Schools and Miami

<sup>1</sup> Mu Alpha Theta, the National High School and Two-Year College Mathematics Honor Society is dedicated to inspiring a keen interest in mathematics, developing strong scholarship in the subject, and promoting the enjoyment of mathematics 2 Mu Alpha Theta, *About Us*, <https://mualphatheta.org/about-us> (last visited Mar. 16, 2023).

<sup>2</sup> The Gainesville Sun, *Buchholz High School takes home 14th national math championship win in 15-year span*, <https://www.gainesville.com/story/news/2022/07/19/buchholz-high-school-wins-14th-national-championship/10089688002/> (last visited Mar. 22 2023).

<sup>3</sup> The Wall Street Journal, *How a Public School in Florida Built America’s Greatest Math Team*, <https://www.wsj.com/articles/the-secrets-of-americas-greatest-high-school-math-team-11657791000> (last visited Mar. 16, 2023).

<sup>4</sup> Pine View School, *About Pine View School*, <https://www.sarasotacountyschools.net/domain/1447> (last visited Mar. 16, 2023).

<sup>5</sup> Stanton College Preparatory School, *About Us*, <https://dcps.duvalschools.org/Page/10562> (last visited March 22, 2023).

Dade College. Students attending SAS complete their last two years of high school while they obtain a two-year Associate in Arts degree from Miami Dade College. The opportunity for acceleration and enrichment attracts motivated and academically talented students. SAS provides its students with a rich and rigorous liberal arts education with many of its students specializing in STEM. SAS was recently recognized by U.S. News and World Report and the "Best High School in Florida" and the "Fifth Best High School in the United States."<sup>6</sup> Admissions is based on a variety of factors including GPA, attendance record, and college placement test scores.<sup>7</sup>

The Present Situation is presented in the Effect of Proposed Changes section of the analysis.

### **III. Effect of Proposed Changes:**

#### **Florida's Early Learning-20 Education System**

##### ***Present Situation***

Florida's Early Learning-20 education system includes publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state. These include:

- The Voluntary Prekindergarten Education Program and the school readiness program.
- Public K-12 schools, which include charter schools and consist of kindergarten classes; elementary, middle, and high school grades and special classes; virtual instruction programs; workforce education; career centers; adult, part-time, and evening schools, courses, or classes, as authorized by law to be operated under the control of district school boards; and lab schools operated under the control of state universities.
- Public postsecondary educational institutions, which include workforce education; Florida College System institutions; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law.
- The Florida School for the Deaf and the Blind.
- The Florida Virtual School.<sup>8</sup>

##### ***Effect of Proposed Changes***

The bill modifies s. 1000.04, F.S., to create the Florida School for Competitive Academics (FSCA) as an additional component of Florida's Early Learning-20 public education system.

The bill creates s. 1002.351, F.S., to establish the FSCA in Alachua County as a state-supported public school for Florida residents in grades 6-12. The primary purpose of the school is to provide a rigorous academic curriculum, and the secondary purpose is to prepare students for regional, state, and national academic competitions in all areas of study, including, but not

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<sup>6</sup> School for Advanced Studies, *About Us*, [https://sasdreamfactory.org/apps/pages/index.jsp?uREC\\_ID=473938&type=d](https://sasdreamfactory.org/apps/pages/index.jsp?uREC_ID=473938&type=d) (last visited Mar. 22, 2023).

<sup>7</sup> School for Advanced Studies, *Eligibility*, [https://sasdreamfactory.org/apps/pages/index.jsp?uREC\\_ID=473950&type=d](https://sasdreamfactory.org/apps/pages/index.jsp?uREC_ID=473950&type=d) (last visited Mar. 22, 2023).

<sup>8</sup> Section 1000.04, F.S.

limited to, science, technology, engineering, and mathematics. The school may admit students in grades 6-12 beginning in the 2024-2025 school year.

The bill also establishes the mission of the FSCA to provide students who meet selective admissions requirements an environment that will foster high academic engagement and advanced understanding of subject areas, develop productive work habits, build resiliency, connect students with industry leaders, and promote civic leadership.

To assist in the recruitment of students to the FSCA, the bill requires each district school board to ensure that all eligible students are informed of the FSCA. The district school board must inform parents of public school students that they may provide their child's student records to the FSCA's board of trustees for recruitment purposes.

### Board of Trustees

The governance of the FSCA is very similar to that of the Florida School for the Deaf and the Blind,<sup>9</sup> which is governed by a seven-member board of trustees.

The bill establishes the FSCA board of trustees composed of seven members appointed by the Governor to 4-year terms and confirmed by the Senate. For purposes of staggering terms, four members, including the chair as designated by the Governor, will be appointed to 4-year terms beginning July 1, 2023, and three members will be appointed to 2-year terms beginning July 1, 2023. After the initial 4-year term, the chair will be elected by the board. The bill specifies that no more than one employee of the school may serve on the board of trustees as a member or as chairman. The members of the board of trustees serve without compensation, but may be reimbursed for per diem and travel expenses.

The board of trustees is established as a public agency entitled to sovereign immunity, and the members as public officers who bear fiduciary responsibility for the FSCA. As a corporation, the board of trustees is authorized by the bill to operate and manage the FSCA. Gifts, donations, or bequests to the FSCA are under the jurisdiction of the board of trustees; all other property and assets are under the jurisdiction of the State Board of Education (SBE).

The bill establishes the powers and authority of the board of trustees that include:

- Adopting rules that comply with state law, which must be submitted to the SBE for approval.
- Appointing and removing a principal, administrators, teachers, and other employees.
- Determining eligibility of students and procedures for admission.
- Providing for the proper keeping of accounts and records and for budgeting of funds.
- Receiving gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity for the use and benefit of the school.
- Recommending to the Legislature for the school to become a residential public school.
- Performing every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible.

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<sup>9</sup> Section 1002.36, F.S.



The bill also requires the board of trustees to:

- Prepare and submit legislative budget requests for operations and fixed capital outlay to the Department of Education (DOE) for review and approval. The DOE will analyze the request to determine if the request is consistent with the school's campus master plan, educational plant survey, and facilities master plan.
- Approve and administer an annual operating budget in accordance with law.
- Require all purchases to be in accordance requirements in law, except for purchases made with funds received as gifts, donations, or bequests or funds raised by or belonging to student clubs or student organizations.
- Administer and maintain personnel programs for all employees of the board of trustees and the FSCA, who shall be school employees, including the personnel.
- Ensure that the FSCA complies with laws concerning the coordination of planning between the FSCA and local governing bodies.
- Ensure that the FSCA complies with laws concerning per diem and travel expenses.
- Adopt a master plan that specifies the objectives of the FSCA. The plan must be for a period of 5 years and must be reviewed for needed modifications every 2 years. The board of trustees must submit the initial plan and subsequent modifications to the President of the Senate and the Speaker of the House of Representatives.

#### Student and Employee Records

The bill requires the board of trustees to provide for the content and custody of student records subject to the law regarding education records in accordance with the Family Educational Rights and Privacy Act (FERPA).<sup>10</sup> The board of trustees must maintain employee records subject to the law regarding public school personnel files, which include all records, information, data, or materials uniquely applicable to that employee whether maintained in one or more locations.<sup>11</sup>

#### Personnel

The FSCA board of trustees and all employees and applicants for employment must undergo a Level 2 background screening<sup>12</sup> similar to the requirement for all public school personnel who seek an educator certificate. The bill specifies that an individual may not be employed as an employee or contract personnel of the FSCA or serve as a member of the board of trustees if the individual is on the disqualification list maintained by the Department of Education.

The bill requires the FSCA board of trustees to administer and maintain personnel programs for all employees, which must include:

- Rules, policies, and procedures related to the appointment, employment, and removal of personnel.
- Compensation, including salaries and fringe benefits, and other conditions of employment for such personnel.
- A requirement that classroom teachers employed by the school must be certified.

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<sup>10</sup> Section 1002.22, F.S.

<sup>11</sup> Section 1012.31, F.S.

<sup>12</sup> Section 435.04(1)(a), F.S.

- A requirement that each person employed by the board of trustees in an academic administrative or instructional capacity with the FSCA is entitled to a contract as provided by rules of the board of trustees.
- A requirement that all employees except temporary, seasonal, and student employees may be provided Florida Retirement System benefits from the school through operational costs.

The bill makes the following conforming changes to other statutes regarding personnel authority by the FSCA board of trustees.

The bill modifies s. 110.205, F.S., to include the Florida School for Competitive Academics (FSCA) in the selected exempt class for academic and administrative personnel, and specifies that, like the FSDB, salaries are set not by the Department of Management Services (DMS) but by FSCA board of trustees, subject to approval by the State Board of Education (SBE).

Currently, DMS maintains a classification and compensation program addressing Career Service, Selected Exempt Service, and Senior Management Service positions.<sup>13</sup> The list of members who are exempted from career service are specified in law, and include all officers and employees of the state universities and the academic personnel and academic administrative personnel of the Florida School for the Deaf and the Blind (FSDB). The salaries for academic personnel and academic administrative personnel of the FSDB are set by the board of trustees for the FSDB, subject only to the approval of the State Board of Education.<sup>14</sup>

The bill modifies s. 216.251, F.S., to specify that FSCA salaries are provided within the classification and pay plans established by the board of trustees for the FSCA and approved by the SBE for academic and academic administrative personnel.

Salary rates are currently provided in the General Appropriations Act (GAA).<sup>15</sup> Those salary rates not listed in the GAA are provided in DMS classification programs, in a classification plan by the board of trustees of the FSDB and approved by the SBE, with the Board of Governors of the State University System, with the Legislature, or with the judicial branch.<sup>16</sup>

The bill modifies s. 447.203, F.S., to specify that the board of trustees of the FSCA is deemed to be the public employer with respect to the academic and academic administrative personnel of the FSCA.

The Florida Constitution deems collective bargaining is a constitutional right afforded to public employees<sup>17</sup> in Florida.<sup>18</sup> Through collective bargaining, public employees collectively negotiate with their public employer in the determination of the terms and conditions of their employment.<sup>19</sup> Educational institution public employers include:

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<sup>13</sup> Section 110.2035(1), F.S.

<sup>14</sup> Section 110.205(2)(d), F.S.

<sup>15</sup> Section 216.251(1), F.S.

<sup>16</sup> Section 216.251(2), F.S.

<sup>17</sup> Section 447.203(3), F.S.

<sup>18</sup> FLA. CONST. Art. I, s. 6.

<sup>19</sup> Section 447.301(2), F.S.

- The Board of Governors of the State University System for all public employees of each constituent state university.
- The board of trustees of a community college for all employees of the community college.
- The district school board for all employees of the school district.
- The Board of Trustees of the Florida School for the Deaf and the Blind for the academic and academic administrative personnel of the Florida School for the Deaf and the Blind.
- The Governor for all employees in the Correctional Education Program of the Department of Corrections.<sup>20</sup>

### Funding

The bill specifies that the FSCA must receive state funds for operating purposes as provided in the General Appropriations Act (GAA). The bill does not establish the FSCA as a special school district, so it is likely the FSCA will receive funds similar to the Florida School for the Deaf and the Blind rather than as an allocation through the Florida Education Finance Program based on the full-time enrollment of its students. In addition to the funds provided in the GAA, the bill authorizes the FSCA to receive other funds from grants and donations.

### Budget

The bill creates s. 1011.58, F.S., to require and establish procedures for the FSCA to prepare and submit legislative budget requests (LBRs). The requirement is similar to the requirement for the Florida School for the Deaf and the Blind (FSDB).

The bill requires that the LBR of the FSCA must be prepared using the same format, procedures, and timelines required for the submission of the legislative budget of the DOE. The FSCA must submit its LBR and an implementation plan to the DOE for review and approval. Once approved, the Commissioner of Education must include the FSCA in the DOE's LBR to the SBE, the Governor, and the Legislature. The LBR for the FSCA must be a separate identifiable sum in the DOE LBR.

The bill requires the annual appropriation for the FSCA to be distributed monthly, without using the Florida Education Finance Program, in payments as nearly equal as possible. Appropriations for textbooks, instructional technology, and school buses may be released and distributed as necessary to serve the instructional program for the students.

The bill also requires the FSCA to submit its fixed capital outlay request to the DOE for review and approval in the same manner as the FSDB. Subsequent to the department's approval, the FSCA's request must be included within the DOE's public education capital outlay LBR.

The bill creates s. 1011.59, F.S., which creates flexibility in managing FSCA funds. The bill authorizes that, notwithstanding specified sections of law, and subject to the GAA, funds for the operation of the FSCA must be requested and appropriated within budget entities, program components, program categories, lump sums, or special categories, but may be transferred to traditional categories for expenditure by the board of trustees of the FSCA. The board of trustees

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<sup>20</sup> Section 447.203(2), F.S.

must develop an annual operating budget that allocates funds by program component and traditional expenditure category.

The bill exempts the FSCA from preparing a lump-sum plan to implement the special categories, program categories, or lump-sum appropriations, subject to the GAA. Upon request of the board of trustees, the Chief Financial Officer must transfer or reallocate funds to or among accounts established for disbursement purposes. The board of trustees must maintain records to account for the original appropriation.

The bill authorizes the FSCA board of trustees, subject to the GAA, to establish the number of positions at the school, but may amend such positions within the total funds authorized annually in the GAA.

Finally, the bill authorizes all unexpended funds appropriated for the FSCA to be carried forward and included as the balance forward for that fund in the approved operating budget for the following year. For the 2023-2024 through 2027-2028 fiscal years, the FSCA's board of trustees may expend, reserve, or carry forward balances from prior year operational and programmatic appropriations for fixed capital outlay projects needed for the establishment of the school.

#### Audits and Investigations

The bill requires the Auditor General (AG)<sup>21</sup> to conduct audits of the accounts and records of the FSCA as provided in law. Currently, the AG is required to conduct annual financial audits<sup>22</sup> of the accounts and records of all district school boards in counties with populations of fewer than 150,000 and the Florida School for the Deaf and the Blind. In addition, every three years the AG must conduct operational audits<sup>23</sup> of the accounts and records of state agencies, state universities, state colleges, district school boards, the Florida Clerks of Court Operations Corporation, water management districts, and the Florida School for the Deaf and the Blind.<sup>24</sup>

The bill also modifies s. 11.45, F.S., as a conforming provision to require the AG to conduct an annual financial audit of the FSCA, and at least every three years conduct an operational audit of the FSCA.

The bill also authorizes the Department of Education's (DOE's) Inspector General<sup>25</sup> to conduct investigations according to law. Currently, the OIG is authorized to conduct, coordinate, or request investigations into substantiated allegations of waste, fraud, or financial mismanagement

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<sup>21</sup> The Auditor General (AG) is a constitutional officer appointed by the Legislative Auditing Committee and confirmed by both houses of the Legislature. The AG provides unbiased, timely, and relevant information used to promote government accountability and stewardship and improve government operations.

Florida Auditor General, *Welcome*, <https://flauditor.gov/> (last visited Mar. 22, 2023).

<sup>22</sup> "Financial audits must be conducted in accordance with auditing standards generally accepted in the United States and government auditing standards. Section 11.45(1)(d), F.S.

<sup>23</sup> Such audits examine internal controls that are designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of financial records and reports, and safeguarding of assets, and identify weaknesses in those internal controls. Section 11.45(1)(i), F.S.

<sup>24</sup> Section 11.45(2), F.S.

<sup>25</sup> The Office of Inspector General in the Florida Department of Education is responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind (FSDB), and Florida College System (FCS) institutions in Florida. Section 1001.20(4)(e), F.S.

under certain conditions. The office must also investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought.<sup>26</sup>

Accordingly, the bill modifies s. 1001.20, F.S., to add the FSCA to those institutions under the authorized investigatory activities of the DOE Office of Inspector General.

#### Exemption from Statutes

In order to provide maximum flexibility to the FSCA, the bill provides exemptions from statute in the same manner as provided to charter schools.<sup>27</sup>

The bill specifies that the FSCA is exempt from all statutes in chs. 1000-1013, F.S. However, the FSCA must comply with the following statutes in chs. 1000-1013, F.S.:

- Those statutes pertaining to the student assessment program and school grading system.
- Those statutes pertaining to the provision of services to students with disabilities.
- Those statutes pertaining to civil rights, including, but not limited to, s. 1000.05, F.S., relating to discrimination.
- Those statutes pertaining to student health, safety, and welfare.
- Section 286.011, F.S., relating to public meetings and records, public inspection, and criminal and civil penalties.
- Chapter 119, F.S., relating to public records.
- Section 1006.12, F.S., relating to safe-school officers.
- Section 1006.07(7), F.S., relating to threat assessment teams.
- Section 1006.07(9), F.S., relating to school environmental safety incident reporting.
- Section 1006.07(10), F.S., relating to reporting of involuntary examinations.
- Section 1006.1493, F.S., relating to the Florida Safe Schools Assessment Tool.
- Section 1006.07(6)(d), F.S., relating to adopting active assailant response plans.
- Section 943.082(4)(b), F.S., relating to the mobile suspicious activity reporting tool.
- Section 1012.584, F.S., relating to youth mental health awareness and assistance training.
- Section 1003.4282, F.S., relating to requirements for a standard high school diploma.
- Section 1003.03(1), F.S., relating to class size maximums.
- Section 1011.61, F.S., relating to instructional hours requirements, but may provide instruction that exceeds the minimum time requirements for the purposes of offering a summer program.

The bill specifies that, similar to a charter school, for purposes of the exemption from statutes, the duties assigned to a district school superintendent apply to the director of the FSCA, and the duties to a district school board apply to the board of trustees.

The bill takes effect on July 1, 2023.

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<sup>26</sup> Section 1001.20(4)(e), F.S.

<sup>27</sup> Section 1002.33(16), 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 will have a significant impact on state revenue and expenditures. This bill creates the Florida School for Competitive Academics (FSCA) within the state. The sum of \$24,013,302 has been appropriated in the Senate's General Appropriations Act for the establishment of FSCA, including \$3,280,000 for operational costs (\$8,200/student with an anticipated enrollment of 400 students) and \$20,033,302 for fixed capital outlay. The remaining funds are allocated to the Department of Education for administrative support and to the FSCA's board of trustees to support the FSCA's establishment.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 11.45, 110.205, 216.251, 447.203, 1000.04, and 1001.20.

This bill creates the following sections of the Florida Statutes: 1002.351, 1011.58, and 1011.59.

The 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.)

**CS by Appropriations Committee on Education on April 12, 2023:**

The committee substitute:

- Requires each district school board, rather than the Commissioner of Education, to ensure students are informed about the Florida School for Competitive Academics (FSCA), and to inform parents regarding transfer of records to the FSCA.
- Removes from the bill the authority of the FSCA board of trustees to:
  - Have a stand-alone law enforcement agency; and
  - Exercise the power of eminent domain.

**B. Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2023	.	
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The Appropriations Committee on Education (Perry) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 99 - 165  
and insert:

(b) To assist in the recruitment of students, each district school board shall ensure all eligible students are informed of the Florida School for Competitive Academics. Each district school board shall inform parents of public school students that they may provide their child's student records to the Florida School for Competitive Academics Board of Trustees for





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recruitment purposes.

(3) BOARD OF TRUSTEES.—

(a)1. The Florida School for Competitive Academics shall be governed by a board of trustees composed of seven members appointed by the Governor to 4-year terms and confirmed by the Senate. For purposes of staggering terms, four members, including the chair as designated by the Governor, shall be appointed to 4-year terms beginning July 1, 2023, and three members shall be appointed to 2-year terms beginning July 1, 2023. After the initial 4-year term, the chair shall be elected by the board.

2. No more than one employee of the school may serve on the board of trustees as a member or as chairman.

(b) Members of the board of trustees shall serve without compensation, but may be reimbursed for per diem and travel expenses pursuant to s. 112.061.

(c) The board of trustees is a public agency entitled to sovereign immunity pursuant to s. 768.28, and board members are public officers who bear fiduciary responsibility for the Florida School for Competitive Academics.

(d) The board of trustees is a body corporate with all the powers of a body corporate and with such authority as is needed for the proper operation and improvement of the Florida School for Competitive Academics. Title to any gift, donation, or bequest received by the board of trustees must vest in the board of trustees. Title to all other property and other assets of the Florida School for Competitive Academics must vest in the State Board of Education, but the board of trustees has complete jurisdiction over the management of the school.



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(e) The board of trustees has the full power and authority to:

1. Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law relating to operation of the Florida School for Competitive Academics. Such rules must be submitted to the State Board of Education for approval or disapproval. After a rule is approved by the State Board of Education, the rule must be filed immediately with the Department of State. The board of trustees shall act at all times in conjunction with the rules of the State Board of Education.

2. Appoint a principal, administrators, teachers, and other employees.

3. Remove principals, administrators, teachers, and other employees at the board's discretion.

4. Determine eligibility of students and procedures for admission.

5. Provide for the proper keeping of accounts and records and for budgeting of funds.

6. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity for the use and benefit of the school.

7. Recommend to the Legislature for the school to become a residential public school.

8. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible.

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



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69 And the title is amended as follows:  
70       Delete line 10  
71 and insert:  
72       the school; requiring each district school board to

By Senator Perry

9-01505B-23

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1 A bill to be entitled  
 2 An act relating to the Florida School for Competitive  
 3 Academics; amending s. 1000.04, F.S.; revising the  
 4 components of the delivery of public education within  
 5 the Florida Early Learning-20 education system to  
 6 include the Florida School for Competitive Academics;  
 7 creating s. 1002.351, F.S.; providing for the  
 8 establishment of the Florida School for Competitive  
 9 Academics; providing for the purpose and mission of  
 10 the school; requiring the Commissioner of Education to  
 11 ensure eligible students are informed of the school;  
 12 providing for the appointment of the board of  
 13 trustees; prescribing the powers and duties of the  
 14 board of trustees; providing sovereign immunity to the  
 15 board of trustees; specifying the board's duties  
 16 regarding the maintenance of student and employee  
 17 records; providing requirements regarding background  
 18 screening of school personnel; specifying duties of  
 19 the board regarding personnel; providing for funding  
 20 of the school; requiring the Auditor General to  
 21 conduct audits of the school; authorizing the  
 22 Department of Education's Office of Inspector General  
 23 to conduct investigations, as appropriate; exempting  
 24 the school from specified requirements in the Florida  
 25 Early Learning-20 Education Code; providing  
 26 exceptions; specifying applicability of certain  
 27 provisions of law; creating s. 1011.58, F.S.;  
 28 prescribing procedures for the school's submittal of  
 29 legislative budget requests; requiring the school to

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

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30 submit an implementation plan to the Department of  
 31 Education; requiring the Commissioner of Education to  
 32 include the school in the department's legislative  
 33 budget request, subject to specified conditions;  
 34 requiring the school to submit its fixed capital  
 35 outlay request to the department; creating s. 1011.59,  
 36 F.S.; prescribing procedures and requirements  
 37 governing the request and the appropriation of funds  
 38 for the operation of the school; requiring the board  
 39 to develop an annual operating budget; requiring the  
 40 Chief Financial Officer to transfer or reallocate  
 41 funds if certain conditions are met; requiring the  
 42 board to establish authorized positions within funds  
 43 appropriated to the school; providing for the carry  
 44 forward of any unexpended funds; providing that the  
 45 board of trustees may expend, reserve, or carry  
 46 forward of certain balances for fixed capital outlay  
 47 projects; amending s. 11.45, F.S.; revising the duties  
 48 of the Auditor General to conform to changes made by  
 49 the act; amending s. 110.205, F.S.; exempting school  
 50 personnel from provisions governing the state career  
 51 service system; amending s. 216.251, F.S.; specifying  
 52 the manner of setting salaries for positions within  
 53 the school; amending s. 447.203, F.S.; revising the  
 54 definition of the terms "public employer" or  
 55 "employer" to include the school for purposes of part  
 56 II of ch. 447, F.S.; making technical changes;  
 57 amending s. 1001.20, F.S.; revising the powers of the  
 58 department's Office of Inspector General to conform to

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

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changes made by the act; providing a directive to the  
Division of Law Revision; providing an effective date.

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

Section 1. Subsection (6) is added to section 1000.04,  
Florida Statutes, to read:

1000.04 Components for the delivery of public education  
within the Florida Early Learning-20 education system.—Florida's  
Early Learning-20 education system provides for the delivery of  
early learning and public education through publicly supported  
and controlled K-12 schools, Florida College System  
institutions, state universities and other postsecondary  
educational institutions, other educational institutions, and  
other educational services as provided or authorized by the  
Constitution and laws of the state.

(6) THE FLORIDA SCHOOL FOR COMPETITIVE ACADEMICS.—The  
Florida School for Competitive Academics is a component of the  
delivery of public education within Florida's Early Learning-20  
education system.

Section 2. Section 1002.351, Florida Statutes, is created  
to read:

1002.351 The Florida School for Competitive Academics.—

(1) ESTABLISHMENT.—There is established the Florida School  
for Competitive Academics. The school shall be located in  
Alachua County and is a state-supported public school for  
Florida residents in grades 6-12. The primary purpose of the  
school is to provide a rigorous academic curriculum, and the  
secondary purpose is to prepare students for regional, state,

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and national academic competitions in all areas of study,  
including, but not limited to, science, technology, engineering,  
and mathematics. The school may admit students in grades 6-12  
beginning in the 2024-2025 school year.

(2) MISSION.—

(a) The mission of the Florida School for Competitive  
Academics is to provide students who meet selective admissions  
requirements an environment that will foster high academic  
engagement and advanced understanding of subject areas, develop  
productive work habits, build resiliency, connect students with  
industry leaders, and promote civic leadership.

(b) To assist in the recruitment of students, the  
Commissioner of Education shall ensure all eligible students are  
informed of the Florida School for Competitive Academics. The  
commissioner shall inform parents of public school students that  
they may provide their child's student records to the Florida  
School for Competitive Academics Board of Trustees for  
recruitment purposes.

(3) BOARD OF TRUSTEES.—

(a)1. The Florida School for Competitive Academics shall be  
governed by a board of trustees composed of seven members  
appointed by the Governor to 4-year terms and confirmed by the  
Senate. For purposes of staggering terms, four members,  
including the chair as designated by the Governor, shall be  
appointed to 4-year terms beginning July 1, 2023, and three  
members shall be appointed to 2-year terms beginning July 1,  
2023. After the initial 4-year term, the chair shall be elected  
by the board.

2. No more than one employee of the school may serve on the

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board of trustees as a member or as chairman.

(b) Members of the board of trustees shall serve without compensation, but may be reimbursed for per diem and travel expenses pursuant to s. 112.061.

(c) The board of trustees is a public agency entitled to sovereign immunity pursuant to s. 768.28, and board members are public officers who bear fiduciary responsibility for the Florida School for Competitive Academics.

(d) The board of trustees is a body corporate with all the powers of a body corporate, and such authority as is needed for the proper operation and improvement of the Florida School for Competitive Academics. Title to any gift, donation, or bequest received by the board of trustees must vest in the board of trustees. Title to all other property and other assets of the Florida School for Competitive Academics must vest in the State Board of Education, but the board of trustees has complete jurisdiction over the management of the school.

(e) The board of trustees has the full power and authority to:

1. Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law relating to operation of the Florida School for Competitive Academics. Such rules must be submitted to the State Board of Education for approval or disapproval. After a rule is approved by the State Board of Education, the rule must be filed immediately with the Department of State. The board of trustees shall act at all times in conjunction with the rules of the State Board of Education.

2. Appoint a principal, administrators, teachers, and other employees.

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3. Remove principals, administrators, teachers, and other employees at the board's discretion.

4. Determine eligibility of students and procedures for admission.

5. Provide for the proper keeping of accounts and records and for budgeting of funds.

6. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity for the use and benefit of the school.

7. Recommend to the Legislature for the school to become a residential public school.

8. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible.

9. Allow the school to have a stand-alone law enforcement agency.

10. After receiving approval from the Administration Commission, exercise the power of eminent domain in the manner provided in chapter 73 or chapter 74.

(f) The board of trustees shall:

1. Prepare and submit legislative budget requests for operations and fixed capital outlay, in accordance with chapter 216 and ss. 1011.56 and 1013.60, to the Department of Education for review and approval. The department must analyze the amount requested for fixed capital outlay to determine if the request is consistent with the school's campus master plan, educational plant survey, and facilities master plan.

2. Approve and administer an annual operating budget in

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accordance with ss. 1011.56 and 1011.57.

3. Require all purchases to be in accordance with chapter 287 except for purchases made with funds received as gifts, donations, or bequests or funds raised by or belonging to student clubs or student organizations.

4. Administer and maintain personnel programs for all employees of the board of trustees and the Florida School for Competitive Academics, who shall be school employees, including the personnel.

5. Ensure that the Florida School for Competitive Academics complies with s. 1013.351 concerning the coordination of planning between the Florida School for Competitive Academics and local governing bodies.

6. Ensure that the Florida School for Competitive Academics complies with s. 112.061 concerning per diem and travel expenses.

7. Adopt a master plan that specifies the objectives of the Florida School for Competitive Academics. The plan must be for a period of 5 years and must be reviewed for needed modifications every 2 years. The board of trustees shall submit the initial plan and subsequent modifications to the President of the Senate and the Speaker of the House of Representatives.

(4) STUDENT AND EMPLOYEE RECORDS.—The board of trustees shall provide for the content and custody of student and employee personnel records. Student records are subject to s. 1002.22. Employee records are subject to s. 1012.31.

(5) PERSONNEL.—

(a) The Florida School for Competitive Academics Board of Trustees shall require all employees and applicants for

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employment to undergo background screening as provided in s. 1012.32 as a condition of employment and continued employment. Members of the board of trustees must also undergo background screening in accordance with the relevant provisions of s. 1012.32. An individual may not be employed as an employee or contract personnel of the school or serve as a member of the board of trustees if the individual is on the disqualification list maintained by the department pursuant to s. 1001.10(4)(b).

(b) In accordance with law and rules of the State Board of Education, the board of trustees shall administer and maintain personnel programs for all employees of the board of trustees and the Florida School for Competitive Academics. The board of trustees may adopt rules, policies, and procedures related to the appointment, employment, and removal of personnel.

1. The board of trustees shall determine the compensation, including salaries and fringe benefits, and other conditions of employment for such personnel.

2. Classroom teachers employed by the school must be certified pursuant to chapter 1012.

3. Each person employed by the board of trustees in an academic administrative or instructional capacity with the Florida School for Competitive Academics is entitled to a contract as provided by rules of the board of trustees.

4. All employees except temporary, seasonal, and student employees may be provided Florida Retirement System benefits from the school through operational costs.

(6) FUNDING.—

(a) The Florida School for Competitive Academics shall receive state funds for operating purposes as provided in the

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233 General Appropriations Act.

234 (b) In addition to the funds provided in the General

235 Appropriations Act, the Florida School for Competitive Academics

236 may receive other funds from grants and donations.

237 (7) AUDITS.—The Auditor General shall conduct audits of the

238 accounts and records of the Florida School for Competitive

239 Academics as provided in s. 11.45. The Department of Education's

240 Inspector General is authorized to conduct investigations at the

241 school as provided in s. 1001.20(4)(e).

242 (8) EXEMPTION FROM STATUTES.—

243 (a) The Florida School for Competitive Academics is exempt

244 from all statutes in chapters 1000-1013. However, the Florida

245 School for Competitive Academics shall be in compliance with the

246 following statutes in chapters 1000-1013:

247 1. This section.

248 2. Those statutes pertaining to the student assessment

249 program and school grading system.

250 3. Those statutes pertaining to the provision of services

251 to students with disabilities.

252 4. Those statutes pertaining to civil rights, including,

253 but not limited to, s. 1000.05, relating to discrimination.

254 5. Those statutes pertaining to student health, safety, and

255 welfare.

256 (b) Additionally, the Florida School for Competitive

257 Academics shall be in compliance with the following statutes:

258 1. Section 286.011, relating to public meetings and

259 records, public inspection, and criminal and civil penalties.

260 2. Chapter 119, relating to public records.

261 3. Section 1006.12, relating to safe-school officers.

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262 4. Section 1006.07(7), relating to threat assessment teams.

263 5. Section 1006.07(9), relating to school environmental

264 safety incident reporting.

265 6. Section 1006.07(10), relating to reporting of

266 involuntary examinations.

267 7. Section 1006.1493, relating to the Florida Safe Schools

268 Assessment Tool.

269 8. Section 1006.07(6)(d), relating to adopting active

270 assailant response plans.

271 9. Section 943.082(4)(b), relating to the mobile suspicious

272 activity reporting tool.

273 10. Section 1012.584, relating to youth mental health

274 awareness and assistance training.

275 11. Section 1003.4282, relating to requirements for a

276 standard high school diploma.

277 12. Section 1003.03(1), relating to class size maximums.

278 13.a. Section 1011.61, relating to instructional hours

279 requirements.

280 b. Notwithstanding sub-subparagraph a., the school may

281 provide instruction that exceeds the minimum time requirements

282 for the purposes of offering a summer program.

283 (c) For purposes of this subsection:

284 1. The duties assigned to a district school superintendent

285 apply to the director of the Florida School for Competitive

286 Academics.

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

288 the board of trustees.

289 Section 3. Section 1011.58, Florida Statutes, is created to

290 read:



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291 1011.58 Procedure for legislative budget requests for the  
 292 Florida School for Competitive Academics.-  
 293 (1) (a) The legislative budget request of the Florida School  
 294 for Competitive Academics established in s. 1002.351 must be  
 295 prepared using the same format, procedures, and timelines  
 296 required for the submission of the legislative budget of the  
 297 Department of Education.  
 298 (b) The Florida School for Competitive Academics shall  
 299 submit its legislative budget request to the Department of  
 300 Education for review and approval. The school must create and  
 301 submit to the department an implementation plan before the  
 302 department may approve the budget request.  
 303 (c) Subsequent to the Department of Education's approval,  
 304 the Commissioner of Education shall include the Florida School  
 305 for Competitive Academics in the department's legislative budget  
 306 request to the State Board of Education, the Governor, and the  
 307 Legislature. The legislative budget request and the  
 308 appropriation for the Florida School for Competitive Academics  
 309 must be a separate identifiable sum in the public schools budget  
 310 entity of the Department of Education.  
 311 (d) The annual appropriation for the school shall be  
 312 distributed monthly, without using the Florida Education Finance  
 313 Program, in payments as nearly equal as possible. Appropriations  
 314 for textbooks, instructional technology, and school buses may be  
 315 released and distributed as necessary to serve the instructional  
 316 program for the students.  
 317 (2) The school shall submit its fixed capital outlay  
 318 request to the Department of Education for review and approval  
 319 in accordance with s. 1002.36(4)(f)1. Subsequent to the

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320 department's approval, the school's request must be included  
 321 within the department's public education capital outlay  
 322 legislative budget request.  
 323 Section 4. Section 1011.59, Florida Statutes, is created to  
 324 read:  
 325 1011.59 Florida School for Competitive Academics; board of  
 326 trustees; management flexibility.-  
 327 (1) Notwithstanding ss. 216.031, 216.181, and 216.262 to  
 328 the contrary and pursuant s. 216.351, but subject to any  
 329 guidelines imposed in the General Appropriations Act, funds for  
 330 the operation of the Florida School for Competitive Academics  
 331 shall be requested and appropriated within budget entities,  
 332 program components, program categories, lump sums, or special  
 333 categories. Funds appropriated to the Florida School for  
 334 Competitive Academics for each program category, lump sum, or  
 335 special category may be transferred to traditional categories  
 336 for expenditure by the board of trustees of the school. The  
 337 board of trustees shall develop an annual operating budget that  
 338 allocates funds by program component and traditional expenditure  
 339 category.  
 340 (2) Notwithstanding s. 216.181 and pursuant to s. 216.351,  
 341 but subject to any requirements imposed in the General  
 342 Appropriations Act, a lump-sum plan is not required to implement  
 343 the special categories, program categories, or lump-sum  
 344 appropriations. Upon release of the special categories, program  
 345 categories, or lump-sum appropriations to the board of trustees,  
 346 the Chief Financial Officer shall, upon the request of the board  
 347 of trustees, transfer or reallocate funds to or among accounts  
 348 established for disbursement purposes. The board of trustees

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349 shall maintain records to account for the original  
350 appropriation.

351 (3) Notwithstanding ss. 216.031, 216.181, 216.251, and  
352 216.262 to the contrary and pursuant to s. 216.351, but subject  
353 to any requirements imposed in the General Appropriations Act,  
354 the board of trustees shall establish the authorized positions  
355 and may amend such positions within the total funds authorized  
356 annually in the appropriations act.

357 (4)(a) Notwithstanding s. 216.301 to the contrary, all  
358 unexpended funds appropriated for the Florida School for  
359 Competitive Academics shall be carried forward and included as  
360 the balance forward for that fund in the approved operating  
361 budget for the following year.

362 (b) Notwithstanding any other law, for the 2023-2024  
363 through 2027-2028 fiscal years, the school's board of trustees  
364 may expend, reserve, or carry forward balances from prior year  
365 operational and programmatic appropriations for fixed capital  
366 outlay projects needed for the establishment of this school.

367 Section 5. Paragraphs (d) and (f) of subsection (2) of  
368 section 11.45, Florida Statutes, are amended to read:

369 11.45 Definitions; duties; authorities; reports; rules.—

370 (2) DUTIES.—The Auditor General shall:

371 (d) Annually conduct financial audits of the accounts and  
372 records of all district school boards in counties with  
373 populations of fewer than 150,000, according to the most recent  
374 federal decennial statewide census, ~~and~~ the Florida School for  
375 the Deaf and the Blind, and the Florida School for Competitive  
376 Academics.

377 (f) At least every 3 years, conduct operational audits of

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378 the accounts and records of state agencies, state universities,  
379 state colleges, district school boards, the Florida Clerks of  
380 Court Operations Corporation, water management districts, ~~and~~  
381 the Florida School for the Deaf and the Blind, and the Florida  
382 School for Competitive Academics.

383  
384 The Auditor General shall perform his or her duties  
385 independently but under the general policies established by the  
386 Legislative Auditing Committee. This subsection does not limit  
387 the Auditor General's discretionary authority to conduct other  
388 audits or engagements of governmental entities as authorized in  
389 subsection (3).

390 Section 6. Paragraph (d) of subsection (2) of section  
391 110.205, Florida Statutes, is amended to read:

392 110.205 Career service; exemptions.—

393 (2) EXEMPT POSITIONS.—The exempt positions that are not  
394 covered by this part include the following:

395 (d) All officers and employees of the state universities  
396 and the academic personnel and academic administrative personnel  
397 of the Florida School for the Deaf and the Blind and the Florida  
398 School for Competitive Academics. In accordance with ~~the~~  
399 ~~provisions of~~ s. 1002.36, the salaries for academic personnel  
400 and academic administrative personnel of the Florida School for  
401 the Deaf and the Blind and the Florida School for Competitive  
402 Academics shall be set by the board of trustees for the  
403 respective schools ~~school~~, subject only to the approval of the  
404 State Board of Education.

405 Section 7. Paragraph (a) of subsection (2) of section  
406 216.251, Florida Statutes, is amended to read:

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407 216.251 Salary appropriations; limitations.-  
 408 (2) (a) The salary for each position not specifically  
 409 indicated in the appropriations acts shall be as provided in one  
 410 of the following subparagraphs:  
 411 1. Within the classification and pay plans provided for in  
 412 chapter 110.  
 413 2. Within the classification and pay plans established by  
 414 the Board of Trustees for the Florida School for the Deaf and  
 415 the Blind of the Department of Education and approved by the  
 416 State Board of Education for academic and academic  
 417 administrative personnel.  
 418 3. Within the classification and pay plan approved and  
 419 administered by the Board of Governors or the designee of the  
 420 board for those positions in the State University System.  
 421 4. Within the classification and pay plan approved by the  
 422 President of the Senate and the Speaker of the House of  
 423 Representatives, as the case may be, for employees of the  
 424 Legislature.  
 425 5. Within the approved classification and pay plan for the  
 426 judicial branch.  
 427 6. Within the classification and pay plans established by  
 428 the Board of Trustees for the Florida School for Competitive  
 429 Academics of the Department of Education and approved by the  
 430 State Board of Education for academic and academic  
 431 administrative personnel.  
 432 Section 8. Subsection (2) of section 447.203, Florida  
 433 Statutes, is amended to read:  
 434 447.203 Definitions.-As used in this part:  
 435 (2) "Public employer" or "employer" means the state or any

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436 county, municipality, or special district or any subdivision or  
 437 agency thereof which the commission determines has sufficient  
 438 legal distinctiveness properly to carry out the functions of a  
 439 public employer. With respect to all public employees determined  
 440 by the commission as properly belonging to a statewide  
 441 bargaining unit composed of State Career Service System  
 442 employees or Selected Professional Service employees, the  
 443 Governor is ~~shall be~~ deemed to be the public employer; and the  
 444 Board of Governors of the State University System, or the  
 445 board's designee, is ~~shall be~~ deemed to be the public employer  
 446 with respect to all public employees of each constituent state  
 447 university. The board of trustees of a community college is  
 448 ~~shall be~~ deemed to be the public employer with respect to all  
 449 employees of the community college. The district school board is  
 450 ~~shall be~~ deemed to be the public employer with respect to all  
 451 employees of the school district. The Board of Trustees of the  
 452 Florida School for the Deaf and the Blind is ~~shall be~~ deemed to  
 453 be the public employer with respect to the academic and academic  
 454 administrative personnel of the Florida School for the Deaf and  
 455 the Blind. The Board of Trustees of the Florida School for  
 456 Competitive Academics is deemed to be the public employer with  
 457 respect to the academic and academic administrative personnel of  
 458 the Florida School for Competitive Academics. The Governor is  
 459 ~~shall be~~ deemed to be the public employer with respect to all  
 460 employees in the Correctional Education Program of the  
 461 Department of Corrections established pursuant to s. 944.801.  
 462 Section 9. Paragraph (e) of subsection (4) of section  
 463 1001.20, Florida Statutes, is amended to read:  
 464 1001.20 Department under direction of state board.-

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465 (4) The Department of Education shall establish the  
 466 following offices within the Office of the Commissioner of  
 467 Education which shall coordinate their activities with all other  
 468 divisions and offices:

469 (e) *Office of Inspector General.*—Organized using existing  
 470 resources and funds and responsible for promoting  
 471 accountability, efficiency, and effectiveness and detecting  
 472 fraud and abuse within school districts, the Florida School for  
 473 the Deaf and the Blind, the Florida School for Competitive  
 474 Academics, and Florida College System institutions in Florida.  
 475 If the Commissioner of Education determines that a district  
 476 school board, the Board of Trustees for the Florida School for  
 477 the Deaf and the Blind, the Board of Trustees for the Florida  
 478 School for Competitive Academics, or a Florida College System  
 479 institution board of trustees is unwilling or unable to address  
 480 substantiated allegations made by any person relating to waste,  
 481 fraud, or financial mismanagement within the school district,  
 482 the Florida School for the Deaf and the Blind, the Florida  
 483 School for Competitive Academics, or the Florida College System  
 484 institution, the office must ~~shall~~ conduct, coordinate, or  
 485 request investigations into such substantiated allegations. The  
 486 office shall investigate allegations or reports of possible  
 487 fraud or abuse against a district school board made by any  
 488 member of the Cabinet; the presiding officer of either house of  
 489 the Legislature; a chair of a substantive or appropriations  
 490 committee with jurisdiction; or a member of the board for which  
 491 an investigation is sought. The office shall have access to all  
 492 information and personnel necessary to perform its duties and  
 493 shall have all of its current powers, duties, and

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494 responsibilities authorized in s. 20.055.

495 Section 10. The Division of Law Revision is directed to  
 496 revise the title of subpart D of part I of chapter 1011, Florida  
 497 Statutes, consisting of ss. 1011.55-1011.59, Florida Statutes,  
 498 to read "Florida School for the Deaf and the Blind and Florida  
 499 School for Competitive Academics: Preparation, Adoption, and  
 500 Implementation of Budgets" to conform to the amendments made by  
 501 this act.

502 Section 11. This act shall take effect July 1, 2023.

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The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Appropriations Committee on Education

**Subject:** Committee Agenda Request

**Date:** March 20, 2023

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I respectfully request that **Senate Bill #1386**, relating to Competitive Academics, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in black ink that reads "W. Keith Perry". The signature is written in a cursive style with a long, sweeping underline.

---

Senator Keith Perry  
Florida Senate, District 9

**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 Appropriations Committee on Education

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BILL: SB 1424

INTRODUCER: Senator Calatayud

SUBJECT: Student Outcomes

DATE: April 11, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sabitsch/Brick	Bouck	ED	<b>Favorable</b>
2.	Gray	Elwell	AED	<b>Favorable</b>
3.			FP	

---

**I. Summary:**

SB 1424 provides various supports to student outcomes through specifying strategies related to students struggling in literacy and mathematics from prekindergarten through grade 4.

Specifically the bill:

- Directs the Just Read, Florida! Office to develop, along with the New Worlds Reading Initiative administrator, and provide access to an online repository of digital science of reading instructional resources, and to identify instructional and intervention programs grounded in science.
- Requires that the primary instructional strategies for teaching word reading is phonics instruction and prohibits the use of the three-cueing model.
- Modifies the requirements of the charter school application and agreement, VPK instructor training and standards, educator professional development, teacher preparation programs, district certification add-on programs, instructional materials programs, resources provided by the Florida Center for Reading Research, the Reading Achievement Initiative for Scholastic Excellence program, and the Evidence-Based Reading Instruction Allocation to ensure instruction and materials are grounded in the science of reading and prohibits use of the three-cueing model or visual memory for teaching word reading.
- Modifies the requirements of the coordinated screening and progress monitoring system to:
  - Require a progress monitoring plan and interventions for a student struggling in mathematics.
  - Require the Department of Education to provide a list of comprehensive reading and intervention programs for students with dyslexia and for all struggling readers.
- Requires school districts to include substantial mathematics deficiencies in their Early Warning System.
- Adds mathematics interventions to the Supplemental Academic Instruction Allocation.

The bill takes effect on July 1, 2023.

## II. Present Situation:

### Florida Student Performance

#### *Florida Statewide Assessment Performance*

For more than twenty years Florida has, at the statewide level, administered a variety of assessments to gauge student performance. Up until 2022, the state administered the Florida Statewide Assessment (FSA) to students in grades 3 through 10 as well as End of Course (EOC) assessments. At the student level, scaled scores are reported that classify student performance levels, also referred to as achievement levels. Performance levels range from 1 to 5, with Level 1 as the lowest, and Level 5 as the highest. For all assessments, Level 3 indicates satisfactory performance. The passing score for each assessment is the minimum scale score in Performance Level 3. Results from the last five years are shown below for grades 3-8. These results show a decline in the percent of students passing or meeting a “satisfactory” level (performance level 3) of performance in 2021 and 2022 when compared to the results prior to the impact of the COVID-19 Public Health Emergency where no results are shown for 2020.<sup>2</sup>

Results on Florida Standards and End of Course Assessments					
Grade-Subject	Percent at or Above Achievement Level 3				
	2018	2019	2020	2021	2022
Grades 3-5 English Language Arts	56%	57%	Not Reported	53%	55%
Grades 6-8 English Language Arts	53%	54%	Not Reported	51%	50%
Grades 3-8 Mathematics	60%	61%	Not Reported	51%	55%

#### *The Nation’s Report Card*

The National Assessment of Educational Progress (NAEP) is the largest nationally representative and continuing assessment of student comprehension and skills in various subject areas. Assessments are conducted periodically in mathematics, reading, science, writing, the arts, civics, economics, geography, U.S. history, and technology and engineering literacy. Each subject is assessed at grades 4, 8, and 12, although not all grades are assessed each time. Results for the nation, states, and some urban districts are released as The Nation’s Report Card.<sup>3</sup>

NAEP is a congressionally mandated project administered by the National Center for Education Statistics (NCES) and overseen by the National Assessment Governing Board (NAGB). In the state of Florida, participation in NAEP is mandated by s. 1008.22(2), Florida Statutes.<sup>4</sup>

<sup>1</sup> Florida Department of Education, *Understanding Florida Statewide Assessment Report* (2022), page 2, available at <https://www.fldoe.org/core/fileparse.php/5663/urlt/USFL-SWAssessReports.pdf>.

<sup>2</sup> Florida Department of Education, *Florida Standards Assessments, English Language Arts and Mathematics* (2022), available at <https://www.fldoe.org/core/fileparse.php/5668/urlt/80FSAResults22.pdf>.

<sup>3</sup> Florida Department of Education, *National assessment of Educational Progress (NAEP)*, <https://www.fldoe.org/accountability/assessments/national-international-assessments/naep/> (last visited Mar. 31, 2023).

<sup>4</sup> Florida Department of Education, *National assessment of Educational Progress (NAEP)*, <https://www.fldoe.org/accountability/assessments/national-international-assessments/naep/> (last visited Mar. 31, 2023).

NAEP reports achievement level percentages that show the percentage of students who meet or exceed expectation of what students should know and be able to do.<sup>5</sup> The results of the NAEP assessment are shown below for grades 4 and 8 for the most recent four years.<sup>6</sup> These results show consistent performance in each grade where at grade 4 approximately sixty percent of students are below proficient in both reading and mathematics for 2022 and at grade 8 over seventy percent of students are below proficient in both subjects. Grade 4 performance over time is consistent for reading but the 2022 performance for mathematics is noticeably lower than the two prior years. Grade 8 performance over time shows lower scores in both reading and mathematics for 2022 when compared to the prior two years.

### Florida Results on NAEP

Grade-Subject	Percent at or Above Proficient			
	2015	2017	2019	2022
Grade 4 Reading	39%	41%	38%	39%
Grade 8 Reading	30%	35%	34%	29%
Grade 4 Mathematics	42%	48%	48%	41%
Grade 8 Mathematics	26%	29%	31%	23%

### International Performance

The Program for International Student Assessment tests 15-year-old students around the world and is administered by the Organization for Economic Cooperation and Development (OECD). In 2018, when the test was last administered, the U.S. placed 11th out of 79 countries in science and did much worse in math, ranking 30<sup>th</sup>. When analyzing the U.S.'s results over the years, the scores have been stable over time. There has been no detectable change in U.S. students' math scores since 2003 or science scores since 2006.<sup>7</sup>

### Strategies for Reading Instruction

The science of reading (SOR)<sup>8</sup> is a body of research that incorporates insights and research from disciplines that include developmental psychology, educational psychology, cognitive science, and cognitive neuroscience. The science of reading has been documented around the world, in all languages and cultures. The National Reading Panel (NRP) report in 2000 found that explicit, systematic, cumulative instruction in these five essential elements is key to reading success: phonemic awareness; phonics; vocabulary; fluency; and comprehension.<sup>9</sup> Decoding and encoding are defined as follows:

<sup>5</sup> The Nation's Report Card, *The NAEP Glossary of Terms*, <https://www.nationsreportcard.gov/glossary.aspx?ispopup=false> (last visited Mar. 31, 2023).

<sup>6</sup> The Nation's Report Card, How has your state performed?, <https://www.nationsreportcard.gov/> (last visited Mar. 31, 2023).

<sup>7</sup> The balance, U.S. Educational Rankings are Falling Behind the Rest of the World, <https://www.thebalancemoney.com/the-u-s-is-losing-its-competitive-advantage-3306225> (last visited Mar. 31, 2023).

<sup>8</sup> Email, ExcelinEd, Why The Three-Cueing Systems Model Doesn't Teach Children to Read, (Mar. 16, 2023) (on file with Senate Committee on Education).

<sup>9</sup> Email, ExcelinEd, Why The Three-Cueing Systems Model Doesn't Teach Children to Read, (Mar. 16, 2023) (on file with Senate Committee on Education).



- **Decoding** is the art of applying knowledge of phonics, the relationship between letters and sounds, to pronounce words correctly. To apply decoding strategies, students employ knowledge of individual phoneme/grapheme relationships, including identifying vowels and consonants. Next, they discover the syllable division pattern(s), which indicates how to cut the word into syllables. Then, students look at each syllable and determine the syllable type, which indicates how to pronounce the vowel sounds.<sup>10</sup>
- **Encoding** is the process of breaking a spoken word into each of its individual sounds, known as phonemes. Phonemes are the smallest units in our spoken language that distinguish one word from another. Knowledge of spelling patterns and rules knit together the layers of the English language as students use phonology (sound patterns that occur within languages), orthography (the way in which the words of a language are spelled), and morphology (how words are formed in language) to identify how to spell words. Ensuring mastery of phonological awareness skills as a foundation upon which students build phonetic knowledge is extremely important. Students will segment to spell the phonemes in monosyllabic and polysyllabic words with increasing automaticity in order to become fluent writer.<sup>11</sup>

The three-cueing method or Meaning, Syntax and Visual cues (MSV) is defined as a methodology that directs teachers to prompt students who are not able to read a word to first think about what would make sense (Meaning). If the student guesses incorrectly, then the student is prompted to think of a word that sounds right (Syntax). If the student guesses incorrectly again, then the student is prompted to look at the first few letters (Visual) and say a word that matches those letters. In each case, the student relies on guessing to think of a word that fits the text.<sup>12</sup>

### Conditions Effecting Performance in Reading and Mathematics

**Dyslexia** is a language-based learning disability that causes difficulties with word recognition, spelling, and reading comprehension. Dyslexia is classified as a neurodevelopmental condition and is closely related to other learning disabilities like dyscalculia, dyspraxia, and dysgraphia. It affects learning ability in people of normal and above-average intelligence.<sup>13</sup>

**Dyscalculia** is a learning disability that affects the ability to learn arithmetic and mathematics in someone of normal intelligence, as compared with those of the same age who receive identical instruction. It may cause difficulty with counting, measuring quantity, working memory for numbers, sequential memory, ability to recognize patterns, time perception, telling time, sense of direction, and mental retrieval of mathematical facts and procedures. Dyscalculia is a lifelong condition that can hinder academic progress and self-esteem; however, it can be managed with treatment, especially that which is initiated in early childhood.<sup>14</sup>

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<sup>10</sup> Institute for Multi-Sensory Education, *What Is Decoding?*, <https://journal.imse.com/what-is-decoding/> (last visited Mar. 31, 2023).

<sup>11</sup> Institute for Multi-Sensory Education, *What Is Encoding?*, <https://journal.imse.com/what-is-encoding/> (last visited Mar. 31, 2023).

<sup>12</sup> Informed Literacy, *5 Problems with Using MSV (aka The Three-Cueing System)*, <https://informedliteracy.com/five-problems-with-using-msv/> (last visited Mar. 31, 2023).

<sup>13</sup> Psychology Today, *Dyslexia*, <https://www.psychologytoday.com/us/conditions/dyslexia> (last visited Mar. 31, 2023).

<sup>14</sup> Psychology Today, *Dyscalculia*, <https://www.psychologytoday.com/us/conditions/dyscalculia> (last visited Mar. 31, 2023).

## Florida Center for Reading Research

The Florida Center for Reading Research (FCRR) is a multidisciplinary research center at the Florida State University established in 2002. Drawing from multiple disciplines, FCRR investigates all aspects of reading and reading-related skills across the lifespan. Through rigorous and robust research, innovation, and engagement, FCRR advances the science of reading to improve learning and achievement from birth through adulthood.

FCRR contributes to the quality, accessibility, use and relevance of reading and reading-related research by leveraging our talent, resources, and partnerships to:

- Conduct basic and applied interdisciplinary research on all aspects of reading and reading-related skills to benefit learners;
- Apply rigorous and innovative approaches that are responsive to the pressing problems of practice, policy, and research;
- Develop innovative multimedia resources to translate and disseminate results of high quality research relevant to a diverse group of stakeholders;
- Create and sustain meaningful, mutually supportive, and lasting cross-sector partnerships with diverse organizations to solve high leverage problems locally, nationally, and internationally;
- Engage in leadership and entrepreneurial activities to empower researchers, practitioners, and other stakeholders to discover solutions, transform practices, and make improvements continuously; and
- Foster a diverse intellectual community of researchers and practitioners to advance the science of reading and develop the next generation of scholars and leaders.<sup>15</sup>

Additional elements of the Present Situation that related to specific portions of the bill will be provided with the related topic in Section III, Effect of the Proposed Changes.

### III. Effect of Proposed Changes:

#### Reading Instructional Resources

##### *Present Situation*

On September 7, 2001, Governor Jeb Bush signed Executive Order 01-260, designating Just Read, Florida! as a comprehensive and coordinated reading initiative, that prioritizes reading in Florida's public schools and among all the community groups and volunteer organizations that support literacy. Just Read, Florida! was launched with the unequivocal goal of every child being able to read at or above grade level. Just Read, Florida! is based on the latest reading research that includes emphasis on oral language development, phonological awareness, phonics, vocabulary, fluency and comprehension. With that goal in mind, Just Read, Florida! focuses on three main components: student success, educator quality, and parent support.<sup>16</sup>

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<sup>15</sup> Florida Center for Reading Research, <https://fcrr.org/about>, (last visited: Mar. 16, 2023).

<sup>16</sup> Florida Department of Education, *Just Read, Florida!*, <https://www.fldoe.org/academics/standards/just-read-fl/> (last visited, Mar. 17, 2023).

The Just Read, Florida! Office was established in the Department of Education (DOE) in 2006<sup>17</sup> to develop training, curriculum, and other resources to help students read at their highest level. Duties include:

- The development of sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills.
- Working with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.<sup>18</sup>

### ***Effect of Proposed Changes***

The bill modifies s. 1001.215, F.S., to direct the Just Read, Florida! Office to develop and provide access to an online repository of digital science of reading instructional resources. The resources and instructional programs to be developed in partnership with the Florida Center for Reading Research must:

- Be grounded in the Science of Reading (SOR).
- Utilize phonics instruction for decoding and encoding as the primary instructional strategy for teaching word reading.
- Not utilize the three-cueing system model of reading or visual memory (MSV) as a basis for teaching word reading. However, the bill authorizes use of visual information and strategies to improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but not to be used to teach word reading.

### **Charter Schools**

#### ***Present Situation***

Charter schools are tuition-free public schools created through an agreement or "charter" typically between the school and the local district school board. This agreement gives the charter school a measure of expanded freedom relative to traditional public schools in return for a commitment to higher standards of accountability. Since 1996, Florida charter schools have played a key role in increasing parental options in public education and providing innovative learning opportunities for students.<sup>19</sup>

Charter schools must provide parents with information about whether their child is reading at grade level, and must increase learning opportunities, with emphasis on reading.

The charter school application requirements and the requirements of the charter agreement itself are set in law. The application must describe the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. The application must be denied if the

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<sup>17</sup> Ch. 2006-74, s. 8, Laws of Fla.

<sup>18</sup> Section 1001.215, F.S.

<sup>19</sup> Florida Department of Education, *Florida's Charter Schools*, Sept. 2022, available at <https://www.fldoe.org/core/fileparse.php/7778/urlt/Charter-Sept-2022.pdf>

strategies are not consistent with effective teaching strategies and are grounded in scientifically-based reading research.

The terms and conditions for the operation of a charter school, including a virtual charter school, are set by the sponsor and the applicant in a written contractual agreement, called a charter.<sup>20</sup>

### ***Effect of Proposed Changes***

The bill modifies s. 1002.33, F.S., to require a charter school to include in its application reading instructional strategies for foundational skills that include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory (also known as MSV) as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. The same limitation must also be included in the charter agreement itself.

### **Voluntary Prekindergarten Program Requirements**

#### ***Present Situation***

The Voluntary Prekindergarten Education Program (VPK) prepares early learners for success in kindergarten and beyond. VPK helps build a strong foundation for school using educational material corresponding to various stages in a child's development. To be eligible, children must live in Florida and be 4 years old on or before September 1 of the current school year.<sup>21</sup> Private child care centers and schools, public schools, and specialized instructional services providers offer VPK. Since the program began in 2005-06, more than 2.6 million children have benefited from VPK. Data collected by the DOE show that children who participate in VPK are more ready for kindergarten than children who do not participate in VPK.<sup>22</sup>

The DOE is responsible for administration of the VPK program. Those responsibilities include adopting minimum standards for courses in emergent literacy that are required of all VPK instructors<sup>23</sup> and the development and adoption of performance standards for the program. All VPK providers are required to utilize a curriculum that is developmentally appropriate and be designed to:

- Prepare a student for early literacy and provide for instruction in early math skills.
- Enhance the age-appropriate progress of students in attaining the performance standards.
- Support student learning gains through differentiated instruction measured by the coordinated screening and progress monitoring program.<sup>24</sup>

However, VPK providers are not required to use a state approved curriculum unless the program is required to as part of an improvement plan.

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<sup>20</sup> Section 1002.33, F.S.

<sup>21</sup> Section 1002.53(2), F.S.

<sup>22</sup> Florida Division of Early Learning, *About Voluntary Prekindergarten*, <https://www.floridaearlylearning.com/vpk/floridas-vpk-program> (last visited Mar. 31, 2023).

<sup>23</sup> Section 1002.59(1), F.S.

<sup>24</sup> Section 1002.67, F.S.

***Effect of Proposed Changes***

The bill modifies s. 1002.59, F.S., to add that each emergent literacy course developed by the DOE must include foundational background knowledge designed to correlate with the content that students will encounter in grades K-12 and that content and strategies must be grounded in the science of reading.

The bill modifies s. 1002.67, F.S., to add:

- That the performance standards developed and adopted by DOE must address emergent literacy skills that are grounded in the science of reading. The performance standards must also include foundational background knowledge designed to correlate with the content that students will encounter in grades K-12.
- A requirement that a VPK provider's curriculum must develop student background knowledge through a content-rich and sequential knowledge-building early literacy curriculum.

**New Worlds Reading Initiative*****Present situation***

In 2021, the Florida Legislature created the New Worlds Reading Initiative (NWRI), Florida's first statewide book distribution program, to provide at-home literacy supports for students identified with a substantial reading deficiency or students who scored below a Level 3 on the preceding year's statewide, standardized ELA assessment.<sup>25</sup> To improve the literacy skills of students, the NWRI provides home delivery of high-quality, hardcopy free books on a monthly basis to eligible public and charter school students in kindergarten through grade 5. Students remain in the initiative until they are promoted to 6th grade or their parent opts out. Parents are provided resources to help improve their student's reading skills and instill a love of reading.<sup>26</sup>

The Lastinger Center for Learning at the University of Florida administers the NWRI and is responsible for:

- Developing, in consultation with the Just Read, Florida! Office, a selection of high-quality books encompassing diverse subjects and genres for each grade level.
- Distributing books at no cost to students either directly or through an agreement with a book distribution company.
- Maintaining a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to improve literacy and provide books to children.
- Developing, for parents of students in the initiative, resources and training materials that engage families in reading and support the reading achievement of their students.
- Developing a micro-credential that requires teachers to demonstrate competency to diagnose literacy difficulties and determine the appropriate range of literacy interventions based upon the age and literacy deficiency of the student; use evidence-based instructional and intervention practices; and effectively use progress monitoring and intervention materials.

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<sup>25</sup> Section 1003.485(2), F.S.

<sup>26</sup> Staff of the Florida House of Representatives, *Legislative Bill Analysis for HB 7039* (2023).

- Administering the early literacy micro-credential program, designed specifically for instructional personnel in prekindergarten through grade 3, which includes components on content, student learning, pedagogy, and professional development, built on a strong foundation of scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.

In 2022 the New Worlds Reading Initiative served all 67 Florida Counties, 2,387 schools, 165,672 students with over two million books shipped. Over \$7.6 million was raised in tax credit donations.<sup>27</sup>

The Lastinger Center for Learning has developed three micro-credentials, known as the Flamingo Literacy Micro-Credentials that are a hybrid model of online modules, instructor-supported online course and job-embedded practicum. All three credentials are designed so they can be completed in four months.

The application for the micro-credential became available in January of 2023, and 1,327 individuals have enrolled for the emergent micro-credential, 704 for the elementary micro-credential, and 197 for the secondary micro-credential (as of Mar. 6, 2023)<sup>28</sup>

### ***Effect of Proposed Changes***

The bill modifies s. 1003.485, F.S., to define that the evidence-based professional development activities that are included in the Micro-credential must be grounded in the science of reading. The bill also requires the teachers participating the in micro-credential to demonstrate competency in the use of evidence-based instructional and intervention practices that are grounded in the science of reading.

The bill requires the administrator of the New World Reading Initiative to develop, in consultation with the Just Read, Florida! Office an online repository of digital science of reading materials and science of reading instructional resources that is accessible to public school teachers, school leaders, parents, and educator preparation programs and associated faculty.

### **Teacher Preparation Programs**

#### ***Present Situation***

In Florida, teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve state education goals.<sup>29</sup> State approved teacher preparation program uniform core curricula must include 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,

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<sup>27</sup> Email, Lastinger Center for Learning, External Affairs and Communication (Mar. 20, 2023) (on file with Senate Committee on Education).

<sup>28</sup> Email, Florida Department of Education, Legislative Affairs, (Mar. 6, 2023) (on file with Senate Committee on Education).

<sup>29</sup> Section 1004.04(1)(b), F.S.

phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.<sup>30</sup> Teacher preparation program completers are eligible for a Florida Professional Educator's Certification upon program completion.<sup>31</sup>

Educator Preparation Institutes (EPIs) are offered by Florida postsecondary institutions or qualified private providers to provide instruction for non-education baccalaureate or higher degree holders,<sup>32</sup> resulting in qualification for an initial Florida Professional Educator's Certificate.

### ***Effect of Proposed Changes***

The bill modifies ss. 1004.04 and 1004.85, F.S., to require that the rules to establish uniform core curricula for each state-approved teacher preparation program and each educator preparation institute must include:

- Scientifically researched and evidence-based reading instructional strategies that are grounded in the science of reading.
- Approaches to teaching that must include phonics instruction for decoding and encoding as the primary instructional strategy for word reading.

Approaches to teaching instructional strategies may not include those that employ the three-cueing system model of reading or visual memory (also known as MSV) as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

## **District School Board Educational Materials**

### ***Present Situation***

Each Florida district school board or a consortium of school districts may implement an instructional materials program for the review, recommendation, adoption and purchase of instructional materials. Each year the district school superintendent must certify to the DOE by March 31 of each year that all materials for core courses used the by district are aligned with state standards. The certification must include a list of the core instructional materials that will be used or purchased for use.<sup>33</sup> Instructional materials that have been reviewed by district instructional materials reviewers must meet state academic standards<sup>34</sup> and must meet the requirements of reviewers set in statute.<sup>35</sup>

### ***Effect of Proposed Changes***

The bill modifies ss. 1006.283 and 1006.31, F.S., to require that all instructional materials reviewed and approved through the school district, consortium, or state-level evaluation process

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<sup>30</sup> Section 1004.04(2)(b)3., F.S.

<sup>31</sup> Florida Department of Education (DOE), *Educator Preparation*, <http://www.fldoe.org/teaching/preparation/> (last visited Apr. 03, 2023), and Rule 6A-5.066(1)(k), F.A.C.

<sup>32</sup> Section 1004.85, F.S.

<sup>33</sup> Section 1006.283(1), F.S.

<sup>34</sup> Section 1003.41, F.S.

<sup>35</sup> Section 1006.31, F.S.

for foundational reading skills must be based on the science of reading and include phonics instruction for decoding and encoding as the primary strategies for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory (also known as MSV) as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

## **Support for Underperforming Students**

### ***Present Situation***

It is the intent of the Legislature that each student's progression from one grade to another be determined, in part, upon satisfactory performance in English Language Arts, social studies, science, and mathematics. District school board policies should facilitate student achievement and each student and his or her parent be informed of that student's academic progress.<sup>36</sup> Students should have access to educational options that provide academically challenging coursework or accelerated instruction.<sup>37</sup>

### **Reading**

State Board of Education (SBE) rule provides criteria for determining whether a student has a substantial deficiency in reading. A student is identified as having a substantial deficiency in reading if:<sup>38</sup>

- For kindergarten and grades 1 and 2, the student scores below the tenth (10th) percentile or is unable to complete the practice items on the coordinated screening and progress monitoring system and the student has demonstrated, through progress monitoring, formative assessments, or teacher observation data, minimum skill levels for reading competency in one or more of the following areas:<sup>39</sup>
  - phonological awareness
  - phonics
  - vocabulary, including oral language skills
  - fluency, or
  - comprehension.<sup>40</sup>
- For grade 3, the student scores a Level 1 on the end of the year statewide, standardized English Language Arts assessment,<sup>41</sup> or below the twentieth (20th) percentile at the beginning or middle of the year on the coordinated screening and progress monitoring system<sup>42</sup> and the student has demonstrated, through progress monitoring, formative assessments, or teacher observation data, minimum skill levels for reading competency in one or more of the following areas;
  - phonological awareness,

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<sup>36</sup> Section 1008.25(1), F.S.

<sup>37</sup> Section 1002.3105, F.S.

<sup>38</sup> Rule 6A-6.053(10), F.A.C.

<sup>39</sup> Rule 6A-6.053(10), F.A.C.

<sup>40</sup> Rule 6A-6.053(10), F.A.C.

<sup>41</sup> Section 1008.22(3), F.S.

<sup>42</sup> Section 1008.25(8), F.S.



- phonics,
- vocabulary, including oral language skills,
- fluency, or
- comprehension.<sup>43</sup>

The parent of any student who exhibits a substantial deficiency in reading must be notified in writing of the deficiency and of all available services and proposed interventions, and be provided with a “read at home plan,” which outlines strategies that parents can use to help their children improve in reading<sup>44</sup>

### Mathematics

Florida law requires all public school students in grades 3 through 8 to participate in the annual statewide, standardized mathematics assessment.<sup>45</sup> The law also provides that students enrolled in Algebra 1 and Geometry courses must take the associated statewide, standardized end-of-course (EOC) assessment.<sup>46</sup> A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score,<sup>47</sup> in order to earn a standard high school diploma.<sup>48</sup> A student who does not achieve a Level 3 or above on the statewide, standardized Mathematics assessment or the Algebra I EOC assessment must be evaluated to determine the nature of the student’s difficulty, the areas of academic need, and strategies for providing academic supports to improve the student’s performance.<sup>49</sup>

A student who is not meeting the school district or state requirements for satisfactory performance in mathematics must be covered by one of the following plans:

- A federally required student plan such as an individual education plan;
- A school-wide system of progress monitoring for all students, except that a student who scores Level 4 or above on the mathematics assessment may be exempted from participation by the principal; or
- An individualized progress monitoring plan.<sup>50</sup>

### ***Effect of the Proposed Changes***

The bill modifies s. 1008.25, F.S., to modify or create a number of requirements for struggling students in reading or mathematics.

### Reading

The bill requires students with a substantial deficiency in reading to be provided with services such as an individual education plan (IEP) or an individualized progress monitoring plan or both. The bill adds requirements to the individualized progress monitoring plan to include the following:

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<sup>43</sup> Rule 6A-6.053(10), F.A.C.

<sup>44</sup> Section 1008.25

<sup>45</sup> Section 1008.22(3)(a), F.S.

<sup>46</sup> Section 1008.22(3)(b), F.S.

<sup>47</sup> See rule 6A-1.09422(8)(b)2., F.A.C.

<sup>48</sup> Section 1003.4282(3), F.S.

<sup>49</sup> Section 1008.25(4)(a), F.S.

<sup>50</sup> Section 1008.25(4)(b), F.S.

- The student's specific, diagnosed reading or mathematics skill deficiencies.
- Goals and benchmarks for student growth in reading or mathematics.
- A description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress.
- For a substantial reading deficiency, the specific evidence-based literacy instruction grounded in the science of reading which the student will receive.
- Strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress.
- Any additional services the teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

The bill requires the following for programs aimed at helping students in kindergarten through grade 3 with a reading deficiency:

- A student who exhibits the characteristics of dyslexia must be provided specified reading interventions, which must be specified in SBE rule.
- The DOE must provide a list of state-vetted and approved reading and intervention programs beyond what is provided for all students.
- Reading intervention programs must:
  - Include explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension.
  - Include daily targeted small group reading interventions based on student need in phonological awareness, phonics including decoding and encoding, sight words, vocabulary, or comprehension.
  - Be implemented during regular school hours.

The bill requires school districts to evaluate students at the end of every grading period to determine if the student exhibits a reading deficiency, and provide supports. The district may not wait to provide supports until the student is identified using screening, diagnostic, progress monitoring or assessment data, statewide assessments, or teacher observations. The coordinated screening and progress monitoring system must identify students who have a substantial deficiency in mathematics and dyscalculia.

The bill modifies requirements for students retained in third grade to clarify that:

- Reading instruction must be grounded in the science of reading.
- Reading instruction may include explicit and systematic instruction with more explanations, guided practice and feedback, and supplemental evidence-based reading interventions grounded in the science of reading that is delivered by a highly-effective teacher certified or endorsed in reading.

The bill requires that the primary instructional strategy for word reading for retained students is phonics instruction for decoding and encoding. Instructional strategies must not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

### Mathematics

The bill creates an identification, intervention, and parental notification structure in mathematics similar to that of reading for students in kindergarten through grade 4 who exhibit a substantial deficiency in mathematics or the characteristics of dyscalculia. The program must include:

- Providing systematic and explicit mathematics instruction to address deficiencies that include either:
  - Daily targeted small group intervention.
  - Supplemental evidence-based interventions delivered by a highly qualified math teacher or trained tutor.
- Monitoring of student progress.

The bill requires the DOE to adopt rules to provide guidelines for determining whether a student in kindergarten through grade 4 has a substantial deficiency in mathematics.

The bill requires the DOE to provide a list of state vetted and approved mathematics intervention programs, curricula, and high quality supplemental materials which may be used to address a student's mathematics deficiencies. The DOE will work with the Florida Center for Mathematics and Science Education Research<sup>51</sup> to disseminate information to school district and teachers. The resources much include programs that schools can share with parents as part of a home-based plan that is available online and includes:

- Developmentally appropriate, evidence-based strategies including links to video training and the ability for parent to sign up for activities delivered via text or email.
- An overview of the types of assessments used to identify mathematics deficiencies and the types of interventions and supports.
- An overview of the process of initiating and conducting evaluations for exceptional education eligibility.
- Characteristics of conditions associated with learning disorders including dyslexia, dysgraphia, dyscalculia and developmental aphasia.
- Resources for parents to support informed decision making processes which upon request of the parent must be provided in hardcopy.

The bill requires that schools not wait for a student to receive a failing grade at the end of a grading period to identify a student as having a substantial mathematics deficiency and initiating interventions or an evaluation for exceptional student status<sup>52</sup> if the parent submits documentation from a profession licensed under psychological services which demonstrates that the student has been diagnosed with dyscalculia.

The bill requires monitoring of the student's progress until the student demonstrates grade level proficiency as determined by the district.

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<sup>51</sup> Section 1004.86, F.S.

<sup>52</sup> Section 1003.57, F.S.

The bill modifies requirements of the coordinated screening and progress monitoring program used to measure student performance in Voluntary Prekindergarten (VPK) and public schools. Specifically the bill requires:

- The coordinated screening and progress monitoring system to identify students who have a substantial deficiency in mathematics.
- The coordinated screening and progress monitoring system to identify students with the characteristics of dyscalculia.
- Reporting results from the coordinated screening and progress monitoring system must include the number of students who demonstrate characteristics of dyscalculia.

The bill adds requirements for students retained at grade 3. Specifically the bill requires:

- Reading instruction to be “grounded in science.”
- Summer reading camps to place rigor and grade-level learning at the forefront.
- Small group instruction to be targeted.
- Explicit and systematic instruction with more explanations, guided practice and feedback.
- Supplemental evidence-based reading interventions to be delivered by a teacher who is certified or endorsed in reading and is rated highly effective on their performance evaluation.

The bill requires the parents of a student with a substantial deficiency in mathematics to be notified. The notification must be in writing and must include the following:

- An explanation of the exact nature of the student’s difficulty.
- A description of the current services provided to the student.
- A description of the proposed intensive interventions.
- Strategies the parent can use in a home-based plan to help the student succeed including access to resources developed by the DOE specifically for use in a home-based plan.
- Monthly notice of the student’s progress.

## **Early Warning System**

### ***Present Situation***

Each school in Florida that serves students in kindergarten through grade 8 is required to implement an early warning system to identify students in such grades who need additional support to improve academic performance and stay engaged in school. The early warning system must include the following early warning indicators:

- Attendance below 90 percent, regardless of whether absence is excused or a result of out-of-school suspension.
- One or more suspensions, whether in school or out of school.
- Course failure in English Language Arts or mathematics during any grading period.
- A Level 1 score on the statewide, standardized assessments in English Language Arts or mathematics or, for students in kindergarten through grade 3, a substantial reading deficiency as prescribed in law.<sup>53</sup>

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<sup>53</sup> Section 1001.42(18), F.S.

***Effect of Proposed Change***

The bill modifies s. 1001.42, F.S., to add to the early warning system an indicator that includes a substantial mathematics deficiency for students in kindergarten through grade 4.

**Reading Achievement Initiative for Scholastic Excellence*****Present Situation***

In 2021 the Reading Achievement Initiative for Scholastic Excellence (RAISE) Program was established within the DOE to provide instructional supports to school districts and their staff in implementing evidence-based reading instruction and interventions in order to improve student reading achievement. The RAISE program established 20 literacy support regions and regional support teams to assist school districts in improving low reading scores. Directors and teams are required to consist of personnel who have completed the competency-based reading endorsement pathway and meet other specified requirements related to reading instruction and progress monitoring.<sup>54</sup>

The RAISE High School Tutoring Program prepares eligible high school students to tutor students in kindergarten through grade three. School districts that wish to participate in the RAISE High School Tutoring Program must recruit, train and deploy eligible high school students using the materials developed by the Florida DOE.<sup>55</sup>

***Effect of the Proposed Changes***

The bill modifies s. 1008.365, F.S., related to the RAISE Act. The bill requires that activities related to the regional literacy support directors, the regional support team, and tutoring program be grounded in the science of reading.

**Supplemental Academic Instruction*****Present Situation***

The Supplemental Academic Instruction (SAI) component of the Florida Education Finance Program (FEFP) provides additional funding for school districts for supplemental academic instruction. School districts with schools earning a “D” or “F” grade must use those schools’ portion of SAI funds to implement intervention and support strategies for school improvement and for salary incentives. For all other schools, the district may use SAI funds for reading instruction, modified curriculum, after-school instruction, tutoring, mentoring, class size reduction, extended school year instruction, summer instruction, dropout prevention programs, and other methods of improving student achievement or instruction provided during or beyond the 180-day school year. For the 2022-2023 fiscal year SAI funding was \$719,314,907.

The Evidenced-Based Reading Instruction Allocation is provided for a system of comprehensive reading instruction to students enrolled in prekindergarten through grade 12 programs as well as certain students who exhibit a substantial deficiency in early literacy. For the 2022-2023 fiscal

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<sup>54</sup> Section 1008.365, F.S.

<sup>55</sup> Florida Department of Education, *Reading Achievement Initiative for Scholastic Excellence Act (RAISE) High School Tutoring Program*, <https://www.fldoe.org/academics/standards/just-read-fl/tutoring.shtml> (last visited Apr. 03, 2023).

year, the evidence-based reading allocation was \$170,000,000. An amount of \$115,000 is allocated to each district, and the remaining balance is allocated based on each district's proportion of the total K-12 base funding.<sup>56</sup>

### ***Effect of the Proposed Changes***

The bill modifies s. 1011.62, F.S., regarding the funds for operation of school and specifically for the supplemental academic instruction (SAI). Specifically the bill:

- Allows schools that are not “D” or “F” graded schools to use funding for evidence based mathematics interventions extending beyond the school day.
- Requires schools that are not “D” or “F” graded schools using funds for intensive skills development in summer school for those programs to place rigor and grade-level learning at the forefront.

The bill modifies the Evidence-based Reading Instruction Allocation to require:

- That supplemental instructional materials identified by the Just Read, Florida! Office be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies must not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.
- Each district in their annual comprehensive reading plan to describe how the district prioritizes the assignment of highly effective teachers and how reading coaches are assigned to individual schools.
- The new required plan provisions to be approved by the Just Read, Florida! Office.

### **Educator Certification**

#### ***Present Situation***

The DOE has developed, and each school district, charter school, and charter management organization may provide, a cohesive competency-based professional development certification and education competency program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in Florida law<sup>57</sup> and rule.<sup>58</sup> Participants must hold a state-issued temporary certificate. The program must include the following:

- A minimum period of initial preparation before assuming duties as the teacher of record.
- An option for collaboration with other supporting agencies or educational entities for implementation.
- A teacher mentorship and induction component.<sup>59</sup>

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<sup>56</sup> Florida Department of Education, 2022-23 *Funding for Florida School Districts*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf>.

<sup>57</sup> Section 1012.56(6), F.S.

<sup>58</sup> Rule 6A-5.069, F.A.C.

<sup>59</sup> Section 1012.56(8), F.S.

DOE and district school boards are responsible for issuing renewals of professional certificates depending on the employment status of the individual who holds a state issued professional certificate. District school boards are responsible for issuing renewals for those individuals employed the district, and the DOE is responsible for issuing renewals for those individuals who are not employed by a school district.<sup>60</sup> General requirements are established in law<sup>61</sup> and rule.<sup>62</sup>

### ***Effects of the Proposed Changes***

The bill modifies s. 1012.56, F.S., in regard to the professional development and education programs. Specifically the bill requires:

- Professional education preparation content knowledge to include researched and evidence-based instructional strategies grounded in the science of reading.
- That reading instructional strategies for foundational skills include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies must not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.
- That each district must maintain a system or program by which instructional staff may demonstrate mastery of professional and educational competence and the program must include scientifically researched and evidence-based reading instructional strategies grounded in the science of reading which improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, text comprehension, and multisensory intervention strategies.

The bill modifies s. 1012.585, F.S., regarding the requirements for renewal of a professional certificate. Specifically the bill:

- Requires knowledge-based reading literacy training as part of the college credits or in-service points to be grounded in the science of reading.
- Adds to the renewal requirements for a certificate with a validity date of July 1, 2020, or later, in an area identified by the DOE to include reading instruction or intervention for any students in kindergarten through grade 6, that the credits or points in evidence-based instructions and interventions must be grounded in the science of reading.

## **School Community Professional Development Act**

### ***Present Situation***

The School Community Professional Development Act<sup>63</sup> outlines the expectations for a coordinated, statewide system of professional development that increases student achievement; enhances classroom instruction to promote rigor and relevance throughout the curriculum; and prepares students for success in college, career and life. The goals are to:

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<sup>60</sup> Section 1012.585(1), F.S.

<sup>61</sup> Section 1012.585(2), F.S.

<sup>62</sup> Rule 6A-4.0051, F.A.C.

<sup>63</sup> Section 1012.98, F.S.

- Increase student achievement.
- Enhance classroom instruction to promote rigor and relevance throughout the curriculum.
- Prepare students for success in college, career, and life.

Responsibilities of the system are distributed among many collaborative partners including the Florida DOE; public postsecondary institutions, school districts, and schools; and state education foundations, consortia, and professional organizations. These responsibilities, as well as the scope, focus and required elements for Florida's professional learning system are set forth in a series of connected statutes and rules that address the importance of professional growth for educators and the essential need for school districts to maintain professional learning systems.

The state's has a systemic process for enabling professional learning. To support this key component of quality school improvement, Florida has several elements:

- State standards for high-quality professional learning.
- District professional learning systems.
- District professional learning catalogs.
- Professional learning review protocol materials and site visits for evaluation of district professional learning systems.<sup>64</sup>

### ***Effect of the Proposed Changes***

The bill modifies s. 1012.98, F.S., regarding the School Community Professional Development Act, that:

- Requires training for foundational skills to reading coaches, classroom teachers, and school administrators to identify characteristics of dyslexia and other causes diminished phonological process skills be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.
- Requires that for contracted training for teaching foundational skills that those contracted trainings be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

The bill takes effect on July 1, 2023.

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<sup>64</sup> Florida Department of Education, *Florida's Coordinated System of Professional Development*, <https://www.fldoe.org/teaching/professional-dev/> (last visited Apr. 03, 2023).



**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 a significant but indeterminate negative fiscal impact on state revenues or expenditures. For example, the bill:

- Requires the DOE to work with Just Read Florida! to revise the minimum standards for courses in emergent literacy for prekindergarten instructors to include certain reading instructional criteria; and developing an online repository of reading and science of reading resources.
- Requires the administrator of the New Worlds Reading Initiative to develop an online repository of reading materials that is assessable to various users across the education community
- Requires implementation of identification, interventions and notifications regarding students with a substantial deficiency in mathematics.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

It is unclear how the requirement for the Just Read, Florida! Office, in conjunction with the Lastinger Center for Learning at the University of Florida, to develop an online repository will differ from a similar repository hosted by the Florida Center for Reading Research.<sup>65</sup>

The bill is generally replacing the term “Next Generation Sunshine State Standard” with “the state standards.” Sections 3 and 10 still contain a reference to the Sunshine State Standards.

The Office of Early Learning was changed to the Division of Early Learning in the Department of Education in 2021; section 11 still contains a reference to the Office of Early Learning.

**VIII. Statutes Affected:**

The bill substantially amends the following sections of the Florida Statutes: 1001.215, 1001.42, 1002.33, 1002.59, 1002.67, 1003.485, 1004.04, 1004.85, 1006.283, 1006.31, 1008.25, 1008.365, 1011.62, 1012.56, 1012.585, 1012.98, 1002.37, 1002.45, 1002.53, 1002.68, 1008.2125, 1008.22, 1008.34, and 1008.345.

**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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<sup>65</sup> Florida Center for Reading Research, *Reading Program Repository*, <https://fcrr.org/repository> (last visited Mar. 23, 2023).

By Senator Calatayud

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1 A bill to be entitled  
 2 An act relating to student outcomes; amending s.  
 3 1001.215, F.S.; revising the responsibilities of the  
 4 Just Read, Florida! Office; revising the primary  
 5 instructional strategy for word reading; amending s.  
 6 1001.42, F.S.; revising the early warning system that  
 7 schools must implement for students with low academic  
 8 performance; amending s. 1002.33, F.S.; providing that  
 9 a charter school application must include certain  
 10 reading instructional strategies; providing that a  
 11 charter school charter must include certain reading  
 12 instructional strategies; amending s. 1002.59, F.S.;  
 13 revising the standards for emergent literacy and  
 14 performance standards training courses; amending s.  
 15 1002.67, F.S.; revising the performance standards of  
 16 emergent literacy skills; adding a requirement for  
 17 each prekindergarten provider's curriculum; amending  
 18 s. 1003.485, F.S.; revising the definition of the term  
 19 "micro-credential"; revising administrator  
 20 responsibilities relating to the New Worlds Reading  
 21 Initiative; amending s. 1004.04, F.S.; revising the  
 22 rules for establishing uniform core curricula for  
 23 teacher preparation programs; amending s. 1004.85,  
 24 F.S.; providing that the certification program of a  
 25 postsecondary educator preparation institute must  
 26 include certain reading instructional strategies;  
 27 amending s. 1006.283, F.S.; providing that district  
 28 school board instructional materials must include  
 29 certain reading instructional strategies; amending s.

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30 1006.31, F.S.; providing that instructional materials  
 31 relating to foundational reading skills which are  
 32 under review must include certain reading  
 33 instructional strategies; amending s. 1008.25, F.S.;  
 34 revising requirements for an individualized progress  
 35 monitoring plan; requiring a student who has dyslexia  
 36 to be provided with certain interventions to address  
 37 the deficiency; requiring the Department of Education  
 38 to provide a specified list of intervention programs;  
 39 requiring the department to provide specified daily  
 40 reading interventions to certain students; requiring a  
 41 school district to evaluate students for a reading  
 42 deficiency at the end of every grading period;  
 43 requiring students in kindergarten through grade 4 who  
 44 exhibit a substantial deficiency in mathematics or  
 45 dyscalculia to be provided with certain instruction;  
 46 providing methods for such instruction; requiring the  
 47 student's performance to be monitored; requiring the  
 48 Department of Education to provide a list of approved  
 49 mathematics intervention programs, curricula, and  
 50 supplemental materials; providing that a Voluntary  
 51 Prekindergarten Education student may be eligible to  
 52 receive mathematics interventions from the local  
 53 school district; requiring the parent of a student who  
 54 has a deficiency in mathematics to be notified;  
 55 providing requirements for the notification; requiring  
 56 the school to keep the parent informed of the  
 57 student's progress; requiring a school district to  
 58 evaluate the students at the end of each grading

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59 period for a mathematics deficiency; requiring a  
 60 school to provide additional support to a student with  
 61 a mathematics deficiency; requiring the department to  
 62 collaborate with the Florida Center for Mathematics  
 63 and Science Education Research to compile resources  
 64 that each school district must incorporate into a  
 65 home-based plan for students with a mathematics  
 66 deficiency; providing requirements for the resources;  
 67 providing that the resources must be provided to a  
 68 parent in a hardcopy format, if requested; conforming  
 69 provisions to changes made by the act; revising  
 70 requirements for intensive interventions to address  
 71 student reading deficiencies; revising requirements  
 72 for a coordinated screening and progress monitoring  
 73 system; conforming cross-references; amending s.  
 74 1008.365, F.S.; conforming provisions to changes made  
 75 by the act; amending s. 1011.62, F.S.; including  
 76 specified mathematics interventions in a school  
 77 district's use of funding for supplemental academic  
 78 instruction; conforming a cross-reference; providing  
 79 that supplemental materials must include certain  
 80 instructional strategies to be eligible for an  
 81 evidence-based reading instruction allocation;  
 82 revising requirements for a comprehensive reading plan  
 83 that each school district must submit to the  
 84 department; amending s. 1012.56, F.S.; revising  
 85 requirements for a competency-based professional  
 86 development certification and education competency  
 87 program; amending s. 1012.585, F.S.; revising the

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88 requirements for the renewal of a professional  
 89 certificate; amending s. 1012.98, F.S.; revising  
 90 training requirements for reading coaches, classroom  
 91 teachers, and school administrators to include certain  
 92 instructional strategies; providing construction with  
 93 regard to district school boards contracting for  
 94 certain training; amending ss. 1002.37, 1002.45,  
 95 1002.53, 1002.68, 1008.2125, 1008.22, 1008.34, and  
 96 1008.345, F.S; conforming cross-references; providing  
 97 an effective date.  
 98  
 99 Be It Enacted by the Legislature of the State of Florida:  
 100  
 101 Section 1. Subsections (4) and (8) of section 1001.215,  
 102 Florida Statutes, are amended to read:  
 103 1001.215 Just Read, Florida! Office.—There is created in  
 104 the Department of Education the Just Read, Florida! Office. The  
 105 office is fully accountable to the Commissioner of Education and  
 106 shall:  
 107 (4) Develop and provide access to an online repository of  
 108 digital science of reading and science of reading instructional  
 109 resources, sequenced, content-rich curriculum programming,  
 110 instructional practices, and other resources that help  
 111 elementary schools use state-adopted instructional materials to  
 112 increase students' background knowledge and literacy skills,  
 113 including student attainment of the state standards ~~Next~~  
 114 ~~Generation Sunshine State Standards~~ for social studies, science,  
 115 and the arts. The office shall, as part of the adoption cycle  
 116 for English Language Arts instructional materials, assist in

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 117 evaluating elementary grades instructional materials submitted  
 118 for adoption consideration in order to identify those materials  
 119 that are closely aligned to the content and evidence-based  
 120 strategies identified pursuant to subsection (8) and incorporate  
 121 professional development to implement such strategies.

(8) Work with the Florida Center for Reading Research to  
 123 identify scientifically researched and evidence-based reading  
 124 instructional and intervention programs grounded in the science  
 125 of reading that incorporate explicit, systematic, and sequential  
 126 approaches to teaching phonemic awareness, phonics, vocabulary,  
 127 fluency, and text comprehension and incorporate decodable or  
 128 phonetic text instructional strategies. Reading intervention  
 129 includes evidence-based strategies frequently used to remediate  
 130 reading deficiencies and includes, but is not limited to,  
 131 individual instruction, multisensory approaches, tutoring,  
 132 mentoring, or the use of technology that targets specific  
 133 reading skills and abilities. The primary instructional strategy  
 134 for teaching word reading is phonics instruction for decoding  
 135 and encoding. The identified reading instructional and  
 136 intervention programs for foundational skills may not include  
 137 those that employ the three-cueing system model of reading or  
 138 visual memory as a basis for teaching word reading. Programs may  
 139 include visual information and strategies which improve  
 140 background and experiential knowledge, add context, and increase  
 141 oral language and vocabulary to support comprehension, but  
 142 should not be used to teach word reading.

Section 2. Paragraph (b) of subsection (18) of section  
 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The

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 146 district school board, acting as a board, shall exercise all  
 147 powers and perform all duties listed below:

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
 149 Maintain a system of school improvement and education  
 150 accountability as provided by statute and State Board of  
 151 Education rule. This system of school improvement and education  
 152 accountability shall be consistent with, and implemented  
 153 through, the district's continuing system of planning and  
 154 budgeting required by this section and ss. 1008.385, 1010.01,  
 155 and 1011.01. This system of school improvement and education  
 156 accountability shall comply with the provisions of ss. 1008.33,  
 157 1008.34, 1008.345, and 1008.385 and include the following:

(b) *Early warning system.*—

1. A school that serves any students in kindergarten  
 160 through grade 8 shall implement an early warning system to  
 161 identify students in such grades who need additional support to  
 162 improve academic performance and stay engaged in school. The  
 163 early warning system must include the following early warning  
 164 indicators:

a. Attendance below 90 percent, regardless of whether  
 166 absence is excused or a result of out-of-school suspension.

b. One or more suspensions, whether in school or out of  
 168 school.

c. Course failure in English Language Arts or mathematics  
 170 during any grading period.

d. A Level 1 score on the statewide, standardized  
 172 assessments in English Language Arts or mathematics or, for  
 173 students in kindergarten through grade 3, a substantial reading  
 174 deficiency under s. 1008.25(5)(a), and for students in

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175 kindergarten through grade 4, a substantial mathematics  
 176 deficiency under s. 1008.25(6)(a).

177  
 178 A school district may identify additional early warning  
 179 indicators for use in a school's early warning system. The  
 180 system must include data on the number of students identified by  
 181 the system as exhibiting two or more early warning indicators,  
 182 the number of students by grade level who exhibit each early  
 183 warning indicator, and a description of all intervention  
 184 strategies employed by the school to improve the academic  
 185 performance of students identified by the early warning system.

186 2. A school-based team responsible for implementing the  
 187 requirements of this paragraph shall monitor the data from the  
 188 early warning system. The team may include a school  
 189 psychologist. When a student exhibits two or more early warning  
 190 indicators, the team, in consultation with the student's parent,  
 191 shall determine appropriate intervention strategies for the  
 192 student unless the student is already being served by an  
 193 intervention program at the direction of a school-based,  
 194 multidisciplinary team. Data and information relating to a  
 195 student's early warning indicators must be used to inform any  
 196 intervention strategies provided to the student.

197 Section 3. Paragraph (a) of subsection (6) and paragraph  
 198 (a) of subsection (7) of section 1002.33, Florida Statutes, are  
 199 amended to read:

200 1002.33 Charter schools.—

201 (6) APPLICATION PROCESS AND REVIEW.—Charter school  
 202 applications are subject to the following requirements:

203 (a) A person or entity seeking to open a charter school

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204 shall prepare and submit an application on the standard  
 205 application form prepared by the Department of Education which:

206 1. Demonstrates how the school will use the guiding  
 207 principles and meet the statutorily defined purpose of a charter  
 208 school.

209 2. Provides a detailed curriculum plan that illustrates how  
 210 students will be provided services to attain the Sunshine State  
 211 Standards.

212 3. Contains goals and objectives for improving student  
 213 learning and measuring that improvement. These goals and  
 214 objectives must indicate how much academic improvement students  
 215 are expected to show each year, how success will be evaluated,  
 216 and the specific results to be attained through instruction.

217 4. Describes the reading curriculum and differentiated  
 218 strategies that will be used for students reading at grade level  
 219 or higher and a separate curriculum and strategies for students  
 220 who are reading below grade level. Reading instructional  
 221 strategies for foundational skills shall include phonics  
 222 instruction for decoding and encoding as the primary  
 223 instructional strategy for word reading. Instructional  
 224 strategies may not include those that employ the three-cueing  
 225 system model of reading or visual memory as a basis for teaching  
 226 word reading. Programs may include visual information and  
 227 strategies which improve background and experiential knowledge,  
 228 add context, and increase oral language and vocabulary to  
 229 support comprehension, but should not be used to teach word  
 230 reading. A sponsor shall deny an application if the school does  
 231 not propose a reading curriculum that is consistent with  
 232 effective teaching strategies that are grounded in

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scientifically based reading research.

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.

7. Contains additional information a sponsor may require, which shall be attached as an addendum to the charter school application described in this paragraph.

8. For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services pursuant to s. 1002.45(1)(d).

(7) CHARTER.—The terms and conditions for the operation of a charter school, including a virtual charter school, 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), which shall incorporate the approved application and any addenda

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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 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. 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 below grade level. The curriculum and instructional strategies for reading must be consistent with the state's academic standards ~~Next Generation Sunshine State Standards~~ and grounded

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291 in scientifically based reading research. Reading instructional  
 292 strategies for foundational skills shall include phonics  
 293 instruction for decoding and encoding as the primary  
 294 instructional strategy for word reading. Instructional  
 295 strategies may not include those that employ the three-cueing  
 296 system model of reading or visual memory as a basis for teaching  
 297 word reading. Programs may include visual information and  
 298 strategies which improve background and experiential knowledge,  
 299 add context, and increase oral language and vocabulary to  
 300 support comprehension, but should not be used to teach word  
 301 reading.

302 b. In order to provide students with access to diverse  
 303 instructional delivery models, to facilitate the integration of  
 304 technology within traditional classroom instruction, and to  
 305 provide students with the skills they need to compete in the  
 306 21st century economy, the Legislature encourages instructional  
 307 methods for blended learning courses consisting of both  
 308 traditional classroom and online instructional techniques.  
 309 Charter schools may implement blended learning courses which  
 310 combine traditional classroom instruction and virtual  
 311 instruction. Students in a blended learning course must be full-  
 312 time students of the charter school pursuant to s.  
 313 1011.61(1)(a)1. Instructional personnel certified pursuant to s.  
 314 1012.55 who provide virtual instruction for blended learning  
 315 courses may be employees of the charter school or may be under  
 316 contract to provide instructional services to charter school  
 317 students. At a minimum, such instructional personnel must hold  
 318 an active state or school district adjunct certification under  
 319 s. 1012.57 for the subject area of the blended learning course.

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320 The funding and performance accountability requirements for  
 321 blended learning courses are the same as those for traditional  
 322 courses.

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

327 a. How the baseline student academic achievement levels and  
 328 prior rates of academic progress will be established.

329 b. How these baseline rates will be compared to rates of  
 330 academic progress achieved by these same students while  
 331 attending the charter school.

332 c. To the extent possible, how these rates of progress will  
 333 be evaluated and compared with rates of progress of other  
 334 closely comparable student populations.

335  
 336 A district school board is required to provide academic student  
 337 performance data to charter schools for each of their students  
 338 coming from the district school system, as well as rates of  
 339 academic progress of comparable student populations in the  
 340 district school system.

341 4. The methods used to identify the educational strengths  
 342 and needs of students and how well educational goals and  
 343 performance standards are met by students attending the charter  
 344 school. The methods shall provide a means for the charter school  
 345 to ensure accountability to its constituents by analyzing  
 346 student performance data and by evaluating the effectiveness and  
 347 efficiency of its major educational programs. Students in  
 348 charter schools shall, at a minimum, participate in the



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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.

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 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.

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

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate

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of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

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

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

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

17. 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 and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. 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

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school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a 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 the grade levels that will be added, as applicable.

Section 4. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.—

(1) The department, in collaboration with the Just Read, Florida! Office, shall adopt minimum standards for courses in emergent literacy for prekindergarten instructors. Each course must consist of ~~comprise~~ 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, ~~and~~ vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that

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students will encounter in grades K-12, consistent with the evidence-based content and strategies grounded in the science of reading identified pursuant to s. 1001.215(8). The course standards must be reviewed as part of any review of subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas conducted pursuant to s. 1012.586. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(e)5., 402.313(6), and 402.3131(5).

Section 5. Paragraph (a) of subsection (1) and paragraph (b) of subsection (2) of section 1002.67, Florida Statutes, are amended to read:

1002.67 Performance standards and curricula.—

(1)(a) The department shall develop and adopt performance standards for students in the Voluntary Prekindergarten Education Program. The performance standards must address the age-appropriate progress of students in the development of:

1. The capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution;

2. Emergent literacy skills grounded in the science of reading, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that students will

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encounter in grades K-12; and

3. Mathematical thinking and early math skills.

(2)

(b) Each private prekindergarten provider's and public school's curriculum must be developmentally appropriate and must:

1. Be designed to prepare a student for early literacy and provide for instruction in early math skills;

2. Develop student's background knowledge through a content-rich and sequential knowledge-building early literacy curriculum;

3. Enhance the age-appropriate progress of students in attaining the performance standards adopted by the department under subsection (1); and

~~4.3.~~ Support student learning gains through differentiated instruction that shall be measured by the coordinated screening and progress monitoring program under s. 1008.25(9) ~~or~~ 1008.25(8).

Section 6. Present paragraphs (g) through (l) of subsection (4) of section 1003.485, Florida Statutes, are redesignated as paragraphs (h) through (m), respectively, a new paragraph (g) is added to that subsection, and paragraph (g) of subsection (1) and present paragraph (g) of subsection (4) of that section are amended, to read:

1003.485 The New Worlds Reading Initiative.—

(1) DEFINITIONS.—As used in this section, the term:

(g) "Micro-credential" means evidence-based professional development activities grounded in the science of reading that are competency-based, personalized, and on-demand. Educators

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must demonstrate their competence via evidence submitted and reviewed by trained evaluators.

(4) ADMINISTRATOR RESPONSIBILITIES.—The administrator shall:

(g) Develop, in consultation with the Just Read, Florida! Office under s. 1001.215, an online repository of digital science of reading materials and science of reading instructional resources that is accessible to public school teachers, school leaders, parents, and educator preparation programs and associated faculty.

(h) ~~(g)~~ Develop a micro-credential that requires teachers to demonstrate competency to:

1. Diagnose literacy difficulties and determine the appropriate range of literacy interventions based upon the age and literacy deficiency of the student;

2. Use evidence-based instructional and intervention practices grounded in the science of reading, including strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8); and

3. Effectively use progress monitoring and intervention materials.

Section 7. Paragraph (b) of subsection (2) of section 1004.04, Florida Statutes, is amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

(b) The rules to establish uniform core curricula for each state-approved teacher preparation program must include, but are not limited to, the following:

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1. Candidate instruction and assessment in the Florida Educator Accomplished Practices across content areas.

2. The use of state-adopted content standards to guide curricula and instruction.

3. Scientifically researched and evidence-based reading instructional strategies grounded in the science of reading 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. The primary instructional strategy for teaching word reading is phonics instruction for decoding and encoding. Instructional strategies for foundational skills may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

4. Content literacy and mathematics practices.

5. Strategies appropriate for the instruction of English language learners.

6. Strategies appropriate for the instruction of students with disabilities.

7. Strategies to differentiate instruction based on student needs.

8. Strategies and practices to support evidence-based content aligned to state standards and grading practices.

9. Strategies appropriate for the early identification of a

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581 student in crisis or experiencing a mental health challenge and  
582 the referral of such student to a mental health professional for  
583 support.

584 10. Strategies to support the use of technology in  
585 education and distance learning.

586 Section 8. Paragraph (a) of subsection (3) of section  
587 1004.85, Florida Statutes, is amended to read:

588 1004.85 Postsecondary educator preparation institutes.—

589 (3) Educator preparation institutes approved pursuant to  
590 this section may offer competency-based certification programs  
591 specifically designed for noneducation major baccalaureate  
592 degree holders to enable program participants to meet the  
593 educator certification requirements of s. 1012.56. An educator  
594 preparation institute choosing to offer a competency-based  
595 certification program pursuant to the provisions of this section  
596 must implement a program previously approved by the Department  
597 of Education for this purpose or a program developed by the  
598 institute and approved by the department for this purpose.  
599 Approved programs shall be available for use by other approved  
600 educator preparation institutes.

601 (a) Within 90 days after receipt of a request for approval,  
602 the Department of Education shall approve a preparation program  
603 pursuant to the requirements of this subsection or issue a  
604 statement of the deficiencies in the request for approval. The  
605 department shall approve a certification program if the  
606 institute provides evidence of the institute's capacity to  
607 implement a competency-based program that includes each of the  
608 following:

609 1.a. Participant instruction and assessment in the Florida

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610 Educator Accomplished Practices across content areas.

611 b. The use of state-adopted student content standards to  
612 guide curriculum and instruction.

613 c. Scientifically researched and evidence-based reading  
614 instructional strategies grounded in the science of reading that  
615 improve reading performance for all students, including  
616 explicit, systematic, and sequential approaches to teaching  
617 phonemic awareness, phonics, vocabulary, fluency, and text  
618 comprehension and multisensory intervention strategies. The  
619 primary instructional strategy for teaching word reading is  
620 phonics instruction for decoding and encoding. Instructional  
621 strategies for foundational skills may not include those that  
622 employ the three-cueing system model of reading or visual memory  
623 as a basis for teaching word reading. Programs may include  
624 visual information and strategies which improve background and  
625 experiential knowledge, add context, and increase oral language  
626 and vocabulary to support comprehension, but should not be used  
627 to teach word reading.

628 d. Content literacy and mathematical practices.

629 e. Strategies appropriate for instruction of English  
630 language learners.

631 f. Strategies appropriate for instruction of students with  
632 disabilities.

633 g. Strategies to differentiate instruction based on student  
634 needs.

635 h. Strategies and practices to support evidence-based  
636 content aligned to state standards and grading practices.

637 i. Strategies appropriate for the early identification of a  
638 student in crisis or experiencing a mental health challenge and

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639 the referral of such student to a mental health professional for  
 640 support.

641 j. Strategies to support the use of technology in education  
 642 and distance learning.

643 2. An educational plan for each participant to meet  
 644 certification requirements and demonstrate his or her ability to  
 645 teach the subject area for which the participant is seeking  
 646 certification, which is based on an assessment of his or her  
 647 competency in the areas listed in subparagraph 1.

648 3. Field experiences appropriate to the certification  
 649 subject area specified in the educational plan with a diverse  
 650 population of students in a variety of challenging environments,  
 651 including, but not limited to, high-poverty schools, urban  
 652 schools, and rural schools, under the supervision of qualified  
 653 educators. The state board shall determine in rule the amount of  
 654 field experience necessary to serve as the teacher of record,  
 655 beginning with candidates entering a program in the 2023-2024  
 656 school year.

657 4. A certification ombudsman to facilitate the process and  
 658 procedures required for participants who complete the program to  
 659 meet any requirements related to the background screening  
 660 pursuant to s. 1012.32 and educator professional or temporary  
 661 certification pursuant to s. 1012.56.

662 Section 9. Subsection (4) of section 1006.283, Florida  
 663 Statutes, is amended to read:

664 1006.283 District school board instructional materials  
 665 review process.—

666 (4) Instructional materials that have been reviewed by the  
 667 district instructional materials reviewers and approved must

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668 have been determined to align with all applicable state  
 669 standards pursuant to s. 1003.41, ~~and~~ the requirements in s.  
 670 1006.31, and instructional materials for foundational reading  
 671 skills shall be based on the science of reading and include  
 672 phonics instruction for decoding and encoding as the primary  
 673 instructional strategy for word reading. Instructional  
 674 strategies may not include those that employ the three-cueing  
 675 system model of reading or visual memory as a basis for teaching  
 676 word reading. Programs may include visual information and  
 677 strategies which improve background and experiential knowledge,  
 678 add context, and increase oral language and vocabulary to  
 679 support comprehension, but should not be used to teach word  
 680 reading. The district school superintendent shall annually  
 681 certify to the department that all instructional materials for  
 682 core courses used by the district are aligned with all  
 683 applicable state standards and have been reviewed, selected, and  
 684 adopted by the district school board in accordance with the  
 685 school board hearing and public meeting requirements of this  
 686 section.

687 Section 10. Subsection (2) of section 1006.31, Florida  
 688 Statutes, is amended to read:

689 1006.31 Duties of the Department of Education and school  
 690 district instructional materials reviewer.—The duties of the  
 691 instructional materials reviewer are:

692 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the  
 693 selection criteria listed in s. 1006.34(2)(b) and recommend for  
 694 adoption only those instructional materials aligned with the  
 695 Next Generation Sunshine State Standards provided for in s.  
 696 1003.41. Instructional materials for foundational reading skills

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697 shall be based on the science of reading and include phonics  
 698 instruction for decoding and encoding as the primary  
 699 instructional strategy for word reading. Instructional  
 700 strategies may not include those that employ the three-cueing  
 701 system model of reading or visual memory as a basis for teaching  
 702 word reading. Programs may include visual information and  
 703 strategies which improve background and experiential knowledge,  
 704 add context, and increase oral language and vocabulary to  
 705 support comprehension, but should not be used to teach word  
 706 reading. Instructional materials recommended by each reviewer  
 707 shall be, to the satisfaction of each reviewer, accurate,  
 708 objective, balanced, noninflammatory, current, free of  
 709 pornography and material prohibited under s. 847.012, and suited  
 710 to student needs and their ability to comprehend the material  
 711 presented. Reviewers shall consider for recommendation materials  
 712 developed for academically talented students, such as students  
 713 enrolled in advanced placement courses. When recommending  
 714 instructional materials, each reviewer shall:

715 (a) Include only instructional materials that accurately  
 716 portray the ethnic, socioeconomic, cultural, religious,  
 717 physical, and racial diversity of our society, including men and  
 718 women in professional, career, and executive roles, and the role  
 719 and contributions of the entrepreneur and labor in the total  
 720 development of this state and the United States.

721 (b) Include only materials that accurately portray,  
 722 whenever appropriate, humankind's place in ecological systems,  
 723 including the necessity for the protection of our environment  
 724 and conservation of our natural resources and the effects on the  
 725 human system of the use of tobacco, alcohol, controlled

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726 substances, and other dangerous substances.

727 (c) Include materials that encourage thrift, fire  
 728 prevention, and humane treatment of people and animals.

729 (d) Require, when appropriate to the comprehension of  
 730 students, that materials for social science, history, or civics  
 731 classes contain the Declaration of Independence and the  
 732 Constitution of the United States. A reviewer may not recommend  
 733 any instructional materials that contain any matter reflecting  
 734 unfairly upon persons because of their race, color, creed,  
 735 national origin, ancestry, gender, religion, disability,  
 736 socioeconomic status, or occupation or otherwise contradict the  
 737 principles enumerated under s. 1003.42(3).

738 Section 11. Present subsections (6) through (10) of section  
 739 1008.25, Florida Statutes, are redesignated as subsections (7)  
 740 through (11), respectively, a new subsection (6) is added to  
 741 that section, and subsections (4) and (5), present subsection  
 742 (7), paragraphs (a) and (d) of present subsection (8), and  
 743 present subsection (9) of that section, are amended, to read:

744 1008.25 Public school student progression; student support;  
 745 coordinated screening and progress monitoring; reporting  
 746 requirements.—

747 (4) ASSESSMENT AND SUPPORT.—

748 (a) Each student must participate in the statewide,  
 749 standardized assessment program required under s. 1008.22 and  
 750 the coordinated screening and progress monitoring system  
 751 required under subsection (9) ~~(8)~~. Each student who does not  
 752 achieve a Level 3 or above on the statewide, standardized  
 753 English Language Arts assessment; the statewide, standardized  
 754 Mathematics assessment; or the Algebra I EOC assessment must be

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evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

(b) A student who is not meeting the school district or state requirements for satisfactory performance in English Language Arts and mathematics must be covered by one of the following plans:

1. A federally required student plan such as an individual education plan;

2. A schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above on the English Language Arts and Mathematics assessments may be exempted from participation by the principal; or

3. An individualized progress monitoring plan.

(c) A student who has a substantial reading deficiency as determined in paragraph (5)(a) or a substantial mathematics deficiency as determined in paragraph (6)(a) must be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary. The individualized progress monitoring plan shall include, at a minimum:

1. The student's specific, diagnosed reading or mathematics skill deficiencies.

2. Goals and benchmarks for student growth in reading or mathematics.

3. A description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress.

4. For a substantial reading deficiency, the specific

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evidence-based literacy instruction grounded in the science of reading which the student will receive.

5. Strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress.

6. Any additional services the teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading or the characteristics of dyslexia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency to address his or her specific deficiencies.

1. The department shall provide a list of state vetted and approved comprehensive reading and intervention programs. The intervention programs shall be provided in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia-specific intervention, as defined by rule of the State Board of Education, shall be provided to students who have the characteristics of dyslexia and all struggling readers. The reading intervention program must do all of the following:

a. Provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as



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813 applicable.

814 b. Provide daily targeted small group reading interventions  
 815 based on student need in phonological awareness, phonics  
 816 including decoding and encoding, sight words, vocabulary, or  
 817 comprehension.

818 c. Be implemented during regular school hours.

819 2. A school may not wait for a student to receive a failing  
 820 grade at the end of a grading period to identify the student as  
 821 having a substantial reading deficiency and initiate intensive  
 822 reading interventions. In addition, a school may not wait until  
 823 an evaluation conducted pursuant to s. 1003.57 is completed to  
 824 provide appropriate, evidence-based interventions for a student  
 825 whose parent submits documentation from a professional licensed  
 826 under chapter 490 which demonstrates that the student has been  
 827 diagnosed with dyslexia. Such interventions must be initiated  
 828 upon receipt of the documentation and based on the student's  
 829 specific areas of difficulty as identified by the licensed  
 830 professional.

831 3. A student's reading proficiency must be monitored and  
 832 the intensive interventions must continue until the student  
 833 demonstrates grade level proficiency in a manner determined by  
 834 the district, which may include achieving a Level 3 on the  
 835 statewide, standardized English Language Arts assessment. The  
 836 State Board of Education shall identify by rule guidelines for  
 837 determining whether a student in kindergarten through grade 3  
 838 has a substantial deficiency in reading.

839 (b) A Voluntary Prekindergarten Education Program student  
 840 who exhibits a substantial deficiency in early literacy skills  
 841 in accordance with the standards under s. 1002.67(1)(a) and

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842 based upon the results of the administration of the final  
 843 coordinated screening and progress monitoring under subsection  
 844 (9) ~~(8)~~ shall be referred to the local school district and may  
 845 be eligible to receive intensive reading interventions before  
 846 participating in kindergarten. Such intensive reading  
 847 interventions shall be paid for using funds from the district's  
 848 evidence-based reading instruction allocation in accordance with  
 849 s. 1011.62(8).

850 (c) To be promoted to grade 4, a student must score a Level  
 851 2 or higher on the statewide, standardized English Language Arts  
 852 assessment required under s. 1008.22 for grade 3. If a student's  
 853 reading deficiency is not remedied by the end of grade 3, as  
 854 demonstrated by scoring Level 2 or higher on the statewide,  
 855 standardized assessment required under s. 1008.22 for grade 3,  
 856 the student must be retained.

857 (d) The parent of any student who exhibits a substantial  
 858 deficiency in reading, as described in paragraph (a), must be  
 859 notified in writing of the following:

860 1. That his or her child has been identified as having a  
 861 substantial deficiency in reading, including a description and  
 862 explanation, in terms understandable to the parent, of the exact  
 863 nature of the student's difficulty in learning and lack of  
 864 achievement in reading.

865 2. A description of the current services that are provided  
 866 to the child.

867 3. A description of the proposed intensive interventions  
 868 and supports that will be provided to the child that are  
 869 designed to remediate the identified area of reading deficiency.

870 4. That if the child's reading deficiency is not remediated

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by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.

5. Strategies, including multisensory strategies and programming, through a read-at-home plan the parent can use in helping his or her child succeed in reading. The read-at-home plan must provide access to the resources identified in paragraph (e).

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (7) (b) (4) ~~(6) (b)~~ 4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A school must immediately begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention or upon the request of the parent, whichever occurs first.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

9. Information about the student's eligibility for the New Worlds Reading Initiative under s. 1003.485 and information on parent training modules and other reading engagement resources available through the initiative.

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After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

(e) A school district must evaluate a student, at a minimum, at the end of every grading period to determine if the student exhibits a reading deficiency. A school must provide additional reading support to a student with a reading deficiency, and may not wait to provide support until a student is identified with a substantial reading deficiency as determined in paragraph (5) (a).

(f) The Department of Education shall compile resources that each school district must incorporate into a read-at-home plan provided to the parent of a student who is identified as having a substantial reading deficiency pursuant to paragraph (d). The resources must be made available in an electronic format that is accessible online and must include the following:

1. Developmentally appropriate, evidence-based strategies and programming, including links to video training modules and opportunities to sign up for at-home reading tips delivered periodically via text and e-mail, which a parent can use to help improve his or her child's literacy skills.

2. An overview of the types of assessments used to identify reading deficiencies and what those assessments measure or do not measure, the frequency with which the assessments are administered, and the requirements for interventions and

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supports that districts must provide to students who do not make adequate academic progress.

3. An overview of the process for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan when necessary to inform school personnel responsible for implementing the plan.

4. Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.

5. A list of resources that support informed parent involvement in decisionmaking processes for students who have difficulty in learning.

Upon the request of a parent, resources meeting the requirements of this paragraph must be provided to the parent in a hardcopy format.

(6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must:

1. Immediately, following the identification of the mathematics deficiency, be provided systematic and explicit

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mathematics instruction to address his or her specific deficiencies through either:

a. Daily targeted small group mathematics intervention based on student need; or  
b. Supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

2. The performance of a student receiving mathematics instruction under subparagraph 1. must be monitored and instruction must be adjusted based on the student's need.

3. The department shall provide a list of state vetted and approved mathematics intervention programs, curricula, and high-quality supplemental materials which may be used to improve a student's mathematics deficiencies. In addition, the department shall work, at a minimum, with the Florida Center for Mathematics and Science Education Research established in s. 1004.86 to disseminate information to school districts and teachers on effective evidence-based explicit mathematics instructional practices, strategies, and interventions.

4. A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial mathematics deficiency and initiate intensive mathematics interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyscalculia. Such interventions must be initiated upon receipt of the

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documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

5. A student's mathematics proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized Mathematics assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in kindergarten through grade 4 has a substantial deficiency in mathematics.

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early mathematics skills in accordance with the standards under s. 1002.67(1)(a) and based upon the results of the administration of the final coordinated screening and progress monitoring under subsection (8) shall be referred to the local school district and may be eligible to receive intensive mathematics interventions before participating in kindergarten.

(c) The parent of any student who exhibits a substantial deficiency in mathematics, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions

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and supports that will be provided to the child which are designed to remediate the identified area of mathematics deficiency.

4. Strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping his or her child succeed in mathematics. The home-based plan must provide access to the resources identified in paragraph (e).

After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

(d) A school district must evaluate a student, at a minimum, at the end of every grading period to determine if the student exhibits a mathematics deficiency. A school must provide additional mathematics support to a student with a mathematics deficiency, and may not wait to provide support until a student is identified with a substantial mathematics deficiency as determined in paragraph (a).

(e) The Department of Education, in collaboration with the Florida Center for Mathematics and Science Education Research established in s. 1004.86, shall compile resources that each school district must incorporate into a home-based plan provided to the parent of a student who is identified as having a substantial mathematics deficiency pursuant to paragraph (c).

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The resources must be made available in an electronic format that is accessible online and must include the following:

1. Developmentally appropriate, evidence-based strategies and programming, including links to video training modules and opportunities to sign up for family-guided home mathematics activities delivered periodically via text and e-mail, which a parent can use to help improve his or her child's mathematics skills.

2. An overview of the types of assessments used to identify mathematics deficiencies and what those assessments measure or do not measure, the frequency with which the assessments are administered, and the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.

3. An overview of the process for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan when necessary to inform school personnel responsible for implementing the plan.

4. Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.

5. A list of resources that support informed parent involvement in decisionmaking processes for students who have difficulty in learning.

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Upon the request of a parent, resources meeting the requirements of this paragraph must be provided to the parent in a hardcopy format.

~~(8)(7)~~ SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(a) Students retained under paragraph (5)(c) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction grounded in the science of reading, in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.

2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1. which place rigor and grade-level learning at the forefront.

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

a. Coordinated integration of content-rich texts in science and civic literacy within the 90-minute block.

b. Targeted small group instruction.

c. Explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback.

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1103 d. Reduced teacher-student ratios.

1104 ~~e.d.~~ More frequent progress monitoring.

1105 ~~f.e.~~ Tutoring or mentoring.

1106 ~~g.f.~~ Transition classes containing 3rd and 4th grade

1107 students.

1108 ~~h.g.~~ Extended school day, week, or year.

1109 i. Before school or after school, or both, supplemental

1110 evidence-based reading interventions grounded in the science of

1111 reading, delivered by a teacher who is certified or endorsed in

1112 reading and is rated highly effective as determined by the

1113 teacher's performance evaluation under s. 1012.34.

1114

1115 The primary instructional strategy for teaching word reading is

1116 phonics instruction for decoding and encoding. Instructional

1117 strategies may not include those that employ the three-cueing

1118 system model of reading or visual memory as a basis for teaching

1119 word reading. Programs may include visual information and

1120 strategies which improve background and experiential knowledge,

1121 add context, and increase oral language and vocabulary to

1122 support comprehension, but should not be used to teach word

1123 reading.

1124 (b) Each school district shall:

1125 1. Provide written notification to the parent of a student

1126 who is retained under paragraph (5)(c) that his or her child has

1127 not met the achievement level required for promotion and the

1128 reasons the child is not eligible for a good cause exemption as

1129 provided in paragraph (7)(b) ~~(6)(b)~~. The notification must

1130 comply with paragraph (5)(d) and must include a description of

1131 proposed interventions and supports that will be provided to the

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1132 child to remediate the identified areas of reading deficiency.

1133 2. Implement a policy for the midyear promotion of a

1134 student retained under paragraph (5)(c) who can demonstrate that

1135 he or she is a successful and independent reader and performing

1136 at or above grade level in reading or, upon implementation of

1137 English Language Arts assessments, performing at or above grade

1138 level in English Language Arts. Tools that school districts may

1139 use in reevaluating a student retained may include subsequent

1140 assessments, alternative assessments, and portfolio reviews, in

1141 accordance with rules of the State Board of Education. Students

1142 promoted during the school year after November 1 must

1143 demonstrate achievement levels in reading equivalent to the

1144 level necessary for the beginning of grade 4. The rules adopted

1145 by the State Board of Education must include standards that

1146 provide a reasonable expectation that the student's progress is

1147 sufficient to master appropriate grade 4 level reading skills.

1148 3. Provide students who are retained under paragraph

1149 (5)(c), including students participating in the school

1150 district's summer reading camp under subparagraph (a)2., with a

1151 teacher who is certified or endorsed in reading and is rated

1152 highly effective as determined by the teacher's performance

1153 evaluation under s. 1012.34.

1154 4. Establish at each school, when applicable, an intensive

1155 reading acceleration course for any student retained in grade 3

1156 who was previously retained in kindergarten, grade 1, or grade

1157 2. The intensive reading acceleration course must provide the

1158 following:

1159 a. Uninterrupted reading instruction grounded in the

1160 science of reading for the majority of student contact time each

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day and opportunities to master the grade 4 state academic standards in other core subject areas through content-rich texts.

b. Explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback.

c. Targeted small group instruction.

d. ~~e~~ Reduced teacher-student ratios.

e. ~~d~~ The use of explicit, systematic, and multisensory reading interventions grounded in the science of reading, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.

f. ~~e~~ A read-at-home plan.

(9) (d) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

(a) The Department of Education, in collaboration with the Office of Early Learning, shall procure and require the use of a statewide, standardized coordinated screening and progress monitoring system for the Voluntary Prekindergarten Education Program and public schools. The system must:

1. Measure student progress in meeting the appropriate expectations in early literacy and mathematics skills and in English Language Arts and mathematics standards as required by ss. 1002.67(1)(a) and 1003.41 and identify the educational strengths and needs of students.

2. For students in the Voluntary Prekindergarten Education Program through grade 3, measure student performance in oral

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language development, phonological and phonemic awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension, as applicable by grade level, and, at a minimum, provide interval level and norm-referenced data that measures equivalent levels of growth.

3. Be a valid, reliable, and developmentally appropriate computer-based direct instrument that provides screening and diagnostic capabilities for monitoring student progress; identifies students who have a substantial deficiency in reading and mathematics, including identifying students with characteristics of dyslexia, dyscalculia, and other learning disorders; and informs instruction. Any student identified by the system as having characteristics of dyslexia or dyscalculia shall undergo further screening. Beginning with the 2023-2024 school year, the coordinated screening and progress monitoring system must be computer-adaptive.

4. Provide data for Voluntary Prekindergarten Education Program accountability as required under s. 1002.68.

5. Provide Voluntary Prekindergarten Education Program providers, school districts, schools, teachers, and parents with data and resources that enhance differentiated instruction and parent communication.

6. Provide baseline data to the department of each student's readiness for kindergarten. The determination of kindergarten readiness must be based on the results of each student's initial progress monitoring assessment in kindergarten. The methodology for determining a student's readiness for kindergarten must be developed by the department and aligned to the methodology adopted pursuant to s.

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1002.68(4).

7. Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels and provide information to the department to aid in the development of educational programs, policies, and supports for providers, districts, and schools.

(d) Screening and progress monitoring system results, including the number of students who demonstrate characteristics of dyslexia and dyscalculia, shall be reported to the department pursuant to state board rule and maintained in the department's Education Data Warehouse. Results must be provided to a student's teacher and parent in a timely manner as required in s. 1008.22(7)(g).

(10)~~(9)~~ ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5)(c), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student's results on each statewide, standardized assessment and the coordinated screening and progress monitoring system under subsection (9)~~(8)~~. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5)(a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board and must be accessible through secure, web-based options.

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(b) Each district school board must annually publish on the district website the following information on the prior school year:

1. The provisions of this section relating to public school student progression and the district school board's policies and procedures on student retention and promotion.

2. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the statewide, standardized English Language Arts assessment.

3. By grade, the number and percentage of all students retained in kindergarten through grade 10.

4. Information on the total number of students who were promoted for good cause, by each category of good cause as specified in paragraph (7)(b) ~~(6)(b)~~.

5. Any revisions to the district school board's policies and procedures on student retention and promotion from the prior year.

Section 12. Subsections (3), (4), and (8) of section 1008.365, Florida Statutes, are amended to read:

1008.365 Reading Achievement Initiative for Scholastic Excellence Act.—

(3) The department shall establish at least 20 literacy support regions and regional support teams, at the direction of a regional literacy support director appointed by the Commissioner of Education, to assist schools with improving low reading scores as provided in this section.

(a) A regional literacy support director must successfully demonstrate competence on the evidence-based strategies identified pursuant to s. 1001.215(8) and have the experience



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1277 and credentials necessary, as determined by the department, to:

1278 1. Effectively monitor student reading growth and

1279 achievement data;

1280 2. Oversee districtwide and schoolwide professional

1281 development and planning to establish evidence-based practices

1282 grounded in the science of reading among school administrators

1283 and instructional personnel;

1284 3. Evaluate implementation of evidence-based practices

1285 grounded in the science of reading; and

1286 4. Manage a regional support team.

1287 (b) A regional support team shall report to its regional

1288 literacy support director and must consist of individuals who:

1289 1. Successfully demonstrate competence on the evidence-

1290 based strategies identified pursuant to s. 1001.215(8);

1291 2. Have substantial experience in literacy coaching and

1292 monitoring student progress data in reading; and

1293 3. Have received training necessary to assist with the

1294 delivery of professional development and site-based supports,

1295 including modeling evidence-based practices grounded in the

1296 science of reading and providing feedback to instructional

1297 personnel.

1298 (4) The department may establish criteria to identify

1299 schools that must receive supports from a regional support team.

1300 However, regardless of its school grade designated pursuant to

1301 s. 1008.34, a school serving students in kindergarten through

1302 grade 5 must be identified for supports if 50 percent of its

1303 students who take the statewide, standardized English Language

1304 Arts assessment score below a Level 3 for any grade level, or,

1305 for students in kindergarten through grade 3, progress

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1306 monitoring data collected pursuant to s. 1008.25(9) ~~or~~

1307 ~~1008.25(8)~~ shows that 50 percent or more of the students are not

1308 on track to pass the statewide, standardized grade 3 English

1309 Language Arts assessment. A school identified for supports under

1310 this section must implement a school improvement plan pursuant

1311 to s. 1001.42(18), or, if the school is already implementing a

1312 school improvement plan, the plan must be amended to explicitly

1313 address strategies for improving reading performance consistent

1314 with this section.

1315 (8) As part of the RAISE Program, the department shall

1316 establish a tutoring program and develop training in effective

1317 reading tutoring practices and content, based on evidence-based

1318 practices grounded in the science of reading and aligned to the

1319 English Language Arts standards under s. 1003.41, which prepares

1320 eligible high school students to tutor students in kindergarten

1321 through grade 3 in schools identified under this section,

1322 instilling in those students a love of reading and improving

1323 their literacy skills.

1324 (a) To be eligible to participate in the tutoring program,

1325 a high school student must be a rising junior or senior who has

1326 a cumulative grade point average of 3.0 or higher, has no

1327 history of out-of-school suspensions or expulsions, is on track

1328 to complete all core course requirements to graduate, and has

1329 written recommendations from at least two of his or her present

1330 or former high school teachers of record or extracurricular

1331 activity sponsors.

1332 (b) School districts that wish to participate in the

1333 tutoring program must recruit, train, and deploy eligible high

1334 school students using the materials developed under this

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section. Tutoring must occur during the school day on school district property in the presence and under the supervision of instructional personnel who are school district employees. A parent must give written permission for his or her child to receive tutoring through the program.

(c) Tutoring may be part of a service-learning course adopted pursuant to s. 1003.497. Students may earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring under the program. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and an administrator or designee of the school in which the tutoring occurred. The hours that a high school student devotes to tutoring may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program as provided in s. 1003.497(3)(b). The department shall designate a high school student who provides at least 75 verified hours of tutoring under the program as a New Worlds Scholar and award the student with a pin indicating such designation.

Section 13. Paragraph (f) of subsection (1) and paragraphs (d) and (e) of subsection (8) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as

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follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) *Supplemental academic instruction allocation.*—

1. There is created the supplemental academic instruction allocation to provide supplemental academic instruction to students in kindergarten through grade 12.

2. The supplemental academic instruction allocation shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds are in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. Beginning with the 2018-2019 fiscal year, each school district that has a school earning a grade of "D" or "F" pursuant to s. 1008.34 must use that school's portion of the supplemental academic instruction allocation to implement intervention and support strategies for school improvement pursuant to s. 1008.33 and for salary incentives pursuant to s. 1012.2315(3) or salary supplements pursuant to s. 1012.22(1)(c)5.c. that are provided through a memorandum of understanding between the collective bargaining agent and the school board that addresses the selection, placement, and expectations of instructional personnel and school administrators. For all other schools, the school district's use of the supplemental academic instruction allocation may include, but is not limited to, the use of a modified curriculum; reading instruction; after-school

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1393 instruction; tutoring; mentoring; evidence-based mathematics  
 1394 interventions extending beyond the school day; a reduction in  
 1395 class size; extended school year; intensive skills development  
 1396 in summer school which places rigor and grade-level learning at  
 1397 the forefront; dropout prevention programs as defined in ss.  
 1398 1003.52 and 1003.53(1)(a), (b), and (c); and other methods of  
 1399 improving student achievement. Supplemental academic instruction  
 1400 may be provided to a student in any manner and at any time  
 1401 during or beyond the regular 180-day term identified by the  
 1402 school as being the most effective and efficient way to best  
 1403 help that student progress from grade to grade and to graduate.

1404 3. The supplemental academic instruction allocation shall  
 1405 consist of a base amount that has a workload adjustment based on  
 1406 changes in unweighted FTE. The supplemental academic instruction  
 1407 allocation shall be recalculated during the fiscal year. Upon  
 1408 recalculation of funding for the supplemental academic  
 1409 instruction allocation, if the total allocation is greater than  
 1410 the amount provided in the General Appropriations Act, the  
 1411 allocation shall be prorated to the level provided to support  
 1412 the appropriation, based on each district's share of the total.

1413 4. Funding on the basis of FTE membership beyond the 180-  
 1414 day regular term shall be provided in the FEFP only for students  
 1415 enrolled in juvenile justice education programs or in education  
 1416 programs for juveniles placed in secure facilities or programs  
 1417 under s. 985.19. Funding for instruction beyond the regular 180-  
 1418 day school year for all other K-12 students shall be provided  
 1419 through the supplemental academic instruction allocation and  
 1420 other state, federal, and local fund sources with ample  
 1421 flexibility for schools to provide supplemental instruction to

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1422 assist students in progressing from grade to grade and  
 1423 graduating.

1424 (8) EVIDENCE-BASED READING INSTRUCTION ALLOCATION.—

1425 (d) Funds allocated under this subsection must be used to  
 1426 provide a system of comprehensive reading instruction to  
 1427 students enrolled in the prekindergarten-12 programs and certain  
 1428 students who exhibit a substantial deficiency in early literacy,  
 1429 which may include the following:

1430 1. Additional time per day of evidence-based intensive  
 1431 reading instruction to students, which may be delivered during  
 1432 or outside of the regular school day.

1433 2. Kindergarten through grade 12 evidence-based intensive  
 1434 reading interventions.

1435 3. Highly qualified reading coaches, who must be endorsed  
 1436 in reading, to specifically support teachers in making  
 1437 instructional decisions based on student data, and improve  
 1438 teacher delivery of effective reading instruction, intervention,  
 1439 and reading in the content areas based on student need.

1440 4. Professional development to help instructional personnel  
 1441 and certified prekindergarten teachers funded in the Florida  
 1442 Education Finance Program earn a certification, a credential, an  
 1443 endorsement, or an advanced degree in scientifically researched  
 1444 and evidence-based reading instruction.

1445 5. Summer reading camps, using only teachers or other  
 1446 district personnel who possess a micro-credential as specified  
 1447 in s. 1003.485 or are certified or endorsed in reading  
 1448 consistent with s. 1008.25(8)(b)3. ~~s. 1008.25(7)(b)3.~~, for all  
 1449 students in kindergarten through grade 5 who demonstrate a  
 1450 reading deficiency as determined by district and state

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assessments.

6. Scientifically researched and evidence-based supplemental instructional materials as identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). Such instructional materials for foundational reading skills shall be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

7. Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.

8. Tutoring in reading.

(e)1. Annually, by a date determined by the Department of Education, each school district shall submit a comprehensive reading plan approved by the applicable district school board, charter school governing board, or lab school board of trustees, for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis. The plan shall also describe how the district prioritizes the assignment of highly effective teachers, as defined in s. 1012.34(2)(e), to kindergarten through grade 2 and how reading coaches are

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assigned to individual schools. These two provisions shall be approved by the Just Read, Florida! Office. The State Regional Literacy Director may assist in the development of the plan. The department shall provide a plan format. A district school board may use the format developed by the department or a format developed by the district school board.

2. Intensive reading interventions must be delivered by instructional personnel who possess the micro-credential as provided in s. 1003.485 or are certified or endorsed in reading and must incorporate evidence-based strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). Instructional personnel who possess a micro-credential as specified in s. 1003.485 and are delivering intensive reading interventions must be supervised by an individual certified or endorsed in reading. For the purposes of this subsection, the term "supervision" means the ability to communicate by way of telecommunication with or physical presence of the certified or endorsed personnel for consultation and direction of the actions of the personnel with the micro-credential.

3. By July 1 of each year, the department shall release to each school district its allocation of appropriated funds. The department shall evaluate the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature and the State Board of Education, including any recommendations for improving implementation of evidence-based reading and intervention strategies in classrooms.

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For purposes of this subsection, the term "evidence-based" means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes as provided in 20 U.S.C. s. 8101(21)(A)(i).

Section 14. Paragraphs (a) and (b) of subsection (8) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—

(a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based professional development certification and education competency program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection (6) and rules of the State Board of Education. Participants must hold a state-issued temporary certificate. A school district, charter school, or charter management organization that implements the program shall provide a competency-based certification program developed by the Department of Education or developed by the district, charter school, or charter management organization and approved by the Department of Education. The program shall include the following:

1. A minimum period of initial preparation before assuming duties as the teacher of record.

2. An option for collaboration with other supporting agencies or educational entities for implementation.

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3. A teacher mentorship and induction component.

a. Each individual selected by the district as a mentor:

(I) Must hold a valid professional certificate issued pursuant to this section;

(II) Must have earned at least 3 years of teaching experience in prekindergarten through grade 12;

(III) Must have completed specialized training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional development under s. 1012.98(3)(e);

(IV) Must have earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34; and

(V) May be a peer evaluator under the district's evaluation system approved under s. 1012.34.

b. The teacher mentorship and induction component must, at a minimum, provide weekly opportunities for mentoring and induction activities, including common planning time, ongoing professional development targeted to a teacher's needs, opportunities for a teacher to observe other teachers, co-teaching experiences, and reflection and follow-up ~~followup~~ discussions. Mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate in accordance with this section. A principal who is rated highly effective as determined by his or her performance evaluation under s. 1012.34 must be provided flexibility in selecting professional development activities under this paragraph; however, the activities must be approved by the

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1567 department as part of the district's, charter school's, or  
 1568 charter management organization's program.

1569 4. An assessment of teaching performance aligned to the  
 1570 district's system for personnel evaluation under s. 1012.34  
 1571 which provides for:

1572 a. An initial evaluation of each educator's competencies to  
 1573 determine an appropriate individualized professional development  
 1574 plan.

1575 b. A summative evaluation to assure successful completion  
 1576 of the program.

1577 5. Professional education preparation content knowledge,  
 1578 which must be included in the mentoring and induction activities  
 1579 under subparagraph 3., that includes, but is not limited to, the  
 1580 following:

1581 a. The state standards provided under s. 1003.41, including  
 1582 scientifically researched and evidence-based ~~based~~ reading  
 1583 ~~instruction~~ instructional strategies grounded in the science of  
 1584 reading, content literacy, and mathematical practices, for each  
 1585 subject identified on the temporary certificate. Reading  
 1586 instructional strategies for foundational skills shall include  
 1587 phonics instruction for decoding and encoding as the primary  
 1588 instructional strategy for word reading. Instructional  
 1589 strategies may not include those that employ the three-cueing  
 1590 system model of reading or visual memory as a basis for teaching  
 1591 word reading. Programs may include visual information and  
 1592 strategies which improve background and experiential knowledge,  
 1593 add context, and increase oral language and vocabulary to  
 1594 support comprehension, but should not be used to teach word  
 1595 reading.

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1596 b. The educator-accomplished practices approved by the  
 1597 state board.

1598 c. A variety of data indicators for monitoring student  
 1599 progress.

1600 d. Methodologies for teaching students with disabilities.

1601 e. Methodologies for teaching students of limited English  
 1602 proficiency appropriate for each subject area identified on the  
 1603 temporary certificate.

1604 f. Techniques and strategies for operationalizing the role  
 1605 of the teacher in assuring a safe learning environment for  
 1606 students.

1607 6. Required achievement of passing scores on the subject  
 1608 area and professional education competency examination required  
 1609 by State Board of Education rule. Mastery of general knowledge  
 1610 must be demonstrated as described in subsection (3).

1611 7. Beginning with candidates entering a program in the  
 1612 2022-2023 school year, a candidate for certification in a  
 1613 coverage area identified pursuant to s. 1012.585(3)(f) must  
 1614 successfully complete all competencies for a reading  
 1615 endorsement, including completion of the endorsement practicum  
 1616 through the candidate's demonstration of mastery of professional  
 1617 preparation and education competence under paragraph (b).

1618 (b)1. Each school district must and a private school or  
 1619 state-supported public school, including a charter school, may  
 1620 develop and maintain a system by which members of the  
 1621 instructional staff may demonstrate mastery of professional  
 1622 preparation and education competence as required by law. Each  
 1623 program must be based on classroom application of the Florida  
 1624 Educator Accomplished Practices and instructional performance

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and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established under s. 1012.34, as applicable. The program shall include scientifically researched and evidence-based reading instructional strategies grounded in the science of reading which improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, text comprehension, and multisensory intervention strategies.

2. The Commissioner of Education shall determine the continued approval of programs implemented under this paragraph, based upon the department's review of performance data. The department shall review the performance data as a part of the periodic review of each school district's professional development system required under s. 1012.98.

Section 15. Paragraphs (a) and (f) of subsection (3) of section 1012.585, Florida Statutes, are amended to read:

1012.585 Process for renewal of professional certificates.—

(3) For the renewal of a professional certificate, the following requirements must be met:

(a) The applicant must earn a minimum of 6 college credits or 120 inservice points or a combination thereof. For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 1004.04(5)(b); participation in mentorship and induction activities, including as a mentor, pursuant to s. 1012.56(8)(a); and credits or points that provide training in the area of scientifically researched,

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knowledge-based reading literacy grounded in the science of reading, including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies, and computational skills acquisition, exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule that include reading instruction or intervention for any students in kindergarten through grade 6. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph.

(f) An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must

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1683 earn a minimum of 2 college credits or the equivalent inservice  
 1684 points in evidence-based instruction and interventions grounded  
 1685 in the science of reading specifically designed for students  
 1686 with characteristics of dyslexia, including the use of explicit,  
 1687 systematic, and sequential approaches to reading instruction,  
 1688 developing phonological and phonemic awareness, decoding, and  
 1689 implementing multisensory intervention strategies. Such training  
 1690 must be provided by teacher preparation programs under s.  
 1691 1004.04 or s. 1004.85 or approved school district professional  
 1692 development systems under s. 1012.98. The requirements in this  
 1693 paragraph may not add to the total hours required by the  
 1694 department for continuing education or inservice training.

1695 Section 16. Paragraph (b) of subsection (4) and subsection  
 1696 (9) of section 1012.98, Florida Statutes, are amended to read:

1697 1012.98 School Community Professional Development Act.—

1698 (4) The Department of Education, school districts, schools,  
 1699 Florida College System institutions, and state universities  
 1700 share the responsibilities described in this section. These  
 1701 responsibilities include the following:

1702 (b) Each school district shall develop a professional  
 1703 development system as specified in subsection (3). The system  
 1704 shall be developed in consultation with teachers, teacher-  
 1705 educators of Florida College System institutions and state  
 1706 universities, business and community representatives, and local  
 1707 education foundations, consortia, and professional  
 1708 organizations. The professional development system must:

1709 1. Be reviewed and approved by the department for  
 1710 compliance with s. 1003.42(3) and this section. All substantial  
 1711 revisions to the system shall be submitted to the department for

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1712 review for continued approval.

1713 2. Be based on analyses of student achievement data and  
 1714 instructional strategies and methods that support rigorous,  
 1715 relevant, and challenging curricula for all students. Schools  
 1716 and districts, in developing and refining the professional  
 1717 development system, shall also review and monitor school  
 1718 discipline data; school environment surveys; assessments of  
 1719 parental satisfaction; performance appraisal data of teachers,  
 1720 managers, and administrative personnel; and other performance  
 1721 indicators to identify school and student needs that can be met  
 1722 by improved professional performance.

1723 3. Provide inservice activities coupled with follow-up  
 1724 ~~followup~~ support appropriate to accomplish district-level and  
 1725 school-level improvement goals and standards. The inservice  
 1726 activities for instructional personnel shall focus on analysis  
 1727 of student achievement data, ongoing formal and informal  
 1728 assessments of student achievement, identification and use of  
 1729 enhanced and differentiated instructional strategies that  
 1730 emphasize rigor, relevance, and reading in the content areas,  
 1731 enhancement of subject content expertise, integrated use of  
 1732 classroom technology that enhances teaching and learning,  
 1733 classroom management, parent involvement, and school safety.

1734 4. Provide inservice activities and support targeted to the  
 1735 individual needs of new teachers participating in the  
 1736 professional development certification and education competency  
 1737 program under s. 1012.56(8)(a).

1738 5. Include a master plan for inservice activities, pursuant  
 1739 to rules of the State Board of Education, for all district  
 1740 employees from all fund sources. The master plan shall be



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1741 updated annually by September 1, must be based on input from  
 1742 teachers and district and school instructional leaders, and must  
 1743 use the latest available student achievement data and research  
 1744 to enhance rigor and relevance in the classroom. Each district  
 1745 inservice plan must be aligned to and support the school-based  
 1746 inservice plans and school improvement plans pursuant to s.  
 1747 1001.42(18). Each district inservice plan must provide a  
 1748 description of the training that middle grades instructional  
 1749 personnel and school administrators receive on the district's  
 1750 code of student conduct adopted pursuant to s. 1006.07;  
 1751 integrated digital instruction and competency-based instruction  
 1752 and CAPE Digital Tool certificates and CAPE industry  
 1753 certifications; classroom management; student behavior and  
 1754 interaction; extended learning opportunities for students; and  
 1755 instructional leadership. District plans must be approved by the  
 1756 district school board annually in order to ensure compliance  
 1757 with subsection (1) and to allow for dissemination of research-  
 1758 based best practices to other districts. District school boards  
 1759 must submit verification of their approval to the Commissioner  
 1760 of Education no later than October 1, annually. Each school  
 1761 principal may establish and maintain an individual professional  
 1762 development plan for each instructional employee assigned to the  
 1763 school as a seamless component to the school improvement plans  
 1764 developed pursuant to s. 1001.42(18). An individual professional  
 1765 development plan must be related to specific performance data  
 1766 for the students to whom the teacher is assigned, define the  
 1767 inservice objectives and specific measurable improvements  
 1768 expected in student performance as a result of the inservice  
 1769 activity, and include an evaluation component that determines

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1770 the effectiveness of the professional development plan.  
 1771 6. Include inservice activities for school administrative  
 1772 personnel that address updated skills necessary for  
 1773 instructional leadership and effective school management  
 1774 pursuant to s. 1012.986.  
 1775 7. Provide for systematic consultation with regional and  
 1776 state personnel designated to provide technical assistance and  
 1777 evaluation of local professional development programs.  
 1778 8. Provide for delivery of professional development by  
 1779 distance learning and other technology-based delivery systems to  
 1780 reach more educators at lower costs.  
 1781 9. Provide for the continuous evaluation of the quality and  
 1782 effectiveness of professional development programs in order to  
 1783 eliminate ineffective programs and strategies and to expand  
 1784 effective ones. Evaluations must consider the impact of such  
 1785 activities on the performance of participating educators and  
 1786 their students' achievement and behavior.  
 1787 10. For middle grades, emphasize:  
 1788 a. Interdisciplinary planning, collaboration, and  
 1789 instruction.  
 1790 b. Alignment of curriculum and instructional materials to  
 1791 the state academic standards adopted pursuant to s. 1003.41.  
 1792 c. Use of small learning communities; problem-solving,  
 1793 inquiry-driven research and analytical approaches for students;  
 1794 strategies and tools based on student needs; competency-based  
 1795 instruction; integrated digital instruction; and project-based  
 1796 instruction.  
 1797  
 1798 Each school that includes any of grades 6, 7, or 8 must include

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1799 in its school improvement plan, required under s. 1001.42(18), a  
 1800 description of the specific strategies used by the school to  
 1801 implement each item listed in this subparagraph.  
 1802 11. Provide training to reading coaches, classroom  
 1803 teachers, and school administrators in effective methods of  
 1804 identifying characteristics of conditions such as dyslexia and  
 1805 other causes of diminished phonological processing skills;  
 1806 incorporating instructional techniques into the general  
 1807 education setting which are proven to improve reading  
 1808 performance for all students; and using predictive and other  
 1809 data to make instructional decisions based on individual student  
 1810 needs. The training must help teachers integrate phonemic  
 1811 awareness; phonics, word study, and spelling; reading fluency;  
 1812 vocabulary, including academic vocabulary; and text  
 1813 comprehension strategies into an explicit, systematic, and  
 1814 sequential approach to reading instruction, including  
 1815 multisensory intervention strategies. Such training for teaching  
 1816 foundational skills shall be based on the science of reading and  
 1817 include phonics instruction for decoding and encoding as the  
 1818 primary instructional strategy for word reading. Instructional  
 1819 strategies may not include those that employ the three-cueing  
 1820 system model of reading or visual memory as a basis for teaching  
 1821 word reading. Programs may include visual information and  
 1822 strategies which improve background and experiential knowledge,  
 1823 add context, and increase oral language and vocabulary to  
 1824 support comprehension, but should not be used to teach word  
 1825 reading. Each district must provide all elementary grades  
 1826 instructional personnel access to training sufficient to meet  
 1827 the requirements of s. 1012.585(3)(f).

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1828 (9) This section does not limit or discourage a district  
 1829 school board from contracting with independent entities for  
 1830 professional development services and inservice education if the  
 1831 district school board can demonstrate to the Commissioner of  
 1832 Education that, through such a contract, a better product can be  
 1833 acquired or its goals for education improvement can be better  
 1834 met. Contracted training for teaching foundational skills shall  
 1835 be based on the science of reading and include phonics  
 1836 instruction for decoding and encoding as the primary  
 1837 instructional strategy for word reading. Instructional  
 1838 strategies may not include those that employ the three-cueing  
 1839 system model of reading or visual memory as a basis for teaching  
 1840 word reading. Programs may include visual information and  
 1841 strategies which improve background and experiential knowledge,  
 1842 add context, and increase oral language and vocabulary to  
 1843 support comprehension, but should not be used to teach word  
 1844 reading.  
 1845 Section 17. Paragraphs (a) and (d) of subsection (10) of  
 1846 section 1002.37, Florida Statutes, are amended to read:  
 1847 1002.37 The Florida Virtual School.—  
 1848 (10)(a) Public school students receiving full-time  
 1849 instruction in kindergarten through grade 12 by the Florida  
 1850 Virtual School must take all statewide assessments required  
 1851 pursuant to s. 1008.22 and participate in the coordinated  
 1852 screening and progress monitoring system under s. 1008.25(9) ~~or~~  
 1853 ~~1008.25(8)~~.  
 1854 (d) Unless an alternative testing site is mutually agreed  
 1855 to by the Florida Virtual School and the school district or as  
 1856 contracted under s. 1008.24, all industry certification

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1857 examinations, national assessments, progress monitoring under s.  
 1858 1008.25(9) ~~s. 1008.25(8)~~, and statewide assessments must be  
 1859 taken at the school to which the student would be assigned  
 1860 according to district school board attendance areas. A school  
 1861 district must provide the student with access to the school's  
 1862 testing facilities and the date and time of the administration  
 1863 of progress monitoring and each examination or assessment.  
 1864 Section 18. Paragraph (b) of subsection (5) of section  
 1865 1002.45, Florida Statutes, is amended to read:  
 1866 1002.45 Virtual instruction programs.—  
 1867 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student  
 1868 enrolled in the school district's virtual instruction program  
 1869 authorized pursuant to paragraph (1)(c) must:  
 1870 (b) Take statewide assessments pursuant to s. 1008.22 and  
 1871 participate in the coordinated screening and progress monitoring  
 1872 system under s. 1008.25(9) ~~s. 1008.25(8)~~. Statewide assessments  
 1873 and progress monitoring may be administered within the school  
 1874 district in which such student resides, or as specified in the  
 1875 contract in accordance with s. 1008.24(3). If requested by the  
 1876 approved virtual instruction program provider or virtual charter  
 1877 school, the district of residence must provide the student with  
 1878 access to the district's testing facilities.  
 1879 Section 19. Paragraph (d) of subsection (6) of section  
 1880 1002.53, Florida Statutes, is amended to read:  
 1881 1002.53 Voluntary Prekindergarten Education Program;  
 1882 eligibility and enrollment.—  
 1883 (6)  
 1884 (d) Each parent who enrolls his or her child in the  
 1885 Voluntary Prekindergarten Education Program must allow his or

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1886 her child to participate in the coordinated screening and  
 1887 progress monitoring program under s. 1008.25(9) ~~s. 1008.25(8)~~.  
 1888 Section 20. Paragraphs (a) and (b) of subsection (1),  
 1889 paragraph (b) of subsection (4), and paragraph (c) of subsection  
 1890 (6) of section 1002.68, Florida Statutes, are amended to read:  
 1891 1002.68 Voluntary Prekindergarten Education Program  
 1892 accountability.—  
 1893 (1)(a) Beginning with the 2022-2023 program year, each  
 1894 private prekindergarten provider and public school participating  
 1895 in the Voluntary Prekindergarten Education Program must  
 1896 participate in the coordinated screening and progress monitoring  
 1897 program in accordance with s. 1008.25(9) ~~s. 1008.25(8)~~. The  
 1898 coordinated screening and progress monitoring program results  
 1899 shall be used by the department to identify student learning  
 1900 gains, index development learning outcomes upon program  
 1901 completion relative to the performance standards established  
 1902 under s. 1002.67 and representative norms, and inform a private  
 1903 prekindergarten provider's and public school's performance  
 1904 metric.  
 1905 (b) At a minimum, the initial and final progress monitoring  
 1906 or screening must be administered by individuals meeting  
 1907 requirements adopted by the department under s. 1008.25(9) ~~s.~~  
 1908 ~~1008.25(8)~~.  
 1909 (4)  
 1910 (b) The methodology for calculating a provider's  
 1911 performance metric may not include students who are not  
 1912 administered the coordinated screening and progress monitoring  
 1913 program under s. 1008.25(9) ~~s. 1008.25(8)~~.  
 1914 (6)

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(c) The department shall adopt criteria for granting good cause exemptions. Such criteria must include, but are not limited to, all of the following:

1. Child demographic data that evidences a private prekindergarten provider or public school serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the students' individual education plans.

2. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school on an alternative measure that has comparable validity and reliability of the coordinated screening and progress monitoring program in accordance with s. 1008.25(9) ~~s. 1008.25(8)~~.

3. Program assessment data under subsection (2) which demonstrates effective teaching practices as recognized by the tool developer.

4. Verification that local and state health and safety requirements are met.

Section 21. Subsection (1) of section 1008.2125, Florida Statutes, is amended to read:

1008.2125 The Council for Early Grade Success.—

(1) The Council for Early Grade Success, a council as defined in s. 20.03(7), is created within the Department of Education to oversee the coordinated screening and progress monitoring program under s. 1008.25(9) ~~s. 1008.25(8)~~ for students in the Voluntary Prekindergarten Education Program through grade 3 and, except as otherwise provided in this

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section, shall operate consistent with s. 20.052.

(a) The council shall be responsible for reviewing the implementation of, training for, and outcomes from the coordinated screening and progress monitoring program to provide recommendations to the department that support grade 3 students reading at or above grade level. The council, at a minimum, shall:

1. Provide recommendations on the implementation of the coordinated screening and progress monitoring program, including reviewing any procurement solicitation documents and criteria before being published.

2. Develop training plans and timelines for such training.

3. Identify appropriate personnel, processes, and procedures required for the administration of the coordinated screening and progress monitoring program.

4. Provide input on the methodology for calculating a provider's or school's performance metric and designations under s. 1002.68(4).

5. Work with the department to review the methodology for determining a child's kindergarten readiness.

6. Review data on age-appropriate learning gains by grade level that a student would need to attain in order to demonstrate proficiency in reading by grade 3.

7. Continually review anonymized data from the results of the coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 to help inform recommendations to the department that support practices that will enable grade 3 students to read at or above grade level.

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1973 (b) The council shall be composed of 17 members who are  
 1974 residents of this state and appointed as follows:  
 1975 1. Three members appointed by the Governor, as follows:  
 1976 a. One representative from the Department of Education.  
 1977 b. One parent of a child who is 4 to 9 years of age.  
 1978 c. One representative that is an elementary school  
 1979 administrator.  
 1980 2. Seven members appointed by the President of the Senate,  
 1981 as follows:  
 1982 a. One senator who serves at the pleasure of the President  
 1983 of the Senate.  
 1984 b. One representative of an urban school district.  
 1985 c. One representative of a rural early learning coalition.  
 1986 d. One representative of a faith-based early learning  
 1987 provider who offers the Voluntary Prekindergarten Education  
 1988 Program.  
 1989 e. One representative who is a second grade teacher who has  
 1990 at least 5 years of teaching experience.  
 1991 f. Two representatives with subject matter expertise in  
 1992 early learning, early grade success, or child assessments.  
 1993 3. Seven members appointed by the Speaker of the House of  
 1994 Representatives, as follows:  
 1995 a. One member of the House of Representatives who serves at  
 1996 the pleasure of the Speaker of the House.  
 1997 b. One representative of a rural school district.  
 1998 c. One representative of an urban early learning coalition.  
 1999 d. One representative of an early learning provider who  
 2000 offers the Voluntary Prekindergarten Education Program.  
 2001 e. One member who is a kindergarten teacher who has at

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2002 least 5 years of teaching experience.  
 2003 f. Two representatives with subject matter expertise in  
 2004 early learning, early grade success, or child assessment.  
 2005 4. The four representatives with subject matter expertise  
 2006 in sub-subparagraphs 2.f. and 3.f. may not be direct  
 2007 stakeholders within the early learning or public school systems.  
 2008 Section 22. Paragraph (a) of subsection (3), subsections  
 2009 (6) and (13), and paragraphs (b), (e), and (h) of subsection (7)  
 2010 of section 1008.22, Florida Statutes, are amended to read:  
 2011 1008.22 Student assessment program for public schools.—  
 2012 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
 2013 Commissioner of Education shall design and implement a  
 2014 statewide, standardized assessment program aligned to the core  
 2015 curricular content established in the state academic standards.  
 2016 The commissioner also must develop or select and implement a  
 2017 common battery of assessment tools that will be used in all  
 2018 juvenile justice education programs in the state. These tools  
 2019 must accurately measure the core curricular content established  
 2020 in the state academic standards. Participation in the assessment  
 2021 program is mandatory for all school districts and all students  
 2022 attending public schools, including adult students seeking a  
 2023 standard high school diploma under s. 1003.4282 and students in  
 2024 Department of Juvenile Justice education programs, except as  
 2025 otherwise provided by law. If a student does not participate in  
 2026 the assessment program, the school district must notify the  
 2027 student's parent and provide the parent with information  
 2028 regarding the implications of such nonparticipation. The  
 2029 statewide, standardized assessment program shall be designed and  
 2030 implemented as follows:

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2031 (a) *Statewide, standardized comprehensive assessments.*—  
 2032 1. The statewide, standardized English Language Arts (ELA)  
 2033 assessments shall be administered to students in grades 3  
 2034 through 10. Retake opportunities for the grade 10 ELA assessment  
 2035 must be provided. Reading passages and writing prompts for ELA  
 2036 assessments shall incorporate grade-level core curricula content  
 2037 from social studies. The statewide, standardized Mathematics  
 2038 assessments shall be administered annually in grades 3 through  
 2039 8. The statewide, standardized Science assessment shall be  
 2040 administered annually at least once at the elementary and middle  
 2041 grades levels. In order to earn a standard high school diploma,  
 2042 a student who has not earned a passing score on the grade 10 ELA  
 2043 assessment must earn a passing score on the assessment retake or  
 2044 earn a concordant score as authorized under subsection (9).  
 2045 2. Beginning with the 2022-2023 school year, the end-of-  
 2046 year comprehensive progress monitoring assessment administered  
 2047 pursuant to s. 1008.25(9)(b)2. ~~s. 1008.25(8)(b)2.~~ is the  
 2048 statewide, standardized ELA assessment for students in grades 3  
 2049 through 10 and the statewide, standardized Mathematics  
 2050 assessment for students in grades 3 through 8.  
 2051 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE  
 2052 STANDARDS.—Measurement of student performance is the  
 2053 responsibility of school districts except in those subjects and  
 2054 grade levels measured under the statewide, standardized  
 2055 assessment program described in this section and the coordinated  
 2056 screening and progress monitoring system under s. 1008.25(9) ~~s.~~  
 2057 ~~1008.25(8)~~. When available, instructional personnel must be  
 2058 provided with information on student achievement of standards  
 2059 and benchmarks in order to improve instruction.

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2060 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—  
 2061 (b) By January of each year, the commissioner shall publish  
 2062 on the department's website a uniform calendar that includes the  
 2063 assessment and reporting schedules for, at a minimum, the next 2  
 2064 school years. The uniform calendar must be provided to school  
 2065 districts in an electronic format that allows each school  
 2066 district and public school to populate the calendar with, at  
 2067 minimum, the following information for reporting the district  
 2068 assessment schedules under paragraph (d):  
 2069 1. Whether the assessment is a district-required assessment  
 2070 or a state-required assessment.  
 2071 2. The specific date or dates that each assessment will be  
 2072 administered, including administrations of the coordinated  
 2073 screening and progress monitoring system under s. 1008.25(9)(b)  
 2074 ~~s. 1008.25(8)(b)~~.  
 2075 3. The time allotted to administer each assessment.  
 2076 4. Whether the assessment is a computer-based assessment or  
 2077 a paper-based assessment.  
 2078 5. The grade level or subject area associated with the  
 2079 assessment.  
 2080 6. The date that the assessment results are expected to be  
 2081 available to teachers and parents.  
 2082 7. The type of assessment, the purpose of the assessment,  
 2083 and the use of the assessment results.  
 2084 8. A glossary of assessment terminology.  
 2085 9. Estimates of average time for administering state-  
 2086 required and district-required assessments, by grade level.  
 2087 (e) A school district may not schedule more than 5 percent  
 2088 of a student's total school hours in a school year to administer

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2089 statewide, standardized assessments; the coordinated screening  
 2090 and progress monitoring system under s. 1008.25(9)(b)2. ~~s.~~  
 2091 ~~1008.25(8)(b)2.~~; and district-required local assessments. The  
 2092 district must secure written consent from a student's parent  
 2093 before administering district-required local assessments that,  
 2094 after applicable statewide, standardized assessments and  
 2095 coordinated screening and progress monitoring are scheduled,  
 2096 exceed the 5 percent test administration limit for that student  
 2097 under this paragraph. The 5 percent test administration limit  
 2098 for a student under this paragraph may be exceeded as needed to  
 2099 provide test accommodations that are required by an IEP or are  
 2100 appropriate for an English language learner who is currently  
 2101 receiving services in a program operated in accordance with an  
 2102 approved English language learner district plan pursuant to s.  
 2103 1003.56. Notwithstanding this paragraph, a student may choose  
 2104 within a school year to take an examination or assessment  
 2105 adopted by State Board of Education rule pursuant to this  
 2106 section and ss. 1007.27, 1008.30, and 1008.44.

2107 (h) The results of statewide, standardized assessment in  
 2108 ELA and mathematics, science, and social studies, including  
 2109 assessment retakes, shall be reported in an easy-to-read and  
 2110 understandable format and delivered in time to provide useful,  
 2111 actionable information to students, parents, and each student's  
 2112 current teacher of record and teacher of record for the  
 2113 subsequent school year; however, in any case, the district shall  
 2114 provide the results pursuant to this paragraph within 1 week  
 2115 after receiving the results from the department. A report of  
 2116 student assessment results must, at a minimum, contain:

2117 1. A clear explanation of the student's performance on the

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2118 applicable statewide, standardized assessments.

2119 2. Information identifying the student's areas of strength  
 2120 and areas in need of improvement.

2121 3. Specific actions that may be taken, and the available  
 2122 resources that may be used, by the student's parent to assist  
 2123 his or her child based on the student's areas of strength and  
 2124 areas in need of improvement.

2125 4. Longitudinal information, if available, on the student's  
 2126 progress in each subject area based on previous statewide,  
 2127 standardized assessment data.

2128 5. Comparative information showing the student's score  
 2129 compared to other students in the school district, in the state,  
 2130 or, if available, in other states.

2131 6. Predictive information, if available, showing the  
 2132 linkage between the scores attained by the student on the  
 2133 statewide, standardized assessments and the scores he or she may  
 2134 potentially attain on nationally recognized college entrance  
 2135 examinations.

2136  
 2137 The information included under this paragraph relating to  
 2138 results from the statewide, standardized ELA assessments for  
 2139 grades 3 through 10 and Mathematics assessments for grades 3  
 2140 through 8 must be included in individual student reports under  
 2141 s. 1008.25(9)(c) ~~s. 1008.25(8)(c)~~.

2142 (13) INDEPENDENT REVIEW.—By January 31, 2025, the  
 2143 Commissioner of Education shall provide recommendations to the  
 2144 Governor, the President of the Senate, and the Speaker of the  
 2145 House of Representatives based on an independent review of the  
 2146 coordinated screening and progress monitoring system under s.

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2147 1008.25(9) ~~s. 1008.25(8)~~. At a minimum, the review and  
2148 recommendations must address:

2149 (a) The feasibility and validity of using results from  
2150 either the first or second administration of progress  
2151 monitoring, or both, in lieu of using the comprehensive, end-of-  
2152 year progress monitoring assessment for purposes of  
2153 demonstrating a passing score, promotion to grade 4, meeting  
2154 graduation requirements, and calculating school grades in  
2155 accordance with s. 1008.34.

2156 (b) Options for further reducing the statewide,  
2157 standardized assessment footprint while maintaining valid and  
2158 reliable data for purposes of school accountability and  
2159 providing school and student supports, including the use of  
2160 computer-adaptive assessments, consistent with the requirements  
2161 of the federal Elementary and Secondary Education Act, 20 U.S.C.  
2162 ss. 6301 et seq. and its implementing regulations.

2163 (c) The feasibility and validity of remotely administering  
2164 statewide, standardized assessments and the coordinated  
2165 screening and progress monitoring system.

2166 (d) Accelerating student progression based on results from  
2167 the coordinated screening and progress monitoring system, as  
2168 academically and developmentally appropriate.

2169 (e) The incorporation of content from ELA instructional  
2170 materials adopted by the Commissioner of Education pursuant to  
2171 s. 1006.34 in test items within the coordinated screening and  
2172 progress monitoring system under s. 1008.25(9) ~~s. 1008.25(8)~~.

2173 (f) The impact of the coordinated screening and progress  
2174 monitoring system on student learning growth data as measured by  
2175 the formula approved under s. 1012.34(7).

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2176

2177 This subsection is repealed July 1, 2025.

2178 Section 23. Subsection (7) of section 1008.34, Florida  
2179 Statutes, is amended to read:

2180 1008.34 School grading system; school report cards;  
2181 district grade.—

2182 (7) TRANSITION.—To assist in the transition to 2022-2023  
2183 school grades and district grades calculated based on the  
2184 comprehensive, end-of-year progress monitoring assessment under  
2185 s. 1008.25(9) ~~s. 1008.25(8)~~, the 2022-2023 school grades and  
2186 district grades shall serve as an informational baseline for  
2187 schools and districts to work toward improved performance in  
2188 future years. Accordingly, notwithstanding any other provision  
2189 of law:

2190 (a) Due to the absence of learning gains data in the 2022-  
2191 2023 school year, the initial school grading scale for the 2022-  
2192 2023 informational baseline grades shall be set so that the  
2193 percentage of schools that earn an "A," "B," "C," "D," and "F"  
2194 is statistically equivalent to the 2021-2022 school grades  
2195 results. When learning gains data becomes available in the 2023-  
2196 2024 school year, the State Board of Education shall review the  
2197 school grading scale and determine if the scale should be  
2198 adjusted.

2199 (b) A school may not be required to select and implement a  
2200 turnaround option pursuant to s. 1008.33 in the 2023-2024 school  
2201 year based on the school's 2022-2023 grade. The benefits of s.  
2202 1008.33(4)(c), relating to a school being released from  
2203 implementation of the turnaround option, and s. 1008.33(4)(d),  
2204 relating to a school implementing strategies identified in its



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2205 school improvement plan, apply to a school using turnaround  
 2206 options pursuant to s. 1008.33 which improves to a grade of "C"  
 2207 or higher during the 2022-2023 school year.

2208 (c) A school or approved provider under s. 1002.45 which  
 2209 receives the same or lower school grade for the 2022-2023 school  
 2210 year compared to the 2021-2022 school year is not subject to  
 2211 sanctions or penalties that would otherwise occur as a result of  
 2212 the 2022-2023 school grade or rating. A charter school system or  
 2213 school district designated as high performing may not lose the  
 2214 designation based on the 2022-2023 school grades of any of the  
 2215 schools within the charter school system or school district or  
 2216 based on the 2022-2023 district grade, as applicable.

2217 (d) For purposes of determining grade 3 retention pursuant  
 2218 to s. 1008.25(5) and high school graduation pursuant to s.  
 2219 1003.4282, student performance on the 2022-2023 comprehensive,  
 2220 end-of-year progress monitoring assessment under s. 1008.25(9)  
 2221 ~~s. 1008.25(8)~~ shall be linked to 2021-2022 student performance  
 2222 expectations. In addition to the good cause exemptions under s.  
 2223 1008.25(7) ~~s. 1008.25(6)~~, a student may be promoted to grade 4  
 2224 for the 2023-2024 school year if the student demonstrates an  
 2225 acceptable level of performance through means reasonably  
 2226 calculated by the school district to provide reliable evidence  
 2227 of the student's performance.

2228

2229 This subsection is repealed July 1, 2025.

2230 Section 24. Paragraph (a) of subsection (5) of section  
 2231 1008.345, Florida Statutes, is amended to read:  
 2232 1008.345 Implementation of state system of school  
 2233 improvement and education accountability.-

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2234 (5) The commissioner shall annually report to the State  
 2235 Board of Education and the Legislature and recommend changes in  
 2236 state policy necessary to foster school improvement and  
 2237 education accountability. The report shall include:  
 2238 (a) For each school district:  
 2239 1. The percentage of students, by school and grade level,  
 2240 demonstrating learning growth in English Language Arts and  
 2241 mathematics.  
 2242 2. The percentage of students, by school and grade level,  
 2243 in both the highest and lowest quartiles demonstrating learning  
 2244 growth in English Language Arts and mathematics.  
 2245 3. The information contained in the school district's  
 2246 annual report required pursuant to s. 1008.25(10) ~~s. 1008.25(9)~~.  
 2247

2248 School reports shall be distributed pursuant to this subsection  
 2249 and s. 1001.42(18)(c) and according to rules adopted by the  
 2250 State Board of Education.

2251 Section 25. This act shall take effect July 1, 2023.



**SENATOR Alexis M. Calatayud**  
38th District

## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Community Affairs, Chair  
Appropriations Committee on Education  
Appropriations Committee of Health and Human  
Services  
Education Pre-K 12  
Fiscal Policy  
Health Policy  
Military and Veterans Affairs, Space and Domestic  
Security  
Select Committee on Resiliency

March 29<sup>rd</sup>, 2023

Honorable Senator Keith Perry  
Chair  
Committee on Appropriations on Education

Honorable Chair Perry,

I respectfully request SB 1424 Student Outcomes be placed on the next committee agenda.

This revises the responsibilities of the Just Read, Florida! Office; providing that a charter school application must include certain reading instructional strategies; providing that district school board instructional materials must include certain reading instructional strategies; revising requirements for an individualized progress monitoring plan; requiring a school district to evaluate the students at the end of each grading period for a mathematics deficiency; revising training requirements for reading coaches, classroom teachers, and school administrators to include certain instructional strategies.

Sincerely,

*Alexis M. Calatayud*

---

Senator Alexis M. Calatayud  
Florida Senate, District 38

CC: Tim Elwell, Staff Director  
Amanda Fountain, Committee Administrative Assistant

### REPLY TO:

- 11011 SW 101<sup>st</sup> St, STE 5101, Miami Florida 33176 (305) 596-3002
- 324 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5038

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**Kathleen Passidomo**  
President of the Senate

**Dennis Baxley**  
President Pro Tempore

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

Street

Email

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:

Foundation for Florida's  
Future

☐

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

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 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  
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4.12.23

Meeting Date

Ed. Approps

Committee

1424

Bill Number or Topic

Amendment Barcode (if applicable)

Name Sarah Katherine Massey

Phone 850 545 0543

Address 136 S. Brantough St.

Street

Email smassey@flchamber.com

Tallahassee FL 32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

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

Florida Chamber of Commerce

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](https://www.flsenate.gov/2020-2022/joint-rules), [df flsenate.gov](https://www.flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

SB 1424

Meeting Date

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Street

Email

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 PTA

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, [df.flsenate.gov](http://df.flsenate.gov)

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

5-001 (08/10/2021)

## APPEARANCE RECORD

4/12/23

Meeting Date

SB 1424

Bill Number or Topic

APPROPRIATIONS COMMITTEE ON EDUCATION

Committee

Deliver both copies of this form to  
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Amendment Barcode (if applicable)

Name

Ryan Kennedy

Phone

239-671-5733

Address

9745 Roundstone Cir.

Email

ryan@goFLCA.org

Street

Fort Myers

City

FL

State

33967

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  
AllianceI 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, df flsenate.gov](https://www.flsenate.gov)

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

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

---

Prepared By: The Professional Staff of the Appropriations Committee on Education

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BILL: SB 1446

INTRODUCER: Senator Wright

SUBJECT: Interstate Education Compacts

DATE: April 11, 2023

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

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

---

## I. Summary:

SB 1446 ratifies the Interstate Teacher Mobility Compact (ITMC or Compact) by adopting the model legislation into Florida statute.

The ITMC will allow teachers with an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.

Once the ITMC is effective, following ratification by the tenth state, the designated commissioner of each member state will coordinate implementation of the policies and procedures necessary to effectuate the ITMC.

The bill also updates citations to federal law in the Interstate Compact on Educational Opportunity for Military Children statute.

The fiscal impact of the bill is indeterminate. See Section V.

The bill has an effective date of July 1, 2023.

## II. Present Situation:

### Interstate Licensure Compacts

Interstate compacts are contracts between two or more states creating an agreement on a particular policy issue, adopting a certain standard, or cooperating on regional or national matters.<sup>1</sup> Such compacts are constitutionally authorized, legislatively enacted, and legally

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<sup>1</sup> National Center for Interstate Compacts, *FAQs-What is an interstate compact* <https://licensing.csg.org/compacts/> (last visited Mar. 30, 2023).

binding agreements among member states.<sup>2</sup> There are currently nine interstate licensure compacts, of which Florida is a member of two:<sup>3</sup>

- Interstate Compact on Nurse Licensure.<sup>4</sup>
- Counseling Compact.<sup>5</sup>

### **Interstate Teacher Mobility Compact**

The Interstate Teacher Mobility Compact (ITMC or Compact) is an interstate occupational licensure compact. The ITMC will allow teachers to use an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.<sup>6</sup>

To be eligible, a license must require a bachelor's degree and completion of a state-approved program for teacher licensure such as teacher preparation program at a college or university. Further, for a license to be eligible under the Compact their license must be unencumbered (i.e., not restricted, probationary, provisional, substitute or temporary).

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

The ITMC preserves the regulatory authority of each Compact member state to protect public health and safety through the existing state regulatory structure. Unlike national licensure initiatives that supersede state regulatory authority, interstate occupational licensure compacts allow a member state to continue to determine the requirements for licensure in that state.

The benefits of the ITMC include:

- Preserving the existing state-based licensure system.
- Creating an alternative path to licensure for teachers relocating to a new state.
- Improving communication and information sharing between states.
- Requiring criminal background checks.
- Improving licensure portability for teachers.
- Improving mobility for military spouses.<sup>7</sup>

The ITMC is an initiative of the Department of Defense, The Council of State Governments, and the National Association of State Directors of Teacher Education Certification.<sup>8</sup> As of April 10,

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<sup>2</sup> Interstate Teacher Mobility Compact, *Interstate Teacher Mobility Compact (ITMC)* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

<sup>3</sup> National Center for Interstate Compacts, *State and U.S. Territory Membership in Interstate Licensure Compacts* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2023/01/State-Compact-Membership.pdf>.

<sup>4</sup> Section 464.0095, F.S.

<sup>5</sup> Section 491.017, F.S.

<sup>6</sup> Interstate Teacher Mobility Compact, *Interstate Teacher Mobility Compact (ITMC)* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

<sup>7</sup> Interstate Teacher Mobility Compact, *Model Testimony* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2023/01/ITMC-Model-Testimony.pdf>.

<sup>8</sup> Interstate Teacher Mobility Compact, *About* <https://teachercompact.org/> (last visited Apr. 10, 2023).



2023, Colorado, Kentucky, and Utah have enacted the Compact with legislation pending in 16 other states, including Florida.<sup>9</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 Department of Education (DOE).<sup>10</sup> Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in another instructional capacity must be certified.<sup>11</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>12</sup>

To be eligible for an educator certificate, an individual must meet the following eligibility requirements:

- 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 or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;
- 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; and
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher.<sup>13</sup>

After meeting eligibility requirements, an individual may choose a certification route. The DOE issues three types of educator certificates:

- Professional Certificate: Florida’s highest type of full-time educator certification;<sup>14</sup> valid for five years and renewable.<sup>15</sup>
- Temporary Certificate: covers employment in full-time positions for which educator certification is required;<sup>16</sup> generally valid for three years and nonrenewable.<sup>17</sup>
- Athletic Coaching Certificate: covers full-time and part-time employment as a public school athletic coach;<sup>18</sup>

<sup>9</sup> Interstate Teacher Mobility Compact, *Compact Map* <https://teachercompact.org/compact-map/> (last visited Apr. 10. 2023).

<sup>10</sup> Sections 1012.55(1) and 1002.33(12)(f), F.S.

<sup>11</sup> Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S.

<sup>12</sup> Section 1012.54, F.S.; *see* rule 6A-4.001(1), F.A.C.

<sup>13</sup> Section 1012.56(2), F.S.

<sup>14</sup> Rule 6A-4.004(3), F.A.C.

<sup>15</sup> Section 1012.56(7)(a), F.S.; *see* rule 6A-4.0051(3)(d), F.A.C. and Section 1012.56(7)(c), F.S.; rule 6A-4.004(4), F.A.C.

<sup>16</sup> Rule 6A-4.004(1)(a)2., F.A.C.

<sup>17</sup> Section 1012.56(7)(e), F.S. (flush-left provisions at end of subsection; validity period is expressed in school fiscal years); rule 6A-4.004(1)(a), F.A.C.

<sup>18</sup> Section 1012.55(2)(a), F.S.

### ***Professional Educator Certificate***

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:

- General knowledge, only if serving as a classroom teacher.
- Subject area knowledge.
- Professional preparation and education competence.<sup>19</sup>

Acceptable means of demonstrating mastery of general knowledge are specified in law and include passing one of several different examinations identified by the State Board of Education (SBE), having a valid teaching certificate from another state, having a valid certificate from the National Board for Professional Teaching Standards (NBPTS), teaching a minimum of two semesters in either full-time or part-time status at a state college or university or at the private college level, or having a master's or higher degree from an accredited postsecondary education institution.

The acceptable means of demonstrating mastery of subject area knowledge are specified in law and include passing a subject area or other alternative examination as approved by the SBE, having a valid teaching certificate from another state, having a valid certificate from the NBPTS, or a passing score or program completion of a specified defense language proficiency test or program.<sup>20</sup>

A candidate for a professional certificate may demonstrate professional preparation and education competence through the completion of a teacher preparation program and a passing score on the corresponding professional education competency exam required by the SBE. Other means include:

- Documentation of a valid professional standard teaching certificate issued by another state, the NBPTS, or a national educator credentialing board approved by the SBE.
- Passing the professional education competency examination and documentation of two semesters of successful, full-time or part-time teaching in a state college or university or a private college or university approved by the DOE.
- Successful completion of professional preparation courses, successful completion of a professional preparation and education competence program, and achievement of a passing score on the professional education competency examination.
- Successful completion of a professional development certification and education competency program.
- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination.<sup>21</sup>

An applicant seeking a professional certification must:

- Meet the basic eligibility requirements for certification;

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<sup>19</sup> Section 1012.56, F.S.

<sup>20</sup> *Id.*

<sup>21</sup> Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida* (Oct. 1, 2020), incorporated by reference in rule 6A-4.0021, F.A.C., available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10344>.

- Demonstrate mastery of general knowledge, if the person serves as a classroom teacher;
- Demonstrate mastery of subject area knowledge; and
- Demonstrate mastery of professional preparation and education competence.<sup>22</sup>

A professional certificate valid for five years and is renewable, but may be extended by:

- One year due to serious illness or injury of the applicant or other extraordinary extenuating circumstances; or
- A period of time equal to the active duty status for any person who volunteers or is called into wartime or required peacetime military service.<sup>23</sup>

### ***Temporary Educator Certificate***

A temporary teaching certificate is valid for three school years and is nonrenewable. The DOE is required by law to issue a temporary certificate to any applicant who:

- Completes applicable subject area content requirements or demonstrates mastery of subject area knowledge by, for example, successful completion of an approved exam; and
- Holds an accredited degree or a degree approved by the DOE at the level required for the subject area specialization in SBE rule.

A classroom teacher under a temporary certificate has the validity period of the certificate to complete the remaining requirements of general knowledge and professional preparation and education competence in preparation for application for a professional certificate. Generally, a temporary certificate is valid for three years and is nonrenewable.<sup>24</sup>

### ***Military Educator Certification Pathways and Benefits***

In addition to the options above, Florida offers a 5-year temporary certificate for military veterans who have not earned a bachelor's degree and meet all of the following preliminary requirements:

- Minimum of 48 months of active duty military service with an honorable/medical discharge.
- Minimum of 60 college credits with a 2.5 grade point average.
- Passing score on a Florida subject area examination for bachelor's level subjects which demonstrates mastery of subject area knowledge.<sup>25</sup>

Applicants who meet the preliminary requirements are issued a statement of eligibility with the following final requirements of employment in a Florida school district with an assigned mentor and a cleared background screening. This certificate is limited to a one-time issuance, and is nonrenewable.<sup>26</sup>

<sup>22</sup> Section 1012.56, F.S.; Florida DOE, *Professional Preparation and Education Competence*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/professional-preparation-edu-competenc.html> (last visited Mar. 15, 2023) and *General Knowledge*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.html> (last visited Mar. 15, 2023).

<sup>23</sup> Sections 1012.56(7)(a) and 1012.585, F.S.; rule 6A-4.0051(1), F.A.C.

<sup>24</sup> Section 1012.56(7), F.S.

<sup>25</sup> Florida Department of Education, *Military Veterans Certification Pathway*, <https://www.fldoe.org/teaching/certification/military/cert-pathway.html> (last visited Mar. 20, 2023).

<sup>26</sup> Section 1012.56(7)(e)2., F.S.

### ***Reciprocity for Out-of-State Teachers***

Florida has two reciprocity routes for certified out-of-state teachers:

For a teacher with a currently valid standard certificate issued by a state other than Florida, the certificate must:

- Be comparable to a Florida Professional Certificate;
- Be issued in a subject comparable to a Florida certification subject;<sup>27</sup> and
- Require the same or higher level of training required for certification in that subject in Florida.<sup>28</sup>

For a teacher with a valid currently valid certificate issued by the NBPTS, the Florida certificate will reflect the Florida subject considered comparable to the NBPTS subject.<sup>29</sup>

### ***Military Certification Fee Waivers***

The Don Hahnfeldt Veteran and Military Family Opportunity Act<sup>30</sup> provides the opportunity for members of the United States Armed Forces, veterans and their spouses to request a waiver for initial certification fees and certification examination fees.<sup>31</sup>

### **Interstate Compact on Educational Opportunity for Military Children**

Children in active-duty military families face unique educational challenges. The average military child transfers to a different state or school district six to nine times during kindergarten through grade 12.<sup>32</sup> When a parent is reassigned, military children may be impacted by:

- Record transfer issues.
- Varied course sequencing and academic placement policies.
- Varied graduation requirements.
- Exclusion from extracurricular activities.
- Redundant or missed entrance or exit testing.
- Varied kindergarten and first grade entrance ages.
- The need to appoint temporary guardians while the child's parent is deployed.<sup>33</sup>

<sup>27</sup> Florida Department of Education, *Certificate Subjects*, <https://www.fldoe.org/teaching/certification/certificate-subjects/> (last visited Mar. 20, 2023).

<sup>28</sup> Florida Department of Education, *Reciprocity for Out-of-state Teachers and Administrators*, <https://www.fldoe.org/teaching/certification/pathways-routes/certified-teacher-or-administrator.stml> (last visited Mar. 20, 2023).

<sup>29</sup> Florida Department of Education, *Certificate Subjects*, <https://www.fldoe.org/teaching/certification/certificate-subjects/> (last visited Mar. 30, 2023).

<sup>30</sup> Ch. 2018-7 s. 53, Laws of Fla.

<sup>31</sup> Florida Department of Education, *Military Certification Fee Waivers*, <https://www.fldoe.org/teaching/certification/military/fee-waivers.stml> (last visited Mar. 30, 2023).

<sup>32</sup> National Military Family Association, *Frequent Moves Take Their Toll on Military Kids*, <https://www.militaryfamily.org/wp-content/uploads/The-Military-Teen-Experience-Report-2021.pdf#:~:text=The%20National%20Military%20Family%20Association%20provides%20spouse%20scholarships%2C,the%20families%20of%20the%20wounded%2C%20ill%2C%20or%20injured.> (last visited Mar. 21, 2023).

<sup>33</sup> Military Interstate Children's Compact Commission, *Guide for Parents, School Officials, and Public Administrators*, available at <https://indd.adobe.com/view/f41d20ad-3121-4c98-ab68-61c4b7daec69>.

The Interstate Compact on Educational Opportunity for Military Children (Compact) assists member states in uniformly addressing educational transition issues faced by active-duty military families. The Compact governs member states in several areas:

- Enrollment, including education records, immunizations, and Kindergarten and first grade entrance age.
- Placement, including course and education program placement, special education services, placement flexibility, and absence related to deployment activities.
- Graduation, including course waivers, exit exams, and transfers during the senior year.
- Extracurricular participation including participating after tryouts have passed, and schools making reasonable accommodations in such circumstances.<sup>34</sup>

Children of active duty military, National Guard members on active duty orders, reservists on active duty orders, National Oceanic and Atmospheric Administration commissioned officers, U.S. Public Health Service commissioned officers, and veterans who are medically discharged or retired for one year are eligible for assistance under the Compact. The Compact also covers children of those who perish on active duty for a period of one year following their death.<sup>35</sup> States join the Compact by enacting it into law, which Florida did in 2008.<sup>36</sup> Ten states must enact the Compact before it can take effect and be binding on member states. This occurred when Delaware became the tenth state to adopt the Compact on July 9, 2008.<sup>37</sup> Currently, all 50 states and the District of Columbia are Compact members.<sup>38</sup>

The Compact establishes an Interstate Commission on Educational Opportunity for Military Children (Commission) to provide national-level oversight of the Compact. The Commission may adopt and enforce rules and bylaws and perform various administrative functions necessary for day-to-day operation.<sup>39</sup> The Commission comprises one voting representative, or Compact Commissioner, from each member state. Each state is entitled to one vote on Compact rule adoption or other business matters.<sup>40</sup> The Commission must meet at least once per year.<sup>41</sup>

### ***Compact Rule Adoption***

The Commission is authorized to promulgate Compact rules which govern member states in areas addressed by the Compact. These rules have the force and effect of statutory law in member states and supersede conflicting member state laws to the extent of the conflict.<sup>42</sup>

<sup>34</sup> Department of Defense Education Activity, *The Interstate Compact on Educational Opportunity for Military Children Fact Sheet for Service Providers* (2015), available at <https://www.dodea.edu/Partnership/upload/InterstateCompactToolKit-OOreview-15June2015.pdf>.

<sup>35</sup> Council of State Governments, Background, <http://www.mic3.net/background.html> (last visited Mar. 13, 2023).

<sup>36</sup> Ch. 2008-225, Laws of Fla.; *codified at* ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S.

<sup>37</sup> Article XV, s. B. of the Compact, s. 1000.36, F.S.; 76 Del. Laws 327 (2008).

<sup>38</sup> Military Interstate Children's Compact Commission, *Interactive Map*, <http://www.mic3.net/interactive-map.html> (last visited Mar. 13, 2023).

<sup>39</sup> Article X, of the Compact, s. 1000.36, F.S.

<sup>40</sup> Article IX, s. B. of the Compact, s. 1000.36, F.S.

<sup>41</sup> Article IX, s. D. of the Compact, s. 1000.36, F.S.

<sup>42</sup> Article X, s. B. and XVIII, s. B. of the Compact, s. 1000.36, F.S.

Each member state in the Compact must coordinate all relevant governmental entities to advise the state's compliance with and participation in the Compact through a state council or similar body. Membership of the state council must include the state superintendent of education, a superintendent of a school district with a high concentration of military children, a representative from a military installation, and one representative each from the legislative and executive branches of government.<sup>43</sup>

Each member state under the Compact owes the Commission an annual fee. Dues are calculated using the number of children, ages 5-18, of active service members multiplied by the rate of \$1.15. The total number of children of active duty personnel in Florida for fiscal year 2021 was 38,761, resulting in dues owed of \$44,575.<sup>44</sup>

Florida's Compact legislation requires automatic repeal of the Compact after a period of time. In 2022, the Legislature extended the Compact, the date for automatic repeal is now July 1, 2025.<sup>45</sup>

### **III. Effect of Proposed Changes:**

The bill creates s. 1012.993, F.S., to implement the Interstate Teacher Mobility Compact (ITMC or Compact) model legislation. The ITMC will allow teachers with an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.

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

Special exceptions were created for some populations in the Compact to support equitable access. Due to the mobility patterns of military spouses, the barriers to receiving a license that would be considered unencumbered under the Compact are much higher. Teachers meeting the definition of an eligible military spouse will be able to use a temporary or provisional license for the purposes of the Compact. Career and Technical Education Teaching Licenses often do not require a bachelor's degree as a requirement for licensure, so the Compact allows these licenses to be considered eligible without that requirement.<sup>46</sup>

The model legislation is comprised of 13 articles as follows:

#### **Article I: Purpose**

The purpose of the Compact is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure by:

- Creating a streamlined pathway to licensure mobility for teachers;

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<sup>43</sup> 32 CFR s. 89.3

<sup>44</sup> Military Interstate Children's Compact Commission, *MIC3 FY2021 Proposed Dues* (2020), available at [https://mic3.net/wp-content/uploads/2020/09/Dues\\_FY2021-FINAL.pdf](https://mic3.net/wp-content/uploads/2020/09/Dues_FY2021-FINAL.pdf).

<sup>45</sup> Section 1000.40, F.S.

<sup>46</sup> *Id.*



- Supporting the relocation of eligible military spouses;
- Facilitating and enhancing the exchange of licensure, investigative, and disciplinary information between the member states;
- Enhancing the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;
- Supporting the retention of teachers in the profession by removing barriers to re-licensure in a new state; and
- Maintaining state sovereignty in the regulation of the teaching profession.<sup>47</sup>

## **Article II: Definitions**

This section establishes the definitions of key terms as used throughout the Compact, to alleviate confusion on the part of practitioners and jurisdictions. Defined terms are capitalized throughout the document.

## **Article III: Licensure Under the Compact**

This section describes the model of licensure reciprocity and the responsibilities of member states in effectuating the Compact. It also highlights the upholding of state sovereignty and the narrow scope of the Compact in its effect on state licensing policy. Member states must submit a list of eligible licenses that the state will grant in accordance with the Compact to licensees coming from other Compact member states.

The requirements for a license to be eligible are as follows:

- Requirements for licensure include a bachelor's degree (except as provided below).
- Requirements for licensure include a state-approved program for teacher licensure.
- The license is not a restricted, probationary, provisional, substitute or temporary credential (except as provided below).

Teachers coming from one Compact member state to another will be granted, upon their application, the closest equivalent eligible license to the one currently held. The receiving state may determine that there is no equivalent eligible license.

This section also outlines population-specific carve-outs as follows:

- Eligible Military Spouses may exchange licenses that are probationary or provisional.
- Career and Technical Education Teachers licenses that do not require a bachelor's degree may be considered eligible.

## **Article IV: Licensure Not Under the Compact**

This section highlights specific cases within the operation of the Compact that states maintain authority.

- States may impose additional state-specific requirements at the point of renewal.

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<sup>47</sup> Interstate Teacher Mobility Compact, *Section-By-Section-Review* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Section-By-Section-Review.pdf>.

- States may require additional documentation and information to place teachers on a state salary schedule.
- States maintain ownership of licensee data and information.
- Existing agreements between states that include licensure reciprocity or benefits to out-of-state teachers are not superseded by the Compact.

#### **Article V: Teacher Qualifications and Requirements for Licensure Under the Compact**

This section outlines requirements for a teacher to utilize the Compact to receive an equivalent license in a member state. Those are as follows:

- Except as provided for eligible military spouses, a teacher may only be eligible to receive a license under this Compact where that teacher holds a valid, unencumbered license in a member state.
- Upon their application to receive a license under this Compact, a teacher must undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state.
- A teacher must provide the receiving state with information in addition to the information required for licensure for the purpose of determining compensation, if applicable.

#### **Article VI: Discipline / Adverse Action**

This section states that discipline authority remains with the member states and their respective practice laws. Member states are authorized and required to provide files and information regarding investigation and discipline of teachers. Member states are required to communicate the intention for disclosure and protect any shared information.

#### **Article VII: Establishment of the Interstate Teacher Mobility Compact Commission**

This section outlines the composition and powers of the Compact commission and executive committee. The Compact is not a waiver of sovereign immunity.

- Each member state is entitled to exactly one commissioner, who is the primary administrative officer of the state licensing authority or their designee.
- Each commissioner has one (1) vote on commission rules and bylaws.
- The commission may establish a term of office, code of ethics, bylaws, rules, a budget and financial records in order to carry out the Compact.
- The commission may elect an executive committee composed of seven delegates.
- All commission meetings shall be open to the public unless confidential or privileged information must be discussed.

#### **Article VIII: Rulemaking**

- Rules carry the force of law in all member states.
- A simple majority of member state legislatures may veto a rule of the commission.
- If the commission takes an action that is beyond the scope of the Compact, the action is invalid and has no force and effect.



**Article IX: Facilitating Information Exchange**

This section requires that the commission provide facilitating the information exchange required for the administration of the Compact and reiterates that the Compact does not limit or inhibit a member state's ability to maintain ownership of its licensure data.

**Article X: Oversight, Dispute Resolution, and Enforcement**

This section ensures compliance with the compact by member states. The procedures to be followed in the event of a failure by a member state to comply with the Compact include:

- A period of technical assistance in remedying the situation;
- Dispute resolution, including mediation and binding processes; and
- Termination from the Compact if no other means of compliance is successful. The commission shall attempt to resolve any Compact-related disputes that may arise between states.

**Article XI: Effectuation, Withdrawal, and Amendment**

The Compact takes effect on the date of enactment by the tenth state. States that join the Compact before the first convening of the commission (Charter Member States) shall determine that States that join after this date are subject to the rules of the commission as they exist on the date when the Compact becomes law in that state.

Member states may enact a law to repeal their membership in the Compact. A state's withdrawal takes effect six months after enactment of such law. The Compact may be amended by every member state enacting the amendment into law.

**Article XII: Construction and Severability**

The Compact is to be liberally construed to effectuate its purposes. The Compact's provisions are severable, meaning that:

- If a provision is declared to conflict with the United States constitution, all other provisions remain valid for all member states; and
- If a provision is held contrary to a member state's constitution, the Compact retains its full force in all other states, and all other provisions remain valid in the affected state.

**Article XIII: Consistent Effect and Conflict with Other State Laws**

This section reiterates that teachers are subject to the scope of practice of the state in which they are practicing. It also reiterates that rules and bylaws of the commission are binding on member states. According to legal precedent, if a conflict exists between a state law and the Compact, the state law is superseded to the extent of the conflict.

In addition, the bill updates citations to federal law within s. 1000.36, F.S., The Interstate Compact on Educational Opportunity for Military Children.

The bill takes effect on July 1, 2023.

**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 fiscal impact of the bill is indeterminate. The bill could have a negative impact on state revenues or expenditures due to costs associated with the payment of annual dues and compact fees.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 1000.36 of the Florida Statutes.

This bill creates section 1012.993 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.

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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 Wright

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1 A bill to be entitled  
 2 An act relating to the interstate education compacts;  
 3 creating s. 1012.993, F.S.; creating the Interstate  
 4 Teacher Mobility Compact; providing the purpose and  
 5 objectives of and definitions for the compact;  
 6 providing requirements for the licensure of teachers  
 7 in member states who hold specified licenses in other  
 8 member states; providing requirements for teachers,  
 9 including career and technical education teachers, who  
 10 are licensed in one member state to become licensed in  
 11 another member state; providing requirements for  
 12 licensed teachers who are also eligible military  
 13 spouses; providing requirements for the renewal of  
 14 such licenses in the member state to which a teacher  
 15 transferred his or her license; providing  
 16 applicability; authorizing member states to require  
 17 additional information for the purpose of determining  
 18 teacher compensation; providing construction;  
 19 providing requirements for licensure in a member  
 20 state; providing requirements for the investigation or  
 21 imposition of disciplinary measures and adverse  
 22 actions for teachers; providing for the sharing and  
 23 protection of certain information between member  
 24 states; establishing the Interstate Teacher Mobility  
 25 Compact Commission; providing the purpose of the  
 26 commission; providing requirements for the membership  
 27 and meetings of the commission; providing for the  
 28 removal or suspension of commissioners; providing  
 29 requirements, powers, and duties of the commission;

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

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30 authorizing the commission to adopt bylaws and rules;  
 31 establishing the executive committee of the  
 32 commission; providing for the membership and meetings  
 33 of the executive committee; providing the duties and  
 34 responsibilities of the committee; providing  
 35 requirements for commission meetings; requiring the  
 36 commission to keep specified records and minutes;  
 37 requiring the commission to pay specified expenses;  
 38 authorizing the commission to accept specified  
 39 donations and grants; authorizing the commission to  
 40 levy and collect annual assessments from member states  
 41 or to impose fees on other parties for a specified  
 42 purpose; prohibiting the commission from incurring  
 43 specified obligations; providing specified immunity to  
 44 certain individuals; providing exceptions; requiring  
 45 the commission to defend specified individuals under  
 46 certain circumstances; requiring the commission to  
 47 indemnify certain individuals; providing exceptions;  
 48 providing requirements for commission rules; providing  
 49 requirements for the exchange of specified information  
 50 between member states; providing requirements for the  
 51 oversight of the commission and member states;  
 52 providing for the resolution of disputes through  
 53 specified means, including specified judicial  
 54 proceedings; requiring courts and administrative  
 55 agencies of member states to take judicial notice of  
 56 the compact, commission rules, and certain  
 57 information; providing requirements for the commission  
 58 and member states when a member state has defaulted in

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

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its compliance with the compact; providing requirements for notice to such member states and other member states; providing requirements for member states that fail to cure such defaults; providing requirements for the termination of the compact for such member states; providing requirements for member states whose participation in the compact is terminated; providing requirements for the commission and member states relating to the resolution of certain disputes; providing requirements for the effectuation of the compact; providing requirements for the effectuation of certain rules and bylaws on member states; providing requirements for the withdrawal of member states from the compact; providing for construction and severability of the compact; providing for the consistent application of the compact in member states; providing that certain agreements are binding; amending s. 1000.36, F.S.; updating a cross-reference within the Interstate Compact on Educational Opportunity for Military Children; providing an effective date.

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

Section 1. Section 1012.993, Florida Statutes, is created to read:

1012.993 Interstate Teacher Mobility Compact.—The Governor is authorized and directed to execute the Interstate Teacher Mobility Compact on behalf of this state with any other state or

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states legally joining therein in the form substantially as follows:

# ARTICLE I

## PURPOSE

The purpose of this compact is to facilitate the mobility of teachers across the member states with the goal of supporting teachers through a new pathway to licensure. Through this compact, the member states seek to establish a collective regulatory framework which expedites and enhances the ability of teachers from a variety of backgrounds to move across state lines. This compact is intended to achieve the following objectives and should be interpreted accordingly. The member states hereby ratify the same intentions by subscribing hereto:

(1) Create a streamlined pathway to licensure mobility for teachers;

(2) Support the relocation of eligible military spouses;

(3) Facilitate and enhance the exchange of licensure, investigative, and disciplinary information between the member states;

(4) Enhance the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;

(5) Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and

(6) Maintain state sovereignty in the regulation of the teaching profession.

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ARTICLE II  
DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall govern the terms herein:

(1) "Active military member" means any person with a full-time duty status in the uniformed armed services of the United States, including members of the National Guard and Reserve.

(2) "Adverse action" means any limitation or restriction imposed by a member state's licensing authority, including the revocation, suspension, reprimand, probation, or limitation on the licensee's ability to work as a teacher.

(3) "Bylaws" means the bylaws established by the commission.

(4) "Career and technical education license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in K-12 public educational settings in a specific career and technical education area.

(5) "Commissioner" means the delegate of a member state.

(6) "Eligible license" means a license to engage in the teaching profession which requires at least a bachelor's degree and the completion of a state approved program for teacher licensure.

(7) "Eligible military spouse" means the spouse of any individual in full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty moving as a result of military mission or military career progression requirements, or are on

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their terminal move as a result of separation or retirement, including surviving spouses of deceased military members.

(8) "Executive committee" means a group of commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the commission as provided herein.

(9) "Licensing authority" means an official, agency, board, or other entity of a state that is responsible for the licensing and regulation of teachers authorized to teach in K-12 public educational settings.

(10) "Member state" means any state that has adopted this compact, including all agencies and officials of such a state.

(11) "Receiving state" means any state where a teacher has applied for licensure under this compact.

(12) "Rule" means any regulation adopted by the commission under this compact which shall have the force of law in each member state.

(13) "State" means a state, territory, or possession of the United States and the District of Columbia.

(14) "State practice laws" means a member state's laws, rules, and regulations that govern the teaching profession, define the scope of such profession, and create the method and grounds for imposing discipline.

(15) "Teacher" means an individual who currently holds an authorization from a member state which forms the basis for employment in the K-12 public schools of the state to provide instruction in a specific subject area, grade level, or student population.

(16) "Unencumbered license" means a current, valid authorization issued by a member state's licensing authority

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 175 allowing an individual to serve as a teacher in K-12 public  
 176 education settings. An unencumbered license is not a restricted,  
 177 probationary, provisional, substitute, or temporary credential.

178  
 179 ARTICLE III  
 180 LICENSURE UNDER THE COMPACT  
 181

182 (1) Licensure under this compact pertains only to the  
 183 initial grant of a license by the receiving state. Nothing  
 184 herein applies to any subsequent or ongoing compliance  
 185 requirements that a receiving state might require for teachers.

186 (2) Each member state shall, in accordance with rules of  
 187 the commission, define, compile, and update, as necessary, a  
 188 list of eligible licenses and career and technical education  
 189 licenses that the member state is willing to consider for  
 190 equivalency under this compact and provide the list to the  
 191 commission. The list shall include those licenses that a  
 192 receiving state is willing to grant teachers from other member  
 193 states, pending a determination of equivalency by the receiving  
 194 state's licensing authority.

195 (3) Upon the receipt of an application for licensure by a  
 196 teacher holding an unencumbered license, the receiving state  
 197 shall determine which of the receiving state's eligible licenses  
 198 the teacher is qualified to hold and shall grant such a license  
 199 or licenses to the applicant. Such a determination shall be made  
 200 in the sole discretion of the receiving state's licensing  
 201 authority and may include a determination that the applicant is  
 202 not eligible for any of the receiving state's licenses. For all  
 203 teachers who hold an unencumbered license, the receiving state

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 204 shall grant one or more unencumbered licenses that, in the  
 205 receiving state's sole discretion, are equivalent to the license  
 206 held by the teacher in any other member state.

207 (4) For active duty military members and eligible military  
 208 spouses who hold a license that is not unencumbered, the  
 209 receiving state shall grant an equivalent license or licenses  
 210 that, in the receiving state's sole discretion, is equivalent to  
 211 the license or licenses held by the teacher in any other member  
 212 state, except where the receiving state does not have an  
 213 equivalent license.

214 (5) For a teacher holding an unencumbered career and  
 215 technical education license, the receiving state shall grant an  
 216 unencumbered license equivalent to the career and technical  
 217 education license held by the applying teacher and issued by  
 218 another member state, as determined by the receiving state in  
 219 its sole discretion, except where a career and technical  
 220 education teacher does not hold a bachelor's degree and the  
 221 receiving state requires a bachelor's degree for licenses to  
 222 teach career and technical education. A receiving state may  
 223 require career and technical education teachers to meet state  
 224 industry recognized requirements, if required by law in the  
 225 receiving state.

226  
 227 ARTICLE IV  
 228 LICENSURE NOT UNDER THE COMPACT  
 229

230 (1) Except as provided in Article III, nothing in this  
 231 compact shall be construed to limit or inhibit the power of a  
 232 member state to regulate licensure or endorsements overseen by

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the member state's licensing authority.

(2) When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state-specific requirements as a condition of licensure renewal or advancement in that state.

(3) For purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this compact.

(4) Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of its information pertaining to teachers or limit the application of a member state's laws or regulations governing the ownership, use, or dissemination of information pertaining to teachers.

(5) Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to or limit the ability of a member state to participate in any future agreement or other cooperative arrangement to:

(a) Award teaching licenses or other benefits based on additional professional credentials, including, but not limited to, the National Board Certification;

(b) Participate in the exchange of names of teachers whose licenses have been subject to adverse actions by a member state; or

(c) Participate in any agreement or cooperative arrangement with a nonmember state.

#### ARTICLE V

TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE UNDER THE

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#### COMPACT

(1) Except as provided for active military members or eligible military spouses under subsection (4) of Article III, a teacher may be eligible to receive a license under this compact only where that teacher holds an unencumbered license in a member state.

(2) A teacher eligible to receive a license under this compact shall, unless otherwise provided herein:

(a) Upon their application to receive a license under this compact, undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state; and

(b) Provide the receiving state with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

#### ARTICLE VI

##### DISCIPLINE AND ADVERSE ACTIONS

Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

#### ARTICLE VII

##### ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY COMPACT

##### COMMISSION



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291 (1) The interstate compact member states hereby create and  
 292 establish a joint public agency known as the Interstate Teacher  
 293 Mobility Compact Commission.

294 (a) The commission is a joint interstate governmental  
 295 agency comprised of states that have enacted the Interstate  
 296 Teacher Mobility Compact.

297 (b) Nothing in this compact shall be construed to be a  
 298 waiver of sovereign immunity.

299 (2) (a) Each member state shall have and be limited to one  
 300 delegate to the commission, who shall be given the title of  
 301 commissioner.

302 (b) The commissioner shall be the primary administrative  
 303 officer of the state licensing authority or their designee.

304 (c) Any commissioner may be removed or suspended from  
 305 office as provided by the law of the state from which the  
 306 commissioner is appointed.

307 (d) The member state shall fill any vacancy occurring in  
 308 the commission within 90 days.

309 (e) Each commissioner shall be entitled to one vote about  
 310 the adoption of rules and creation of bylaws and shall otherwise  
 311 have an opportunity to participate in the business and affairs  
 312 of the commission. A commissioner shall vote in person or by  
 313 such other means as provided in the bylaws. The bylaws may  
 314 provide for commissioners' participation in meetings by  
 315 telephone or other means of communication.

316 (f) The commission shall meet at least once during each  
 317 calendar year. Additional meetings shall be held as set forth in  
 318 the bylaws.

319 (g) The commission shall establish by rule a term of office

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320 for commissioners.

321 (3) The commission shall have the following powers and  
 322 duties:

323 (a) Establish a code of ethics for the commission.

324 (b) Establish a fiscal year of the commission.

325 (c) Establish bylaws for the commission.

326 (d) Maintain its financial records in accordance with the  
 327 bylaws of the commission.

328 (e) Meet and take such actions as are consistent with the  
 329 provisions of this compact, the bylaws, and rules of the  
 330 commission.

331 (f) Adopt uniform rules to implement and administer this  
 332 compact. The rules shall have the force and effect of law and  
 333 shall be binding in all member states. In the event the  
 334 commission exercises its rulemaking authority in a manner that  
 335 is beyond the scope of the purposes of this compact, or the  
 336 powers granted hereunder, then such an action by the commission  
 337 shall be invalid and have no force and effect of law.

338 (g) Bring and prosecute legal proceedings or actions in the  
 339 name of the commission, provided that the standing of any member  
 340 state licensing authority to sue or be sued under applicable law  
 341 shall not be affected.

342 (h) Purchase and maintain insurance and bonds.

343 (i) Borrow, accept, or contract for services of personnel,  
 344 including, but not limited to, employees of a member state or an  
 345 associated nongovernmental organization that is open to  
 346 membership by all states.

347 (j) Hire employees, elect or appoint officers, fix  
 348 compensation, define duties, grant such individuals appropriate

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authority to carry out the purposes of this compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters.

(k) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal, or mixed, provided that at all times the commission shall avoid any appearance of impropriety.

(l) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed.

(m) Establish a budget and make expenditures.

(n) Borrow money.

(o) Appoint committees, including standing committees composed of members and such other interested persons as may be designated in this interstate compact, rules, or bylaws.

(p) Provide and receive information from, and cooperate with, law enforcement agencies.

(q) Establish and elect an executive committee.

(r) Establish and develop a charter for an executive information governance committee to advise on facilitating the exchange of information, the use of information, data privacy, and technical support needs and provide reports as needed.

(s) Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of teacher licensure.

(t) Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

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(4) (a) The executive committee shall have the power to act on behalf of the commission according to the terms of this compact.

(b) The executive committee shall be composed of eight voting members as follows:

1. The chair of the commission.

2. The vice chair of the commission.

3. The treasurer of the commission.

4. Five members who are elected by the commission from the current membership as follows:

a. Four voting members representing geographic regions in accordance with commission rules.

b. One at-large voting member in accordance with commission rules.

(c) The commission may add or remove members of the executive committee as provided in commission rules.

(d) The executive committee shall meet at least once annually.

(e) The executive committee shall have the following duties and responsibilities:

1. Recommend to the entire commission changes to the rules or bylaws, changes to the compact legislation, and fees paid by interstate compact member states such as annual dues and any compact fee charged by the member states on behalf of the commission.

2. Ensure commission administration services are appropriately provided, contractual or otherwise.

3. Prepare and recommend the budget.

4. Maintain financial records on behalf of the commission.

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5. Monitor compliance of member states and provide reports to the commission.

6. Perform other duties as provided in the rules or bylaws.

(5) (a) All meetings of the commission shall be open to the public, and public notice of meetings shall be given in accordance with commission bylaws.

(b) The commission shall keep minutes of commission meetings and shall provide a full and accurate summary of actions taken, and the reasons thereof, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes.

(6) (a) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(b) The commission may accept all appropriate donations and grants of money, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same, provided that at all times the commission shall avoid any appearance of impropriety or conflicts of interest.

(c) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission, in accordance with the rules of the commission.

(d) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(e) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of

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the commission shall be subject to all accounting procedures established under the commission bylaws. All receipts and disbursements of funds of the commission shall be reviewed annually in accordance with commission bylaws, and a report of the review shall be included in and become part of the annual report of the commission.

(7) (a) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities. Nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(b) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities. Nothing in this paragraph shall be construed to prohibit that person from retaining his or her own counsel and provide further

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that the actual or alleged act, error, or omission did not result from the person's intentional, willful, or wanton misconduct.

(c) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgement obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of that person.

#### ARTICLE VIII RULEMAKING

(1) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this compact and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(2) The commission shall adopt reasonable rules to achieve the intent and purpose of this compact. In the event the commission exercises its rulemaking authority in a manner that is beyond the purpose and intent of this compact, or the powers granted hereunder, then such action by the commission shall be invalid and have no force and effect of law in the member states.

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(3) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt this compact within 4 years of the date of the adoption of the rule, then such rule shall have no further force and effect in any member state.

(4) Rules or amendments to the rules shall be adopted or ratified at a regular or special meeting of the commission in accordance with the commission's rules and bylaws.

(5) Upon a determination that an emergency exists, the commission may consider and adopt an emergency rule with 48 hours' notice, with opportunity for comment, provided the usual rulemaking procedures shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately to:

(a) Meet an imminent threat to the public health, safety, or welfare;

(b) Prevent a loss of commission or member state funds;

(c) Meet a deadline for the adoption of an administrative rule that is established by federal law or rule; or

(d) Protect the public health or safety.

#### ARTICLE IX FACILITATING THE EXCHANGE OF INFORMATION

(1) The commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the rules of the

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commission, consistent with generally accepted data protection principles.

(2) Nothing in this compact shall be deemed or construed to alter, limit, or inhibit the power of a member state to control and maintain ownership of its licensee information or alter, limit, or inhibit the laws or regulations governing licensee information in member states.

#### ARTICLE X

##### OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

(1)(a) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate this compact's purpose and intent. The provisions of this compact shall have standing as statutory law.

(b) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

(c) All courts and all administrative agencies shall take judicial notice of this compact, the rules of the commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state

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pertaining to the subject matter of this compact, or which may affect the powers, responsibilities, or actions of the commission.

(d) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of this compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgement or order void as to the commission, this compact, or adopted rules.

(2)(a) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the adopted rules, the commission shall:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, and any other action to be taken by the commission; and

2. Provide remedial training and specific technical assistance regarding the default.

(b) If a state in default fails to cure the default, the defaulting state may be terminated from this compact upon an affirmative vote of a majority of the commissioners of the member states, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(c) Termination of membership in the compact shall be

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20231446

imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the Governor, the Majority and Minority Leaders of the State Legislature, and the state licensing authority of the defaulting state and to each of the member states.

(d) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(e) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from this compact unless agreed upon in writing between the commission and the defaulting state.

(f) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(g) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees.

(h) 1. Upon the request of a member state, the commission shall attempt to resolve disputes related to this compact that arise among member states and between member and nonmember states.

2. The commission shall adopt a rule providing for both binding and nonbinding alternative dispute resolution for disputes as appropriate.

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(i) 1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By a majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of this compact and its adopted rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

## ARTICLE XI

## EFFECTUATION, WITHDRAWAL, AND AMENDMENT

(1) This compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state.

(a) On or after the effective date of this compact, the commission shall convene and review the enactment of each of the charter member states to determine if the statute enacted by such charter member state is materially different from the model compact statute.

(b) A charter member state whose enactment is found to be materially different from the model compact statute shall be

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entitled to the default process set forth in Article X.

(c) Member states enacting the compact subsequent to the charter member states shall be subject to the process set forth in Article VII(X) (a) to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

(2) If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than 10.

(3) Any state that joins this compact after the commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which this compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day this compact becomes law in that state, as the rules and bylaws may be amended as provided in this compact.

(4) Any member state may withdraw from this compact by enacting a statute repealing the same.

(a) A member state's withdrawal shall not take effect until 6 months after the enactment of the repealing statute.

(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of the withdrawal.

(5) This compact may be amended by member states. No amendments to this compact shall become effective and binding upon any member state until it is enacted into the laws of all

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member states.

## ARTICLE XII

### CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed to effectuate the purpose thereof. The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any member state or a state seeking membership in this compact or the United States Constitution or the applicability thereof to any other government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be effected. If this compact shall be held contrary to the Constitution of any member state, this compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

## ARTICLE XIII

### CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

(1) Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with this compact.

(2) Any laws, statutes, regulations, or other legal requirements in a member state in conflict with this compact are superseded to the extent of the conflict.

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697 (3) All permissible agreements between the commission and  
 698 the member states are binding in accordance with their terms.

699 Section 2. Articles II and III of section 1000.36, Florida  
 700 Statutes, are amended to read:

701 1000.36 Interstate Compact on Educational Opportunity for  
 702 Military Children.—The Governor is authorized and directed to  
 703 execute the Interstate Compact on Educational Opportunity for  
 704 Military Children on behalf of this state with any other state  
 705 or states legally joining therein in the form substantially as  
 706 follows:

Interstate Compact on Educational  
 Opportunity for Military Children

#### ARTICLE II

710 DEFINITIONS.—As used in this compact, unless the context  
 711 clearly requires a different construction, the term:

712 A. "Active duty" means the full-time duty status in the  
 713 active uniformed service of the United States, including members  
 714 of the National Guard and Reserve on active duty orders pursuant  
 715 to 10 U.S.C. chapters 1209 and 1211 ~~10 U.S.C. ss. 1209 and 1211~~.

716 B. "Children of military families" means school-aged  
 717 children, enrolled in kindergarten through 12th grade, in the  
 718 household of an active-duty member.

719 C. "Compact commissioner" means the voting representative  
 720 of each compacting state appointed under Article VIII of this  
 721 compact.

722 D. "Deployment" means the period 1 month before the  
 723 servicemembers' departure from their home station on military  
 724 orders through 6 months after return to their home station.

725 E. "Educational records" or "education records" means those

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726 official records, files, and data directly related to a student  
 727 and maintained by the school or local education agency,  
 728 including, but not limited to, records encompassing all the  
 729 material kept in the student's cumulative folder such as general  
 730 identifying data, records of attendance and of academic work  
 731 completed, records of achievement and results of evaluative  
 732 tests, health data, disciplinary status, test protocols, and  
 733 individualized education programs.

734 F. "Extracurricular activities" means a voluntary activity  
 735 sponsored by the school or local education agency or an  
 736 organization sanctioned by the local education agency.  
 737 Extracurricular activities include, but are not limited to,  
 738 preparation for and involvement in public performances,  
 739 contests, athletic competitions, demonstrations, displays, and  
 740 club activities.

741 G. "Interstate Commission on Educational Opportunity for  
 742 Military Children" means the commission that is created under  
 743 Article IX of this compact, which is generally referred to as  
 744 the Interstate Commission.

745 H. "Local education agency" means a public authority  
 746 legally constituted by the state as an administrative agency to  
 747 provide control of, and direction for, kindergarten through 12th  
 748 grade public educational institutions.

749 I. "Member state" means a state that has enacted this  
 750 compact.

751 J. "Military installation" means a base, camp, post,  
 752 station, yard, center, homeport facility for any ship, or other  
 753 activity under the jurisdiction of the Department of Defense,  
 754 including any leased facility, which is located within any of



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the several states, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other United States Territory. The term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

K. "Nonmember state" means a state that has not enacted this compact.

L. "Receiving state" means the state to which a child of a military family is sent, brought, or caused to be sent or brought.

M. "Rule" means a written statement by the Interstate Commission adopted under Article XII of this compact which is of general applicability, implements, interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

N. "Sending state" means the state from which a child of a military family is sent, brought, or caused to be sent or brought.

O. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other United States Territory.

P. "Student" means the child of a military family for whom the local education agency receives public funding and who is formally enrolled in kindergarten through 12th grade.

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Q. "Transition" means:

1. The formal and physical process of transferring from school to school; or

2. The period of time in which a student moves from one school in the sending state to another school in the receiving state.

R. "Uniformed services" means the Army, Navy, Air Force, Space Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

S. "Veteran" means a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

#### ARTICLE III

##### APPLICABILITY.—

A. Except as otherwise provided in Section C, this compact applies to the children of:

1. Active duty members of the uniformed services, including members of the National Guard and Reserve on active-duty orders pursuant to 10 U.S.C. chapters 1209 and 1211 ~~10 U.S.C. ss. 1209 and 1211~~;

2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of 1 year after medical discharge or retirement; and

3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of 1 year after death.

B. This interstate compact applies to local education agencies.

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20231446\_\_

813 C. This compact does not apply to the children of:  
814 1. Inactive members of the National Guard and military  
815 reserves;  
816 2. Members of the uniformed services now retired, except as  
817 provided in Section A;  
818 3. Veterans of the uniformed services, except as provided  
819 in Section A; and  
820 4. Other United States Department of Defense personnel and  
821 other federal agency civilian and contract employees not defined  
822 as active-duty members of the uniformed services.  
823 Section 3. This act shall take effect July 1, 2023.



The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Appropriations Committee on Education

**Subject:** Committee Agenda Request

**Date:** March 27, 2023

---

I respectfully request that **Senate Bill 1446**, relating to Interstate Education Compacts, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Tom A. Wright".

---

Senator Tom A. Wright  
Florida Senate, District 8

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:

☒

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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4/12/23

Meeting Date

SB 1446

Bill Number or Topic

Appropriations Educ.

Committee

Amendment Barcode (if applicable)

Name Stephanie Yocum

Phone 863-533-0908

Address 730 E. Davidson St

Street

Email stephanie.yocum@floridaea.org

Bartow

City

FL

State

33830

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  
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SB 1446

Bill Number or Topic

Amendment Barcode (if applicable)

4/12/23  
Meeting Date

Approp. Com  
Committee

Name Jose Botello

Phone \_\_\_\_\_

Address 1788 SW 12th Terr  
Street

Email \_\_\_\_\_

Okeechobee  
City

FL  
State

33474  
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  
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4/12/20

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SB1446

Bill Number or Topic

Approp

Committee

Amendment Barcode (if applicable)

Name

Michael Woods

Phone

Address

Street

West Palm Beach 33406

City

State

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☒

I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
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Bill Number or Topic

Amendment Barcode (if applicable)

4/12/23  
Appropriations  
Meeting Date  
Committee

Name Gilda Morgan-Williams  
Address 1459 North Mangonia Circle  
WPB FL 33401  
City State Zip

Phone

Email

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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1446

Bill Number or Topic

Appropriation

Committee

Amendment Barcode (if applicable)

Name

Cynthia Poole

Phone

Address

Email

Street

Ft Pierce FL 34947

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☒

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

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1446

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

Janice Poirier

Phone

Address

6231 Garrett St.

Email

Street

Jupiter

FL

33458

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  
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Meeting Date

Appropriations on Edu

Committee

Name

Kiara DeCoursey

The Florida Senate

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SB 1446

Bill Number or Topic

Amendment Barcode (if applicable)

Phone

352 317 5998

Address

Email

Street

Belle Glade FL

33430

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  
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(travel, meals, lodging, etc.),  
sponsored by:

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Appropriations Com on Ed  
Committee

SB 1446  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Charla S Fox Phone 239-940-5095

Address 6627 Kestrel Cir Email \_\_\_\_\_  
Street

Ft. Myers FL 33964  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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Committee

Amendment Barcode (if applicable)

Name Roderick Wilson

Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Street

Cape Coral

City

State

33909

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  
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Meeting Date

Appropriations on Education

Committee

1446

Bill Number or Topic

Amendment Barcode (if applicable)

Name Barry Willis

Phone

Address

Street

Orlando

City

FL

State

32809

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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Approps on Ed Committee

1446  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Serena James

Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Street

Orlando FL 32839

City

State

Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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Bill Number or Topic

Amendment Barcode (if applicable)

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Meeting Date

4 - 1/23  
Ed Approps

Committee

Name

Alexis Montalvo

Phone

Address

213 S Adams St

Street

Email

Alexis.Montalvo@  
Floridaea.org

TLH

City

FL

State

32307

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:

FEA

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

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SB 1446

Meeting Date

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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:



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, [df.flsenate.gov](http://df.flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
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4/12/23

Meeting Date

SB 1446

Bill Number or Topic

appropriation

Committee

Amendment Barcode (if applicable)

Name

Joseph D'Elia

Phone

Address

19377 NE 10 avenue #501

Email

Street

miami

City

FL

State

33179

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)

04/12/23

Meeting Date

The Florida Senate

# APPEARANCE RECORD

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SB 1446

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

JAMES E. BIRKENS JR

Phone

786-416-2119

Address

3011 N.W. 186 Terr

Email

Street

Miami Gardens

City

FL

State

33056

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:



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☐

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representing:

☐

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The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
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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

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S-001 (08/10/2021)

**APPEARANCE RECORD**

4-12-23

Meeting Date

Appropriation

Committee

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SB H46

Bill Number or Topic

Amendment Barcode (if applicable)

Name

André Brown

Phone

Address

19031 N.W. 70th

Street

Miami

City

FL

State

33169

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  
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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

SB 1446

Bill Number or Topic

4/12/2023

Meeting Date

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

Senate Appropriations

Committee

Amendment Barcode (if applicable)

Name

Michael Greenan

Phone

(352) 478-9621

Address

1235 S.W. Pointview Rd

Street

Email

mikegreenan@hotmail.com

Keystone Heights FL

City

State

32656

Zip

Speaking:

☐ For

☐ Against

☐ Information

**OR**

Waive Speaking:

☒ In Support

☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



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representing:



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S-001 (08/10/2021)

**APPEARANCE RECORD**

4/12/23

Meeting Date

1446

Bill Number or Topic

Education Appropriations

Committee

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

Amendment Barcode (if applicable)

Name

Mark Motl

Phone

386-916-9275

Address

115 Vintage Ln

Street

Email

mamotl@gmail.com

Palatka

City

FL

State

32177

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without  
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The Florida Senate

# APPEARANCE RECORD

Deliver both copies of this form to  
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4-12-23

Meeting Date  
APPROPRIATIONS COMMITTEE  
ON EDUCATION

SB 1446

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name FERNANDO RENDON

Phone

Address

Email

Street

ROCKLEDGE FL 32955

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

4-12-23

Meeting Date

Appropriations Committee on  
Education

Deliver both copies of this form to  
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SB 1446

Bill Number or Topic

Amendment Barcode (if applicable)

Name Lorraine Rendon

Phone

Address

Street

Rockledge

City

FL

State

32955

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

4/12

Meeting Date

Appropriations C. Edv.

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB 14 TB

~~SB 14 TB~~

Bill Number or Topic

Amendment Barcode (if applicable)

Name Travis Medling

Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Street

Bushin

City

FL

State

33570

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)

4/12/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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SB 1446

Bill Number or Topic

Committee

Name

N Sabrina Gates

Phone

Address

Street

Lithia

City

FL

State

33547

Zip

Email

Amendment Barcode (if applicable)

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

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☐

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☒

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S-001 (08/10/2021)

**APPEARANCE RECORD**

04/12/23

Meeting Date

1446

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name DAVID SOULE Phone 386 451 9497

Address 100 Silver Beach Apt 602 Email david.soule@gmail.com  
Street

DAYTONA BEACH FL 32118  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

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

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S-001 (08/10/2021)

**The Florida Senate**  
**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 Appropriations Committee on Education

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BILL: SB 1448

INTRODUCER: Senator Wright

SUBJECT: Public Records and Meetings/Interstate Teacher Mobility Compact Commission

DATE: April 11, 2023

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

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

---

**I. Summary:**

In order to permit Florida to participate in the Interstate Teacher Mobility Compact (ITMC), SB 1448 creates a public record and public meeting exemption covering specified documents and meetings of the Interstate Teacher Mobility Compact Commission, of which the Commissioner of Education, or his or her designee, will be a member.

Under the ITMC, a teacher certified in one member state is entitled to receive the closest equivalent certification in another member state simply by presenting their originating state's certification and passing any background screening requirement implemented by the receiving state. Member states are required to share necessary information, such as certification or discipline history, when certificate holders move between states. Given the sensitive nature of some of these documents, the ITMC requires that information related to individual teachers shared between member states remain confidential.

Article I, section 24(c) of the Florida Constitution requires a two-thirds vote of the members present and voting for final passage of a newly created or expanded public record or public meeting exemption. The bill expands a public record exemption; thus, it requires a two-thirds vote for final passage.

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

The bill will become effective on the same date that SB 1446 (2023) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

## **II. Present Situation:**

### **Public Records and Meetings**

#### ***Public Records Law***

Article I, s. 24(a) of the State Constitution sets forth the state's public policy regarding access to government records. The section guarantees every person a right to inspect or copy any public record of the legislative, executive, and judicial branches of government.

Public policy regarding access to government records is addressed further in the Florida Statutes. Section 119.07(1), F.S., guarantees every person a right to inspect and copy any state, county, or municipal record.

#### ***Public Meetings Law***

Article I, s. 24(b) of the State Constitution sets forth the state's public policy regarding access to government meetings. The section requires all meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, be open and noticed to the public.

Public policy regarding access to government meetings also is addressed in the Florida Statutes. Section 286.011, F.S., known as the "Government in the Sunshine Law" or "Sunshine Law," further requires that all meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, at which official acts are to be taken be open to the public at all times. The board or commission must provide reasonable notice of all public meetings.<sup>1</sup> Minutes of a public meeting must be promptly recorded and open to public inspection.<sup>2</sup>

#### ***Public Record and Public Meeting Exemptions***

The Legislature may provide by general law for the exemption of records and meetings from the requirements of Article I, s. 24(a) and (b) of the State Constitution. The general law must state with specificity the public necessity justifying the exemption (public necessity statement) and must be no broader than necessary to accomplish its purpose.<sup>3</sup>

Furthermore, the Open Government Sunset Review Act<sup>4</sup> provides that a public record or public meeting exemption may be created or maintained only if it serves an identifiable public purpose. The exemption may be no broader than is necessary to meet one of the following purposes:

- Allow the state or its political subdivisions to effectively and efficiently administer a governmental program, which administration would be significantly impaired without the exemption;

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<sup>1</sup> Section 286.011(1), F.S.

<sup>2</sup> Section 286.011(2), F.S.

<sup>3</sup> FLA. CONST. Art. I, s. 24(c),

<sup>4</sup> Section 119.15, F.S.

- Protect sensitive personal information that, if released, would be defamatory or would jeopardize an individual's safety; however, only information that would identify an individual may be exempted under this provision; or
- Protect trade or business secrets.<sup>5</sup>

The Open Government Sunset Review Act requires the automatic repeal of a newly created exemption on October 2 of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.<sup>6</sup>

### **Public Record Exemption for Teacher Investigations and Discipline**

Complaints against a teacher or administrator and all information obtained in an investigation by the Department of Education (DOE) is confidential and exempt until the conclusion of the preliminary investigation or until such time as the preliminary investigation ceases to be active.<sup>7</sup> Upon the expiration of the exemption, the complaint and all associated materials must be open to inspection pursuant to Florida's public records laws, except for any medical records submitted as part of a teacher's participation in a recovery network program for educators.

The complaint and all material assembled during the investigation may be inspected and copied by the certificate holder or the certificate holder's designee, after the investigation is concluded, but prior to the determination of probable cause.<sup>8</sup>

### **Interstate Teacher Mobility Compact**

The Interstate Teacher Mobility Compact (ITMC or Compact) is an interstate occupational licensure compact. Interstate compacts are constitutionally authorized, legislatively enacted, legally binding agreements among states. The ITMC will allow teachers with an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.<sup>9</sup>

The ITMC utilizes a different model than other interstate occupational licensure compacts. Compact Member states submit licenses that are eligible for the compact and meet a set of criteria outlined in the legislation. To be eligible, a license must require a bachelor's degree and completion of a state-approved program for teacher licensure like a teacher preparation program at a college or university. Furthermore, for a license to be eligible under the Compact it must be unencumbered (i.e., not restricted, probationary, provisional, substitute or temporary).<sup>10</sup> Teachers holding a Compact-eligible license can apply for licensure in another member state and receive the closest equivalent license without submitting additional materials, taking state-

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<sup>5</sup> Section 119.15(6)(b), F.S.

<sup>6</sup> Section 119.15(3), F.S.

<sup>7</sup> Section 1012.796(4), F.S.

<sup>8</sup> Section 1012.796(4), F.S.

<sup>9</sup> National Center for Interstate Compacts, *Interstate Teacher Mobility Compact*, available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

<sup>10</sup> National Center for Interstate Compacts, *Interstate Teacher Mobility Compact*, available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

specific exams or completing additional coursework. Special exceptions were created for some populations in the Compact to support equitable access. Due to the mobility patterns of military spouses, the barriers to receiving a license that would be considered unencumbered under the Compact are much higher. Teachers meeting the definition of an eligible military spouse will be able to use a temporary or provisional license for the purposes of the Compact. Career and Technical Education Teaching Licenses often do not require a bachelor's degree as a requirement for licensure, so the Compact allows these licenses to be considered eligible without that requirement.<sup>11</sup>

The ITMC will be administered by the Interstate Teacher Mobility Compact Commission (Commission), whose membership will be made up of the head of each member state's State Licensing Agency for educators (in Florida this is the DOE), or her or his designee.

The ITMC model legislation requires that member states share teacher discipline and other records with other member states, upon request, to facilitate the movement of teachers and compliance with individual state background screening requirements. To protect the privacy of teachers, the ITMC model legislation requires that such records and any meetings of the Commission at which such records are discussed be kept confidential.

### **SB 1446 (2023)**

SB 1446 (2023), to which this bill is linked, ratifies the ITMC by adopting the model legislation into Florida statute. Once the ITMC is effective, following ratification by the tenth state, the designated commissioner of each member state will coordinate implementation of the policies and procedures necessary to effectuate the ITMC. As such, the DOE, through the commissioner, will have access to teacher discipline and other records. In order for Florida to be compliant with the provisions of the ITMC, as proposed to be adopted in SB 1446 (2023), these records and meetings must remain confidential, necessitating a public record and public meeting exemption.

### **III. Effect of Proposed Changes:**

SB 1448, which is linked to the passage of SB 1446 (2023), creates a public records exemption for files and information regarding an investigation and discipline of teachers in other Interstate Teacher Mobility Compact (ITMC or Compact) member states. This public records exemption is aligned to the existing public records exemption for Florida's teacher investigation and discipline records. As set forth in the ITMC, the bill requires that before disclosing any disciplinary or investigatory information received from another member state, the disclosing state must communicate its intention and purpose for such disclosure to the member state that originally provided that information.

The bill creates a public meeting exemption for any portion of a meeting of the Commission, or its executive committee, in which any of the following information is discussed:

- Noncompliance of a member state with its obligations under the Compact;

---

<sup>11</sup> National Center for Interstate Compacts, *Interstate Teacher Mobility Compact*, available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.



- The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;
- Current, threatened, or reasonably anticipated litigation;
- Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
- Accusing any person of a crime or formally censuring any person;
- Trade secrets or commercial or financial information that is privileged or confidential;
- Information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;
- Investigative records compiled for law enforcement purposes;
- Information relating to any investigative reports prepared by or on behalf of or for use by the commission or executive committee when investigating or determining compliance with the Compact;
- Matters specifically exempted from disclosure by federal or state practice laws; or
- Other matters as set forth by the commission's bylaws and rules.

Additionally, the bill provides that recordings, minutes, and records generated during any portion of an exempt meeting are also exempt from disclosure.

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

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

The bill will become effective on the same date that SB 1446 (2023) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

##### **Vote Requirement**

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill enacts a new exemption for records pertaining to judicial assistants; therefore, the bill requires a two-thirds vote of each chamber for enactment.

**Public Necessity Statement**

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

**Breadth of Exemption**

Article I, s. 24(c), of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect information relating to teachers in other states who are members of the Interstate Teacher Mobility Compact, without such exemption Florida would be ineligible for membership. This bill exempts only records pertaining to investigations and discipline for teachers in Compact member states, and for meetings where such information is discussed. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

**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 section 1012.9931 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.

---

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

---

By Senator Wright

8-02214-23

20231448\_\_

A bill to be entitled

An act relating to public records and meetings;  
creating s. 1012.9931, F.S.; providing an exemption  
from public meetings requirements for certain portions  
of meetings of the Interstate Teacher Mobility Compact  
Commission and its executive committee; providing an  
exemption from public records requirements for  
recordings, minutes, and records generated during  
exempt portions of such meetings and for certain files  
and information relating to specified investigations;  
providing for future legislative review and repeal of  
the exemptions; providing statements of public  
necessity; providing a contingent effective date.

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

Section 1. Section 1012.9931, Florida Statutes, is created  
to read:

1012.9931 Interstate Teacher Mobility Compact Commission;  
public meetings and public records exemptions.—

(1) Any portion of a meeting of the Interstate Teacher  
Mobility Compact Commission or its executive committee in which  
any of the following information is discussed is exempt from s.  
286.011 and s. 24(b), Art. I of the State Constitution:

(a) Noncompliance of a member state with its obligations  
under the compact;

(b) The employment, compensation, discipline, or other  
matters, practices, or procedures related to specific employees  
or other matters related to the commission's internal personnel

Page 1 of 4

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

8-02214-23

20231448\_\_

practices and procedures;

(c) Current, threatened, or reasonably anticipated  
litigation;

(d) Negotiation of contracts for the purchase, lease, or  
sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring  
any person;

(f) Trade secrets or commercial or financial information  
that is privileged or confidential;

(g) Information of a personal nature if disclosure would  
constitute a clearly unwarranted invasion of personal privacy;

(h) Investigative records compiled for law enforcement  
purposes;

(i) Information relating to any investigative reports  
prepared by or on behalf of or for use by the commission or  
executive committee when investigating or determining compliance  
with the compact;

(j) Matters specifically exempted from disclosure by  
federal or state practice laws; or

(k) Other matters as set forth by the commission's bylaws  
and rules.

(2) Recordings, minutes, and records generated during any  
portion of an exempt meeting are exempt from s. 119.07(1) and s.  
24(a), Art. I of the State Constitution.

(3) Files and information regarding an investigation and  
discipline of teachers in other member states are exempt from s.  
119.07(1) and s. 24(a), Art. I of the State Constitution to  
protect and maintain the security and confidentiality thereof in  
at least the same manner that the member state maintains its own

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

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investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information received from another member state, the disclosing state shall communicate its intention and purpose for such disclosure to the member state that originally provided that information.

(4) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) The Legislature finds that it is a public necessity that any portion of a meeting of the Interstate Teacher Mobility Compact Commission or its executive committee in which any information in s. 1012.9931(1), Florida Statutes, is discussed be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Article I of the State Constitution.

(2) The Interstate Teacher Mobility Compact requires that any portion of a meeting in which any information in s. 1012.9931(1), Florida Statutes, is discussed be closed to the public. In the absence of a public meetings exemption, this state would be prohibited from becoming a member state of the compact. Thus, this state would be unable to effectively and efficiently administer the compact.

(3) The Interstate Teacher Mobility Compact requires that files and information regarding an investigation and discipline of teachers in other member states be protected and that the security and confidentiality of such files and information be maintained. In the absence of a public records exemption, this state would be prohibited from becoming a member state of the compact. Thus, this state would be unable to effectively and

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efficiently administer the compact.

(4) The Legislature finds that it is a public necessity that the recordings, minutes, and records generated during any portion of a meeting in which any information in s. 1012.9931(1), Florida Statutes, is discussed be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Release of such information would negate the public meetings exemption. As such, the Legislature finds that the public records exemption is a public necessity.

Section 3. This act shall take effect on the same date that SB \_\_\_\_ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.



The Florida Senate

## Committee Agenda Request

**To:** Senator Keith Perry, Chair  
Appropriations Committee on Education

**Subject:** Committee Agenda Request

**Date:** March 27, 2023

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I respectfully request that **Senate Bill 1448**, relating to Public Records and Meetings/Interstate Teacher Mobility Compact Commission, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Tom A. Wright".

---

Senator Tom A. Wright  
Florida Senate, District 8



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Appropriations, *Chair*  
Appropriations Committee on Education  
Banking and Insurance  
Finance and Tax  
Health Policy  
Judiciary  
Rules  
Transportation

### JOINT COMMITTEE:

Joint Legislative Budget Commission, *Alternating Chair*

### SENATOR DOUG BROXSON

1st District

April 12, 2023

The Honorable Keith Perry, Chair  
Appropriations Committee on Education  
201 The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chair Perry,

I respectfully request an excused absence from the Appropriation Committee on Education meeting scheduled for Wednesday, April 12<sup>th</sup>.

Please let me know if I may be of any further assistance with this request.

Respectfully,

A handwritten signature in dark ink, appearing to read "Doug Broxson", written in a cursive style.

Senator Doug Broxson  
District 1

### REPLY TO:

- ☐ 418 West Garden Street, Room 403, Pensacola, Florida 32502 (850) 595-1036
- ☐ 208 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5001

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KATHLEEN PASSIDOMO**  
President of the Senate

**DENNIS BAXLEY**  
President Pro Tempore

# CourtSmart Tag Report

**Room:** KB 412  
**Caption:** Senate Appropriations Committee on Education

**Type:**  
**Judge:**

**Started:** 4/12/2023 11:34:39 AM

**Ends:** 4/12/2023 2:15:30 PM

**Length:** 02:40:52

11:35:08 AM Sen. Perry (Chair)  
11:35:30 AM Tab 7 - SB 1446  
11:35:40 AM Sen. Wright  
11:37:07 AM Sen. Perry  
11:37:27 AM Kevin Daily  
11:38:45 AM David Soule (Waives in Support)  
11:38:46 AM Sabrina Gates (Waives in Support)  
11:38:55 AM Lorraine Rendon (Waives in Support)  
11:38:55 AM Travis Medling (Waives in Support)  
11:39:01 AM Fernando Rendon (Waives in Support)  
11:39:10 AM Mark Motl (Waives in Support)  
11:39:13 AM Michael Greenan (Waives in Support)  
11:39:17 AM Andre Brown (Waives in Support)  
11:39:24 AM Helen Hamel (Waives in Support)  
11:39:28 AM James Berkuns Jr. (Waives in Support)  
11:39:33 AM Joseph D'ella (Waives in Support)  
11:39:37 AM Shawnan Jackson (Waives in Support)  
11:39:40 AM Alexis Montalvo (Waives in Support)  
11:39:43 AM Serena James (Waives in Support)  
11:39:46 AM Barry Tillis (Waives in Support)  
11:39:50 AM Roderick Wilson (Waives in Support)  
11:39:56 AM Charla Fox (Waives in Support)  
11:40:00 AM Kiara Decoursey (Waives in Support)  
11:40:07 AM Janice Poirier (Waives in Support)  
11:40:15 AM Cyathia Poele (Waives in Support)  
11:40:40 AM Gilda Morgan-Williams  
11:41:46 AM Michael Woods  
11:43:40 AM Tab 8 - SB 1448  
11:43:49 AM Sen. Wright  
11:44:29 AM Sen. Perry  
11:45:08 AM Tab 3 - SB 986  
11:45:29 AM Sen. Burgess  
11:46:26 AM Am. 688696  
11:46:34 AM Sen. Burton  
11:47:24 AM Sen. Davis  
11:47:54 AM Sen. Burton  
11:48:18 AM Sen. Davis  
11:48:45 AM Sen. Burton  
11:49:09 AM Seirra Busch Roster  
11:49:50 AM Sen. Burgess  
11:50:17 AM Sen. Burton  
11:50:40 AM Am. 179658  
11:50:48 AM Sen. Jones  
11:51:24 AM Sen. Burgess  
11:51:34 AM Sen. Jones  
11:51:46 AM Am. 790278  
11:51:53 AM Sen. Collins  
11:52:22 AM Sen. Jones  
11:52:33 AM Sen. Collins  
11:52:42 AM Sen. Davis  
11:53:18 AM Sen. Collins  
11:53:32 AM Sen. Davis



11:54:46 AM Chris Moya (Waives in Support)  
11:54:52 AM Marco Panedas, On Top of the World Communities (Waives in Support)  
11:54:56 AM Edward Briggs, Charter School Leader of FL (Waives in Support)  
11:55:04 AM Sen. Burgess  
11:55:52 AM Tab 6 - SB 1424  
11:56:07 AM Sen. Harrell  
11:59:19 AM Ryan Kennedy, Florida Citizens Alliance  
12:00:52 PM Nancy Lawther, Florida PTA (Waives in Support)  
12:00:55 PM Sarah Katherine Massey, Florida Chamber of Commerce (Waives in Support)  
12:01:06 PM Sen. Harrell  
12:02:33 PM Sen. Jones (Chair)  
12:02:43 PM Tab 2 - SB 958  
12:02:45 PM Sen. Perry  
12:03:37 PM Joe Cohn (The Foundation for Individual Rights and Expression)  
12:05:06 PM Kara Gross, ACLU of Florida (Waives in Opposition)  
12:05:10 PM Trish Neely, League of Women Voters (Waives in Opposition)  
12:05:28 PM Sen. Perry  
12:06:20 PM Tab 5 - SB 1386  
12:06:30 PM Sen. Perry  
12:08:03 PM Am. 810550  
12:08:10 PM Sen. Perry  
12:08:56 PM Sen. Davis  
12:09:24 PM Sen. Perry  
12:10:20 PM Sen. Davis  
12:10:37 PM Sen. Perry  
12:12:22 PM Sen. Davis  
12:13:14 PM Sen. Harrell  
12:14:44 PM Sen. Perry  
12:15:37 PM Sen. Perry (Chair)  
12:15:45 PM Tab 1 - SB 266  
12:15:47 PM Sen. Grall  
12:16:00 PM Am. 459430  
12:16:14 PM Sen. Grall  
12:19:15 PM Sen. Jones  
12:19:21 PM Sen. Perry  
12:19:38 PM Am. 350942  
12:19:43 PM Sen. Grall  
12:20:27 PM Sen. Jones  
12:21:00 PM Sen. Grall  
12:21:07 PM Sen. Jones  
12:22:05 PM Sen. Grall  
12:23:25 PM Lina Rojas, FSU (Waives in Support)  
12:23:36 PM Mark Walsh, USF (Waives in Support)  
12:24:06 PM Sen. Jones  
12:25:03 PM Sen. Grall  
12:25:47 PM Sen. Jones  
12:26:21 PM Sen. Grall  
12:27:14 PM Sen. Jones  
12:28:03 PM Sen. Grall  
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12:29:57 PM Sen. Grall  
12:31:17 PM Sen. Book  
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12:35:37 PM Sen. Grall  
12:35:59 PM Sen. Book

12:36:12 PM	Sen. Grall
12:36:17 PM	Sen. Book
12:36:24 PM	Sen. Thompson
12:36:55 PM	Sen. Grall
12:37:21 PM	Sen. Thompson
12:38:14 PM	Sen. Grall
12:38:44 PM	Sen. Thompson
12:39:22 PM	Sen. Grall
12:40:38 PM	Sen. Thompson
12:41:18 PM	Sen. Grall
12:41:49 PM	Sen. Thompson
12:42:17 PM	Sen. Grall
12:42:37 PM	Sen. Thompson
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12:43:32 PM	Sen. Thompson
12:44:09 PM	Sen. Grall
12:44:33 PM	Sen. Thompson
12:44:46 PM	Sen. Grall
12:45:08 PM	Sen. Thompson
12:45:20 PM	Sen. Grall
12:46:02 PM	Sen. Thompson
12:46:29 PM	Sen. Grall
12:46:47 PM	Sen. Thompson
12:46:54 PM	Sen. Book
12:47:58 PM	Sen. Grall
12:48:17 PM	Sen. Book
12:48:58 PM	Genesis Robinson
12:52:31 PM	Trinyan Mariano
12:53:01 PM	Ian Hughes
12:54:57 PM	Bryan Gonzalez
12:56:54 PM	Erica Esch
12:58:38 PM	Tsi Day Smyth
1:00:36 PM	Mathew Lata
1:02:44 PM	Daniel Powell
1:04:58 PM	Kyle Moore
1:06:52 PM	Kaitlynn Danehy-Samitz
1:08:48 PM	Kara Gross (ACLU of Florida)
1:10:31 PM	Karolyn Burns
1:12:21 PM	Sierra Christiama
1:14:46 PM	Alyssa Zucker
1:15:37 PM	Celia Caputi
1:17:49 PM	Guerdy Remy
1:18:56 PM	Eric Scarffe
1:21:10 PM	Robin Goodman
1:23:05 PM	Sen. Book
1:23:14 PM	Robin Goodman
1:23:22 PM	Michael Buchler
1:25:50 PM	Shelly Krach
1:27:47 PM	Lola Smyth
1:28:13 PM	Joe Cohn
1:30:37 PM	Sen. Book
1:30:47 PM	Joe Cohn, The Foundation for Individual Rights and Expression
1:31:06 PM	Will Hanley
1:33:15 PM	Dr. Rich Templin, Florida AFL-CIO
1:35:13 PM	Rev. Russell Meyer
1:37:34 PM	Emily Stewart
1:39:01 PM	Aashutosh Pyakurye
1:40:29 PM	Andrew Gothard
1:42:09 PM	Rachel Lumsden
1:44:19 PM	Johana Dauphin
1:46:01 PM	Helen Back
1:48:11 PM	Shalaysia Timms

<b>1:49:42 PM</b>	Sen. Thompson
<b>1:55:56 PM</b>	Sen. Davis
<b>2:00:20 PM</b>	Sen. Book
<b>2:03:45 PM</b>	Sen. Jones
<b>2:07:57 PM</b>	Sen. Perry
<b>2:11:14 PM</b>	Sen. Calatayud
<b>2:12:52 PM</b>	Sen. Grall
<b>2:14:29 PM</b>	Sen. Avila
<b>2:14:49 PM</b>	Sen. Collins
<b>2:14:58 PM</b>	Sen. Simon
<b>2:15:06 PM</b>	Sen. Calatayud