

<b>Tab 1</b>	<b>SB 662 by Bradley;</b> (Identical to H 00699) Student Online Personal Information Protection					
<b>Tab 2</b>	<b>SB 1386 by Perry (CO-INTRODUCERS) Collins;</b> (Similar to H 01393) Florida School for Competitive Academics					
<b>Tab 3</b>	<b>SB 1430 by Avila;</b> (Identical to H 01537) Education					
<b>Tab 4</b>	<b>SB 1320 by Yarborough (CO-INTRODUCERS) Perry;</b> (Compare to CS/H 01069) Child Protection in Public Schools					
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**EDUCATION PRE-K -12**  
**Senator Simon, Chair**  
**Senator Burgess, Vice Chair**

**MEETING DATE:** Monday, March 20, 2023

**TIME:** 12:30—3:00 p.m.

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

**MEMBERS:** Senator Simon, Chair; Senator Burgess, Vice Chair; Senators Avila, Berman, Calatayud, Collins, Grall, Hutson, Jones, Osgood, Perry, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 662</b> Bradley (Identical H 699)	Student Online Personal Information Protection; Citing this act as the "Student Online Personal Information Protection Act"; prohibiting operators from knowingly engaging in specified activities relating to students' covered information; specifying the duties of an operator; providing circumstances under which an operator may disclose students' covered information, etc.  JU      03/07/2023 Favorable ED      03/20/2023 Favorable RC	Favorable Yeas 12 Nays 0
2	<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 FP	Favorable Yeas 12 Nays 0
3	<b>SB 1430</b> Avila (Identical H 1537, Compare CS/S 240)	Education; Revising a graduation requirement for certain students; deleting a requirement that certain certification programs be previously approved by the Department of Education; revising the calculation of school grades for certain schools; revising requirements for the calculation of additional full-time equivalent membership for certain funding through the Florida Education Finance Program; requiring certain applicants for the renewal of a professional certificate to earn specified college credit or inservice points; revising the funding calculation for the Florida Teachers Classroom Supply Assistance Program, etc.  ED      03/20/2023 Favorable AED FP	Favorable Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Education Pre-K -12

Monday, March 20, 2023, 12:30—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 1320</b> Yarborough (Compare CS/H 1069, CS/H 1223)	Child Protection in Public Schools; Defining the term "sex"; prohibiting an employee, contractor, or student of a public school from being required to refer to a person using personal titles or pronouns that do not correspond with that person's sex; prohibiting classroom instruction by school personnel on sexual orientation or gender identity until grade 9; providing that materials used to teach reproductive health or any disease as part of certain courses must be approved by the Department of Education; requiring district school boards to adopt and publish a specified process relating to student access to certain materials, etc.  ED 03/20/2023 Fav/CS FP	Fav/CS Yeas 9 Nays 3

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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 Committee on Education Pre-K -12

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BILL: SB 662

INTRODUCER: Senator Bradley

SUBJECT: Student Online Personal Information Protection

DATE: March 17, 2023

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

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Collazo	Cibula	JU	<b>Favorable</b>
2. Brick	Bouck	ED	<b>Favorable</b>
3. _____	_____	RC	_____

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**I. Summary:**

SB 662 creates the Student Online Personal Information Protection Act, which substantially restricts the operator of a website, online service, or online application that is used for K-12 school purposes from collecting, disclosing, or selling student data, or from using student data to engage in targeted advertising.

The bill prohibits operators from knowingly:

- Engaging in targeted advertising based on any information, including persistent unique identifiers, acquired through the use of their educational technology.
- Using any information, including persistent unique identifiers, gathered through their educational technology to create profiles of students, except for K-12 school purposes.
- Sharing, selling, or renting student information to third parties.
- Disclosing certain covered information, except under specified circumstances.

The bill requires operators to:

- Collect no more covered information than reasonably necessary to operate the educational technology.
- Implement and maintain reasonable security procedures and practices to protect covered information.
- Delete a student's covered information if requested by the K-12 school or school district, unless a student or a parent or guardian consents to its maintenance.

The bill allows operators to disclose covered information if:

- Federal or state law requires disclosure.
- It is disclosed for legitimate research purposes, if not used for targeted advertising or profiling for purposes other than K-12 school purposes.



- It is disclosed to a state or local educational agency, including K-12 schools and school districts, for K-12 school purposes.

The bill takes effect July 1, 2023.

## II. Present Situation:

### Privacy of Student Information

Since the pandemic, schools have significantly increased their reliance upon Internet and online-based software and educational technologies. Classroom assignments and assessments are often delivered online via laptops or tablets, and teachers make regular use social media platforms, websites, and “free” apps in class.<sup>1</sup> In fact, a single educator will use, on average, 148 apps in a school year.<sup>2</sup> This increased reliance on Internet-based apps in schools risks compromising student privacy because it exposes students to online profiling and targeted advertising.

Profiling is the automated process of compiling personal data to evaluate certain personal aspects relating to a specific student.<sup>3</sup> The operators of Internet-based apps can use persistent unique identifiers or third-party scripts to recognize and track students across third-party websites, then use this information to analyze or predict student interests for marketing or advertising purposes. Tracking students in this manner can result in unintended consequences such as the disclosure of sensitive data through unknown tracking processes.<sup>4</sup>

Targeted advertising collects generalized information about students from various sources, including their race, location, gender, age, school, or interests.<sup>5</sup> This information is then interpreted in order to display products and services that may be more relevant (i.e. targeted) to students. Targeted advertising can also include the collection of specific information about individual students using cookies, beacons, tracking pixels, persistent unique identifiers, or other tracking technologies that provide more specific information about a student’s online behavior or activities over time. This information can then be sold to, or shared with, third-party advertisers, who are able to display even more targeted products and services to students than general targeted advertisements based on the highly-specific information they received from the student’s behavior while using the application or service.<sup>6</sup>

Targeted advertising is different than contextual advertising, which displays products and services to students based only on the content or webpage that they are currently viewing, and

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<sup>1</sup> Parent Coalition for Student Privacy and the Network for Public Education, *The State Student Privacy Report Card: Grading the States on Protecting Student Data Privacy*, 1 (Jan. 2019), <https://studentprivacymatters.org/wp-content/uploads/2019/01/The-2019-State-Student-Privacy-Report-Card.pdf>.

<sup>2</sup> Rebecca Torchia, *What is Third-Party Risk, and What Do Schools Need to Know?* (Feb. 24, 2023), EdTech Focus On K-12, <https://edtechmagazine.com/k12/article/2023/02/what-third-party-risk-and-what-do-schools-need-know-perfcon> (citing LearnPlatform, *EdTech Top 40: Fall Report* (Sept. 2022), <https://learnplatform.com/top40>).

<sup>3</sup> Girard Kelly, *How California’s Student Privacy Law Protects Against Targeted Advertising* (Apr. 26, 2018), *The Journal*, <https://thejournal.com/articles/2018/04/26/how-california-student-privacy-law-protects-against-targeted-advertising.aspx>.

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

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

<sup>6</sup> *Id.*; see also Wharton School, University of Pennsylvania, *Your Data Is Shared and Sold... What’s Being Done About It?* (Oct. 28, 2019), Knowledge at Wharton, <https://knowledge.wharton.upenn.edu/article/data-shared-sold-whats-done/>.

which does not collect any specific information about the student to determine which advertisements to display.<sup>7</sup>

There is significant unease about the privacy implications associated with the online collection and use of data.<sup>8</sup> One international, pre-pandemic poll found that 71% of individuals worried about how tech companies collect and use their personal data.<sup>9</sup> And in another poll, specifically with respect to the collection and use of K-12 student data, 93% of parents of K-12 students said it was important for schools to engage with them about the use of student data, but only 44% said that they had been asked for their input.<sup>10</sup>

### State Student Privacy Legislation

At the state level, 42 states and the District of Columbia have passed more than 128 student privacy laws.<sup>11</sup> Indeed, most states have passed more than one student privacy law.<sup>12</sup>

States have generally approached the regulation of student data use in three ways:

- By regulating schools and state-level education agencies;
- By regulating companies that collect and use student data; and
- By combining the first two models.<sup>13</sup>

An example of the first approach is Oklahoma's Student Data Accessibility, Transparency, and Accountability Act of 2013 (the Student DATA Act), which addressed the permissible state-level collection, security, access, and uses of student data. Legislation following the Oklahoma model has limited data collection and use and defined how holders of student data can collect, safeguard, use, and grant access to data.<sup>14</sup>

An example of the second approach is California's Student Online Personal Information Protection Act (SOPIPA), which prevents online service providers from using student data for commercial purposes, while allowing specific beneficial uses such as personalized learning.

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<sup>7</sup> Kelly, *supra* at note 3.

<sup>8</sup> See University of Texas at Austin, Center for Media Engagement, *Privacy versus Products in Targeted Digital Advertising*, <https://mediaengagement.org/research/privacy-versus-products-in-targeted-digital-advertising/> (last visited Feb. 28, 2023).

<sup>9</sup> Amnesty International, *New poll reveals 7 in 10 people want governments to regulate Big Tech over personal data fears* (Dec. 4, 2019), <https://www.amnesty.org/en/latest/press-release/2019/12/big-tech-privacy-poll-shows-people-worried/>.

<sup>10</sup> Adam Stone, *Understanding FERPA, CIPA, and Other K-12 Student Data Privacy Laws* (Apr. 28, 2022), EdTech Focus On K-12, <https://edtechmagazine.com/k12/article/2022/04/understanding-ferpa-cipa-and-other-k-12-student-data-privacy-laws-perfcon> (citing the Center for Democracy and Technology, *Sharing Student Data Across Public Sectors* (Dec. 2021), available at <https://cdt.org/wp-content/uploads/2021/12/12-01-2021-Civic-Tech-Community-Engagement-Full-Report-final.pdf>).

<sup>11</sup> *Id.* (citing a senior technologist with at the Future of Privacy Forum at <https://fpf.org/>).

<sup>12</sup> LearnPlatform, *Student Data Privacy Regulations Across the U.S.: A Look at How Minnesota, California and Others Handle Privacy*, <https://learnplatform.com/blog/edtech-management/student-data-privacy-regulations> (last visited Feb. 28, 2023); see also Student Privacy Compass, *State Student Privacy Laws*, <https://studentprivacycompass.org/state-laws/> (last visited Feb. 28, 2023) (maintaining a running list of state student privacy laws).

<sup>13</sup> The Student Privacy Compass, *Policymakers: Student [State] Laws and Legislation*, <https://studentprivacycompass.org/audiences/policymakers/> (last visited Feb. 27, 2023).

<sup>14</sup> *Id.*; see also State of Oklahoma, Department of Education, *Data Privacy and Security*, <https://sde.ok.gov/data-privacy-and-security> (last visited Feb. 28, 2023) (describing, among other things, certain important provisions of the Student DATA Act of 2013).

California supplemented SOPIPA by enacting AB 1584, a law that explicitly allows districts and schools to contract with third parties in order to manage, store, access, and use information in students' education records. An enforcement provision, AB 375, was also added to give the California Attorney General additional authority to fine companies that violate SOPIPA and AB 1584. This law has become a model for the regulation of educational technology vendors' use of student data; more than 20 states have since adopted similar laws.<sup>15</sup>

Examples of the third approach may be found in Georgia and Utah:

- To regulate its state longitudinal data system,<sup>16</sup> Georgia chose to follow Oklahoma's lead in addressing three core issues regarding state education entities: which data is collected, how student data can be used securely and ethically, and who can access student data. Combined with SOPIPA-like regulation of third parties, this approach has allowed innovative uses of student data while establishing meaningful privacy protections for students.<sup>17</sup>
- Similarly, Utah has taken a modified hybrid approach by regulating districts, the state education agency, and companies. Utah took the additional step of creating and funding a Chief Privacy Officer and three additional privacy staff not only to carry out the law, but also to provide training for teachers and administrators and to create resources that help stakeholders ensure compliance.<sup>18</sup>

Since 2015, state legislation has tended to regulate data use rather than collection, and to focus laws on specific privacy topics such as data deletion, data misuse, biometric data, and breach notification.<sup>19</sup>

### Federal Student Privacy Legislation

At the federal level, there are three laws that are most often referenced when it comes to student privacy and local schools or school districts:<sup>20</sup> the Family Educational Rights and Privacy Act,<sup>21</sup> the Protection of Pupil Rights Amendment,<sup>22</sup> and the Children's Online Privacy Protection Act (COPPA).<sup>23</sup>

<sup>15</sup> The Student Privacy Compass, *supra* note 13; see also State of California, Department of Justice, *Recommendations for the Ed Tech Industry to Protect the Privacy of Student Data*, 7-9 (Nov. 2016), available at <https://oag.ca.gov/sites/all/files/agweb/pdfs/cybersecurity/ready-for-school-1116.pdf> (describing, among other things, SOPIPA's provisions).

<sup>16</sup> In education, a longitudinal data system is a data system that collects and maintains detailed, high quality, student- and staff-level data; links these data across entities and over time, providing a complete academic and performance history for each student; and makes these data accessible through reporting and analysis tools. National Center for Education Statistics, U.S. Department of Education, *Traveling Through Time: The Forum Guide to Longitudinal Data Systems*, Ch. 2 LDS Basics, [https://nces.ed.gov/forum/ldsguide/book1/ch\\_2\\_1.asp](https://nces.ed.gov/forum/ldsguide/book1/ch_2_1.asp) (last visited Feb. 28, 2023).

<sup>17</sup> The Student Privacy Compass, *supra* note 13.

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

<sup>19</sup> *Id.*; see also LearnPlatform, *supra* note 12 (discussing Minnesota, Illinois, and New York student data privacy legislation).

<sup>20</sup> LearnPlatform, *supra* note 12.

<sup>21</sup> 20 U.S.C. s. 1232g; 34 C.F.R. pt. 99.

<sup>22</sup> 20 U.S.C. s. 1232h; 34 C.F.R. pt. 98.

<sup>23</sup> 15 U.S.C. ss. 6501-06; 16 C.F.R. pt. 312.

***Family Educational Rights and Privacy Act (FERPA)***

FERPA protects the privacy of students' education records.<sup>24</sup> The law applies to any school that receives applicable funds from the U.S. Department of Education. FERPA grants parents certain rights respecting their child's education records, and this privacy right transfers to the student when he or she reaches age 18 or attends a post-secondary school (at which point he or she is known as an "eligible student").<sup>25</sup>

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. They also have the right to request that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.<sup>26</sup>

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- School officials having a legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- Persons authorized to receive the records pursuant to a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific state law.<sup>27</sup>

Schools may disclose, without consent, directory information, such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must allow parents and students to opt out of the disclosure of their directory information. Schools must give an annual notice about rights granted by FERPA to affected parties.<sup>28</sup>

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<sup>24</sup> U.S. Department of Education, *Family Educational Rights and Privacy Act (FERPA)* (Aug. 25, 2021), <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

<sup>25</sup> *Id.*

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

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

### ***Protection of Pupil Rights Amendment (PPRA)***

PPRA applies to programs and activities that get their funding from the U.S. Department of Education.<sup>29</sup> It governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

- Political affiliations or beliefs of the student or the student's parent;
- Mental or psychological problems of the student or the student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student's parent; or
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).<sup>30</sup>

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors. The rights under PPRA transfer from the parents to a student who is 18 years old or an emancipated minor under state law.<sup>31</sup>

### ***Children's Online Privacy Protection Act (COPPA)***

COPPA and its related rules regulate websites' collection and use of children's information.<sup>32</sup> The operator of a website or online service that is directed to children, or that has actual knowledge that it collects children's personal information (covered entities), must comply with requirements regarding data collection and use, privacy policy notifications, and data security. For purposes of COPPA, children are individuals under the age of 13.<sup>33</sup>

COPPA defines personal information as individually identifiable information about an individual that is collected online, including:

- First and last name;
- A home or other physical address including street name and name of a city or town;
- Online contact information;
- A screen or user name that functions as online contact information;
- A telephone number;
- A social security number;
- A persistent identifier that can be used to recognize a user over time and across different websites or online services;

<sup>29</sup> U.S. Department of Education, *What is the Protection of Pupil Rights Amendment (PPRA)?*, <https://studentprivacy.ed.gov/faq/what-protection-pupil-rights-amendment-ppra> (last visited Feb. 27, 2023).

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> Federal Trade Commission, *Complying with COPPA: Frequently Asked Questions*, <https://www.ftc.gov/business-guidance/resources/complying-coppa-frequently-asked-questions> (last visited Feb. 27, 2023).

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

- A photograph, video, or audio file, where such file contains a child's image or voice;
- Geolocation information sufficient to identify street name and name of a city or town; or
- Information concerning the child or the parents of that child that the operator collects online from the child and combines with an identifier described above.<sup>34</sup>

Operators covered by the rule must:

- Post a clear and comprehensive online privacy policy describing their information practices for personal information collected online from children;
- Provide direct notice to parents and obtain verifiable parental consent, with limited exceptions, before collecting personal information online from children;
- Give parents the choice of consenting to the operator's collection and internal use of a child's information, but prohibiting the operator from disclosing that information to third parties (unless disclosure is integral to the site or service, in which case, this must be made clear to parents);
- Provide parents access to their child's personal information to review or have the information deleted;
- Give parents the opportunity to prevent further use or online collection of a child's personal information;
- Maintain the confidentiality, security, and integrity of information they collect from children, including by taking reasonable steps to release such information only to parties capable of maintaining its confidentiality and security;
- Retain personal information collected online from a child for only as long as is necessary to fulfill the purpose for which it was collected and delete the information using reasonable measures to protect against its unauthorized access or use; and
- Not condition a child's participation in an online activity on the child providing more information than is reasonably necessary to participate in that activity.<sup>35</sup>

Violations of COPPA are deemed an unfair or deceptive act or practice and are therefore prosecuted by the Federal Trade Commission.<sup>36</sup>

### **Required Instruction in Florida Schools**

The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities.<sup>37</sup> Each district school board must provide appropriate instruction to ensure that students meet State Board of Education (SBE) adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.<sup>38</sup> Subject to the

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<sup>34</sup> Federal Trade Commission, *Complying with COPPA: Frequently Asked Questions*, <https://www.ftc.gov/business-guidance/resources/complying-coppa-frequently-asked-questions> (last visited Feb. 27, 2023).

<sup>35</sup> *Id.*

<sup>36</sup> *See id.*; *see also* 15 U.S.C. s. 6502(c); 16 C.F.R. s. 312.9.

<sup>37</sup> Section 1000.03(4), F.S.

<sup>38</sup> Section 1003.42(1), F.S.

rules of the SBE and the district school board, public school instructional staff<sup>39</sup> must also provide instruction in several other subject matters.<sup>40</sup>

### III. Effect of Proposed Changes:

SB 662 creates s. 1006.1494, F.S., entitled “Student online personal information protection.” The section generally limits and regulates the collection and use of K-12 student data by operators of Internet websites, online services, online applications, and mobile applications for K-12 school purposes. Among other things, the section prohibits operators from engaging in targeted advertising; places new and significant restrictions on operators’ collection and use of K-12 students’ data; prohibits operators from sharing, selling, or renting such data; and requires operators to adhere to new baseline privacy and security protections in connection with such data.

#### Definitions

The bill defines “covered information” to mean the personal identifying information or material of a student, or information linked to personal identifying information or material of a student, in any media or format that is not publicly available and is any of the following:

- Created by or provided to an operator by the student, or the student’s parent or legal guardian, in the course of the student’s, parent’s, or legal guardian’s use of the operator’s site, service, or application for K-12 school purposes.
- Created by or provided to an operator by an employee or agent of a K-12 school or school district for K-12 school purposes.
- Gathered by an operator through the operation of its site, service, or application for K-12 school purposes and personally identifies a student, including, but not limited to, information in the student’s educational record or electronic mail, first and last name, home address, telephone number, electronic mail address, or other information that allows physical or online contact, discipline records, test results, special education data, juvenile dependency records, grades, evaluations, criminal records, medical records, health records, social security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious information, text messages, documents, student identifiers, search activity, photos, voice recordings, or geolocation information.

The bill defines “interactive computer service” to mean any information, service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

The bill incorporates by reference the existing definition for “K-12 school” in state law.<sup>41</sup> K-12 schools 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

<sup>39</sup> Instructional staff of charter schools are generally exempt from this section of law. Section 1002.33(16), F.S.

<sup>40</sup> Section 1003.42(2)(a)-(t), F.S. (listing a number of subject matters including, among others, the history of the U.S., the state, African Americans, and the Holocaust).

<sup>41</sup> Section 1000.04(2), F.S.



operated under the control of district school boards; and lab schools operated under the control of state universities.

The bill defines “K-12 school purposes” to mean purposes directed by or that customarily take place at the direction of a K-12 school, teacher, or school district or that aid in the administration of school activities, including, but not limited to, instruction in the classroom or at home, administrative activities, and collaboration between students, school personnel, or parents, or that are otherwise for the use and benefit of the school.

The bill defines “operator” to mean – to the extent that it is operating in this capacity – the operator of an Internet website, online service, online application, or mobile application with actual knowledge that the site, service, or online application is used primarily for K-12 school purposes and was designed and marketed for K-12 school purposes.

The bill incorporates by reference the existing definition for “school district” in state law.<sup>42</sup> “School district” means any of the 67 county school districts, including their respective district school boards.

The bill defines “targeted advertising” to mean presenting advertisements to a student which are selected on the basis of information obtained or inferred over time from that student’s online behavior, usage of applications, or covered information. The term does not include advertising to a student at an online location based upon the student’s current visit to that location, or advertising presented in response to a student’s request for information or feedback, if the student’s online activities or requests are not retained over time for the purpose of targeting subsequent advertisements to that student.

### **Prohibitions**

The bill prohibits operators from knowingly:

- Engaging in targeted advertising on the operator’s site, service, or application, or targeted advertising on any other site, service, or application if the targeting of the advertising is based on any information, including covered information and persistent unique identifiers, which the operator has acquired because of the use of that operator’s site, service, or application for K-12 purposes.
- Using information, including persistent unique identifiers, created or gathered by the operator’s site, service, or application to amass a profile of a student, except in furtherance of K-12 school purposes. The term “amass a profile” does not include the collection and retention of account information that remains under the control of the student or the student’s parent or guardian or K-12 school.
- Sharing, selling, or renting a student’s information, including covered information. This paragraph does not apply to the purchase, merger, or other acquisition of an operator by another entity, if the operator or successor entity complies with this section regarding previously acquired student information, or to a national assessment provider if the provider obtains the express written consent of the parent or student, given in response to clear and

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<sup>42</sup> Section 595.402(5), F.S.



conspicuous notice, solely to provide access to employment, educational scholarships or financial aid, or postsecondary educational opportunities.

- Disclosing covered information, except as otherwise provided in the bill, unless the disclosure is made for any of the following reasons:
  - In furtherance of the K-12 school purpose of the site, service, or application, if the recipient of the covered information that is disclosed does not further disclose the information, unless such disclosure is made to allow or improve operability and functionality of the operator's site, service, or application.
  - To ensure legal and regulatory compliance or protect against liability.
  - To respond to or participate in the judicial process.
  - To protect the safety or integrity of users of the site or others or the security of the site, service, or application.
  - For a school, educational, or employment purpose requested by the student or the student's parent or guardian, provided that the information is not used or further disclosed for any other purpose.
  - To a third party, if the operator contractually prohibits the third party from using any covered information for any purpose other than providing the contracted service to or on behalf of the operator, prohibits the third party from disclosing any covered information provided by the operator with subsequent third parties, and requires the third party to implement and maintain reasonable security procedures and practices.

### **Requirements**

The bill requires operators to:

- Collect no more covered information than is reasonably necessary to operate an Internet website, online service, online application, or mobile application with actual knowledge that the site, service, or application is used primarily for K-12 school purposes and was designed and marketed for K-12 purposes.
- Implement and maintain reasonable security procedures and practices appropriate to the nature of the covered information which are designed to protect it from unauthorized access, destruction, use, modification, or disclosure.
- Within a reasonable timeframe, delete a student's covered information if the K-12 school or school district requests deletion of covered information under the control of the K-12 school or school district, unless a student or a parent or guardian consents to the maintenance of the covered information.

### **Permitted Disclosures**

The bill provides that an operator may use or disclose covered information of a student if:

- Federal or state law requires the operator to disclose the information, and the operator complies with federal or state law, as applicable, in protecting and disclosing that information.
- It is disclosed for legitimate research purposes, as required by state or federal law and subject to restrictions imposed thereunder, if covered information is not used for advertising or to amass a profile of the student for purposes other than K-12 school purposes; or as allowed by state or federal law and in furtherance of K-12 school purposes or postsecondary education purposes.

- The covered information is disclosed to a state or local educational agency, including K-12 schools and school districts, for K-12 school purposes, as allowed under state or federal law.

### **Permitted Activities**

The bill provides that its terms do not prohibit an operator from:

- Using covered information to improve educational products, if that information is not associated with an identified student within the operator's site, service, or application, or other sites, services, or applications owned by the operator.
- Using covered information that is not associated with an identified student to demonstrate the effectiveness of the operator's products or services, including use in their marketing.
- Sharing covered information that is not associated with an identified student for the development and improvement of educational sites, services, or applications.
- Using recommendation engines to recommend to a student any of the following:
  - Additional content relating to an education, an employment, or any other learning opportunity purpose within an online site, service, or application, if the recommendation is not determined in whole or in part by payment or other consideration from a third party.
  - Additional services relating to an educational, an employment, or any other learning opportunity purpose within an online site, service, or application, if the recommendation is not determined in whole or in part by payment or other consideration from a third party.
- Responding to a student's request for information or feedback without the information or response being determined in whole or in part by payment or other consideration from a third party.

### **Unregulated Activities**

The bill provides that it does not:

- Limit the authority of a law enforcement agency to obtain any content or information from an operator as authorized by law or under a court order.
- Limit the ability of an operator to use student data, including covered information, for adaptive learning or customized student learning purposes.
- Apply to general audience Internet websites, general audience online services, general audience online applications, or general audience mobile applications, even if login credentials created for an operator's site, service, or application may be used to access those general audience sites, services, or applications.
- Limit service providers from providing Internet connectivity to schools or students and their families.
- Prohibit an operator of an Internet website, online service, online application, or mobile application from marketing educational products directly to parents, if such marketing did not result from the use of covered information obtained by the operator through the provision of services covered under the bill.
- Impose a duty upon a provider of an electronic store, gateway, marketplace, or other means of purchasing or downloading software or applications to review or enforce compliance with this bill on such software or applications.

- Impose a duty upon a provider of an interactive computer service to review or enforce compliance with this bill by third-party content providers.
- Prohibit students from downloading, exporting, transferring, saving, or maintaining their own student data or documents.

**Effective Date**

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:**

Because the bill prohibits operators from engaging in targeted advertising; places new and significant restrictions on operators' collection and use of students' online personal information; and prohibits operators from sharing, selling, or renting such information, operators will no longer be able to financially benefit from such activities. Additionally, because the bill requires operators to adhere to new baseline privacy and security protections in connection with students' online personal information, operators will incur costs associated with implementing these measures and complying with the bill.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 1006.1494 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 Bradley

6-00348A-23

2023662\_\_

A bill to be entitled

An act relating to student online personal information protection; providing a short title; creating s. 1006.1494, F.S.; defining terms; prohibiting operators from knowingly engaging in specified activities relating to students' covered information; providing an exception; specifying the duties of an operator; providing circumstances under which an operator may disclose students' covered information; providing construction; providing an effective date.

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

Section 1. This act may be cited as the "Student Online Personal Information Protection Act."

Section 2. Section 1006.1494, Florida Statutes, is created to read:

1006.1494 Student online personal information protection.—

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

(a) "Covered information" means personal identifying information or material of a student, or information linked to personal identifying information or material of a student, in any media or format that is not publicly available and is any of the following:

1. Created by or provided to an operator by the student, or the student's parent or legal guardian, in the course of the student's, parent's, or legal guardian's use of the operator's site, service, or application for K-12 school purposes.

2. Created by or provided to an operator by an employee or

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

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agent of a K-12 school or school district for K-12 school purposes.

3. Gathered by an operator through the operation of its site, service, or application for K-12 school purposes and personally identifies a student, including, but not limited to, information in the student's educational record or electronic mail, first and last name, home address, telephone number, electronic mail address, or other information that allows physical or online contact, discipline records, test results, special education data, juvenile dependency records, grades, evaluations, criminal records, medical records, health records, social security number, biometric information, disabilities, socioeconomic information, food purchases, political affiliations, religious information, text messages, documents, student identifiers, search activity, photos, voice recordings, or geolocation information.

(b) "Interactive computer service" means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

(c) "K-12 school" has the same meaning as described in s. 1000.04(2).

(d) "K-12 school purposes" means purposes directed by or that customarily take place at the direction of a K-12 school, teacher, or school district or that aid in the administration of school activities, including, but not limited to, instruction in the classroom or at home, administrative activities, and

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collaboration between students, school personnel, or parents, or that are otherwise for the use and benefit of the school.

(e) "Operator" means, to the extent that it is operating in this capacity, the operator of an Internet website, online service, online application, or mobile application with actual knowledge that the site, service, or application is used primarily for K-12 school purposes and was designed and marketed for K-12 school purposes.

(f) "School district" has the same meaning as in s. 595.402.

(g) "Targeted advertising" means presenting advertisements to a student which are selected on the basis of information obtained or inferred over time from that student's online behavior, usage of applications, or covered information. The term does not include advertising to a student at an online location based upon the student's current visit to that location, or advertising presented in response to a student's request for information or feedback, if the student's online activities or requests are not retained over time for the purpose of targeting subsequent advertisements to that student.

(2) An operator may not knowingly do any of the following:

(a) Engage in targeted advertising on the operator's site, service, or application, or targeted advertising on any other site, service, or application if the targeting of the advertising is based on any information, including covered information and persistent unique identifiers, which the operator has acquired because of the use of that operator's site, service, or application for K-12 school purposes.

(b) Use information, including persistent unique

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identifiers, created or gathered by the operator's site, service, or application to amass a profile of a student, except in furtherance of K-12 school purposes. The term "amass a profile" does not include the collection and retention of account information that remains under the control of the student or the student's parent or guardian or K-12 school.

(c) Share, sell, or rent a student's information, including covered information. This paragraph does not apply to the purchase, merger, or other acquisition of an operator by another entity, if the operator or successor entity complies with this section regarding previously acquired student information, or to a national assessment provider if the provider obtains the express written consent of the parent or student, given in response to clear and conspicuous notice, solely to provide access to employment, educational scholarships or financial aid, or postsecondary educational opportunities.

(d) Except as otherwise provided in subsection (4), disclose covered information, unless the disclosure is made for any of the following purposes:

1. In furtherance of the K-12 school purpose of the site, service, or application, if the recipient of the covered information disclosed under this subparagraph does not further disclose the information, unless such disclosure is made to allow or improve operability and functionality of the operator's site, service, or application.

2. To ensure legal and regulatory compliance or protect against liability.

3. To respond to or participate in the judicial process.

4. To protect the safety or integrity of users of the site

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or others or the security of the site, service, or application.

5. For a school, educational, or employment purpose requested by the student or the student's parent or guardian, provided that the information is not used or further disclosed for any other purpose.

6. To a third party, if the operator contractually prohibits the third party from using any covered information for any purpose other than providing the contracted service to or on behalf of the operator, prohibits the third party from disclosing any covered information provided by the operator with subsequent third parties, and requires the third party to implement and maintain reasonable security procedures and practices.

(e) This subsection does not prohibit an operator's use of information for maintaining, developing, supporting, improving, or diagnosing the operator's site, service, or application.

(3) An operator shall do all of the following:

(a) Collect no more covered information than is reasonably necessary to operate an Internet website, online service, online application, or mobile application with actual knowledge that the site, service, or application is used primarily for K-12 school purposes and was designed and marketed for K-12 school purposes.

(b) Implement and maintain reasonable security procedures and practices appropriate to the nature of the covered information which are designed to protect it from unauthorized access, destruction, use, modification, or disclosure.

(c) Within a reasonable timeframe, delete a student's covered information if the K-12 school or school district

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requests deletion of covered information under the control of the K-12 school or school district, unless a student or a parent or guardian consents to the maintenance of the covered information.

(4) An operator may use or disclose covered information of a student under any of the following circumstances:

(a) If federal or state law requires the operator to disclose the information, and the operator complies with federal or state law, as applicable, in protecting and disclosing that information.

(b) If covered information is not used for advertising or to amass a profile of the student for purposes other than K-12 school purposes, legitimate research purposes, as required by state or federal law and subject to restrictions imposed thereunder; or as allowed by state or federal law and in furtherance of K-12 school purposes or postsecondary educational purposes.

(c) If the covered information is disclosed to a state or local educational agency, including K-12 schools and school districts, for K-12 school purposes, as allowed under state or federal law.

(5) This section does not prohibit an operator from doing any of the following:

(a) Using covered information to improve educational products, if that information is not associated with an identified student within the operator's site, service, or application, or other sites, services, or applications owned by the operator.

(b) Using covered information that is not associated with

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an identified student to demonstrate the effectiveness of the operator's products or services, including use in their marketing.

(c) Sharing covered information that is not associated with an identified student for the development and improvement of educational sites, services, or applications.

(d) Using recommendation engines to recommend to a student any of the following:

1. Additional content relating to an educational, an employment, or any other learning opportunity purpose within an online site, service, or application, if the recommendation is not determined in whole or in part by payment or other consideration from a third party.

2. Additional services relating to an educational, an employment, or any other learning opportunity purpose within an online site, service, or application, if the recommendation is not determined in whole or in part by payment or other consideration from a third party.

(e) Responding to a student's request for information or feedback without the information or response being determined in whole or in part by payment or other consideration from a third party.

(6) This section does not do any of the following:

(a) Limit the authority of a law enforcement agency to obtain any content or information from an operator as authorized by law or under a court order.

(b) Limit the ability of an operator to use student data, including covered information, for adaptive learning or customized student learning purposes.

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(c) Apply to general audience Internet websites, general audience online services, general audience online applications, or general audience mobile applications, even if login credentials created for an operator's site, service, or application may be used to access those general audience sites, services, or applications.

(d) Limit service providers from providing Internet connectivity to schools or students and their families.

(e) Prohibit an operator of an Internet website, online service, online application, or mobile application from marketing educational products directly to parents, if such marketing did not result from the use of covered information obtained by the operator through the provision of services covered under this section.

(f) Impose a duty upon a provider of an electronic store, gateway, marketplace, or other means of purchasing or downloading software or applications to review or enforce compliance with this section on such software or applications.

(g) Impose a duty upon a provider of an interactive computer service to review or enforce compliance with this section by third-party content providers.

(h) Prohibit students from downloading, exporting, transferring, saving, or maintaining their own student data or documents.

Section 3. This act shall take effect July 1, 2023.



The Florida Senate  
**APPEARANCE RECORD**

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

3-20-23

Meeting Date

Education

Committee

662

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Sal Nuzzo**

Phone **8503229941**

Address **100 N Duval Street**  
Street

Email **snuzzo@jamesmadison.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:

☐ 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)

March 20, 2023

Meeting Date

Education PreK-12

Committee

The Florida Senate

## APPEARANCE RECORD

Deliver both copies of this form to  
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662

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Barney Bishop III**

Phone **850-510-9922**

Address **1454 Vieux Carre Drive**

Email **Barney@BarneyBishop.com**

Street

**Tallahassee**

**FL**

**32308**

City

State

Zip

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

### PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**Fla. Smart Justice**

...

☐ 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)

The Florida Senate

**APPEARANCE RECORD**

SB662

March 20, 2023

Meeting Date

Bill Number or Topic

Education PreK-12

Committee

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

Amendment Barcode (if applicable)

Name Nancy Lawther, Ph.D. (Florida PTA)

Phone 407 855-7604

Address 1747 Orlando Central Pkwy

Email legislator@floridapta.org

Street

Orlando, FL 32809

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.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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Senate professional staff conducting the meeting

March 20, 23

Meeting Date

SB 662

Bill Number or Topic

Education Pre K-12

Committee

Amendment Barcode (if applicable)

Name

Cathryn Moering

Phone

Address

Street

Email

stauffcm@verizon.net

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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Senate professional staff conducting the meeting

53662

Bill Number or Topic

Amendment Barcode (if applicable)

3/20/23

Meeting Date

EDUCATION PREK-12

Committee

Name

CHRIS STAUFFER

Phone

Address

Street

Email

stauffjc@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:

☐

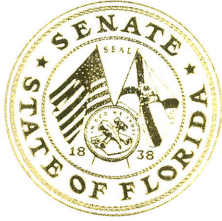
I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

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)





## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Appropriations Committee on Criminal  
and Civil Justice, *Chair*  
Criminal Justice, *Vice Chair*  
Appropriations  
Appropriations Committee on Health  
and Human Services  
Children, Families, and Elder Affairs  
Community Affairs  
Regulated Industries

### SELECT COMMITTEE:

Select Committee on Resiliency

**SENATOR JENNIFER BRADLEY**

6th District

March 8, 2023

Senator Corey Simon, Chairman  
Senate Committee on Education Pre- K-12  
302 Senate Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear Chairman Simon:

I respectfully request that Senate Bill 662 be placed on the committee's agenda at your earliest convenience. This bill relates to the student online personal information protection.

Thank you for your consideration.

Sincerely,

Jennifer Bradley

cc: Matthew Bouck, Staff Director  
Secret Williams, Administrative Assistant

### REPLY TO:

- ☐ 1845 East West Parkway, Suite 5, Fleming Island, Florida 32003 (904) 278-2085
- ☐ 410 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5006

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KATHLEEN PASSIDOMO**  
President of the Senate

**DENNIS BAXLEY**  
President Pro Tempore

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

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

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

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BILL: SB 1386

INTRODUCER: Senator Perry

SUBJECT: Florida School for Competitive Academics

DATE: March 17, 2023

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

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

---

**I. Summary:**

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<sup>1</sup> Competition. The team broke records by winning a total of 304

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<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 in high school and two-year college students. Currently, more than 100,000 students are Mu Alpha Theta members at more than

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.<sup>3</sup> 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.<sup>4</sup> 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>5</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>6</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>7</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 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

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2,420 schools in the United States and in 23 foreign countries. 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. 16, 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> *Id.*

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

<sup>6</sup> Pine View School, *About Pine View School*, <https://www.sarasotacountysschools.net/domain/1447> (last visited Mar. 16, 2023).

<sup>7</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. 16, 2023).



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>8</sup> Admissions is based on a variety of factors including GPA, attendance record, and college placement test scores.<sup>9</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:<sup>10</sup>

- 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.

##### ***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 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

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<sup>8</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. 16, 2023).

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

<sup>10</sup> Section 1000.04, F.S.

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 the Commissioner of Education (commissioner) to ensure all eligible students are informed of the FSCA. The commissioner 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>11</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, that 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.
- Having a stand-alone law enforcement agency.
- After receiving approval from the Administration Commission, exercising the power of eminent domain in the manner as provided in law.

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<sup>11</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>12</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>13</sup>

#### Personnel

The FSCA board of trustees and all employees and applicants for employment must undergo a Level 2 background screening<sup>14</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>12</sup> Section 1002.22, F.S.

<sup>13</sup> Section 1012.31, F.S.

<sup>14</sup> A Level 2 screening includes, but is not limited to, fingerprinting for statewide criminal history records checks through the Department of Law Enforcement, and national criminal history records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies. 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>15</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>16</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>17</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>18</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>19</sup> in Florida.<sup>20</sup> Through collective bargaining, public employees collectively negotiate

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<sup>15</sup> Section 110.2035(1), F.S.

<sup>16</sup> Section 110.205(2)(d), F.S.

<sup>17</sup> Section 216.251(1), F.S.

<sup>18</sup> Section 216.251(2), F.S.

<sup>19</sup> “Public employee” means any person employed by a public employer except: Governor appointees; elected officials; members of boards and commissions; those in an organized militia; negotiating representatives; specified persons associated with the Public Employee Relations Commission; employees of the Florida Legislature; inmates; inspector positions for federal or state fruit and vegetable inspection service; and undergraduate students at a state university. Section 447.203(3), F.S.

<sup>20</sup> FLA. CONST. Art. I, s. 6.

with their public employer in the determination of the terms and conditions of their employment.<sup>21</sup> Educational institution public employers include:<sup>22</sup>

- 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.

### 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 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

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<sup>21</sup> Section 447.301(2), F.S.

<sup>22</sup> Section 447.203(2), F.S.

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 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>23</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>24</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>25</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>26</sup>

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<sup>23</sup> The Auditor General (AG) is a constitutional officer appointed by the Legislative Auditing Committee and confirmed by both houses of the Legislature. As the State's independent external auditor, the AG provides unbiased, timely, and relevant information that the Legislature, Florida's citizens, public entity management, and other stakeholders can use to promote government accountability and stewardship and improve government operations.

Florida Auditor General, *Welcome*, <https://flauditor.gov/> (last visited Mar. 16, 2023).

<sup>24</sup> "Financial audit" means an examination of financial statements in order to express an opinion on the fairness with which they are presented in conformity with generally accepted accounting principles and an examination to determine whether operations are properly conducted in accordance with legal and regulatory requirements. 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>25</sup> "Operational audit" means an audit whose purpose is to evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste, and abuse, and in administering assigned responsibilities in accordance with applicable laws, administrative rules, contracts, grant agreements, and other guidelines. Operational audits must be conducted in accordance with government auditing standards. 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>26</sup> Section 11.45(2), F.S.

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>27</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 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>28</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>29</sup>

The bill specifies that the FSCA is exempt from all statutes in chapters 1000-1013. However, the FSCA must comply with the following statutes in chapters 1000-1013:

- 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, relating to discrimination.
- Those statutes pertaining to student health, safety, and welfare.
- Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.
- Chapter 119, relating to public records.
- Section 1006.12, relating to safe-school officers.
- Section 1006.07(7), relating to threat assessment teams.
- Section 1006.07(9), relating to school environmental safety incident reporting.
- Section 1006.07(10), relating to reporting of involuntary examinations.
- Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.
- Section 1006.07(6)(d), relating to adopting active assailant response plans.
- Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.
- Section 1012.584, relating to youth mental health awareness and assistance training.
- Section 1003.4282, relating to requirements for a standard high school diploma.
- Section 1003.03(1), relating to class size maximums.

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<sup>27</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.

<sup>28</sup> Section 1001.20(4)(e), F.S.

<sup>29</sup> Section 1002.33(16), F.S.

- Section 1011.61, 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.

#### **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 School for Competitive Academics within the state. The cost is indeterminate at this time.



**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.)

None.

**B. Amendments:**

None.

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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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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General Appropriations Act.

(b) In addition to the funds provided in the General Appropriations Act, the Florida School for Competitive Academics may receive other funds from grants and donations.

(7) AUDITS.—The Auditor General shall conduct audits of the accounts and records of the Florida School for Competitive Academics as provided in s. 11.45. The Department of Education's Inspector General is authorized to conduct investigations at the school as provided in s. 1001.20(4)(e).

(8) EXEMPTION FROM STATUTES.—

(a) The Florida School for Competitive Academics is exempt from all statutes in chapters 1000-1013. However, the Florida School for Competitive Academics shall be in compliance with the following statutes in chapters 1000-1013:

1. This section.

2. Those statutes pertaining to the student assessment program and school grading system.

3. Those statutes pertaining to the provision of services to students with disabilities.

4. Those statutes pertaining to civil rights, including, but not limited to, s. 1000.05, relating to discrimination.

5. Those statutes pertaining to student health, safety, and welfare.

(b) Additionally, the Florida School for Competitive Academics 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 1006.12, relating to safe-school officers.

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4. Section 1006.07(7), relating to threat assessment teams.

5. Section 1006.07(9), relating to school environmental safety incident reporting.

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

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

8. Section 1006.07(6)(d), relating to adopting active assailant response plans.

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

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

11. Section 1003.4282, relating to requirements for a standard high school diploma.

12. Section 1003.03(1), relating to class size maximums.

13.a. Section 1011.61, relating to instructional hours requirements.

b. Notwithstanding sub-subparagraph a., the school may provide instruction that exceeds the minimum time requirements for the purposes of offering a summer program.

(c) For purposes of this subsection:

1. The duties assigned to a district school superintendent apply to the director of the Florida School for Competitive Academics.

2. The duties assigned to a district school board apply to the board of trustees.

Section 3. Section 1011.58, Florida Statutes, is created to 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 Corey Simon, Chair  
Committee on Education Pre-K -12

**Subject:** Committee Agenda Request

**Date:** March 10, 2023

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I respectfully request that **Senate Bill #1386**, relating to Florida School for Competitive Academics, be placed on the:

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

*W. Keith Perry*

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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 Committee on Education Pre-K -12

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BILL: SB 1430

INTRODUCER: Senator Avila

SUBJECT: Education

DATE: March 17, 2023

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

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

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**I. Summary:**

SB 1430 adds and revises a number of requirements relating to teacher preparation programs, educator certification, and teacher and administrator professional development.

The bill modifies Florida's teacher preparation programs by:

- Requiring each educator preparation institute (EPI) to include scientifically based reading instruction, content literacy, and mathematical practices for each subject identified on the statement of eligibility or temporary certificate; and requiring EPI candidates to demonstrate competency and participate in field experiences that are relevant to their individual educational plan;
- Expanding initial teacher preparation programs' core curricula to include instructional practices to support effective, research-based assessment and grading practices aligned to the state's academic standards; and
- Separating, and renaming Professional Learning Certification Programs and Professional Education Competency Programs; and providing the State Board of Education with rulemaking authority to establish the criteria for the review and approval of Professional Learning Certification Programs.

The bill modifies teacher training by requiring a system-wide shift from professional development to professional learning by:

- Defining the requirements for professional learning;
- Requiring all inservice activities to meet specific criteria;
- Requiring external professional learning providers to meet specific criteria;
- Authorizing administrators' to visit and observe classroom teachers throughout the year to provide mentorship, training, instructional feedback, or professional learning;

- Requiring the DOE to create a high-quality marketplace to aid in the identification of high-quality programs and resources; and requiring the DOE to review and approve professional learning systems every 5 years.

The bill modifies educator certification requirements by:

- Extending the temporary teaching certificate from 3 years to 5 years and limits the certificate to a one-time, non-renewable issuance; and expands eligibility for temporary certification to candidates who are currently enrolled in a state-approved teacher preparation programs and meet certain requirements.
- Requires all personnel under a temporary certificate to demonstrate mastery of general knowledge, rather than just classroom teachers.
- Limits the personnel who must demonstrate professional preparation and education competence to classroom teachers and school administrators.

The bill also includes a number of other provisions relating to K-12 public schools:

- Beginning with students entering grade 9 in the 2023-2024 school year, the one credit in practical arts required for high school graduation is replaced by one credit in career education.
- Beginning in 2023-2024, the bill adds an additional measure to the school grades formula to include student results on the grade 3, standardized ELA assessment.
- To increase access to CAPE certificates or certifications the bill removes the cap of 0.1 FTE earned within the same fiscal year by elementary and middle grades students.
- The bill expands the schools that may receive funds under the Turnaround School Supplemental Services Allocation, removes the four-year maximum limitation for school eligibility for the program, and specifies the allocation must be based on actual student enrollment from the October FTE survey.
- The Teachers Classroom Supply Assistance Program is amended to require the DOE to administer a competitive procurement through which classroom teachers may purchase classroom materials and supplies.

The fiscal impact of the bill is indeterminate, however, the bill may have a significant negative impact on state revenues or expenditures. See Section V.

The bill has an effective date of July 1, 2023.

## **II. Present Situation:**

The Present Situation is presented under Section III, Effect of Proposed Changes.

### III. Effect of Proposed Changes:

#### Teacher Preparation Programs

##### *Present Situation*

Teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve the state education goals.<sup>1</sup> State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school districts, and private providers by which candidates for educator certification can, depending on the type of program, demonstrate mastery of general knowledge, professional preparation and education competence, and/or subject area knowledge for purposes of attaining an educator certificate.<sup>2</sup>

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

- Initial Teacher Preparation programs requiring candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Program completers qualify for a professional educator certificate.<sup>4</sup>
- Educator Preparation Institutes (EPIs) offering alternative certification programs by postsecondary institutions and qualified private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge and mastery of professional preparation and education competence.
- District Professional Development Certification and Education Competency Programs: cohesive competency-based professional preparation certification programs offered by school districts, charter schools, and charter management districts by which the instructional staff can satisfy the mastery of professional preparation and education competence requirements.<sup>5</sup> In addition to completing the district program, candidates must demonstrate mastery of general knowledge<sup>6</sup> and subject area knowledge.<sup>7</sup>

##### Teacher Preparation Program Uniform Core Curricula

Each candidate enrolled in a teacher preparation program must receive instruction and be assessed on the uniform core curricula in his or her area of program concentration during course

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

<sup>2</sup> See Florida Department of Education (DOE), *Professional Development in Florida*, <http://www.fldoe.org/teaching/professional-dev/> (last visited Mar. 15, 2023). See also rule 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

<sup>3</sup> Florida DOE, *Educator Preparation*, <http://www.fldoe.org/teaching/preparation> (last visited Mar. 15, 2023). See also rule 6A-5.066, F.A.C.

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

<sup>5</sup> Section 1012.56(8)(a), F.S.

<sup>6</sup> See Florida DOE, *General Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.stml> (last visited Mar. 15, 2023).

<sup>7</sup> Florida DOE, *Subject Area Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.stml> (last visited Mar. 15, 2023).

work and field experiences. A candidate for certification in a coverage area that includes reading instruction or interventions in kindergarten through grade six must successfully complete all competencies for a reading endorsement.<sup>8</sup>

The SBE must establish, in rule, uniform core curricula for each state-approved teacher preparation program including, but not limited to:<sup>9</sup>

- Candidate instruction and assessment in the Florida Educator Accomplished Practices (FEAP)<sup>10</sup> across content areas;
- The use of state-adopted content standards to guide curricula and instruction;<sup>11</sup>
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students;<sup>12</sup>
- Content literacy and mathematical practices;
- Strategies appropriate for instruction of English language learners;
- Strategies appropriate for instruction of students with disabilities;
- Strategies to differentiate instruction based on student needs;
- Strategies and practices to support evidence-based content aligned to state standards and grading practices;
- Strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support; and
- Strategies to support the use of technology in education and distance learning.

In addition, before program completion, each candidate must demonstrate his or her ability to positively impact student learning growth in the candidate's area(s) of program concentration during a prekindergarten through grade 12 field experience and must pass each portion of the Florida Teacher Certification Examination required for a professional certificate in the area(s) of program concentration.<sup>13</sup>

#### Educator Preparation Institutes (EPIs)

Postsecondary institutions that are accredited or approved by the Department of Education (DOE) to award degrees and credits for educator certification may seek approval from the DOE to create EPIs for the purpose of providing all or any of the following:<sup>14</sup>

- Professional development instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements;
- Instruction to assist potential and existing substitute teachers in performing their duties;

<sup>8</sup> Section 1004.04(2)(c), F.S.

<sup>9</sup> Section 1004.04(2)(b)1.-10., F.S.

<sup>10</sup> Florida DOE, *Professional Development The Florida Educator Accomplished Practices (FEAP)*, <https://www.fldoe.org/teaching/professional-dev/the-fl-educator-accomplished-practices.stml> (last visited Mar. 16, 2023).

<sup>11</sup> The SBE has adopted the state academic standards, which establish the core content of the curricula taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Rule 6A-1.09401(1), F.A.C.; s. 1003.41(1), F.S.

<sup>12</sup> The Just Read, Florida! Office must assist teacher preparation programs and EPIs with this requirement. Section 1001.215(11), F.S.

<sup>13</sup> Section 1004.04(2)(d), F.S.

<sup>14</sup> Section 1004.85(2)(a), F.S.

- Instruction to assist paraprofessionals in meeting education and training requirements;
- Instruction for noneducation baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for mid-career professionals; and
- Instruction and professional development for part-time and full-time non-degreed teachers of career programs.

A private provider that has a proven history of delivering high-quality educator preparation may also seek approval to offer a competency-based certification program. The DOE approval must be based upon evidence provided from other state recipients of the provider's services and data showing the successful performance of completers based upon student achievement.<sup>15</sup>

Educator preparation institutes may offer competency-based certification programs specifically designed for non-education major baccalaureate degree holders to enable program participants to meet educator certification. The DOE must approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:<sup>16</sup>

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

Continued program approval is determined by the Commissioner of Education (commissioner) based upon a periodic review of candidate readiness based on passage rates on educator

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<sup>15</sup> Section 1004.85(2)(b), F.S.

<sup>16</sup> Section 1004.85(3)(a), F.S.



certification examinations and evidence of performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments, results of program completers' annual evaluations, and workforce contributions.<sup>17</sup>

Each approved institute must submit annual performance evaluations to the DOE that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and program completers. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the realities of the classroom and the institute's responsiveness to local school districts. These evaluations must be used by the DOE for purposes of continued approval of an EPI's certification program.<sup>18</sup>

#### Professional Development Certification and Education Competency Programs

School districts, charter schools and charter management organizations may offer a professional development certification program that must be approved by the DOE. The program must include:<sup>19</sup>

- A minimum period of initial preparation before becoming the teacher of record;
- An option to collaborate with other agencies or educational entities for implementation;
- A teacher mentorship and induction component;
- An assessment of teaching performance aligned with the district's personnel evaluation system;
- Professional educational preparation content knowledge which must be included in the mentoring and induction activities;
- Required passing scores on the general knowledge, subject area and the professional education competency test; and
- Completion of all competencies for a reading endorsement for all candidates for certification in coverage areas that include reading instruction or interventions in kindergarten through grade 6.

As required by law, the DOE adopted, effective January 1, 2018, standards for the approval of professional development certification programs, including standards for the teacher mentorship and induction component.<sup>20</sup> The standards for the teacher mentorship and induction component must include:<sup>21</sup>

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

Each school district, charter school, or charter management organization, wishing to provide a professional preparation and competency program must submit its program, including the teacher mentorship and induction component, to the DOE for approval.

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<sup>17</sup> Section 1004.85(4), F.S.

<sup>18</sup> Section 1004.85(5), F.S.

<sup>19</sup> Section 1012.56(8)(a)1.-7., F.S.

<sup>20</sup> See rule 6A-5.066, F.A.C.

<sup>21</sup> Section 1012.56(8)(c), F.S.

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

SB 1430 modifies s. 1004.04, F.S., to add strategies and practices to support effective, research based assessment and grading practices aligned to the state's academic standards to the list of uniform core curricula topics that must be included in teacher preparation programs.

The bill modifies s. 1004.85, F.S., to eliminate redundancy in EPI instruction provided to candidates that are already embedded in the FEAP and clarifies that candidates must demonstrate competency and participate in field experiences that are appropriate to his or her individual educational plan at the institute.

The bill requires that all state approved EPI programs cover scientifically based reading instruction, content literacy, and mathematical practices for each subject identified on the participant's statement of status of eligibility or temporary certificate.

The bill requires the SBE to adopt rules for the approval of EPIs, commissioner determination.

In addition, the bill separates, and renames the two alternative certification pathways offered by school districts, charter schools, and charter management organizations: Professional Learning Certification Programs and Professional Education Competency Programs:

- Professional Learning Certification Programs are developed by the DOE and include a teacher mentorship and induction component to ensure candidates receive timely coaching and feedback to improve practice. The bill provides for mentor activities to be routine and requires all professional learning to be in alignment with the professional learning criteria.
- Professional Education Competency Programs are developed by school districts by which members of the instructional staff may demonstrate mastery of professional preparation and educator competence as required by law. Each program must be based on classroom application of the FEAP and instructional performance and, for public schools, must be aligned with the district's evaluation system. The bill authorizes the commissioner to determine the continued approval of programs, based on the DOE's review of performance data, as a part of the periodic review of district professional learning systems.

## **Educator Certification**

### ***Present Situation***

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.<sup>22</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>23</sup> The purpose of certification is to require school-based personnel to "possess the

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<sup>22</sup> Sections 1012.55(1) and 1002.33(12)(f), F.S.

<sup>23</sup> Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”<sup>24</sup>

To be eligible for an educator certificate, an individual must meet the following eligibility requirements:<sup>25</sup>

- Be at least 18 years of age;
- Sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- Earn a bachelor’s or higher degree from an accredited institution of higher learning<sup>26</sup> or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;<sup>27</sup>
- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment;
- Be of good moral character; and
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher.

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>28</sup> valid for 5 years and renewable.<sup>29</sup>
- Temporary Certificate: covers employment in full-time positions for which educator certification is required;<sup>30</sup> generally valid for 3 years and nonrenewable.<sup>31</sup>
- Athletic Coaching Certificate: covers full-time and part-time employment as a public school athletic coach;<sup>32</sup> includes two types of athletic coaching certificates – one is valid for 5 years and may be issued for subsequent 5-year periods while the other is valid for 3 years and may be issued only once.<sup>33</sup>

An applicant seeking a professional certification must:

- Meet the basic eligibility requirements for certification,<sup>34</sup>

<sup>24</sup> Section 1012.54, F.S.; see rule 6A-4.001(1), F.A.C.

<sup>25</sup> Section 1012.56(2)(a)-(f), F.S.

<sup>26</sup> Section 1012.56(2)(c), F.S.; rule 6A-4.003(1), F.A.C. (approved accrediting agencies); see also 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *Institutional Accrediting Agencies*, [https://www2.ed.gov/admins/finaid/accred/accreditation\\_pg3.html#RegionalInstitutional](https://www2.ed.gov/admins/finaid/accred/accreditation_pg3.html#RegionalInstitutional) (last visited Mar. 15, 2023).

<sup>27</sup> Section 1012.56(2)(c), F.S.; rule 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). Section 1012.56(2)(c), F.S.

<sup>28</sup> Rule 6A-4.004(3), F.A.C.

<sup>29</sup> Section 1012.56(7)(a), F.S.; see rule 6A-4.0051(3)(d), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). The DOE also issues a nonrenewable 5-year professional certificate that allows an applicant with a bachelor’s degree in the area of speech-language impairment to complete a master’s degree in speech-language impairment. Section 1012.56(7)(c), F.S.; rule 6A-4.004(4), F.A.C.

<sup>30</sup> Rule 6A-4.004(1)(a)2., F.A.C.

<sup>31</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. The veteran’s pathway to educator certification authorizes a 5 year nonrenewable temporary certificate. Section 1012.56(7)(e)2., F.S. The DOE also issues a nonrenewable temporary certificate, which is valid for 2 years, in the area of speech-language impairment. Sections 1012.56(7)(c), F.S.

<sup>32</sup> Section 1012.55(2)(a), F.S.

<sup>33</sup> Rule 6A-4.004(5), F.A.C. (validity periods expressed in school fiscal years).

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

- Demonstrate mastery of general knowledge, if the person serves as a classroom teacher;<sup>35</sup>
- Demonstrate mastery of subject area knowledge;<sup>36</sup> and
- Demonstrate mastery of professional preparation and education competence.<sup>37</sup>

A professional certificate is renewable for successive periods of 5 years<sup>38</sup>, 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.

An applicant seeking a temporary certification must:

- Meet the basic eligibility requirements for certification;<sup>39</sup>
- Obtain full-time employment in a position that requires a Florida educator certificate by a school district or private school that has a DOE-approved professional education competence demonstration program;<sup>40</sup> and
- Do one of the following:
  - Demonstrate mastery of subject area knowledge;<sup>41</sup> or
  - Complete the required degree or content courses specified in state board rule for subject area specialization<sup>42</sup> and attain at least a 2.5 grade point average on a 4.0 scale in the subject area courses.<sup>43</sup>

To qualify for a temporary certificate, an applicant must meet subject area specialization requirements in at least one subject. Each subject area has specific degree or course requirements set in SBE rule,<sup>44</sup> and select subject areas including Reading, Speech-Language Impaired, School Counseling, School Psychology, and School Social Work require a master's or specialist degree.<sup>45</sup>

<sup>35</sup> Section 1012.56(2)(g) and (3), F.S.; Florida DOE, *General Knowledge*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.html> (last visited Mar. 15, 2023).

<sup>36</sup> Section 1012.56(2)(h) and (5), F.S.

<sup>37</sup> Section 1012.56(2)(i) and (6), 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).

<sup>38</sup> Sections 1012.56(7)(a) and 1012.585, F.S.; rule 6A-4.0051(1), F.A.C.

<sup>39</sup> Section 1012.56(2)(a)-(f) and (7)(b), F.S.

<sup>40</sup> Section 1012.56(1)(b), F.S.; Rule 6A-4.004(1)(a), F.A.C.

<sup>41</sup> Section 1012.56(7)(b), F.S.; Florida DOE, *Subject Area Knowledge* <http://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.html> (last visited Mar. 15, 2023).

<sup>42</sup> Section 1012.56(7)(b), F.S. The degree and content requirements are specified in ch. 6A-4, F.A.C.

<sup>43</sup> Section 1012.56(2)(c), F.S.; See Florida DOE, *Certificate Types and Requirements*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/> (last visited Mar. 15, 2023).

<sup>44</sup> Section 1012.56(7)(b), F.S. The degree and content requirements are established in ch. 6A-4, F.A.C.

<sup>45</sup> Florida DOE, Educator Certification, *Certificate Subjects*, <https://www.fldoe.org/teaching/certification/certificate-subjects/#degreed> (last visited Mar. 15, 2023).

Generally, a temporary certificate is valid for 3 years and is nonrenewable; however, a temporary certificate for military service members is valid for 5 years, limited to a one-time issuance, and is nonrenewable.<sup>46</sup>

A temporary certificate may be extended by 2 years if the requirements for the professional certificate, other than the general knowledge requirement, have not been met due to serious illness or injury of the applicant, military service by the applicant's spouse, or other extraordinary extenuating circumstances; or, the certificate holder is rated highly effective in the immediate year's performance evaluation or has completed a 2-year mentorship program.<sup>47</sup>

#### Renewal of Professional Certificates

A professional certificate must be renewed every 5 years.<sup>48</sup> An educator must submit an application,<sup>49</sup> pay a fee,<sup>50</sup> and earn at least six college credits or 120 inservice points, or a combination of both, during each 5-year validity cycle to renew his or her professional certification.<sup>51</sup> At least three college credits or 60 inservice points must be earned in each subject area for which renewal is sought.<sup>52</sup>

Applicants for renewal of a professional certificate must earn at least one college credit or the equivalent amount of inservice points in the area of instruction for teaching students with disabilities.<sup>53</sup>

For professional certificates with specialization areas that include reading instruction or intervention for students in kindergarten through grade 6 and a beginning validity date on or after July 1, 2020, educators must complete two college credits or the equivalent amount of inservice points in specific reading instruction and intervention strategies for renewal of coverages specified in state board rule.<sup>54</sup>

Certification in subject areas may also be renewed by earning a passing score on the corresponding Florida-developed subject area test or standardized examination specified in SBE rule.<sup>55</sup> Certification by the National Board for Professional Teaching Standards is deemed to meet certification renewal requirements for the life of the certificate, in the corresponding certification subject area.<sup>56</sup>

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<sup>46</sup> Section 1012.56(7)(e)2., F.S.

<sup>47</sup> Section 1012.56(7), F.S. (flush-left provisions at the end of subsection).

<sup>48</sup> Section 1012.585(2)(a), F.S.

<sup>49</sup> Rule 6A-4.0051(3)(c), F.A.C. The DOE processes certification renewals for individuals who are not employed by district school boards. Section 1012.585(1)(b), F.S. District school boards are responsible for processing certificate renewals for school district employees. Section 1012.585(1)(a), F.S.

<sup>50</sup> The fee for a certification renewal is \$75. Rules 6A-4.0051(3)(c) and 6A-4.0012(1)(b)1., F.A.C.

<sup>51</sup> Section 1012.585(3)(a), F.S.

<sup>52</sup> Section 1012.585(3)(a), F.S.

<sup>53</sup> Section 1012.585(3)(e), F.S. This required training may not add to the total hours required by the DOE for continuing education or inservice training. *Id.*

<sup>54</sup> Section 1012.585(3)(f), F.S.

<sup>55</sup> Section 1012.585(3)(b), F.S. For the purposes of renewing a professional certificate, passage of a subject area examination is equivalent to three semester hours of college credit. Rule 6A-4.0051(1)(b), F.A.C.

<sup>56</sup> Section 1012.585(2)(b), F.S.; rule 6A-4.0051(1)(c), F.A.C.

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

SB 1430 modifies s. 1012.56, F.S., to extend the validity period of a temporary teaching certificates from 3 years to 5 years. Accordingly, the bill removes the authorization for the DOE to extend the validity period of a temporary certificate.

The bill expands eligibility for a temporary teaching certification to candidates who are currently enrolled in a state-approved teacher preparation program, are actively completing the required program field experience or internship at a public school, and can provide documentation of completion of 60 college credits with a minimum cumulative grade point average of 2.5 on a 4.0 scale as provided by one or more accredited institutions of higher learning identified by the DOE, or unaccredited institution identified by the DOE has having a quality bachelor's degree program.

The bill requires all applicants for a professional certificate to demonstrate mastery of general knowledge, instead of only classroom teachers. The bill also limits the personnel who must demonstrate mastery of professional preparation and education competence to classroom teachers and school administrators.

A candidate with a beginning validity date of July 1, 2025, or later seeking to renew a professional certificate in educational leadership must complete a minimum of 1 college credit or 20 inservice points in Florida's educational leadership standards. This provision does not add toward the total 120 required continuing education or inservice training hours currently required by the department.

### **Professional Development**

Traditional professional development is differentiated from professional learning, which is intended to result in system-wide changes in student outcomes. Professional development is usually associated with one-time workshops, seminars, or lectures that are one-size-fits-all. Professional learning is typically interactive, ongoing, and tailored to the needs of educators. This approach encourages educators to take ownership of learning and apply what they've learned in different contexts.<sup>57</sup>

### ***Present Situation***

#### **Professional Development Systems**

Current law requires school districts to develop a professional development system in consultation with classroom teachers, state colleges and universities, business and community representatives, and local education foundations, consortia, and professional organizations.<sup>58</sup>

<sup>57</sup> IES REL Regional Educational Laboratory Program, *Distinguishing Professional Learning from Professional Development*,

[https://ies.ed.gov/ncee/edlabs/regions/pacific/blogs/blog2\\_DistinguishingProfLearning.asp#:~:text=Professional%20development%2C%20which%20%E2%80%9Chappens%20to%E2%80%9D%20teachers%2C%20is%20often,typically%20interactive%2C%20sustained%2C%20and%20customized%20to%20teachers%27%20needs.](https://ies.ed.gov/ncee/edlabs/regions/pacific/blogs/blog2_DistinguishingProfLearning.asp#:~:text=Professional%20development%2C%20which%20%E2%80%9Chappens%20to%E2%80%9D%20teachers%2C%20is%20often,typically%20interactive%2C%20sustained%2C%20and%20customized%20to%20teachers%27%20needs.) (last visited Mar. 16, 2023).

<sup>58</sup> Section 1012.98(4)(b), F.S.

Among other things, the professional development system must:<sup>59</sup>

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

Each school district professional development system must:<sup>60</sup>

- Be reviewed and approved by the DOE.
- Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students.
- Provide inservice activities coupled with follow up support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel must focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.
- Provide inservice activities and support targeted to the individual needs of teachers.
- Include a master inservice plan, or professional learning catalog, that identifies the educational training programs that may generate inservice points toward recertification or add-on certification.<sup>61</sup> Each district catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom.<sup>62</sup>
- Include inservice activities for school administrative personnel.
- Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.
- Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.
- Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones.
- For middle grades, emphasize interdisciplinary planning, collaboration, instruction, and alignment of curriculum and instructional materials to the state academic standards.

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<sup>59</sup> Section 1012.98(3), F.S.

<sup>60</sup> Section 1012.98(4)(b), F.S.

<sup>61</sup> Section 1012.98(4)(b)5., F.S.; Florida DOE, *Master Inservice Plans*, <http://www.fldoe.org/teaching/professional-dev/master-inservice-plans-mip.stml> (last visited Mar. 16, 2023).

<sup>62</sup> Section 1012.98(4)(b)5., F.S.

- Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs.

In addition to improving school district professional development systems, the DOE is required to disseminate research-based professional development methods and programs that have demonstrated success in meeting identified student needs, including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available assistance.<sup>63</sup>

#### William Cecil Golden Professional Development Program

The William Cecil Golden Professional Development Program for School Leaders is a collaborative network of state and national professional leadership organizations for school principals. The program is designed to respond to Florida's needs for quality school leadership and support the efforts of school leaders in improving instruction and student achievement and developing and retaining quality teachers. Professional development provided through the program must be based upon the Florida Principal Leadership Standards<sup>64</sup> and other school leadership standards.<sup>65</sup> Goals of the program include support for the professional growth of instructional personnel who provide reading instruction and interventions by training school administrators on classroom observation and teacher evaluation practices aligned to evidence-based reading instruction and intervention strategies.<sup>66</sup>

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

SB 1430 modifies ss. 1012.98 and 1012.986, F.S. to make a number of changes to the professional development system, and changes the title to professional learning. The bill defines professional learning as learning that is aligned to the state's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

The bill requires the Division of Law Revision to prepare a reviser's bill to replace references to the term "professional development" with the term "professional learning" throughout the Education Code to ensure an educational system-wide shift from professional development to professional learning.

To increase the quality of educator professional learning activities offered by school districts, charter schools, charter management organizations, and consortiums of private schools to instructional and administrative staff, the bill requires that professional learning activities linked to student learning and professional growth must meet the following criteria:

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<sup>63</sup> Section 1012.98(4)(a)1., F.S.

<sup>64</sup> Florida DOE, *The Florida Educational Leadership Standards*, <https://www.fldoe.org/teaching/professional-dev/the-fl-ed-leadership-standards/> (last visited Mar. 16, 2023). Rule 6A-5.080, F.A.C.

<sup>65</sup> Section 1012.986(1)-(2), F.S.

<sup>66</sup> Section 1012.986(1)(e), F.S.



- For instructional personnel, utilize materials aligned to the state's academic standards.
- For school administrators, utilize materials aligned to the state's educational leadership standards.
- Have clear, defined, and measurable outcomes for both individual inservice activities and multiple day sessions.
- Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.
- Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.
- Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.
- Create opportunities for collaboration.
- Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on instructional personnel and school administrator needs.
- Provide opportunities for instructional personnel and school administrators to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.
- Provide sustained duration with followup for instructional personnel and school administrators to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

The bill specifies that routine meetings for the purposes of information dissemination that do not align to the established criteria are not eligible for inservice points.

The bill includes explicit training for school administrators aligned to the state's leadership standards to address the updated skills required for instructional leadership and effective school management. Furthermore, the bill modifies s. 1012.34, F.S., to authorize school administrators to visit and observe classroom teachers throughout the year to provide mentorship, training, instructional feedback, or professional learning by separating such classroom visits and observations from teacher performance evaluations. To align with this change, the William Cecil Golden Professional Development Program for School Leaders is amended to include instructional coaching as a component to support the professional growth of instructional personnel.

The DOE must create a high-quality professional learning marketplace list on a centralized webpage to aid in the identification of high-quality programs and resources that meet the professional learning criteria and have demonstrated success in meeting student achievement needs.

Additionally, the DOE must establish a calendar to review and approve all professional learning systems every 5 years, by March 1, 2024. Any significant changes to the system made within the 5-year timeframe must be re-submitted to the DOE for review and approval.

The bill establishes requirements to the current authorization for a district school board, charter management organization, or private school consortium to contract with independent entities for professional development and inservice education. The bill authorizes school districts, charter management organizations, and private school consortiums to hire outside professional learning providers to provide inservice training to staff. Contracted external professional learning providers must have three or more years of experience providing professional learning with demonstrable success in instructional or school administrator growth. The school district, charter management organization, or private school consortium must certify that the provider's inservice activities meet the specified professional learning criteria.

To align with SBE rule, the bill renames the “master inservice plan”, which lists all inservice activities from all funding sources, as the “professional learning catalog.”

## **Practical Arts Requirement**

### ***Present Situation***

As a part of the 24 credits required for high school graduation<sup>67</sup> a student must complete one credit in fine or performing arts, speech and debate, or practical arts. The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses are identified in the Course Code Directory.<sup>68</sup>

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

SB 1430 modifies s. 1003.4282, F.S., to revise high school graduation requirements by replacing one credit in practical arts with one credit in career education, beginning with students entering grade 9 in the 2023-2024 school year.

## **School Grades**

### ***Present Situation***

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.<sup>69</sup> School grades are also used to determine whether a school must select or implement a turnaround option.<sup>70</sup>

Schools are graded using one of the following grades:<sup>71</sup>

- “A” for schools making excellent progress – 62 percent or higher of total points.
- “B” for schools making above average progress – 54 percent to 61 percent of total points.
- “C” for schools making satisfactory progress – 41 percent to 53 percent of total points.
- “D” for schools making less than satisfactory progress – 32 percent to 40 percent of total points.

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<sup>67</sup> Section 1003.4282(1)(a), F.S.

<sup>68</sup> For the 2022-2023 school year, the list of career and technical education courses that are approved to satisfy the practical arts requirement is located at <https://www.fldoe.org/core/fileparse.php/7746/urlt/2223CTECPAGR.pdf>.

<sup>69</sup> Section 1008.34(1), F.S. If there are fewer than 10 eligible students with data for a component, the component is not included in the calculation. Section 1008.34(3)(a), F.S.

<sup>70</sup> Section 1008.33(4), F.S.

<sup>71</sup> Section 1008.34(2), F.S.; rule 6A-1.09981(4)(d), F.A.C.

- “F” for schools failing to make adequate progress – 31 percent or less of total points.

Each school that earns a grade of “A” or improves at least two letter grades may have greater authority over the allocation of the school’s total budget generated from the Florida Education Finance Program (FEFP), state categoricals, lottery funds, grants, and local funds.<sup>72</sup>

Each school must assess at least 95 percent of its eligible students. Each school must receive a school grade based on the school’s performance on the following components, each worth 100 points. The percentage of eligible students:<sup>73</sup>

- Passing statewide, standardized assessments in ELA;
- Passing statewide, standardized assessments in mathematics;
- Passing statewide, standardized assessments in science;
- Passing statewide, standardized assessments in social studies;
- Who make Learning Gains in ELA as measured by statewide, standardized assessments;
- Who make Learning Gains in mathematics as measured by statewide, standardized assessments;
- In the lowest 25 percent in ELA, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized ELA assessments;
- In the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized Mathematics assessments; and
- Passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to state board rule, for schools comprised of middle grades 6 through 8 or grades 7 and 8.

For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school’s grade is based on additional components, including graduation rate and acceleration credit earned, each worth 100 points:<sup>74</sup>

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

The bill modifies s. 1008.34, F.S., to specify that beginning in 2023-2024 school year, an additional measure is added to the school grades formula to include the percentage of eligible students who earn an achievement level 3 or higher on the grade 3, standardized ELA assessment. Therefore, for schools with a grade 3, the school grade will include both a component with aggregated ELA scores, and a separate component for grade 3 ELA results.

<sup>72</sup> Section 1008.34(2), F.S. (Flush-left provision).

<sup>73</sup> Section 1008.34(3)(b)1.a.-i., F.S.

<sup>74</sup> Section 1008.34(3)(b)2.a.-b., F.S.

## **Turnaround School Supplemental Services Allocation**

### ***Present Situation***

The Turnaround School Supplemental Services Allocation provides additional funding to schools identified in Florida's school improvement and education accountability system so that they may offer services designed to improve the overall academic and community welfare of the schools' students and their families.<sup>75</sup> Eligible schools include those which are district-managed turnaround schools, schools that earn three consecutive grades below a "C", and schools that have improved to a "C" and are no longer in turnaround status. Services may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an extended school day and school year. In addition, services may include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development.<sup>76</sup>

Subject to legislative appropriation, a school remains eligible for the allocation for a maximum of 4 continuous fiscal years while implementing a turnaround option, and a school that improves to a grade of "C" or higher remains eligible to receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status.<sup>77</sup>

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

SB 1430 modifies s. 1011.62, F.S., to expand the Turnaround School Supplemental Services Allocation to include all turnaround schools and schools that implemented a turnaround plan and exited turnaround status by earning a school grade of "C" or higher. The funds will be used to provide services designed to improve the overall academic and community welfare of the schools' students and families. To allow for better school budgeting and planning the allocation is based on actual student enrollment from the October FTE survey, rather than adjusting with each FEFP calculation. The bill also removes the four year maximum limitation for school eligibility for the program, allowing schools to remain eligible for the duration of their time while implementing a turnaround plan.

## **Florida Teachers Classroom Supply Assistance Program**

### **Present Situation**

The Florida Teachers Classroom Supply Assistance Program (Program), previously known as the Florida Teachers Lead Program,<sup>78</sup> was established in 1997 to provide eligible classroom teachers<sup>79</sup> with funds to purchase classroom materials and supplies to supplement materials and

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<sup>75</sup> Section 1011.62(17), F.S.

<sup>76</sup> Section 1011.62(17)(a)1., F.S.

<sup>77</sup> Section 1011.62(17)(f), F.S.

<sup>78</sup> The program was renamed in 2013 by CS/CS/SB 1664, ch. 2013-185, s. 10, , Laws of Fla.

<sup>79</sup> Section 1012.71(1), F.S. "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. *Id.*

supplies otherwise available to the teachers.<sup>80</sup> The funds are appropriated annually in the General Appropriations Act and allocated to each district by July 15 based on each district's proportionate share of the state's total unweighted FTE student enrollment.<sup>81</sup> Program funds may not be used to purchase equipment.<sup>82</sup>

District school boards must 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.<sup>83</sup> If, by July 1, the district determines the number of classroom teachers, then the district and each charter school board may provide each teacher his or her proportionate share of program funds by August 1 of that year. All eligible teachers must be provided their proportionate share no later than September 30. A job-share classroom teacher<sup>84</sup> may receive a prorated share of the funds provided to a full-time classroom teacher.

Teachers must sign a statement acknowledging receipt of the funds, keep receipts for no less than four years to demonstrate compliance with expenditure requirements, and return any unused funds to the district school board at the end of the school year. Funds returned to the district must be deposited into the school advisory council account of the school at which the classroom teacher was employed when the teacher received the funds or deposited into the Program account of the school district in which the charter school is sponsored.<sup>85</sup>

The DOE and district school boards may, and are encouraged to, enter into public-private partnerships in order to increase the total amount of the Florida Teachers Classroom Supply Assistance Program funds available to classroom teachers.<sup>86</sup>

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

SB 1430 modifies s. 1012.71, F.S., to amend the Florida Teachers Classroom Supply Assistance Program. The bill replaces the distribution of Program funds to teachers with a competitive procurement administered by the DOE through which classroom teachers may purchase classroom materials and supplies. By September 1 of each year, each school district must submit the following to the DOE:

- The identical amount per classroom teacher calculated, including the proportionate share of the identical amount if a classroom teacher is a job-share classroom teacher;
- The name of each eligible classroom teacher;
- The name and master school identification number of the school in which the classroom teacher is assigned; and
- Any other information necessary for the administration of the program, as determined by the DOE.

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<sup>80</sup> Ch. 97-384, s. 18, Laws of Fla.

<sup>81</sup> Section 1012.71(2), F.S.

<sup>82</sup> *Id.*

<sup>83</sup> Section 1012.71(3), F.S.

<sup>84</sup> Section 1012.71(1), 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 teacher. *Id.*

<sup>85</sup> Section 1012.71(4), F.S.

<sup>86</sup> Section 1012.71(6), F.S.

Accordingly, the bill removes the requirement for a teacher to sign an acknowledgment of receipt of funds. Funds are distributed to school districts to be credited to teachers for use under the Program. Unused funds must be deposited into the school advisory council account of the school where the teacher worked at the time the funds were made available. If the school does not have a school advisory council, the funds must be used to purchase classroom materials and supplies at the discretion of the principal.

## **Florida Education Finance Program**

### ***Present Situation***

The FEFP allocates funds to each school district based on student enrollment.<sup>87</sup> The FEFP uses a unit of measure for each student called a full-time equivalent (FTE). One FTE equals one school year of instruction provided to a student.<sup>88</sup> Districts may earn additional FTE for students who meet qualifying student attainment metrics in specific bonus FTE programs or courses.<sup>89</sup>

A value of 0.025 FTE is calculated for Career and Professional Education (CAPE) digital tool certificates earned by students in elementary and middle school.<sup>90</sup> Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year.<sup>91</sup>

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

SB 1430 removes the cap of 0.1 FTE for CAPE certificates or certifications earned within the same fiscal year by elementary and middle grades students, allowing students to generate additional FTE for all courses completed successfully.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

### **B. Public Records/Open Meetings Issues:**

None.

### **C. Trust Funds Restrictions:**

None.

<sup>87</sup> See s. 1011.62(1)(d)1., F.S.

<sup>88</sup> Section 1011.61(1)(a), F.S.

<sup>89</sup> Section 1011.62(1)(l)-(p), F.S. Bonus FTE programs include Advanced Placement exams, College Board AP Capstone Diploma, International Baccalaureate exams, International Baccalaureate Diploma, Advanced International Certificate of Education exams, Advanced International Certification of Education diploma, Career and Professional Education, and Early High School Graduation. *Id.*

<sup>90</sup> The Florida DOE, 2022-23 *Funding for Florida School Districts* (2022) available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf> at 19.

<sup>91</sup> Section 1011.61(1)(o)1.b., F.S.

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 this bill is indeterminate. The bill may have a significant negative fiscal impact on state revenues or expenditures associated with removing the additional full-time equivalent membership (FTE) cap on elementary and middle school CAPE industry certifications and removing the 4 year maximum eligibility for the Turnaround School Supplemental Services Allocation.

There may be an additional fiscal impact to create a professional learning marketplace and calendar, as well as approving and reviewing learning systems every 5 years. The bill also requires procurement for teachers to purchase materials and supplies.

School districts could receive additional funding associated with removing the additional FTE cap on elementary and middle school CAPE industry certifications through the Florida Education Finance Program.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1002.42, 1003.4282, 1004.04, 1004.85, 1008.34, 1011.62, 1012.34, 1012.56, 1012.57, 1012.575, 1012.585, 1012.586, 1012.71, 1012.98, and 1012.986.

**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 Avila

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1 A bill to be entitled  
 2 An act relating to education; amending s. 1002.42,  
 3 F.S.; conforming a cross-reference; amending s.  
 4 1003.4282, F.S.; revising a graduation requirement for  
 5 certain students; amending s. 1004.04, F.S.; revising  
 6 the core curricula for certain teacher preparation  
 7 programs; amending s. 1004.85, F.S.; revising  
 8 terminology; deleting a requirement that certain  
 9 certification programs be previously approved by the  
 10 Department of Education; revising requirements for  
 11 certain competency-based programs; revising  
 12 requirements for certain teacher preparation field  
 13 experience; revising requirements for participants in  
 14 certain teacher preparation programs; requiring the  
 15 State Board of Education to adopt specified rules  
 16 relating to the continued approval of certain teacher  
 17 preparation programs rather than by a determination of  
 18 the Commissioner of Education; amending s. 1008.34,  
 19 F.S.; revising the calculation of school grades for  
 20 certain schools; amending s. 1011.62, F.S.; revising  
 21 requirements for the calculation of additional full-  
 22 time equivalent membership for certain funding through  
 23 the Florida Education Finance Program; revising school  
 24 eligibility requirements for the turnaround school  
 25 supplemental services allocation; providing that  
 26 certain allocation amounts be based on a specified  
 27 membership survey; amending s. 1012.34, F.S.;  
 28 providing school administrators are not precluded from  
 29 taking specified actions; amending s. 1012.56, F.S.;

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

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30 revising requirements for a person seeking an educator  
 31 certification; revising criteria for the award of a  
 32 temporary certificate; revising the validity period  
 33 for certain temporary certificates; deleting  
 34 provisions relating to the department's ability to  
 35 extend the validity period of certain temporary  
 36 certificates; revising the requirements for the  
 37 approval and administration of such programs;  
 38 establishing professional education competency  
 39 programs; requiring school districts to develop and  
 40 maintain such a program; authorizing private schools  
 41 and state-supported schools to develop and maintain  
 42 such a program; amending ss. 1012.57 and 1012.575,  
 43 F.S.; conforming cross-references; amending s.  
 44 1012.585, F.S.; requiring certain applicants for the  
 45 renewal of a professional certificate to earn  
 46 specified college credit or inservice points;  
 47 providing requirements for such credit or points;  
 48 amending s. 1012.586, F.S.; conforming a cross-  
 49 reference; amending s. 1012.71, F.S.; revising the  
 50 funding calculation for the Florida Teachers Classroom  
 51 Supply Assistance Program; deleting a requirement that  
 52 school districts provide contributions for the  
 53 program; requiring the Department of Education to  
 54 administer a competitive procurement for the purchase  
 55 of materials and supplies through the program;  
 56 providing school district requirements; deleting  
 57 requirements for the distribution of funds to  
 58 classroom teachers through the program; deleting a

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requirement that classroom teachers sign a specified statement; revising requirements for unused program funds; deleting provisions authorizing department and district school boards to enter into specified partnerships; amending s. 1012.98, F.S.; defining the term "professional learning"; prohibiting specified meetings from being considered professional learning and eligible for inservice points; providing and revising requirements for certain professional learning activities; revising department and school district duties relating to such activities; providing requirements for entities contracted with to provide professional learning services and inservice education for school districts; amending s. 1012.986, F.S.; renaming the "William Cecil Golden Professional Development Program for School Leaders" as the "William Cecil Golden Professional Learning Program for School Leaders"; revising the goal of the program; providing a directive to the Division of Law Revision; providing effective dates.

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

Section 1. Subsection (13) of section 1002.42, Florida Statutes, is amended to read:

1002.42 Private schools.—

(13) PROFESSIONAL LEARNING ~~DEVELOPMENT~~ SYSTEM.—An organization of private schools that has no fewer than 10 member schools in this state may develop a professional learning

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~~development~~ system to be filed with the Department of Education in accordance with s. 1012.98(7) ~~the provisions of s. 1012.98(6)~~.

Section 2. Paragraph (e) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:  
1003.4282 Requirements for a standard high school diploma.—  
(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(e) *One credit in fine or performing arts, speech and debate, or, for students entering grade 9 in the 2023-2024 school year, career education.* ~~practical arts.~~ The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. Eligible career education ~~practical arts~~ courses are identified in the Course Code Directory.

Section 3. 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:

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 that improve reading performance for

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all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.

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 student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.

10. Strategies to support the use of technology in education and distance learning.

11. Strategies and practices to support effective, research-based assessment and grading practices aligned to the state's academic standards.

Section 4. Paragraph (a) of subsection (2) and subsections (3), (4), and (5) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.—

(2) (a) Postsecondary institutions that are accredited or approved as described in State Board of Education rule may seek approval from the Department of Education to create educator

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preparation institutes for the purpose of providing any or all of the following:

1. Professional ~~learning development~~ instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements.

2. Instruction to assist potential and existing substitute teachers in performing their duties.

3. Instruction to assist paraprofessionals in meeting education and training requirements.

4. Instruction for baccalaureate degree holders to become certified teachers as provided in this section in order to increase routes to the classroom for ~~mid-career~~ professionals who hold a baccalaureate degree and college graduates who were not education majors.

5. Instruction and professional learning development for part-time and full-time nondegreed teachers of career programs under s. 1012.39(1)(c).

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program ~~previously approved by the Department of Education for this purpose or a program~~ developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

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(a) Within 90 days after receipt of a request for approval, the Department of Education shall approve a preparation program pursuant to the requirements of this subsection or issue a statement of the deficiencies in the request for approval. The department shall approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that instructs and assesses each candidate in ~~includes each of~~ the following:

1.a. ~~Participant instruction and assessment in~~ The Florida Educator Accomplished Practices approved by the state board ~~across content areas.~~

b. The state academic use of state-adopted student content standards provided under s. 1003.41, including scientifically based reading instruction, content literacy, and mathematical practices, for each subject identified on the statement of status of eligibility or the temporary certificate to guide curriculum and instruction.

c. Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.

~~d. Content literacy and mathematical practices.~~

~~e. Strategies appropriate for instruction of English language learners.~~

~~f. Strategies appropriate for instruction of students with disabilities.~~

~~g. Strategies to differentiate instruction based on student~~

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~~needs.~~

~~h. Strategies and practices to support evidence-based content aligned to state standards and grading practices.~~

~~i. Strategies appropriate for the early identification of a student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.~~

~~j. Strategies to support the use of technology in education and distance learning.~~

2. An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in the areas listed in subparagraph 1.

3. Field experiences appropriate to the certification subject area specified in the educational plan ~~with a diverse population of students in a variety of challenging environments, including, but not limited to, high-poverty schools, urban schools, and rural schools,~~ under the supervision of qualified educators. The state board shall determine in rule the amount of field experience necessary to serve as the teacher of record, beginning with candidates entering a program in the 2023-2024 school year.

4. A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening pursuant to s. 1012.32 and educator professional or temporary certification pursuant to s. 1012.56.

(b) Each program participant must:

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1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f).

2. Demonstrate competency and participate in ~~coursework and~~ field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in s. 1012.56(7)(a)3., achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

(c) Upon completion of all requirements for a certification program approved pursuant to this subsection, a participant shall receive a credential from the sponsoring institution signifying that the participant has completed a state-approved competency-based certification program in the certification subject area specified in the educational plan. A participant is eligible for educator certification through the Department of

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Education upon satisfaction of all requirements for certification set forth in s. 1012.56(2).

(4) ~~The state board shall adopt rules for the continued approval of each program approved pursuant to this section. shall be determined by the Commissioner of Education based upon a periodic review of the following areas:~~

~~(a) Candidate readiness based on passage rates on educator certification examinations under s. 1012.56, as applicable.~~

~~(b) Evidence of performance in each of the following areas:~~  
~~1. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34.~~

~~2. Results of program completers' annual evaluations in accordance with the timeline as set forth in s. 1012.34.~~

~~3. Workforce contributions, including placement of program completers in instructional positions in Florida public and private schools, with additional weight given to production of program completers in statewide critical teacher shortage areas as identified in s. 1012.07.~~

(5) Each institute approved pursuant to this section shall submit to the Department of Education annual performance evaluations that measure the effectiveness of the programs, ~~including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and program completers. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the realities of the classroom and the institute's~~

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~~responsiveness to local school districts. These evaluations shall be used by the Department of Education for purposes of continued approval of an educator preparation institute's certification program.~~

Section 5. Paragraph (b) of subsection (3) of section 1008.34, Florida Statutes, is amended to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(b)1. ~~Beginning with the 2014-2015 school year,~~ A school's grade shall be based on the following components, each worth 100 points:

a. The percentage of eligible students passing statewide, standardized assessments in English Language Arts under s. 1008.22(3).

b. The percentage of eligible students passing statewide, standardized assessments in mathematics under s. 1008.22(3).

c. The percentage of eligible students passing statewide, standardized assessments in science under s. 1008.22(3).

d. The percentage of eligible students passing statewide, standardized assessments in social studies under s. 1008.22(3).

e. The percentage of eligible students who make Learning Gains in English Language Arts as measured by statewide, standardized assessments administered under s. 1008.22(3).

f. The percentage of eligible students who make Learning Gains in mathematics as measured by statewide, standardized assessments administered under s. 1008.22(3).

g. The percentage of eligible students in the lowest 25 percent in English Language Arts, as identified by prior year

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performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized English Language Arts assessments administered under s. 1008.22(3).

h. The percentage of eligible students in the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized Mathematics assessments administered under s. 1008.22(3).

i. For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to state board rule.

j. Beginning in the 2023-2024 school year, for schools comprised of grade levels that include grade 3, the percentage of eligible students who score an achievement level 3 or higher on the grade 3 statewide, standardized English Language Arts assessment administered under s. 1008.22(3).

In calculating Learning Gains for the components listed in subparagraphs e.-h., the State Board of Education shall require that learning growth toward achievement levels 3, 4, and 5 is demonstrated by students who scored below each of those levels in the prior year. In calculating the components in subparagraphs a.-d., the state board shall include the performance of English language learners only if they have been enrolled in a school in the United States for more than 2 years.

2. For a school comprised of grades 9, 10, 11, and 12, or

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grades 10, 11, and 12, the school's grade shall also be based on the following components, each worth 100 points:

a. The 4-year high school graduation rate of the school as defined by state board rule.

b. The percentage of students who were eligible to earn college and career credit through College Board Advanced Placement examinations, International Baccalaureate examinations, dual enrollment courses, including career dual enrollment courses resulting in the completion of 300 or more clock hours during high school which are approved by the state board as meeting the requirements of s. 1007.271, or Advanced International Certificate of Education examinations; who, at any time during high school, earned national industry certification identified in the CAPE Industry Certification Funding List, pursuant to rules adopted by the state board; or, beginning with the 2022-2023 school year, who earned an Armed Services Qualification Test score that falls within Category II or higher on the Armed Services Vocational Aptitude Battery and earned a minimum of two credits in Junior Reserve Officers' Training Corps courses from the same branch of the United States Armed Forces.

Section 6. Paragraph (o) of subsection (1) and subsection (17) 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 follows:

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(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:

(o) *Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.—*

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall

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assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. ~~Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year.~~ The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry

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Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5) (a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2.



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c.A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to receive. A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph.

(17) TURNAROUND SCHOOL SUPPLEMENTAL SERVICES ALLOCATION.—

The turnaround school supplemental services allocation is created to provide ~~district-managed~~ turnaround schools, as identified in s. 1008.33, ~~s. 1008.33(4)(a)~~, ~~schools that earn three consecutive grades below a "C," as identified in s.~~

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~~1008.33(4)(b)3.,~~ and schools that implemented a turnaround plan and exited turnaround status by earning a school grade of have improved to a "C" or higher and are no longer in turnaround status, as identified in s. 1008.33(4)(c), with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.

(a)1. Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an extended school day and school year. In addition, services may include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development.

2. A school district may enter into a formal agreement with a nonprofit organization that has tax-exempt status under s. 501(c)(3) of the Internal Revenue Code to implement an integrated student support service model that provides students and families with access to wrap-around services, including, but not limited to, health services, after-school programs, drug prevention programs, college and career readiness programs, and food and clothing banks.

(b) Before distribution of the allocation, the school district shall develop and submit a plan for implementation to its school board for approval no later than August 1 of each fiscal year.

(c) At a minimum, the plan required under paragraph (b) must:

1. Establish comprehensive support services that develop

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family and community partnerships;

2. Establish clearly defined and measurable high academic and character standards;

3. Increase parental involvement and engagement in the child's education;

4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;

5. Provide professional learning development that focuses on academic rigor, direct instruction, and creating high academic and character standards;

6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year; and

7. Include a strategy for continuing to provide services after the school is no longer in turnaround status by virtue of achieving a grade of "C" or higher.

(d) Each school district shall submit its approved plans to the commissioner by September 1 of each fiscal year.

(e) Subject to legislative appropriation, each school district's allocation must be based on the unweighted FTE student enrollment at the eligible schools and a per-FTE funding amount of \$500 or as provided in the General Appropriations Act. The supplement provided in the General Appropriations Act shall be based on the most recent school grades and shall serve as a proxy for the official calculation. Once school grades are available for the school year immediately preceding the fiscal year coinciding with the appropriation, the supplement shall be recalculated for the official participating schools as part of the subsequent FEFP calculation. The commissioner may prepare a

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preliminary calculation so that districts may proceed with timely planning and use of the funds. If the calculated funds for the statewide allocation exceed the funds appropriated, the allocation of funds to each school district must be prorated based on each school district's share of the total unweighted FTE student enrollment for the eligible schools. The final amount allocated for each school district shall be based on actual student membership from the October FTE survey.

(f) Subject to legislative appropriation, each school shall remain eligible for the allocation ~~for a maximum of 4 continuous fiscal years~~ while implementing a turnaround option pursuant to s. 1008.33(4). In addition, a school that improves to a grade of "C" or higher shall remain eligible to receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status.

Section 7. Paragraph (a) of subsection (3) of section 1012.34, Florida Statutes, is amended to read:

1012.34 Personnel evaluation procedures and criteria.—

(3) EVALUATION PROCEDURES AND CRITERIA.—Instructional personnel and school administrator performance evaluations must be based upon the performance of students assigned to their classrooms or schools, as provided in this section. Pursuant to this section, a school district's performance evaluation system is not limited to basing unsatisfactory performance of instructional personnel and school administrators solely upon student performance, but may include other criteria to evaluate instructional personnel and school administrators' performance, or any combination of student performance and other criteria. Evaluation procedures and criteria must comply with, but are not

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limited to, the following:

(a) A performance evaluation must be conducted for each employee at least once a year, except that a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, who is newly hired by the district school board must be observed and evaluated at least twice in the first year of teaching in the school district. The performance evaluation must be based upon sound educational principles and contemporary research in effective educational practices. The evaluation criteria must include:

1. Performance of students.—At least one-third of a performance evaluation must be based upon data and indicators of student performance, as determined by each school district. This portion of the evaluation must include growth or achievement data of the teacher's students or, for a school administrator, the students attending the school over the course of at least 3 years. If less than 3 years of data are available, the years for which data are available must be used. The proportion of growth or achievement data may be determined by instructional assignment.

2. Instructional practice.—For instructional personnel, at least one-third of the performance evaluation must be based upon instructional practice. Evaluation criteria used when annually observing classroom teachers, as defined in s. 1012.01(2)(a), excluding substitute teachers, must include indicators based upon each of the Florida Educator Accomplished Practices adopted by the State Board of Education. For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the Florida Educator Accomplished Practices

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and may include specific job expectations related to student support. This section does not preclude a school administrator from visiting and observing classroom teachers throughout the school year for purposes of providing mentorship, training, instructional feedback, or professional learning.

3. Instructional leadership.—For school administrators, at least one-third of the performance evaluation must be based on instructional leadership. Evaluation criteria for instructional leadership must include indicators based upon each of the leadership standards adopted by the State Board of Education under s. 1012.986, including performance measures related to the effectiveness of classroom teachers in the school, the administrator's appropriate use of evaluation criteria and procedures, recruitment and retention of effective and highly effective classroom teachers, improvement in the percentage of instructional personnel evaluated at the highly effective or effective level, and other leadership practices that result in student learning growth. The system may include a means to give parents and instructional personnel an opportunity to provide input into the administrator's performance evaluation.

4. Other indicators of performance.—For instructional personnel and school administrators, the remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the State Board of Education or identified by the district school board and, for instructional personnel, peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and

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reliable measures of instructional practice.

Section 8. Subsections (9) through (16) of section 1012.56, Florida Statutes, are renumbered as subsections (10) through (17), respectively, subsection (1), paragraphs (d), (g), and (i) of subsection (2) and subsections (6), (7), and (8) are amended, and a new subsection (9) is added to that section, to read:

1012.56 Educator certification requirements.—

(1) APPLICATION.—Each person seeking certification pursuant to this chapter shall submit a completed application containing the applicant's social security number to the Department of Education and remit the fee required pursuant to s. 1012.59 and rules of the State Board of Education. Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement is limited to the purpose of administration of the Title IV-D program of the Social Security Act for child support enforcement.

(a) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application a professional certificate to a qualifying applicant covering the classification, level, and area for which the applicant is deemed qualified and a document explaining the requirements for renewal of the professional certificate.

(b) The department shall issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer with a professional education competence demonstration program pursuant to paragraph

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~~paragraphs (6) (f) and subsection (9) (4) (b).~~ The temporary certificate must cover the classification, level, and area for which the applicant is deemed qualified. The department shall electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant an official statement of status of eligibility at the time the certificate is issued.

(c) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application, if an applicant does not meet the requirements for either certificate, an official statement of status of eligibility.

The statement of status of eligibility must be provided electronically and must advise the applicant of any qualifications that must be completed to qualify for certification. Each method by which an applicant can complete the qualifications for a professional certificate must be included in the statement of status of eligibility. Each statement of status of eligibility is valid for 5 3 years after its date of issuance, except as provided in paragraph (2) (d).

(2) ELIGIBILITY CRITERIA.—To be eligible to seek certification, a person must:

(d) Submit to background screening in accordance with subsection (11) ~~(10)~~. If the background screening indicates a criminal history or if the applicant acknowledges a criminal history, the applicant's records shall be referred to the investigative section in the Department of Education for review and determination of eligibility for certification. If the

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applicant fails to provide the necessary documentation requested by the department within 90 days after the date of the receipt of the certified mail request, the statement of eligibility and pending application shall become invalid.

(g) Demonstrate mastery of general knowledge, pursuant to subsection (3), ~~if the person serves as a classroom teacher pursuant to s. 1012.01(2)(a).~~

(i) Demonstrate mastery of professional preparation and education competence, pursuant to subsection (6), if the person serves as a classroom teacher or school administrator as classified in s. 1012.01(2)(a) and (3)(c), respectively.

(6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION COMPETENCE.—Acceptable means of demonstrating mastery of professional preparation and education competence are:

(a) Successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by state board rule;

(b) Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by state board rule;

(c) Documentation of a valid professional standard teaching certificate issued by another state;

(d) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;

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(e) Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program and achievement of a passing score on the professional education competency examination required by state board rule;

(f) Successful completion of professional preparation courses as specified in state board rule, successful completion of a professional ~~preparation and~~ education competence program pursuant to subsection (9) paragraph (8)(b), and achievement of a passing score on the professional education competency examination required by state board rule;

(g) Successful completion of a professional learning development certification ~~and education competency~~ program, outlined in subsection (8) paragraph (8)(a); or

(h) Successful completion of a competency-based certification program pursuant to s. 1004.85 and achievement of a passing score on the professional education competency examination required by rule of the State Board of Education.

The State Board of Education shall adopt rules to implement this subsection ~~by December 31, 2014~~, including rules to approve specific teacher preparation programs that are not identified in this subsection which may be used to meet requirements for mastery of professional preparation and education competence.

(7) TYPES AND TERMS OF CERTIFICATION.—

(a) The Department of Education shall issue a professional

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certificate for a period not to exceed 5 years to any applicant who fulfills one of the following:

1. Meets all the applicable requirements outlined in subsection (2).
2. For a professional certificate covering grades 6 through 12:
  - a. Meets the applicable requirements of paragraphs (2)(a)-(h).
  - b. Holds a master's or higher degree in the area of science, technology, engineering, or mathematics.
  - c. Teaches a high school course in the subject of the advanced degree.
  - d. Is rated highly effective as determined by the teacher's performance evaluation under s. 1012.34, based in part on student performance as measured by a statewide, standardized assessment or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination.
  - e. Achieves a passing score on the Florida professional education competency examination required by state board rule.
3. Meets the applicable requirements of paragraphs (2)(a)-(h) and completes a professional learning certification ~~preparation and education competence~~ program approved by the department pursuant to paragraph (8)(b) ~~(8)(e)~~ or an educator preparation institute approved by the department pursuant to s. 1004.85. An applicant who completes one of these programs and is rated highly effective as determined by his or her performance evaluation under s. 1012.34 is not required to take or achieve a passing score on the professional education competency

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examination in order to be awarded a professional certificate.

(b) The department shall issue a temporary certificate to any applicant who:

1. Completes the requirements outlined in paragraphs (2)(a)-(f) and completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection (5) and holds an accredited degree or a degree approved by the Department of Education at the level required for the subject area specialization in state board rule; ~~or~~
2. For a subject area specialization for which the state board otherwise requires a bachelor's degree, documents 48 months of active-duty military service with an honorable discharge or a medical separation; completes the requirements outlined in paragraphs (2)(a), (b), and (d)-(f); completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection (5); and documents completion of 60 college credits with a minimum cumulative grade point average of 2.5 on a 4.0 scale, as provided by one or more accredited institutions of higher learning or a nonaccredited institution of higher learning identified by the Department of Education as having a quality program resulting in a bachelor's degree or higher; ~~or-~~
3. Is enrolled in a state-approved teacher preparation program under s. 1004.04; is actively completing the required program field experience or internship at a public school; completes the requirements outlined in paragraphs (2)(a), (b), (d), (e), and (f); and documents completion of 60 college credits with a minimum cumulative grade point average of 2.5 on

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a 4.0 scale, as provided by one or more accredited institutions of higher learning or a nonaccredited institution of higher learning identified by the Department of Education as having a quality program resulting in a bachelor's degree or higher.

(c) The department shall issue one nonrenewable 2-year temporary certificate and one nonrenewable 5-year professional certificate to a qualified applicant who holds a bachelor's degree in the area of speech-language impairment to allow for completion of a master's degree program in speech-language impairment.

(d) A person who is issued a temporary certificate under subparagraph (b)2. must be assigned a teacher mentor for a minimum of 2 school years after commencing employment. Each teacher mentor selected by the school district, charter school, or charter management organization must:

1. Hold a valid professional certificate issued pursuant to this section;

2. Have earned at least 3 years of teaching experience in prekindergarten through grade 12; and

3. Have earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34.

~~(e)(c)1. A temporary certificate issued under subparagraph (b)1. is valid for 3 school fiscal years and is nonrenewable.~~

~~2. A temporary certificate issued under subparagraph (b)2. is valid for 5 school fiscal years, is limited to a one-time issuance, and is nonrenewable.~~

At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the

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individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed. ~~The State Board of Education shall adopt rules to allow the department to extend the validity period of a temporary certificate for 2 years when the requirements for the professional certificate were not completed due to the serious illness or injury of the applicant, the military service of an applicant's spouse, other extraordinary extenuating circumstances, or if the certificateholder is rated highly effective in the immediate prior year's performance evaluation pursuant to s. 1012.34 or has completed a 2 year mentorship program pursuant to subsection (8). The department shall extend the temporary certificate upon approval by the Commissioner of Education. A written request for extension of the certificate shall be submitted by the district school superintendent, the governing authority of a university lab school, the governing authority of a state-supported school, or the governing authority of a private school.~~

(8) PROFESSIONAL LEARNING 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 learning 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

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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. These entities may collaborate with other supporting agencies or educational entities for implementation. 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.~~

~~1.3-~~ A teacher mentorship and induction component.

a. Each individual selected by the district, charter school, or charter management organization 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 learning ~~development~~ under s. 1012.98(4) ~~s. 1012.98(3)(c);~~

(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

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a minimum, provide routine weekly opportunities for mentoring and induction activities, including ~~common planning time,~~ ongoing professional learning as described in s. 1012.98 ~~development~~ targeted to a teacher's needs, opportunities for a teacher to observe other teachers, co-teaching experiences, and reflection and followup discussions. Professional learning must meet the criteria established in s. 1012.98(3). 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 department as part of the district's, charter school's, or charter management organization's program.~~

~~2.4-~~ An assessment of teaching performance aligned to the district's, charter school's, or charter management organization's system for personnel evaluation under s. 1012.34 which provides for:

a. An initial evaluation of each educator's competencies to determine an appropriate individualized professional learning ~~development~~ plan.

b. A summative evaluation to assure successful completion of the program.

~~3.5-~~ Professional education preparation content knowledge, which must be included in the mentoring and induction activities under subparagraph ~~1. 3-~~, that includes, but is not limited to,



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the following:

a. The state academic standards provided under s. 1003.41, including scientifically based reading instruction, content literacy, and mathematical practices, for each subject identified on the temporary certificate.

b. The educator-accomplished practices approved by the state board.

~~c. A variety of data indicators for monitoring student progress.~~

~~d. Methodologies for teaching students with disabilities.~~

~~e. Methodologies for teaching students of limited English proficiency appropriate for each subject area identified on the temporary certificate.~~

~~f. Techniques and strategies for operationalizing the role of the teacher in assuring a safe learning environment for students.~~

4.6. Required achievement of passing scores on the subject area and professional education competency examination required by State Board of Education rule. Mastery of general knowledge must be demonstrated as described in subsection (3).

5.7. Beginning with candidates entering a program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum ~~through the candidate's demonstration of mastery of professional preparation and education competence under paragraph (b).~~

~~(b)1. Each school district must and a private school or state-supported public school, including a charter school, may~~

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~~develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance 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.~~

~~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.~~

(b)(c) No later than December 31, 2017, The department State Board of Education shall adopt rules standards for the approval and continued approval of professional learning development certification and education competency programs aligned to, ~~including standards for the teacher mentorship and induction component,~~ under paragraph (a). ~~Standards for the teacher mentorship and induction component must include program administration and evaluation; mentor roles, selection, and training; beginning teacher assessment and professional development; and teacher content knowledge and practices aligned to the Florida Educator Accomplished Practices. Each school district or charter school with a program under this subsection must submit its program, including the teacher mentorship and induction component, to the department for approval no later than June 30, 2018. After December 31, 2018, A teacher may not~~

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satisfy requirements for a professional certificate through a professional learning development certification and education competency program under paragraph (a) unless the program has been approved by the department pursuant to this paragraph.

(9) PROFESSIONAL EDUCATION COMPETENCY PROGRAM.—

(a) Each school district must and a private school or state-supported public school, including a charter school, may develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must be based on classroom application of the Florida Educator Accomplished Practices and instructional performance 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.

(b) 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 learning system required under s. 1012.98.

~~(d) The Commissioner of Education shall determine the continued approval of programs implemented under paragraph (a) based upon the department's periodic review of the following:~~

~~1. Evidence that the requirements in paragraph (a) are consistently met; and~~

~~2. Evidence of performance in each of the following areas:~~

~~a. Rate of retention for employed program completers in instructional positions in Florida public schools.~~

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~~b. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34.~~

~~c. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers aggregated by student subgroups, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II), as a measure of how well the program prepares teachers to work with a variety of students in Florida public schools.~~

~~d. Results of program completers' annual evaluations in accordance with the timeline as set forth in s. 1012.34.~~

~~e. Production of program completers in statewide critical teacher shortage areas as defined in s. 1012.07.~~

Section 9. Subsection (1) of section 1012.57, Florida Statutes, is amended to read:

1012.57 Certification of adjunct educators.—

(1) Notwithstanding the provisions of ss. 1012.32, 1012.55, and 1012.56, or any other provision of law or rule to the contrary, district school boards shall adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and (11) ~~s. 1012.56(2)(a)-(f) and (10)~~ and who has expertise in the subject area to be taught. An applicant shall be considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test.

Section 10. Section 1012.575, Florida Statutes, is amended

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to read:

1012.575 Alternative preparation programs for certified teachers to add additional coverage.—A district school board, or an organization of private schools or a consortium of charter schools with an approved professional learning development system as described in s. 1012.98(7) ~~s. 1012.98(6)~~, may design alternative teacher preparation programs to enable persons already certificated to add an additional coverage to their certificates. Each alternative teacher preparation program shall be reviewed and approved by the Department of Education to assure that persons who complete the program are competent in the necessary areas of subject matter specialization. Two or more school districts may jointly participate in an alternative preparation program for teachers.

Section 11. Paragraph (g) of subsection (3) of section 1012.585, Florida Statutes, is redesignated as paragraph (h) and a new paragraph (g) is added to that subsection to read:

1012.585 Process for renewal of professional certificates.—

(3) For the renewal of a professional certificate, the following requirements must be met:

(g) An applicant for renewal of a professional certificate in educational leadership from a Level I program under s. 1012.562(2) or Level II program under s. 1012.562(3), with a beginning validity date of July 1, 2025, or thereafter, must earn a minimum of 1 college credit or 20 inservice points in Florida's educational leadership standards, as established in rule by the State Board of Education. The requirement in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

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Section 12. Paragraph (a) of subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates; reading endorsement pathways.—

(1) A school district may process via a Department of Education website certificates for the following applications of public school employees:

(a) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

1. To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.

2. At least once every 5 years, the department shall conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas. The review must include reciprocity requirements for out-of-state certificates and requirements for demonstrating competency in the reading instruction professional learning development topics listed in s. 1012.98(5)(b)11 ~~s. 1012.98(4)(b)11~~. The review must also consider the award of an endorsement to an individual who holds a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers or who completes a postsecondary program that is accredited by such organization. Any such certificate or

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program must require an individual who completes the certificate or program to demonstrate competence in reading intervention strategies through clinical experience. At the conclusion of each review, the department shall recommend to the state board changes to the subject coverage or endorsement requirements based upon any identified instruction or intervention strategies proven to improve student reading performance. This subparagraph does not authorize the state board to establish any new certification subject coverage.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 13. Effective upon this act becoming law, section 1012.71, Florida Statutes, is amended to read:

1012.71 The Florida Teachers Classroom Supply Assistance Program.—

(1) For purposes of the Florida Teachers Classroom Supply 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

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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.

(2) The Legislature, in the General Appropriations Act, shall determine funding for the Florida Teachers Classroom Supply Assistance Program. The funds appropriated are for classroom teachers to purchase, on behalf of the school district or charter school, classroom materials and supplies for the public school students assigned to them and may not be used to purchase equipment. The funds appropriated shall be used to supplement the materials and supplies otherwise available to classroom teachers. ~~From the funds appropriated for the Florida Teachers Classroom Supply Assistance Program, the Commissioner of Education shall calculate an amount for each school district based upon each school district's proportionate share of the state's total unweighted FTE student enrollment and shall disburse the funds to the school districts by July 15.~~

(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.

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(4) The department shall administer a competitive procurement through which classroom teachers may purchase classroom materials and supplies. By September 1 of each year, each school district shall submit to the department:

(a) The identical amount per classroom teacher calculated in subsection (3), including the proportionate share of the identical amount if such classroom teacher is a job-share classroom teacher.

(b) The name of each eligible classroom teacher.

(c) The name and master school identification number of the school in which the classroom teacher is assigned.

(d) Any other information necessary for administration of the program as determined by the department For a classroom teacher determined eligible on July 1, the district school board and each charter school board may provide the teacher with his or her total proportionate share by August 1 based on the estimate of the number of teachers who will be employed on September 1. For a classroom teacher determined eligible after July 1, the district school board and each charter school board shall provide the teacher with his or her total proportionate share by September 30. The proportionate share may be provided by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card. If a debit card is used, an identifier must be placed on the front of the debit card which clearly indicates that the card has been issued for the Florida Teachers Classroom Supply Assistance Program. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom

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~~teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause.~~

(5)(4) Each classroom teacher must sign a statement acknowledging receipt of the funds, keep receipts for no less than 4 years to show that funds expended meet the requirements of this section, ~~and return any unused funds to the district school board at the end of the regular school year.~~ Any unused funds that are returned to the district school board shall be deposited into the school advisory council account of the school at which the classroom teacher ~~returning the funds~~ was employed when the funds were made available to the classroom teacher. If a school does not have a school advisory council, the funds shall be expended for classroom materials and supplies as determined by the principal that teacher received the funds or deposited into the Florida Teachers Classroom Supply Assistance Program account of the school district in which a charter school is sponsored, as applicable.

~~(5) The statement must be signed and dated by each classroom teacher before receipt of the Florida Teachers Classroom Supply Assistance Program funds and shall include the wording: "I, ... (name of teacher) ..., am employed by the ....County District School Board or by the ....Charter School as a full-time classroom teacher. I acknowledge that Florida Teachers Classroom Supply Assistance Program funds are appropriated by the Legislature for the sole purpose of purchasing classroom materials and supplies to be used in the instruction of students assigned to me. In accepting custody of~~

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1219 ~~these funds, I agree to keep the receipts for all expenditures~~  
 1220 ~~for no less than 4 years. I understand that if I do not keep the~~  
 1221 ~~receipts, it will be my personal responsibility to pay any~~  
 1222 ~~federal taxes due on these funds. I also agree to return any~~  
 1223 ~~unexpended funds to the district school board at the end of the~~  
 1224 ~~regular school year for deposit into the school advisory council~~  
 1225 ~~account of the school where I was employed at the time I~~  
 1226 ~~received the funds or for deposit into the Florida Teachers~~  
 1227 ~~Classroom Supply Assistance Program account of the school~~  
 1228 ~~district in which the charter school is sponsored, as~~  
 1229 ~~applicable."~~

1230 ~~(6) The Department of Education and district school boards~~  
 1231 ~~may, and are encouraged to, enter into public-private~~  
 1232 ~~partnerships in order to increase the total amount of Florida~~  
 1233 ~~Teachers Classroom Supply Assistance Programs funds available to~~  
 1234 ~~classroom teachers.~~

1235 Section 14. Section 1012.98, Florida Statutes, is amended  
 1236 to read:

1237 1012.98 School Community Professional Learning Development  
 1238 Act.—

1239 (1) The Department of Education, public postsecondary  
 1240 educational institutions, public school districts, public  
 1241 schools, state education foundations, consortia, and  
 1242 professional organizations in this state shall work  
 1243 collaboratively to establish a coordinated system of  
 1244 professional learning. For the purposes of this section, the  
 1245 term "professional learning" means learning that is aligned to  
 1246 the state's standards for effective professional learning,  
 1247 educator practices, and leadership practices; incorporates

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1248 active learning; is collaborative; provides models; and is  
 1249 sustained and continuous development. The purpose of the  
 1250 professional learning development system is to increase student  
 1251 achievement, enhance classroom instructional strategies that  
 1252 promote rigor and relevance throughout the curriculum, and  
 1253 prepare students for continuing education and the workforce. The  
 1254 system of professional learning development must align to the  
 1255 standards adopted by the state. Routine informational meetings  
 1256 may not be considered professional learning and are not eligible  
 1257 for inservice points and support the framework for standards  
 1258 adopted by the National Staff Development Council.

1259 (2) The school community includes students and parents,  
 1260 administrative personnel, managers, instructional personnel,  
 1261 support personnel, members of district school boards, members of  
 1262 school advisory councils, business partners, and personnel that  
 1263 provide health and social services to students.

1264 (3) Professional learning activities linked to student  
 1265 learning and professional growth for instructional and  
 1266 administrative staff must meet the following criteria:

1267 (a) For instructional personnel, utilize materials aligned  
 1268 to the state's academic standards.

1269 (b) For school administrators, utilize materials aligned to  
 1270 the state's educational leadership standards.

1271 (c) Have clear, defined, and measurable outcomes for both  
 1272 individual inservice activities and multiple day sessions.

1273 (d) Employ multiple measurement tools for data on teacher  
 1274 growth, participants' use of new knowledge and skills, student  
 1275 learning outcomes, instructional growth outcomes, and leadership  
 1276 growth outcomes, as applicable.

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- 1277 (e) Utilize active learning and engage participants  
 1278 directly in designing and trying out strategies, providing  
 1279 participants with the opportunity to engage in authentic  
 1280 teaching and leadership experiences.
- 1281 (f) Utilize artifacts, interactive activities, and other  
 1282 strategies to provide deeply embedded and highly contextualized  
 1283 professional learning.
- 1284 (g) Create opportunities for collaboration.
- 1285 (h) Utilize coaching and expert support to involve the  
 1286 sharing of expertise about content and evidence-based practices,  
 1287 focused directly on instructional personnel and school  
 1288 administrator needs.
- 1289 (i) Provide opportunities for instructional personnel and  
 1290 school administrators to think about, receive input on, and make  
 1291 changes to practice by facilitating reflection and providing  
 1292 feedback.
- 1293 (j) Provide sustained duration with followup for  
 1294 instructional personnel and school administrators to have  
 1295 adequate time to learn, practice, implement, and reflect upon  
 1296 new strategies that facilitate changes in practice.
- 1297 (4)(3) The activities designed to implement this section  
 1298 must:
- 1299 (a) Support and increase the success of educators through  
 1300 collaboratively developed school improvement plans that focus  
 1301 on:
- 1302 1. Enhanced and differentiated instructional strategies to  
 1303 engage students in a rigorous and relevant curriculum based on  
 1304 state and local educational standards, goals, and initiatives;  
 1305 2. Increased opportunities to provide meaningful

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- 1306 relationships between teachers and all students; and
- 1307 3. Increased opportunities for professional collaboration  
 1308 among and between teachers, certified school counselors,  
 1309 instructional leaders, postsecondary educators engaged in  
 1310 preservice training for new teachers, and the workforce  
 1311 community.
- 1312 (b) Assist the school community in providing stimulating,  
 1313 scientific research-based educational activities that encourage  
 1314 and motivate students to achieve at the highest levels and to  
 1315 participate as active learners and that prepare students for  
 1316 success at subsequent educational levels and the workforce.
- 1317 (c) Provide continuous support for all education  
 1318 professionals as well as temporary intervention for education  
 1319 professionals who need improvement in knowledge, skills, and  
 1320 performance.
- 1321 (d) Provide ~~middle grades~~ instructional personnel and  
 1322 school administrators with the knowledge, skills, and best  
 1323 practices necessary to support excellence in classroom  
 1324 instruction and educational leadership.
- 1325 (e) Provide training to teacher mentors as part of the  
 1326 professional learning development certification program under s.  
 1327 1012.56(8) and the professional education competency program  
 1328 under s. 1012.56(9) ~~s. 1012.56(8)(a)~~. The training must include  
 1329 components on teacher development, peer coaching, time  
 1330 management, and other related topics as determined by the  
 1331 Department of Education.
- 1332 (5)(4) The Department of Education, school districts,  
 1333 schools, Florida College System institutions, and state  
 1334 universities share the responsibilities described in this

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section. These responsibilities include the following:

(a) 1. The department shall create a high-quality professional learning marketplace list that acts as guide and tool for teachers, schools, school administrators, and districts across the state to identify high-quality professional learning provider programs and resources that meet the criteria described in subsection (3) and have demonstrated success in meeting identified student needs.

2. The department shall disseminate to the school community, through a centralized professional learning webpage, the marketplace list under subparagraph 1 research-based professional development methods and programs that have demonstrated success in meeting identified student needs. The Commissioner of Education shall use data on student achievement to identify student needs. The methods of dissemination must include a web-based statewide performance support system, including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available assistance.

2. The web-based statewide performance support system established pursuant to subparagraph 1. must include for middle grades, subject to appropriation, materials related to classroom instruction, including integrated digital instruction and competency-based instruction; CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership.

(b) Each school district shall develop a professional learning development system as specified in subsection (4) ~~(3)~~.

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The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning development system must:

1. Be reviewed and approved by the department for compliance with s. 1003.42(3) and this section. Effective March 1, 2024, the department shall establish a calendar for the review and approval of all professional learning systems. A professional learning system must be reviewed and approved every 5 years. Any ~~All~~ substantial revisions to the system shall be submitted to the department for review and for continued approval. The department shall establish a format for the review and approval of a professional learning system.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional learning development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall



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focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional learning development certification and education competency program under s. 1012.56(8)(a).

5. Include a professional learning catalog ~~master plan~~ for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog ~~master plan~~ shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog plan must be aligned to and support the school-based inservice catalog plans and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog plan must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership.

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District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional learning development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning development plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning development plan.

6. Include inservice activities for school administrative personnel, aligned to the state's educational leadership standards, that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional learning development programs.

8. Provide for delivery of professional learning development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning development programs in

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order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all ~~middle~~ grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 must include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency;

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vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(f).

~~(6)-(5)~~ Each district school board shall provide funding for the professional learning development system as required by s. 1011.62 and the General Appropriations Act, and shall direct expenditures from other funding sources to continuously strengthen the system in order to increase student achievement and support instructional staff in enhancing rigor and relevance in the classroom. The department shall identify professional learning development opportunities that require the teacher to demonstrate proficiency in specific classroom practices, with priority given to implementing training to complete a reading endorsement pathway adopted pursuant to s. 1012.586(2)(a). A school district may coordinate its professional learning development program with that of another district, with an educational consortium, or with a Florida College System institution or university, especially in preparing and educating personnel. Each district school board shall make available inservice activities to instructional personnel of nonpublic schools in the district and the state certified teachers who are not employed by the district school board on a fee basis not to exceed the cost of the activity per all participants.

~~(7)-(6)~~ An organization of private schools or consortium of charter schools which has no fewer than 10 member schools in this state, which publishes and files with the Department of

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Education copies of its standards, and the member schools of which comply with the provisions of part II of chapter 1003, relating to compulsory school attendance, or a public or private college or university with a teacher preparation program approved pursuant to s. 1004.04, may also develop a professional learning development system that includes a professional learning catalog ~~master plan~~ for inservice activities. The system and inservice catalog plan must be submitted to the commissioner for approval pursuant to state board rules.

(8) (a) ~~(7) (a)~~ The Department of Education shall disseminate, using web-based technology, research-based best practice methods by which the state and district school boards may evaluate and improve the professional learning development system. The best practices must include data that indicate the progress of all students. The department shall report annually to the State Board of Education and the Legislature any school district that, in the determination of the department, has failed to provide an adequate professional learning development system. This report must include the results of the department's investigation and of any intervention provided.

(b) The department shall also disseminate, using web-based technology, professional learning development in the use of integrated digital instruction at schools that include middle grades. The professional learning development must provide training and materials that districts can use to provide instructional personnel with the necessary knowledge, skills, and strategies to effectively blend digital instruction into subject-matter curricula. The professional learning development must emphasize online learning and research techniques, reading

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instruction, the use of digital devices to supplement the delivery of curricular content to students, and digital device management and security. Districts are encouraged to incorporate the professional learning development as part of their professional learning development system.

(9) ~~(8)~~ The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

(10) ~~(9)~~ This section does not limit or discourage a district school board from contracting with independent entities for professional learning development services and inservice education if the district school board can demonstrate to the Commissioner of Education that, through such a contract, a better product can be acquired or its goals for education improvement can be better met. Such entities shall have 3 or more years of experience providing professional learning with demonstrative success in instructional or school administrator growth. The school district must verify that such entities and contracted professional learning activities from such entities meet the criteria established in subsection (3) for training linked to student learning or professional growth.

(11) ~~(10)~~ For instructional personnel and administrative personnel who have been evaluated as less than effective, a district school board shall require participation in specific professional learning development programs as provided in subparagraph (5) (b) 5. ~~(4) (b) 5.~~ as part of the improvement prescription.

(12) ~~(11)~~ The department shall disseminate to the school community proven model professional learning development

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programs that have demonstrated success in increasing rigorous and relevant content, increasing student achievement and engagement, meeting identified student needs, and providing effective mentorship activities to new teachers and training to teacher mentors. The methods of dissemination must include a web-based statewide performance-support system including a database of exemplary professional learning development activities, a listing of available professional learning development resources, training programs, and available technical assistance. Professional learning development resources must include sample course-at-a-glance and unit overview templates that school districts may use when developing curriculum. The templates must provide an organized structure for addressing the Florida Standards, grade-level expectations, evidence outcomes, and 21st century skills that build to students' mastery of the standards at each grade level. Each template must support teaching to greater intellectual depth and emphasize transfer and application of concepts, content, and skills. At a minimum, each template must:

(a) Provide course or year-long sequencing of concept-based unit overviews based on the Florida Standards.

(b) Describe the knowledge and vocabulary necessary for comprehension.

(c) Promote the instructional shifts required within the Florida Standards.

(d) Illustrate the interdependence of grade-level expectations within and across content areas within a grade.

(13)~~(12)~~ The department shall require teachers in grades K-12 to participate in continuing education training provided by

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the Department of Children and Families on identifying and reporting child abuse and neglect.

Section 15. Subsection (1) of section 1012.986, Florida Statutes, is amended to read:

1012.986 William Cecil Golden Professional Learning Development Program for School Leaders.—

(1) There is established the William Cecil Golden Professional Learning Development Program for School Leaders to provide high-quality standards and sustained support for educational leaders. For purposes of this section, the term "educational leader" means teacher leaders, assistant principals, principals, or school district leaders. The program shall consist of a collaborative network of school districts, state-approved educational leadership programs, regional consortia, charter management organizations, and state and national professional leadership organizations to respond to educational leadership needs throughout the state. The network shall support the human-resource learning development needs of educational leaders using the framework of leadership standards adopted by the State Board of Education. The goal of the network leadership program is to:

(a) Provide resources to support and enhance the roles of educational leaders.

(b) Maintain a clearinghouse and disseminate data-supported information related to the continued enhancement of student achievement and learning, civic education, coaching and mentoring, mental health awareness, technology in education, distance learning, and school safety based on educational research and best practices.

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(c) Increase the quality and capacity of educational leadership ~~learning development~~ programs.

(d) Support evidence-based leadership practices through dissemination and modeling at the preservice and inservice levels for educational leaders.

(e) Support the professional growth of instructional personnel who provide reading instruction and interventions by training school administrators on classroom observation, instructional coaching, and teacher evaluation practices aligned to evidence-based reading instruction and intervention strategies.

Section 16. The Division of Law Revision shall prepare a reviser's bill to replace references to the term "professional development" where it occurs within chapters 1000 through 1013 of the Florida Statutes with the term "professional learning."

Section 17. Except as otherwise expressly provided in this act, and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2023.

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

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

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

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BILL: CS/SB 1320

INTRODUCER: Education Pre-K – 12 Committee and Senators Yarborough and Perry

SUBJECT: Child Protection in Public Schools

DATE: March 20, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	<b>Fav/CS</b>
2.			FP	

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1320 includes provisions designed to protect children in public schools. The bill includes requirements for age-appropriate and developmentally appropriate instruction for all students in prekindergarten through grade 12. The bill:

- Includes requirements for specific terminology and instruction relative to health and reproductive education in schools.
- Extends the prohibition on classroom instruction on sexual orientation or gender identity to prekindergarten through grade 8.

The bill enhances the process for transparency and review of library and classroom materials available to students in public schools and the process for parents to make objections to materials. The bill requires the suspension of materials alleged to contain pornography or materials harmful to minors as identified in current law pending resolution of an objection to the material.

The bill takes effect on July 1, 2023.

**II. Present Situation:**

The Florida Early Learning-20 Education Code includes definitions of terms to be applied throughout the code.<sup>1</sup>

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<sup>1</sup> Section 1000.21, F.S.

## **Classroom Instruction**

Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in public schools in kindergarten through grade 3 or in a manner that is not age-appropriate or developmentally appropriate for students in accordance with state standards.<sup>2</sup>

Each district school board is required to adopt procedures for a parent to notify the principal, or his or her designee, regarding concerns about the procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student at his or her student's school, and the process for resolving those concerns within seven calendar days after notification by the parent.<sup>3</sup>

The procedures must require that within 30 days after notification by the parent that the concern remains unresolved, the district school board must either resolve the concern or provide a statement of the reasons for not resolving the concern.<sup>4</sup> If a concern is not resolved by the district school board, a parent may request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least five years' experience in administrative law. The special magistrate must determine facts relating to the dispute over the district school board procedure or practice, consider information provided by the district school board, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent.<sup>5</sup>

The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted. The costs of the special magistrate must be borne by the district school board.<sup>6</sup> District school boards are required to develop procedures for applying this process to complaints related to classroom instruction on sexual orientation or gender identity in charter schools.<sup>7</sup>

A parent may also bring an action against the district school board to obtain a declaratory judgment that the district school board procedure includes inappropriate instruction on sexual orientation or gender identity and seek injunctive relief. A court may award damages, and is required to award reasonable attorney fees and court costs, to a parent who receives declaratory or injunctive relief.<sup>8</sup>

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<sup>2</sup> Section 1001.42(8)(c)3., F.S.

<sup>3</sup> Section 1001.42(8)(c)7., F.S.

<sup>4</sup> Section 1001.42(8)(c)7.a., F.S.

<sup>5</sup> Section 1001.42(8)(c)7.b., F.S.

<sup>6</sup> Section 1001.42(8)(c)7.b., F.S.

<sup>7</sup> Rule 6A-6.0791, F.A.C.

<sup>8</sup> Section 1001.42(8)(c)7.b., F.S.

## Reproductive and Health Education

Public school teachers are required to teach comprehensive age-appropriate and developmentally appropriate instruction in health education in:<sup>9</sup>

- Kindergarten through grade 12 that addresses concepts of community health, consumer health, environmental health, and family life.
- Grades 6 through 12 that provides awareness of the benefits of sexual abstinence as the expected standard and the consequences of teen pregnancy.
- Grades 7 through 12 that addresses teen dating violence and abuse.
- Grades 9 through 12 that provides life skills that build confidence, support mental and emotional health, and enable students to overcome challenges.

Course standards for instruction concerning reproductive health begin in grade 3, when students are expected to be able to recognize how the circulatory system, digestive system, nervous system, reproductive system, and other body systems work together to form human body systems.<sup>10</sup> Standards for instruction concerning sexual behavior begin in grade 6, when students are expected to predict the potential outcomes of a health-related decision, including prescription drug use or abuse, eating disorders, depression, and sexual behavior.<sup>11</sup> Course standards for health instruction in grade 7 include articulating the possible causes of conflict among youth in schools and communities, including ethnic prejudice and diversity, substance use, group dynamics, relationship issues and dating violence, gossip and rumors, and sexual identity.<sup>12</sup>

When instruction in acquired immune deficiency syndrome, sexually transmitted diseases, or health education contains instruction in human sexuality, a school must:<sup>13</sup>

- Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age students while teaching the benefits of monogamous heterosexual marriage.
- Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, including acquired immune deficiency syndrome, and other associated health problems.
- Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.
- Provide instruction and material that is appropriate for the grade and age of the student.

All instructional materials used to teach reproductive health or any disease must be annually approved by a district school board in an open, noticed public meeting.<sup>14</sup>

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<sup>9</sup> Section 1003.42(2)(n), F.S.

<sup>10</sup> Department of Education, *Health Education: HE.3.C.1.5*, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-13679>, at 30, incorporated by reference in Rule 6A-1.09412(2)(i), F.A.C.

<sup>11</sup> Department of Education, *Health Education: HE.6.B.5.5*, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-13679>, at 51, incorporated by reference in Rule 6A-1.09412(2)(i), F.A.C.

<sup>12</sup> Department of Education, *Health Education: HE.7.B.4.3*, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-13679>, at 71, incorporated by reference in Rule 6A-1.09412(2)(i), F.A.C.

<sup>13</sup> Section 1003.46(2)(a), F.S.

<sup>14</sup> Section 1003.42(1)(b), F.S.



## **Review of Materials Available to Students**

The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students. The district school board also has the specific duty and responsibility to adopt courses of study, including instructional materials, for use in the schools of the district.<sup>15</sup>

Each district school board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school library, or included on a reading list, whether adopted and purchased from the state-adopted instructional materials list, adopted and purchased through a district instructional materials program, or otherwise purchased or made available.<sup>16</sup>

Each school principal is required to assure that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed. The school principal is required to communicate to parents the manner in which instructional materials are used to implement the curricular objectives of the school.<sup>17</sup>

## ***Prohibited Content***

If the district school board finds that an instructional material was selected for use in a course or otherwise made available to students in the school district but was not subject to the public notice, review, comment, and hearing procedures or that any material contains prohibited pornographic content or material harmful to minors, the district school board is required to discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.<sup>18</sup>

Materials that are harmful to minors are identified in the criminal law. Except for the distribution or posting of school-approved instructional materials that by design serve as a major tool for assisting in the instruction of a subject or course by certain school personnel, a person commits a felony of the third degree by knowingly providing to a minor:<sup>19</sup>

- Any picture, photograph, drawing, sculpture, motion picture film, videocassette, or similar visual representation or image of a person or portion of the human body which depicts nudity or sexual conduct, sexual excitement, sexual battery, bestiality, or sadomasochistic abuse and which is harmful to minors; or
- Any book, pamphlet, magazine, printed matter however reproduced, or sound recording that contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, or sexual conduct and that is harmful to minors.

Materials that are harmful to minors also include any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement when it:<sup>20</sup>

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<sup>15</sup> Section 1006.28(2), F.S.

<sup>16</sup> Section 1006.28(2)(a)1., F.S.

<sup>17</sup> Section 1006.28(4)(a), F.S.

<sup>18</sup> Section 1006.28(2)(a), F.S.

<sup>19</sup> Section 847.012(3) and (6), F.S.

<sup>20</sup> Section 847.001(7), F.S. The Florida Supreme Court has upheld this definition as it relates to the prohibition on the distribution to minors of materials that are harmful. *See Simmons v. State*, 944 So. 2d 317, 329 (Fla. 2006).

- Predominantly appeals to a prurient, shameful, or morbid interest;
- Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors; and
- Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.

Prohibited content includes depictions of sexual conduct, as defined in law,<sup>21</sup> in the form of:<sup>22</sup>

- Actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse.
- Actual or simulated lewd exhibition of the genitals.
- Actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party.
- Any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed.

A mother's breastfeeding of her baby does not under any circumstance constitute "sexual conduct."

### ***Process for Objections***

Each district school board must adopt a policy regarding an objection by a parent or a resident of the county to the use of a specific material, which clearly describes a process to handle all objections and provides for resolution. The process must provide the parent or resident the opportunity to proffer evidence to the district school board that any material used in a classroom, made available in a school library, or included on a reading list contains content that is pornographic or harmful to minors,<sup>23</sup> is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.<sup>24</sup>

### ***Transparency of Materials Available to Students***

Meetings of committees convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the district school board must be noticed and open to the public. Any committees convened for such purposes must include parents of district students.<sup>25</sup>

Each district school board is required to adopt procedures for developing library media center collections and post the procedures on the website for each school within the district. The procedures must:<sup>26</sup>

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<sup>21</sup> Section 847.012, F.S., incorporates in prohibited content any matter defined in s. 847.001, F.S., which includes this definition of sexual conduct, as well as the other terms used in the definition.

<sup>22</sup> Section 847.001(19), F.S.

<sup>23</sup> Materials prohibited as harmful to minors are identified in s. 847.012, F.S.

<sup>24</sup> Section 1006.28(2)(a)2., F.S.

<sup>25</sup> Section 1006.28(2)(a)4., F.S.

<sup>26</sup> Section 1006.28(2)(d)2., F.S.

- Require that book selections are free from pornography and specified material identified as harmful to minors.<sup>27</sup>
- Require consultation of reputable, professionally recognized reviewing periodicals and school community stakeholders.
- Provide for library media center collections based on reader interest, support of state academic standards and aligned curriculum, and the academic needs of students and faculty.
- Provide for the regular removal or discontinuance of books based on, at a minimum, physical condition, rate of recent circulation, alignment to state academic standards and relevancy to curriculum, out-of-date content, and prohibited content.

School principals are responsible for overseeing compliance with district school board procedures for selecting school library media center materials at the school to which they are assigned.<sup>28</sup>

Each elementary school must publish on its website, in a searchable format prescribed by the Department of Education (DOE), a list of all materials maintained in the school library media center or required as part of a school or grade-level reading list.<sup>29</sup>

Each district school board is required to publish on its website, in a searchable format prescribed by the DOE, a list of all instructional materials. Each district school board must annually, beginning June 30, 2023, submit to the Commissioner of Education a report that identifies:<sup>30</sup>

- Each material for which the district school board received an objection for containing pornographic content or content harmful to minors for the school year and the specific objections thereto.
- Each material that was removed or discontinued as a result of an objection.
- The grade level and course for which a removed or discontinued material was used, as applicable.

The DOE is required to publish and regularly update the list of materials that were removed or discontinued as a result of an objection and disseminate the list to district school boards for consideration in their selection procedures.<sup>31</sup>

### **III. Effect of Proposed Changes:**

#### **Terminology**

CS/SB 1320 modifies s. 1000.21, F.S., to define “sex” as the classification of a human person as either male or female based on the organization of the body of such person for a specific reproductive role, as indicated by the person’s sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth.

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<sup>27</sup> Section 1006.28(2)(d)1., F.S. Materials harmful to minors are identified in s. 847.012, F.S.

<sup>28</sup> Section 1006.28(4)(f), F.S.

<sup>29</sup> Section 1006.28(2)(d)3., F.S.

<sup>30</sup> Section 1006.28(2)(e), F.S.

<sup>31</sup> Section 1006.28(2)(e), F.S.

The bill creates s. 1001.07, F.S., to require every public K-12 educational institution to have a policy that a person's sex is an immutable, or unchanging, biological trait and that it is false to ascribe to a person a pronoun that does not correspond to such person's sex. The bill authorizes the State Board of Education to adopt rules to implement the policy, which specifically provides that:

- No employee, contractor, or student of a public K-12 educational institution may be required, as a condition of employment, enrollment, or participation in any program, to refer to another person using a preferred personal title or pronoun that does not correspond to that person's sex.
- No employee or contractor at a public K-12 educational institution may provide to students his or her preferred personal title or pronouns if such personal title or pronouns do not correspond to his or her sex.
- No student may be asked for his or her preferred personal titles or pronouns, or penalized or subjected to adverse or discriminatory treatment for not providing preferred personal titles or pronouns.

### **Classroom Instruction**

The bill amends s. 1001.42, F.S., to modify the prohibition on classroom instruction by school personnel or third parties on sexual orientation or gender identity in kindergarten through grade 3. The bill extends the prohibition on such instruction to prekindergarten through grade 8. The bill clarifies that such instruction in grades 9-12 must be age-appropriate or developmentally appropriate for students in accordance with state standards. The bill clarifies that the prohibition applies to charter schools.

The bill maintains the procedure for administrative review through a special magistrate but removes the provision authorizing a parent who is unable to resolve a concern with the district school board to bring an action against the district school board to obtain a declaratory judgment that the district school board procedure or practice includes prohibited instruction on sexual orientation or gender identity and to seek injunctive relief and damages, attorney fees, and court costs.

### **Reproductive and Health Education**

The bill modifies s. 1003.42, F.S., regarding requirements for instructional materials used to teach reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment to be annually approved by a district school board in an open, noticed, public meeting. The bill requires that all materials, regardless of whether they fall within the definition in law of an instructional material, that are used for such instruction must be approved by the Department of Education.

The bill modifies s. 1003.46, F.S., regarding instruction in acquired immune deficiency syndrome, sexually transmitted diseases, or health education, when such instruction and course material contains instruction in human sexuality. The bill requires materials used for such instruction to be approved by the DOE. When providing such instruction, the bill requires a school to classify males and females in accordance with the definition of sex and teach that biological males impregnate biological females by fertilizing the female's egg with the male's

sperm; the female then gestates the offspring; and these reproductive roles are binary, stable, and unchangeable.

## **Review of Classroom Materials**

### ***Prohibited Content***

The bill modifies s. 1006.28, F.S., to specifically identify the prohibition on materials that depict sexual conduct, as defined in the law regarding materials that are harmful to minors.

The bill provides exceptions for material that is for a required health education or AIDS course, required comprehensive age-appropriate and developmentally appropriate K-12 instruction on the prevention of child sexual abuse, exploitation, and human trafficking, or identified by State Board of Education rule.

### ***Process for Objections***

The bill clarifies that a classroom library is included in the list of materials for which each district school board is responsible and is subject to objection by a parent or resident of the county if the material contains content prohibited in current law and in the bill. The bill requires the form, which must be prescribed by State Board of Education rule, and the district school board's process for a parent to object to a specific material, be easy to read and understand, and be easily accessible on the homepage of the district school board's website.

The bill specifies that any material that is subject to an objection for containing prohibited content that is pornographic or harmful to minors must be made unavailable to students until the objection is resolved. The bill provides that parents have the right to read aloud at public meetings passages from material that is subject to an objection.

The bill also provides that meetings of committees convened for the purpose of resolving an objection by a parent or resident to specific materials must be noticed and open to the public. The bill specifies that any committees convened for such purposes must include parents of students who will have access to such materials.

The bill requires school principals to communicate to parents the procedures for contesting the adoption and use of instructional materials and the process for objecting to the use of specific materials.

### ***Transparency of Materials Available to Students***

The bill specifies that the parents required to be included in committees convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the district school board must be parents of students who will have access to such materials.

The bill includes classroom libraries in the current requirements for school library media centers regarding:

- Posting on the website for each school in the district the procedures for developing not only the library media center collections, but also classroom libraries.

- Publication on the website of each elementary school in the district all materials maintained in the library. The bill adds that this publication must also include any materials accessible to students.

The bill requires each district school board to adopt and publish on its website the process for a parent to limit the books and media materials his or her student can access in the school's library.

The bill modifies the annual report regarding potentially inappropriate materials that each district school board must submit to the Commissioner of Education. The bill expands the required information concerning each material that was:

- Objected to, which must include the grade level and course the material was used in.
- Removed or discontinued as a result of an objection, to include each material that was removed or discontinued even if no objection was made.
- Not removed or discontinued, and the rationale for not removing or discontinuing the material.

The bill provides a severability clause to specify that, if a provision of the bill is held invalid, that does not affect the validity of the other provisions of 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:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

The bill substantially amends the following sections of the Florida Statutes: 1000.21, 1001.07, 1001.42, 1003.42, 1003.46, and 1006.28.

This bill creates section 1001.07 of the Florida Statutes.

This bill re-enacts the following sections of the Florida Statutes: 1000.05(2), (3), (4)(a), and (5); 1001.453(2)(c); 1002.42(3)(a); 1003.27(2)(b) and (c); 1003.42(3)(a), (c), (e), and (f); 1004.43(2); 1006.205(2)(b) and (3); 1009.23(7); 1009.24(10)(b); 1009.983(6); 1009.986(3)(e); and 1014.05(1)(c), (d), and (f).

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

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

**CS in Education Pre-K – 12 Committee on March 20, 2023:**

The committee substitute clarifies that the prohibition of classroom instruction on sexual orientation and gender identity in grades prekindergarten through grade 8 applies to charter schools.

**B. Amendments:**

None.



343856

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2023	.	
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The Committee on Education Pre-K -12 (Yarborough) recommended the following:

**Senate Amendment (with title amendment)**

Delete line 143  
and insert:  
in accordance with state standards. This subparagraph applies to charter schools.

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

And the title is amended as follows:

Delete line 17





343856

11 and insert:  
12       orientation or gender identity until grade 9;  
13       providing that such prohibition applies to charter  
14       schools; deleting

By Senator Yarborough

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1 A bill to be entitled  
 2 An act relating to child protection in public schools;  
 3 amending s. 1000.21, F.S.; defining the term "sex";  
 4 creating s. 1001.07, F.S.; defining the term "sex";  
 5 prohibiting an employee, contractor, or student of a  
 6 public school from being required to refer to a person  
 7 using personal titles or pronouns that do not  
 8 correspond with that person's sex; prohibiting  
 9 employees and contractors from providing a pronoun or  
 10 personal title to students which does not correspond  
 11 with his or her sex; providing that students may not  
 12 be asked for preferred personal titles or pronouns or  
 13 penalized for not providing such information;  
 14 authorizing the State Board of Education to adopt  
 15 rules; amending s. 1001.42, F.S.; prohibiting  
 16 classroom instruction by school personnel on sexual  
 17 orientation or gender identity until grade 9; deleting  
 18 a provision authorizing a parent to bring an action  
 19 against a school district for a declaratory judgment;  
 20 amending s. 1003.42, F.S.; providing that materials  
 21 used to teach reproductive health or any disease as  
 22 part of certain courses must be approved by the  
 23 Department of Education; amending s. 1003.46, F.S.;  
 24 requiring that instruction in acquired immune  
 25 deficiency syndrome, sexually transmitted diseases,  
 26 and health education identify males and females as  
 27 provided in a specified provision and teach that the  
 28 male and female reproductive roles are binary, stable,  
 29 and unchangeable; requiring that such instructional

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

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30 materials be approved by the department; amending s.  
 31 1006.28, F.S.; providing that district school boards  
 32 are responsible for materials used in classroom  
 33 libraries; requiring that a specified objection form  
 34 and the district school board's process for handling  
 35 objections be easy to read and easily accessible on  
 36 school districts' website homepages; expanding the  
 37 criteria for materials used in the classroom,  
 38 available in the school library, or included on a  
 39 reading list under which a parent or resident may  
 40 bring an objection; requiring that certain materials  
 41 be unavailable to students until the resolution of any  
 42 objection; providing requirements for certain meetings  
 43 of school district committees relating to  
 44 instructional materials; revising certain district  
 45 school board procedures relating to library media  
 46 center collections; revising elementary school  
 47 requirements relating to materials in specified  
 48 libraries; requiring district school boards to adopt  
 49 and publish a specified process relating to student  
 50 access to certain materials; revising district school  
 51 board reporting requirements relating to materials  
 52 that received certain objections; requiring school  
 53 principals to communicate to parents the procedures  
 54 for contesting the adoption and use of instructional  
 55 materials; reenacting ss. 1000.05(2), (3), (4)(a), (5)  
 56 and (7)(d), 1001.453(2)(c), 1002.42(3)(a),  
 57 1003.27(2)(b) and (c), 1003.42(3)(a), (c), (e), and  
 58 (f), 1004.43(2), 1006.205(2)(b) and (3), 1009.23(7),

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1009.24(10) (b), 1009.983(6), 1009.986(3) (e), and 1014.05(1) (c), (d), and (f), F.S., relating to biological sex, to incorporate the amendment made to s. 1000.21, F.S., in references thereto; providing for severability; providing an effective date.

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

Section 1. Subsection (9) is added to section 1000.21, Florida Statutes, to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 Education Code:

(9) "Sex" means the classification of a human person as being either male or female based on the organization of the body of such person for a specific reproductive role, as indicated by the person's sex chromosomes, naturally occurring sex hormones, and internal and external genitalia present at birth.

Section 2. Section 1001.07, Florida Statutes, is created to read:

1001.07 Personal titles.—

(1) It shall be the policy of every public K-12 educational institution that is provided or authorized by the Constitution and laws of Florida that a person's sex is an immutable biological trait and that it is false to ascribe to a person a pronoun that does not correspond to such person's sex. For purposes of this section, "sex" shall have the same meaning as in s. 1000.21.

(2) No employee, contractor, or student of a public K-12

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educational institution shall be required, as a condition of employment, enrollment, or participation in any program, to refer to another person using a preferred personal title or pronoun that does not correspond to that person's sex.

(3) No employee or contractor at a public K-12 educational institution may provide to students his or her preferred personal title or pronouns if such personal title or pronouns do not correspond to his or her sex.

(4) No student may be asked for his or her preferred personal titles or pronouns, or penalized or subjected to adverse or discriminatory treatment for not providing preferred personal titles or pronouns.

(5) The State Board of Education may adopt rules consistent with this section.

Section 3. Paragraph (c) of subsection (8) 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:

(8) STUDENT WELFARE.—

(c)1. In accordance with the rights of parents enumerated in ss. 1002.20 and 1014.04, adopt procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student. The procedures must reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children by requiring school district personnel to

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117 encourage a student to discuss issues relating to his or her  
 118 well-being with his or her parent or to facilitate discussion of  
 119 the issue with the parent. The procedures may not prohibit  
 120 parents from accessing any of their student's education and  
 121 health records created, maintained, or used by the school  
 122 district, as required by s. 1002.22(2).

123 2. A school district may not adopt procedures or student  
 124 support forms that prohibit school district personnel from  
 125 notifying a parent about his or her student's mental, emotional,  
 126 or physical health or well-being, or a change in related  
 127 services or monitoring, or that encourage or have the effect of  
 128 encouraging a student to withhold from a parent such  
 129 information. School district personnel may not discourage or  
 130 prohibit parental notification of and involvement in critical  
 131 decisions affecting a student's mental, emotional, or physical  
 132 health or well-being. This subparagraph does not prohibit a  
 133 school district from adopting procedures that permit school  
 134 personnel to withhold such information from a parent if a  
 135 reasonably prudent person would believe that disclosure would  
 136 result in abuse, abandonment, or neglect, as those terms are  
 137 defined in s. 39.01.

138 3. Classroom instruction by school personnel or third  
 139 parties on sexual orientation or gender identity may not occur  
 140 in prekindergarten kindergarten through grade 8. If provided in  
 141 grades 9-12, such instruction must be 3 or in a manner that is  
 142 ~~not~~ age-appropriate or developmentally appropriate for students  
 143 in accordance with state standards.

144 4. Student support services training developed or provided  
 145 by a school district to school district personnel must adhere to

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146 student services guidelines, standards, and frameworks  
 147 established by the Department of Education.

148 5. At the beginning of the school year, each school  
 149 district shall notify parents of each health care service  
 150 offered at their student's school and the option to withhold  
 151 consent or decline any specific service as provided in s.  
 152 1014.06. Parental consent to a health care service does not  
 153 waive the parent's right to access his or her student's  
 154 educational or health records or to be notified about a change  
 155 in his or her student's services or monitoring as provided by  
 156 this paragraph.

157 6. Before administering a student well-being questionnaire  
 158 or health screening form to a student in kindergarten through  
 159 grade 3, the school district must provide the questionnaire or  
 160 health screening form to the parent and obtain the permission of  
 161 the parent.

162 7. Each school district shall adopt procedures for a parent  
 163 to notify the principal, or his or her designee, regarding  
 164 concerns under this paragraph at his or her student's school and  
 165 the process for resolving those concerns within 7 calendar days  
 166 after notification by the parent.

167 a. At a minimum, the procedures must require that within 30  
 168 days after notification by the parent that the concern remains  
 169 unresolved, the school district must either resolve the concern  
 170 or provide a statement of the reasons for not resolving the  
 171 concern.

172 b. If a concern is not resolved by the school district, a  
 173 parent may:  
 174 ~~(i)~~ request the Commissioner of Education to appoint a

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special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years' experience in administrative law. The special magistrate shall determine facts relating to the dispute over the school district procedure or practice, consider information provided by the school district, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the school district. The State Board of Education shall adopt rules, including forms, necessary to implement this subparagraph.

~~(II) Bring an action against the school district to obtain a declaratory judgment that the school district procedure or practice violates this paragraph and seek injunctive relief. A court may award damages and shall award reasonable attorney fees and court costs to a parent who receives declaratory or injunctive relief.~~

c. Each school district shall adopt policies to notify parents of the procedures required under this subparagraph.

d. Nothing contained in this subparagraph shall be construed to abridge or alter rights of action or remedies in equity already existing under the common law or general law.

Section 4. Paragraph (b) of subsection (1) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(1)

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(b) All ~~instructional materials, as defined in s. 1006.29(2),~~ used to teach reproductive health or any disease, including HIV/AIDS, its symptoms, development, and treatment, as part of the courses referenced in subsection (5), must be ~~annually approved by the department a district school board in an open, noticed public meeting.~~

Section 5. Subsection (2) of section 1003.46, Florida Statutes, is amended to read:

1003.46 Health education; instruction in acquired immune deficiency syndrome.—

(2) Throughout instruction in acquired immune deficiency syndrome, sexually transmitted diseases, or health education, when such instruction and course material contains instruction in human sexuality, a school shall:

(a) Classify males and females as provided in s. 1000.21(9); teach that biological males impregnate biological females by fertilizing the female's egg with the male's sperm; that the female then gestates the offspring; and that these reproductive roles are binary, stable, and unchangeable.

(b) Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age students while teaching the benefits of monogamous heterosexual marriage.

~~(c)(b)~~ Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, including acquired immune deficiency syndrome, and other associated health problems.

~~(d)(c)~~ Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.

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~~(e)(d)~~ Provide instruction and material that is appropriate for the grade and age of the student.

Materials used for instruction under this section must be approved by the department.

Section 6. Paragraphs (a), (d), and (e) of subsection (2) and paragraphs (a) and (f) of subsection (4) of section 1006.28, Florida Statutes, are amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

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

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

1. Each district school board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school or classroom library, or included on a reading list, whether adopted and purchased from the state-adopted instructional materials list, adopted and purchased through a district instructional materials program under s. 1006.283, or otherwise purchased or made available.

2. Each district school board must adopt a policy regarding an objection by a parent or a resident of the county to the use

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of a specific material, which clearly describes a process to handle all objections and provides for resolution. The objection form, as prescribed by State Board of Education rule, and the district school board's process must be easy to read and understand and be easily accessible on the homepage of the school district's website. The process must provide the parent or resident the opportunity to proffer evidence to the district school board that:

a. An instructional material does not meet the criteria of s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the school district but was not subject to the public notice, review, comment, and hearing procedures under s. 1006.283(2)(b)8., 9., and 11.

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

(I) Is pornographic or prohibited under s. 847.012;

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

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

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

Any material that is subject to an objection on the basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must

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291 be made unavailable to students until the objection is resolved.  
 292 Parents have the right to read aloud at public meetings passages  
 293 from material that is subject to an objection. If the district  
 294 school board finds that an instructional material does not meet  
 295 the criteria under sub-subparagraph a. or that any other  
 296 material contains prohibited content under sub-subparagraph b.,  
 297 the school district shall discontinue use of the material for  
 298 any grade level or age group for which such use is inappropriate  
 299 or unsuitable.

300 3. Each district school board must establish a process by  
 301 which the parent of a public school student or a resident of the  
 302 county may contest the district school board's adoption of a  
 303 specific instructional material. The parent or resident must  
 304 file a petition, on a form provided by the school board, within  
 305 30 calendar days after the adoption of the instructional  
 306 material by the school board. The school board must make the  
 307 form available to the public and publish the form on the school  
 308 district's website. The form must be signed by the parent or  
 309 resident, include the required contact information, and state  
 310 the objection to the instructional material based on the  
 311 criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days  
 312 after the 30-day period has expired, the school board must, for  
 313 all petitions timely received, conduct at least one open public  
 314 hearing before an unbiased and qualified hearing officer. The  
 315 hearing officer may not be an employee or agent of the school  
 316 district. The hearing is not subject to the provisions of  
 317 chapter 120; however, the hearing must provide sufficient  
 318 procedural protections to allow each petitioner an adequate and  
 319 fair opportunity to be heard and present evidence to the hearing

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320 officer. The school board's decision after convening a hearing  
 321 is final and not subject to further petition or review.

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

328 5. Meetings of committees convened for the purpose of  
 329 resolving an objection by a parent or resident to specific  
 330 materials must be noticed and open to the public in accordance  
 331 with s. 286.011. Any committees convened for such purpose must  
 332 include parents of students who will have access to such  
 333 materials.

334 (d) *School library media services; establishment and*  
 335 *maintenance.*—Establish and maintain a program of school library  
 336 media services for all public schools in the district, including  
 337 school library media centers, or school library media centers  
 338 open to the public, and, in addition such traveling or  
 339 circulating libraries as may be needed for the proper operation  
 340 of the district school system. Beginning January 1, 2023, school  
 341 librarians, media specialists, and other personnel involved in  
 342 the selection of school district library materials must complete  
 343 the training program developed pursuant to s. 1006.29(6) before  
 344 reviewing and selecting age-appropriate materials and library  
 345 resources. Upon written request, a school district shall provide  
 346 access to any material or book specified in the request that is  
 347 maintained in a district school system library and is available  
 348 for review.

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20231320

1. Each book made available to students through a school district library media center or included in a recommended or assigned school or grade-level reading list must be selected by a school district employee who holds a valid educational media specialist certificate, regardless of whether the book is purchased, donated, or otherwise made available to students.

2. Each district school board shall adopt procedures for developing library media center collections and post the procedures on the website for each school within the district. The procedures must:

a. Require that book selections meet the criteria in s. 1006.40(3)(d).

b. Require consultation of reputable, professionally recognized reviewing periodicals and school community stakeholders.

c. Provide for library media center collections, including classroom libraries, based on reader interest, support of state academic standards and aligned curriculum, and the academic needs of students and faculty.

d. Provide for the regular removal or discontinuance of books based on, at a minimum, physical condition, rate of recent circulation, alignment to state academic standards and relevancy to curriculum, out-of-date content, and required removal pursuant to subparagraph (a)2.

3. Each elementary school must publish on its website, in a searchable format prescribed by the department, a list of all materials maintained and accessible in the school library media center or a classroom library or required as part of a school or grade-level reading list.

4-01766B-23

20231320

4. Each district school board shall adopt and publish on its website the process for a parent to limit the books and media materials his or her student can access in the school's library.

(e) *Public participation.*—Publish on its website, in a searchable format prescribed by the department, a list of all instructional materials, including those used to provide instruction required by s. 1003.42. Each district school board must:

1. Provide access to all materials, excluding teacher editions, in accordance with s. 1006.283(2)(b)8.a. before the district school board takes any official action on such materials. This process must include reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

2. Select, approve, adopt, or purchase all materials as a separate line item on the agenda and provide a reasonable opportunity for public comment. The use of materials described in this paragraph may not be selected, approved, or adopted as part of a consent agenda.

3. Annually, beginning June 30, 2023, submit to the Commissioner of Education a report that identifies:

a. Each material for which the school district received an objection pursuant to subparagraph (a)2., including the grade level and course the material was used in, for the school year and the specific objections thereto.

b. Each material that was removed or discontinued ~~as a result of an objection~~.

c. Each material that was not removed or discontinued and



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the rationale for not removing or discontinuing the material. The  
grade level and course for which a removed or discontinued  
material was used, as applicable.

The department shall publish and regularly update a list of  
materials that were removed or discontinued as a result of an  
objection and disseminate the list to school districts for  
consideration in their selection procedures.

(4) SCHOOL PRINCIPAL.—The school principal has the  
following duties for the management and care of materials at the  
school:

(a) *Proper use of instructional materials.*—The principal  
shall assure that instructional materials are used to provide  
instruction to students enrolled at the grade level or levels  
for which the materials are designed, pursuant to adopted  
district school board rule. The school principal shall  
communicate to parents the manner in which instructional  
materials are used to implement the curricular objectives of the  
school and the procedures for contesting the adoption and use of  
instructional materials.

(f) *Selection of library media center materials.*—School  
principals are responsible for overseeing compliance with school  
district procedures for selecting school library media center  
materials at the school to which they are assigned and notifying  
parents of the process for objecting to the use of specific  
materials.

Section 7. Sections 1000.05(2), (3), (4) (a), (5), and  
(7) (d), 1001.453(2) (c), 1002.42(3) (a), 1003.27(2) (b) and (c),  
1003.42(3) (a), (c), (e), and (f), 1004.43(2), 1006.205(2) (b) and

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(3), 1009.23(7), 1009.24(10) (b), 1009.983(6), 1009.986(3) (e),  
and 1014.05(1) (c), (d), and (f), Florida Statutes, are reenacted  
for the purpose of incorporating the amendment made by this act  
to s. 1000.21, Florida Statutes, in references thereto.

Section 8. If any provision of this act or its application  
to any person or circumstance is held invalid, the invalidity  
does not affect other provisions or applications of the act  
which can be given effect without the invalid provision or  
application, and to this end the provisions of this act are  
severable.

Section 9. This act shall take effect July 1, 2023.

**APPEARANCE RECORD**

SB 1320

3/20/2023

Meeting Date

Bill Number or Topic

K-12 Ed

Committee

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

Amendment Barcode (if applicable)

Name

Priscilla West

Phone

(305) 460-2200

Address

2593 Merganser Ct

Email

priscilla-west@hotmail.com

Street

Tallahassee FL 32308

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

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

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

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

S-001 (08/10/2021)

March 20, 2023

Meeting Date

Education PreK-12

Committee

The Florida Senate

## APPEARANCE RECORD

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

1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Barney Bishop III**

Phone **850-510-9922**

Address **1454 Vieux Carre Drive**

Email **Barney@BarneyBishop.com**

Street

**Tallahassee**

**FL**

**32308**

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

☐

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

**Fla. Smart Justice**

...

*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

MARCH 20, 23

Meeting Date

GD - PRE - K - 12

Committee

1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name

BILL BUNKLEY

Phone

813.264.2977

Address

PO Box 340288

Email

Bill@FERLC.ORG

Street

TAMRA

City

FL

State

33694

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:

FIA ETHICS & RELIGIOUS LIBERTY COMMISSION

☐

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

3/20/23

Meeting Date

1320

Bill Number or Topic

Education PreK-12

Committee

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

Amendment Barcode (if applicable)

Name Michael Barrett

Phone (850) 222-3803

Address 201 W. Park Ave.

Street

Email mbarrett@flaccb.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:  
Florida Conference  
of Catholic Bishops☐ I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

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

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

3/20/2023

Meeting Date

EDUCATION

Committee

1310

Bill Number or Topic

Amendment Barcode (if applicable)

Name TRISH NEELY

Phone 850-322-3317

Address 2024 SHANGRI LA

Email

Street

TALLY 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:

LEAGUE WOMEN VOTERS

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

3/20/2023

SB 1320

Meeting Date

Bill Number or Topic

Education PreK-12

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

Committee

Amendment Barcode (if applicable)

Name

Dr. Carolyn Zonia

Phone

850-714-3793

Address

620 Flatwoods Forest Loop

Email

zoniacarolyn@gmail.com

Street

Santa Rosa Beach FL 32459

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)

# APPEARANCE RECORD

3/20/23

Meeting Date

Prek-12

Committee

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

1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Chadwick Leonard

Phone

407 954 0605

Address

213 S Adams St

Street

Tallahassee

City

FL

State

32301

Zip

Email

chadwick.leonard@floridaca.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:

Florida Education  
Association.

☐

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

SB 1320

3/20/23

Meeting Date

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Laura Rodriguez

Phone

305 335 0606

Address

8010 Noremac Ave

Email

lotty@thebeach  
@gmail.com

Street

Miami Beach FL 33141

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)

## APPEARANCE RECORD

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

3/20/23

Meeting Date

SB 1320

Bill Number or Topic

Judiciary

Committee

Amendment Barcode (if applicable)

Name

Rin Alajaji

Phone

Address

201 E Park Ave

Email

Street

City

State

Zip

32801

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:

Equality Florida

☐

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

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

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S-001 (08/10/2021)

3-20-23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

HB 1223/50 1320

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Scott Deshazo

Phone

561-275-6906

Address

2219 maple Hill crt

Email

Street

Lakeland

FL

33811

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/20/23

Meeting Date

1320

Bill Number or Topic

Educ. PREK-12

Committee

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

Amendment Barcode (if applicable)

Name

JEAN SIEBENALER

Phone

513-532-5408

Address

Street

7502 OLD BAYPOINT RD

Email

j.siebenaler@gmail.com

City

MILTON, FL

State

Zip

32583

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)

3/20/2023

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB 1320

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

David Poole

Phone

850-766-3323

Address

1825 Country Club Dr.

Street

Tallahassee FL 32301

City

State

Zip

Email

poole2011@icloud.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:

AHF - AIDS Healthcare  
Foundation

☐

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

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

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3/20/23

Meeting Date

Education PreK-12

Committee

SB 1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Aurelie Colon Larrain

Phone

9548818595

Address

Street

Email

aurelie@latinainstitute.org

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:

National Latina  
Institute for Reproductive  
Justice 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

3/20/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

HB 1223 / SB 1320  
PARENTAL RIGHTS  
INED

Bill Number or Topic

Committee

Name

AXLE R

Phone

~~850-5~~ 850-466-1725

Amendment Barcode (if applicable)

Address

Street

TALLAHASSEE

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)

The Florida Senate

**APPEARANCE RECORD**

3-20-23

Meeting Date

Education PreK-12

Committee

1320

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name

Barbara DeVane

Phone

850-251-4280

Address

625 E. Brevard St

Street

Email

barbadevane1@yahoo.com

Tallahassee FL 32308

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

FL NOW

☐

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

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

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

S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

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

3/20/23

Meeting Date

Education Pre K-12

Committee

SB 1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jackson Oberlin

Phone 772-532-1371

Address 10800 Biscayne Blvd, Suite 1050

Email jackson@floridaforall.vote

Street

Miami

City

FL

State

33161

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 Rising

☐ 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

3/20/23

Meeting Date

Health Policy

Committee

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

SB 1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Annie Filkowski

Phone

Address

Tallahassee

Email

Street

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:The Florida Alliance of  
Planned Parenthood Affiliates☐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 1320

3-20-23  
Meeting Date  
Education PreK-12  
Committee

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

Bill Number or Topic

Amendment Barcode (if applicable)

Name Susan Aertker Phone 904-262-5124

Address 10178 Foxcroft Rd W Email susaninflorida@gmail.com

Street  
JAX. FL. 32257  
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:

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)

3/20/2023

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

1320

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Noelle Rivers

Phone

971-300-5749

Address

4207 Looking Glass Pl

Email

noelle.rivers@outlook.ca

Street

Sanford

City

FL

State

32771

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)

## APPEARANCE RECORD

03/20/23

Meeting Date

1320

Bill Number or Topic

Sex Ed

Amendment Barcode (if applicable)

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

Committee

Name

Lauren Brenzel

Phone

Address

Street

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:☐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

3/20/23

Meeting Date

SB 1320

Bill Number or Topic

PreK-12 Ed.

Committee

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

Amendment Barcode (if applicable)

Name

Jon Harris Maubert

Phone

Address

201 E. Park Ave.

Email

Street

TLH

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:

Equality 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)

The Florida Senate

**APPEARANCE RECORD**

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

SB 1320

Bill Number or Topic

3/17/23  
Meeting Date

Committee

Amendment Barcode (if applicable)

Name

January Littlejohn

Phone

561-254-9360

Address

3658 Dwight Davis St

Email

jas7854@hotmail.com

Street

Tallahassee FL 32312

City

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

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

S-001 (08/10/2021)



## APPEARANCE RECORD

3/20/23

Meeting Date

SB 1320

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

~~Kay~~ Kaylee Sandell

Phone

(850) 339-2189

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)



3/20/22

Meeting Date

APPEARANCE

# APPEARANCE RECORD

SB 1320

Bill Number or Topic

Education PreK-12

Committee

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

Amendment Barcode (if applicable)

Name

JYLVIO WEBER

Phone

Address

Street

Tallahassee

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 \(flsenate.gov\)](#)

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

20 Mar 2023

Meeting Date

HB 1223/SB 1320

Bill Number or Topic

Education

Committee

Amendment Barcode (if applicable)

Name

Wanderl Beattie

Phone

850 758 2863

Address

Box 1016

Email

Street

Crestview

FL

32536

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

3/20/23

Meeting Date

Education Pre 10-12

Committee

SB 1326

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name

KARA GROSS

Phone

786-363-4436

Address

4343 W. Flagler Rd

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

SB1320

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:

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**

3/20/23

Meeting Date

SB-1320

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Address

Street

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:

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

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

S-001 (08/10/2021)



March 20, 2023

Meeting Date

EDUCATION PRE-K -12

Committee

The Florida Senate

## APPEARANCE RECORD

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

SB 1320 Child Protection/Public Schools

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Jonathan Webber**

Phone **954-593-4449**

Address **400 Washington Ave**

Email **jonathan.webber@splcactionfund.org**

Street

**Montgomery**

**AL**

**36104**

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:

**SPLC Action Fund**

☐ 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)

3.20.2023

## APPEARANCE RECORD

1320

Meeting Date

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

Bill Number or Topic

K-12 Educ

Committee

Amendment Barcode (if applicable)

Name

KEITH FLAUGH

Phone

239-250-3320

Address

1390 QUINTANA ST

Email

KFLAUGH@MC.FL

Street

MARCO ISLAND 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:

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

SB1320

Bill Number or Topic

Amendment Barcode (if applicable)

3/20/23  
Meeting Date  
Education Pre-12  
Committee

Name Stephana Ferrell Phone

Address Street Email stephana@fftrp.org

City State Zip 34787

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

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

Florida Freedom to Read Project

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

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S-001 (08/10/2021)



The Florida Senate

APPEARANCE RECORD

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

3/20/23

Meeting Date

PRE K - K

Committee

SB 1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name

PATTI SULLIVAN (Parental Rights Florida)

Phone

772 913 2375

Address

14041 N INDIAN RIVER DRIVE

Email

pattisullivan@pm.me

Street

SEBASTIAN

City

State

FL

32958

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**

SB 1320

March 20, 2023

Meeting Date

Education Pre K-12

Committee

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

Bill Number or Topic

Amendment Barcode (if applicable)

Name Nancy Lawther, Ph.D. (Florida PTA) Phone 407 855-7604

Address 1747 Orlando Central Pkwy Email legislation@florida  
Orlando, FL 32809 pta.org  
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.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

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

3/20/23  
Meeting Date

Education Pre K-12  
Committee

SB 1320  
Bill Number or Topic

Amendment Barcode (if applicable)

Name \_\_\_\_\_ Phone 904-608-4471

Address 4853 S. Orange Ave Email garonda@flfamily.org  
Street

Orlando FL 32806  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

Florida Family Policy Council

☐ 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)

3-20-23

The Florida Senate

# APPEARANCE RECORD

HB/223/SB 1320

Meeting Date

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Jason Deshafo

Phone

813-416-3695

Address

2219 maple Hill crl

Email

Jason@roseclanetv Foundation inc.  
org

Street

Lakeland

FL

33811

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

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

3/20/23

Meeting Date

Sen. Ed. PreK-12

Committee

SB 1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jeff Nail

Phone

850-255-1267

Address

413 Warwick Street

Email

jeff.nail1267@gmail.com

Street

Gulf Breeze FL

32561

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**

3/20/23

Meeting Date

PreK-12

Committee

1320

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Sarah Twardy

Phone

518-860-2347

Address

1818 1st Ave

Email

polevaulter88@hotmail.com

Street

Fernandina Beach, FL

32034

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:

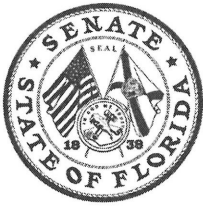


I am not a lobbyist, but received  
something of value for my appearance  
(travel, meals, lodging, etc.),  
sponsored by:

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

## Committee Agenda Request

**To:** Senator Corey Simon, Chair  
Committee on Education Pre-K -12


**Subject:** Committee Agenda Request

**Date:** March 13, 2023

---

I respectfully request that **Senate Bill #1320**, relating to Child Protection in Public Schools, be placed on the:

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

  
\_\_\_\_\_  
Senator Clay Yarborough  
Florida Senate, District 4

# CourtSmart Tag Report

**Room:** KB 412      **Case No.:** -  
**Caption:** Senate Education Pre-K-12 Committee

**Type:**  
**Judge:**

**Started:** 3/20/2023 12:31:52 PM  
**Ends:** 3/20/2023 2:51:55 PM      **Length:** 02:20:04

12:31:52 PM Chair Simon calls meeting to order, roll call  
12:32:25 PM Quorum is present  
12:32:31 PM Chair Simon makes opening remarks  
12:32:46 PM Tab 1, SB 662- Student Online Personal Information Protection by Senator Bradley  
12:32:54 PM Senator Bradley explains the bill  
12:32:54 PM Chair Simon recognizes Senator Bradley  
12:34:51 PM Chair Simon recognizes appearance cards:  
12:35:24 PM Chris Stauffer  
12:39:00 PM Cathryn Moering  
12:43:28 PM Chair Simon reads appearance cards waiving  
12:43:48 PM Senator Bradley closes on the bill  
12:45:07 PM Roll call on SB 662  
12:45:27 PM Chair Simon reports the bill  
12:45:38 PM Tab 2- SB 1386, Florida School for Competitive Academics by Senator Perry  
12:45:44 PM Chair Simon recognizes Senator Perry  
12:45:50 PM Senator Perry explains the bill  
12:47:40 PM Debate:  
12:47:42 PM Senator Berman  
12:48:18 PM Senator Osgood  
12:49:28 PM Senator Perry closes on the bill  
12:51:11 PM Roll call on SB 1386  
12:51:29 PM Vice Chair Burgess report the bill  
12:51:39 PM Tab 3- SB 1420, Education by Senator Avila  
12:51:40 PM Senator Avila explains the bill  
12:51:40 PM Vice Chair Burgess recognizes Senator Avila  
12:52:37 PM Questions:  
12:52:38 PM Senator Berman  
12:52:59 PM Senator Avila  
12:53:18 PM Senator Berman  
12:53:32 PM Senator Avila  
12:54:04 PM Senator Berman  
12:54:13 PM Senator Avila  
12:54:28 PM Senator Berman  
12:54:40 PM Senator Avila  
12:55:32 PM Senator Berman  
12:55:50 PM Senator Avila  
12:56:55 PM Senator Jones  
12:57:21 PM Senator Avila  
12:57:26 PM Senator Jones  
12:57:59 PM Senator Avila  
12:59:35 PM Senator Jones  
1:00:42 PM Senator Avila  
1:01:36 PM Debate:  
1:01:38 PM Senator Calatayud  
1:02:15 PM Senator Jones  
1:03:16 PM Senator Osgood  
1:05:07 PM Senator Avila closes on the bill  
1:06:33 PM Roll call on SB 1430  
1:06:51 PM Vice Chair Burgess reports the bill  
1:07:05 PM Tab 4- SB 1320, Child Protection in Public Schools by Senator Yarborough  
1:07:08 PM Vice Chair Burgess recognizes Senator Yarborough  
1:07:09 PM Senator Yarborough explains the bill



1:09:46 PM	Questions:
1:09:48 PM	Senator Jones
1:10:50 PM	Senator Yarborough
1:11:01 PM	Senator Jones
1:11:33 PM	Senator Yarborough
1:12:04 PM	Senator Jones
1:12:48 PM	Senator Yarborough
1:14:35 PM	Senator Jones
1:15:02 PM	Senator Yarborough
1:15:12 PM	Senator Jones
1:16:07 PM	Senator Yarborough
1:16:33 PM	Senator Berman
1:16:53 PM	Senator Yarborough
1:17:47 PM	Senator Berman
1:18:01 PM	Senator Yarborough
1:18:22 PM	Senator Berman
1:18:44 PM	Senator Yarborough
1:19:00 PM	Senator Berman
1:19:04 PM	Senator Yarborough
1:19:20 PM	Senator Berman
1:19:28 PM	Senator Yarborough
1:19:44 PM	Senator Berman
1:20:10 PM	Senator Yarborough
1:20:24 PM	Senator Berman
1:20:44 PM	Senator Yarborough
1:21:26 PM	Senator Berman
1:21:37 PM	Senator Yarborough
1:22:19 PM	Senator Berman
1:22:46 PM	Senator Yarborough
1:24:08 PM	Senator Berman
1:24:14 PM	Senator Yarborough
1:24:44 PM	Senator Osgood
1:26:13 PM	Senator Yarborough
1:27:31 PM	Senator Osgood
1:28:38 PM	Senator Yarborough
1:29:03 PM	Amendment 343856
1:29:12 PM	Vice Chair Burgess recognizes Senator Yarborough
1:29:15 PM	Senator Yarborough explains the amendment
1:29:38 PM	Senator Yarborough waives close
1:29:45 PM	Vice Chair Burgess reports amendment
1:30:25 PM	Vice Chair Burgess recognizes public testimony:
1:30:43 PM	Jonathan Webber, SPLC Action Fund
1:32:12 PM	Anthony Verdugo, Christian Family Coalition
1:34:07 PM	Armando Pomar
1:34:22 PM	Kara Gross, ACLU of Florida
1:37:09 PM	Keith Flaugh
1:38:44 PM	Stephana Ferrel, Florida Freedom to Read Project
1:41:37 PM	Patti Sullivan, Parental Rights Florida
1:44:09 PM	Nancy Lawthor, Florida PTA
1:47:02 PM	Aaron D, Florida Family Policy Council
1:49:19 PM	Jason Deshazo
1:50:47 PM	Jeff Nall
1:52:34 PM	Sarah Twardy
1:55:41 PM	Wendell Beattie
1:58:38 PM	Sylvia Weber
2:00:12 PM	Kaylee Sandell
2:03:12 PM	January Littlejohn
2:05:13 PM	Senator Jones
2:05:28 PM	January Littlejohn
2:05:40 PM	John Harris Mauer, Equality Florida
2:07:57 PM	Lauren Brenzel
2:10:09 PM	Noelle Rivers, League of Women Voters

<b>2:12:59 PM</b>	Susan Aertker
<b>2:13:55 PM</b>	Chair Simon reads appearance cards waiving
<b>2:15:05 PM</b>	Barney Bishop
<b>2:18:09 PM</b>	Debate:
<b>2:18:11 PM</b>	Senator Berman
<b>2:22:28 PM</b>	Senator Jones
<b>2:28:03 PM</b>	Senator Osgood
<b>2:33:48 PM</b>	Senator Grall
<b>2:37:43 PM</b>	Senator Burgess
<b>2:40:10 PM</b>	Senator Perry
<b>2:42:27 PM</b>	Senator Calatayud
<b>2:45:26 PM</b>	Senator Yarborough closes on the bill
<b>2:50:24 PM</b>	Roll call on SB 1320
<b>2:50:54 PM</b>	Chair Simon reports the bill
<b>2:51:02 PM</b>	Senator Burgess moves to record a missed vote
<b>2:51:19 PM</b>	Senator Collins moves to record a missed vote
<b>2:51:27 PM</b>	Chair Simon moves to record a missed vote
<b>2:51:34 PM</b>	Senator Perry moves to record a missed vote
<b>2:51:40 PM</b>	Meeting adjourned