

<b>Tab 1</b>	<b>SB 4 by Rouson (CO-INTRODUCERS) Book;</b> (Identical to H 06017) Relief of Maria Garcia by the Pinellas County School Board					
<b>Tab 2</b>	<b>SB 348 by Hooper (CO-INTRODUCERS) Rodriguez, Collins, Pizzo, Wright;</b> (Identical to CS/H 00289) 9/11 Heroes Day					
<b>Tab 3</b>	<b>SB 444 by Ingoglia;</b> (Identical to H 00411) District School Board Elections					
<b>Tab 4</b>	<b>SB 780 by Calatayud;</b> (Identical to H 01601) Computer Science Instruction in K-12 Public Schools					
939264	A	S	RCS	ED, Calatayud	Delete L.87 - 135:	04/04 02:12 PM
<b>Tab 5</b>	<b>SB 804 by Simon;</b> (Compare to H 00479) Required African-American Instruction					
<b>Tab 6</b>	<b>SB 926 by Rodriguez (CO-INTRODUCERS) Jones;</b> (Compare to CS/H 01597) Florida Virtual School					
442740	D	S	RCS	ED, Rodriguez	Delete everything after	04/04 02:12 PM
<b>Tab 7</b>	<b>SB 1328 by Boyd;</b> (Compare to H 01259) Charter School Capital Outlay Funding					
459292	A	S	RCS	ED, Boyd	Delete L.16 - 208:	04/04 02:12 PM
<b>Tab 8</b>	<b>SB 1564 by Stewart;</b> (Similar to H 00891) Year-round School Pilot Program					

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

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

**MEETING DATE:** Tuesday, April 4, 2023

**TIME:** 11:00 a.m.—1:00 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 4</b> Rouson (Identical H 6017)	Relief of Maria Garcia by the Pinellas County School Board; Providing for the relief of Maria Garcia by the Pinellas County School Board; providing an appropriation to compensate her for injuries sustained as a result of the negligence of an employee of the Pinellas County School Board; providing legislative intent regarding the waiver of certain liens; providing a limitation on compensation and the payment of attorney fees, etc.  SM JU     03/21/2023 Favorable ED     04/04/2023 Favorable RC	Favorable Yeas 11 Nays 1
2	<b>SB 348</b> Hooper (Identical CS/H 289)	9/11 Heroes Day; Requiring the Governor to proclaim September 11 of each year as "9/11 Heroes Day"; requiring that the day be observed in public schools and by public exercise; requiring certain middle and high school students to receive specified instruction; requiring the State Board of Education to adopt certain revised social studies standards, etc.  MS     03/07/2023 Favorable ED     04/04/2023 Favorable RC	Favorable Yeas 12 Nays 0
3	<b>SB 444</b> Ingoglia (Identical H 411)	District School Board Elections; Providing that an elected candidate for district school board must reside in the district school board member residence area by the date she or he assumes office instead of upon qualifying for office, etc.  EE     03/07/2023 Favorable ED     04/04/2023 Favorable RC	Favorable Yeas 9 Nays 3



**COMMITTEE MEETING EXPANDED AGENDA**

Education Pre-K -12

Tuesday, April 4, 2023, 11:00 a.m.—1:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 780</b> Calatayud (Identical H 1601)	Computer Science Instruction in K-12 Public Schools; Requiring computer science courses to be included in the Course Code Directory and published on the Department of Education's website; requiring the Florida Virtual School to offer certain computer science courses; providing requirements for the instruction; subject to legislative appropriation, authorizing school districts and consortiums of school districts to apply to the department for funding for specified purposes; repealing a provision relating to computer science and technology instruction, etc.  ED 04/04/2023 Fav/CS AED AP	Fav/CS Yeas 12 Nays 0
5	<b>SB 804</b> Simon (Compare H 479, CS/H 551, S 1008)	Required African-American Instruction; Requiring each school district to certify and provide certain evidence to the Department of Education regarding certain instruction; authorizing the department to seek input from and contract with certain educational organizations for specified purposes, etc.  ED 03/27/2023 Temporarily Postponed ED 04/04/2023 Favorable AED FP	Favorable Yeas 12 Nays 0
6	<b>SB 926</b> Rodriguez (Compare CS/H 1597)	Florida Virtual School; Authorizing the board of trustees of the Florida Virtual School (FLVS) to reemploy retirees in certain positions under certain conditions; authorizing additional personnel to participate in the Deferred Retirement Option Program; providing flexibility in assessment administration for FLVS full-time students of military families residing outside this state; requiring FLVS to recommend to the Department of Education whether flexibility in assessment administration should be granted for a given statewide assessment; providing requirements for the department in making a determination, etc.  ED 04/04/2023 Fav/CS GO AP	Fav/CS Yeas 12 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Education Pre-K -12

Tuesday, April 4, 2023, 11:00 a.m.—1:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	<b>SB 1328</b> Boyd (Compare H 1259)	Charter School Capital Outlay Funding; Revising the form of a resolution proposing a school capital outlay surtax regarding the sharing of surtax revenues with charter schools; revising the manner of determining charter school capital outlay funding; revising the calculation methodologies to be used by the Department of Education in determining the allocation of state funds to charter schools, etc.  ED 04/04/2023 Fav/CS AED AP	Fav/CS Yeas 9 Nays 3

8	<b>SB 1564</b> Stewart (Similar H 891)	Year-round School Pilot Program; Creating the Year-round School Pilot Program for a period of 4 school years beginning with a specified school year; providing an application process for school districts seeking to participate in the program; requiring the Commissioner of Education to select a certain number of school districts to participate in the program; providing requirements for participating school districts, etc.  ED 04/04/2023 Favorable AED FP	Favorable Yeas 12 Nays 0
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TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.			
<b>State Board of Education</b>			
9	Byrd, Esther (Neptune Beach)	12/31/2025	Recommend Confirm Yeas 12 Nays 0
	Christie, Grazie (Key Biscayne)	12/31/2025	Recommend Confirm Yeas 12 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Other Related Meeting Documents			



## THE FLORIDA SENATE

### SPECIAL MASTER ON CLAIM BILLS

**Location**  
409 The Capitol

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

DATE	COMM	ACTION
3/16/23	SM	Favorable
3/20/23	JU	Favorable
4/3/23	ED	Favorable
	RC	

March 16, 2023

The Honorable Kathleen Passidomo  
President, The Florida Senate  
Suite 409, The Capitol  
Tallahassee, Florida 32399-1100

Re: **SB 4** – Senator Rouson  
**HB 6017** – Representative Chaney  
Relief of Maria Garcia by the Pinellas County School Board  
**SPECIAL MASTER'S FINAL REPORT**

THIS IS AN UNCONTESTED CLAIM BILL FOR \$2.8 MILLION IN ACCORDANCE WITH A CONSENT JUDGMENT RENDERED BY THE CIRCUIT COURT. MARIA GARCIA SEEKS DAMAGES FROM THE PINELLAS COUNTY SCHOOL BOARD FOR PERSONAL INJURIES CAUSED BY THE NEGLIGENT OPERATION OF A SCHOOL BUS BY AN EMPLOYEE OF THE PINELLAS COUNTY SCHOOL BOARD.

#### FINDINGS OF FACT:

##### **The Accident**

Maria Garcia is a 45-year-old woman who suffered physical injuries on February 13, 2019, when she was struck in Pinellas County, Florida, by a bus operated by the Pinellas County School Board. At the time of the accident, Ms. Garcia was walking to work, and Patricia Gavin drove the bus within the scope of her employment with the Pinellas County School Board.<sup>1</sup>

Ms. Garcia was in the crosswalk and had a "walk" signal when she was struck by the bus. Video footage from the bus shows the front of the bus strike Ms. Garcia. The rear wheels of the bus then ran her over as the bus turned.<sup>2</sup>

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<sup>1</sup> Claimant's Ex. 1, Crash Report; Claimant's Ex. 10, Catastrophic Life Care Plan.

<sup>2</sup> Claimant's Ex. 2, Video from the on-board camera of the school bus.

### **Damages**

As a consequence of the accident, Maria Garcia has suffered damages in the form of current and anticipated medical expenses of \$1,707,479, lost wages of \$547,968, and at least \$744,553 due to pain and suffering. In brief, the total amount of \$3 million that Ms. Garcia seeks from the Pinellas County School Board is no more than necessary to compensate Ms. Garcia for her losses as a consequence of the accident.

Of the total amount sought and agreed to by Maria Garcia and the Pinellas County School Board, Pinellas County School Board has paid to Maria Garcia the \$200,000 statutory cap. Of this amount, \$50,000 was disbursed as attorney's fees and \$43,476.63 was disbursed to repay the costs associated with the claim and underlying litigation.<sup>3</sup>

The Pinellas County School Board has an excess insurance policy to pay claims in the rare occasion that the sovereign immunity cap does not apply and a Self-Insured Retention limit (deductible) of \$500,000. Although there are no known coverage defenses under the excess insurance policy, the carrier makes the final decision as to whether a claim is or is not covered under the policy.<sup>4</sup>

### Medical Expenses

Maria Garcia has remaining medical bills totaling \$140,759.64. She also has an Optum Health Care lien of \$16,588.27 and a Medicaid Lien (c/o Conduent) totaling \$118,809.86.<sup>5</sup> In sum, Ms. Garcia owes \$276,157.77 for direct medical expenses related to this injury.

The responding ambulance transported Ms. Garcia to Bayfront Hospital in St. Petersburg, where Ms. Garcia was treated for critical injuries, including, but not limited to:

- Blunt multisystem trauma with hemorrhagic shock;
- Internal bleeding with loss of 3/4 blood volume during the first 24 hours;
- A lacerated spleen with laparotomy;
- Multiple rib fractures;
- Pneumothoraxes (bilateral collapsed lung);

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<sup>3</sup> Claimant's Ex. 5, Closing Statement Update.

<sup>4</sup> Claimant's Ex. 3, Insurance coverage disclosure.

<sup>5</sup> Claimant's Ex. 4, Affidavit as to Costs and Fees.

- Gastronomy tube placement with tracheostomy and intubation;
- Multiple unstable pelvic ring fractures requiring surgical intervention;
- Bilateral fracture of acetabulum bones in the hip joints;
- Right thigh skin grafting hypertrophic scarring complicated with recurrent infection;
- Multiple transverse process and spinus process fractures in the lumbar spine;
- Loss of function in right arm due to nerve damage;
- A degloving injury to right thigh;
- Right knee injury to the posterior cruciate ligament and possibly anterior cruciate ligament; and
- A fractured left scapula.<sup>6</sup>

Ms. Garcia required emergency surgery to remove her lacerated spleen. She underwent emergency pelvic surgery, which involved open reduction and fixation of her pelvic fractures with two large screws driven into her sacroiliac joint. She required emergency surgery to save her leg. Her surgeon harvested an extensive amount of skin from her back, hip areas, and right buttock, and surgically grafted it where the skin was ripped off of her right upper leg (70 x 65 cm). Another “patch” was grafted below the knee (36 x 21 cm).<sup>7</sup> Ms. Garcia remained in the hospital until April 27, 2019.

Ms. Garcia continues to experience ongoing pain affecting her bilateral neck and right upper extremity with associated numbness, tingling, and weakness. She is unable to do fine motor skills like buttoning clothing or writing. She is also unable to lift or reach overhead with her right arm. She reports “nerve damage” to her right arm and has lost dexterity. She also reports right mid and low back pain that radiates to the posterior aspect of the right leg, right knee pain, and right ankle and foot pain with intermittent swelling. Ms. Garcia reports throbbing pelvic pain, bilateral hip pain, pulsating headaches and migraines, left leg and foot pain with ambulation, left leg numbness, right shoulder pain, pain and itching at all the skin graft areas, and chest pain. Her pains

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<sup>6</sup> Claimant's Ex. 15, Medical Records; Claimant's Ex. 12, Deposition Testimonies of Jeffrey Johnson, MD, and Daniel Dziadosz, MD; Claimant's Ex. 10, Life Care Plan.

<sup>7</sup> Claimant's Ex. 15, Medical Records; Claimant's Ex. 12, Deposition Testimonies of Jeffrey Johnson, MD, and Daniel Dziadosz, MD.

are constant and their severity range from 2/10 to 8/10 depending on her activities.<sup>8</sup>

As a result of her injuries, Ms. Garcia suffers from the following long term disabilities:

- Decreased ability to perform activities of daily living, e.g., bathing, toileting, dressing, and eating.
- Decreased locomotion.
- Decreased external mobility.
- Decreased ability to perform household services, e.g., inside housework, food cooking and clean-up, household management, shopping for the household, and obtaining services for the household.
- Decreased ability to participate in personal avocational activities, e.g., personal hobbies and pastimes.
- Decreased cognitive function affecting a loss of vocational capacities and opportunities.
- Decreased physical function affecting a loss of vocational capacities and opportunities.
- Decreased ability to interact or socialize with family, friends, or acquaintances.<sup>9</sup>

A life care plan, prepared for Claimant, based on a life expectancy of 43 more years, anticipates her future medical requirements to total \$1,431,321, as reduced to present value.<sup>10</sup>

<b>Ms. Garcia's Future Medical Expenses<sup>11</sup></b>	<b>Amount</b>
Physician Services	\$120,603
Routine Diagnostics	\$24,769
Medications	\$271,410
Laboratory Studies	\$10,352
Rehabilitation Services	\$166,166
Equipment & Supplies	\$1,666
Nursing & Attendant Care	\$599,229

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<sup>8</sup> Claimant's Ex. 10, Life Care Plan.

<sup>9</sup> Claimant's Ex. 10, Life Care Plan at 67-68; Claimant's Ex. 12, Deposition Testimony of Gloria Cruz-Gomez, MD. The *Life Care Plan* was prepared by Dr. Gloydian Cruz-Gomez, a Physical Medicine & Rehabilitation specialist, who has practiced medicine in Florida since 2011. Dr. Cruz-Gomez is certified by the American Board of Physical Medicine & Rehabilitation, and the American Board of Pain Medicine. Dr. Cruz is also a Certified Life Care Planner, as designated by the International Commission on Health Care Certification.

<sup>10</sup> Claimant's Ex. 11, Life Care Plan at 67-68; Claimant's Ex. 12, Deposition Testimony of Gloria Cruz, MD.

<sup>11</sup> Claimant's Ex. 11, Life Care Plan Present Value Assessment at 1; Claimant's Ex. 12, Deposition Testimony of Gloria Cruz, MD.

Acute Care Services	\$220,126
<b>TOTAL</b>	<b>\$1,431,321</b>

#### Lost Wages

Maria Garcia is unable to work as a result of her injuries.<sup>12</sup> At the time of the accident, she worked full-time, at least 40 hours per week, as a stocker in a thrift shop earning minimum wage of \$9 per hour. Ms. Garcia credibly testified that the injuries prevent her prior plans to open her own cleaning business.

Accounting for the increases in Florida's minimum wage law, and assuming Ms. Garcia would have continued to earn only minimum wage until she reached the age of 62, which is the age that social security benefits begin, the accident caused Ms. Garcia to lose approximately \$547,968 prior to retirement.

#### Loss of Enjoyment of Life; Pain and Suffering

Maria Garcia, her daughter, and her sister each credibly testified at the hearing regarding Ms. Garcia's quality of life before and after the accident.

Prior to the accident, Maria Garcia worked full time to provide for her daughters. She lived an active lifestyle and enjoyed physical fitness and spending time with her family. During the hearing, her daughter Claudia Pena testified that her mother Maria Garcia would often "out-gym" her in workouts before the crash. Her daughter went on to testify that the daughter has become the sole financial support for the family now that her mother can no longer work.

Since the collision, Maria Garcia has frequent daily pain. She can no longer walk normally or without pain. Ms. Garcia's right arm never recovered after she left the hospital; it constantly goes numb and she has no finger dexterity. She has limited use of her right arm and hand. The grip strength in her right hand is gone, and she drops things often. She had to use her left arm to prop up her right arm in order to be sworn in for testimony at the hearing.

She is limited to standing for about fifteen to twenty minutes before needing to sit. She uses a cane when she walks. When she goes to the grocery store, she uses a walker or a scooter.

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<sup>12</sup> Testimonies of Claudia Pena, Claudia Kaluzinski, and Maria Garcia.

In addition, she periodically suffers anxiety and depression resulting from this crash.

Maria Garcia cannot lift pots and pans or stay on her feet long enough to cook. She tries to give her daughters instructions on how to cook, but her brain injuries often prevent her from remembering the right ingredients or sequences for preparing food.

The skin grafts Ms. Garcia received have caused her constant problems. They have become infected several times, and she has had to return to the emergency room to have them treated. On September 24, 2020, she was admitted to a local hospital (Mease Countryside) because one of the grafts had cellulitis. Aside from the recurring infections, the grafts are itchy, expansive, and conspicuous.<sup>13</sup>

#### LITIGATION HISTORY:

##### **Litigation and Settlement**

On December 30, 2019, Maria Garcia filed a complaint in the Sixth Judicial Circuit, in and for Pinellas County, against the Pinellas County School Board. On May 16, 2022, the parties agreed to a consent judgment in the amount of \$3,000,000.<sup>14</sup>

On January 27, 2023, a half-day hearing was held before the House and Senate special masters. Maria Garcia submitted fifteen exhibits for consideration. With the exception of Exhibit 9, verdict research, which was not provided prior to the hearing, the exhibits were received without specific objection by Pinellas County School Board. Pinellas County School Board objected to the relevance of, and the prejudice caused by the surprise of, the verdict research information. The verdict research may be considered by the special masters in this claim bill hearing and has been considered in this report to the same extent as any other information available through independent knowledge and research.

Video deposition testimonies of Maria Garcia's trauma surgeon, Dr. Jeffrey Johnson, and her life care planner, Dr. Gloydian Cruz, were played at the hearing. Dr. Johnson, a retired Air Force Colonel with tours in Iraq and Afghanistan as a combat surgeon, stated that Ms. Garcia was "in the sick or sickest category" of trauma patients.

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<sup>13</sup> Claimant's Ex. 14, Photographs and Videos; Claimant's Ex. 15.d., Medical Records from Mease Countryside Hospital.

<sup>14</sup> Claimant's Ex. 13, Pleadings.



Maria Garcia, her daughter Claudia Pena, and her sister Claudia Kaluzinski testified at the hearing regarding Ms. Garcia's injuries, her quality of life before the accident, and her decreased quality of life after the accident.

The Pinellas County School Board did not present any evidence at the hearing or take a position with regard to the relief sought through the claim bill for Maria Garcia.

#### CONCLUSIONS OF LAW:

A *de novo* hearing was held as the Legislature is not bound by settlements or jury verdicts when considering a claim bill, passage of which is an act of legislative grace.

Section 768.28, Florida Statutes, waives sovereign immunity for tort liability up to \$200,000 per person and \$300,000 for all claims or judgments arising out of the same incident. Sums exceeding this amount are payable by the State and its agencies or subdivisions by further act of the Legislature.

In this matter, Maria Garcia alleges Patricia Gavin, who drove the bus for the Pinellas County School Board that injured Ms. Garcia, was negligent. The Pinellas County School Board is liable for a negligent act committed by an employee acting within the scope of employment. Ms. Gavin was transporting students to school within the scope of her employment with Pinellas County School Board. Thus, if Ms. Gavin was negligent when the bus struck Ms. Garcia, Ms. Gavin's negligence is imputed to the Pinellas County School Board.

After completing its investigation, the Florida Highway Patrol cited Gavin under section 316.130(15), Florida Statutes, "Failed to Use Due Care Toward Pedestrian."<sup>15</sup> The Pinellas County School Board admitted liability and also agreed to a judgment entered in favor of Ms. Garcia and against the Pinellas County School Board in the sum of \$3 million.<sup>16</sup>

No evidence suggests that Ms. Garcia failed to exercise due care with regard to the accident.

#### **Negligence**

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<sup>15</sup> Claimant's Ex. 1, Crash Report.

<sup>16</sup> Claimant's Ex. 13, Defendant Stipulation on Liability, and Consent Judgment.

There are four elements to a negligence claim: (1) duty—where the defendant has a legal obligation to protect others against unreasonable risks; (2) breach—which occurs when the defendant has failed to conform to the required standard of conduct; (3) causation—where the defendant's conduct is foreseeably and substantially the cause of the resulting damages; and (4) damages—actual harm.<sup>17</sup>

#### *Duty*

A motorist has a duty to exercise ordinary, reasonable, and due care towards a pedestrian.<sup>18</sup>

#### *Breach*

The video footage shows the bus approaching an intersection in the rain. The intersection was well-maintained with bright traffic lights and clearly-marked crosswalks. Maria Garcia was crossing the street, pursuant to her “walk” signal, ahead of the bus and traveling in the same direction as the bus was traveling prior to the bus making the turn.

Though the light was green, the bus driver should have ensured that no pedestrians were in the crosswalk before continuing through the turn. Ms. Gavin, and therefore the Pinellas County School Board, breached its duty of care toward Maria Garcia.

#### *Causation*

Ms. Gavin's failure to exercise due care directly caused the school bus to strike Maria Garcia in the crosswalk and the wheels of the school bus to drive over Ms. Garcia's body. It is foreseeable that driving over a pedestrian with a school bus would subject a survivor to the medical expenses, lost wages, and pain and suffering experienced by Ms. Garcia.

#### *Damages*

The Standard Jury instruction for personal injury guides the determination of damages for non-economic loss and includes “any bodily injury sustained by [name] and any resulting pain and suffering, disability or physical impairment, disfigurement, mental anguish, inconvenience or loss of

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<sup>17</sup> *Williams v. Davis*, 974 So.2d 1052, at 1056–1057 (Fla. 2007).

<sup>18</sup> *Greiper v. Coburn*, 190 So. 902 (Fla. 1939).

capacity for the enjoyment of life experienced in the past, or to be experienced in the future. There is no exact standard for measuring such damage. The amount should be fair and just, in the light of the evidence.”<sup>19</sup>

The evidence presented at the hearing established that, as a direct consequence of the accident, Maria Garcia suffered damages in the form of current and anticipated medical expenses of \$1,707,479, lost wages of \$547,968, and at least \$744,553 due to pain and suffering, which totals \$3 million.

Pinellas County School Board agreed to the consent judgment of \$3 million against the Pinellas County School Board. This amount is conservative in comparison with other jury verdicts that have considered similar injuries. The amount is reasonable in light of Ms. Garcia's past and present injuries, her persistent pain and scarring, and her continuing disabilities as reported through the testimony at the hearing and the testimony and documentary evidence prepared by Gloria Cruz-Gomez, MD.

ATTORNEY FEES:

Language in the bill states attorney fees may not exceed 25 percent of the amount awarded. Counsel for Maria Garcia indicates attorney fees will be 25 percent, and lobbying fees will amount to 8 percent, of the total funds awarded through the claim bill.<sup>20</sup> It appears from the affidavit of costs and fees submitted by counsel for Maria Garcia that the lobbying fees are in addition to the attorney fees.

RECOMMENDATIONS:

Based upon the information provided before, during, and after the special master hearing, the undersigned finds that Maria Garcia has demonstrated negligence on behalf of the Pinellas County School Board, and that the amount sought is reasonable. Based upon the foregoing, the undersigned recommends that SB 4 be reported FAVORABLY.

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<sup>19</sup> Fla. Std. Jury Instr. (Civ.) 501.3d, *Injury, pain, disability, disfigurement, loss of capacity for enjoyment of life*.

<sup>20</sup> Claimant's Ex. 4, Affidavit as to Costs and Fees.

SPECIAL MASTER'S FINAL REPORT – SB 4

March 16, 2023

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Respectfully submitted,

Alex Brick  
Senate Special Master

cc: Secretary of the Senate

**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 348

INTRODUCER: Senator Hooper

SUBJECT: 9/11 Heroes Day

DATE: April 3, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Proctor</u>	<u>MS</u>	<b>Favorable</b>
2.	<u>Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	<b>Favorable</b>
3.	<u>                    </u>	<u>                    </u>	<u>RC</u>	<u>                    </u>

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**I. Summary:**

SB 348 establishes and requires the Governor to annually proclaim September 11 as “9/11 Heroes Day,” to be recognized in the State Capitol and otherwise as the Governor designates. On this day, public schools are required to honor those who were harmed or killed in the attacks.

In addition to public school recognition, annually on September 11 and beginning with the 2023-2024 school year, middle school and high school students enrolled in the civics education course or the United States Government course must receive at least 45 minutes of instruction on 9/11 Heroes Day topics involving the history and significance of September 11, 2001.

If September 11 falls on a day that is other than a school day, the 9/11 Heroes Day will be observed on the preceding school day or on a school day that local school authorities designate.

The bill requires the State Board of Education to adopt revised social studies standards for inclusion in the civics education course and the United States Government course, which may have an indeterminate, likely insignificant, negative fiscal impact. A fiscal impact is expected to be absorbed within existing resources. See Section V. Fiscal Impact Statement.

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

**II. Present Situation:**

**September 11, 2001**

On September 11, 2001, terrorists linked to the group al Qaeda boarded and hijacked four airplanes while in flight in the United States. Of the four flights:

- American Airlines Flight 11, hijacked by five terrorists, originated in Boston, MA, and at 8:46 a.m., crashed into the North Tower of the World Trade Center, killing all aboard and people in the tower;
- United Airlines Flight 175, hijacked by five terrorists, originated in Boston, MA, and at 9:03 a.m., crashed into the South Tower of the World Trade Center, killing all aboard and people in the tower;
- American Airlines Flight 77, hijacked by 5 terrorists, originated in Washington, D.C., and at 9:37 a.m., crashed into the Pentagon, killing all on board and people in the building; and
- United Airlines Flight 93, hijacked by four terrorists, originated in Newark, NJ, and at 10:03 a.m., crashed into a field in Shanksville, PA, subsequent to a passenger revolt which aborted the hijacker's intent to crash the plane into the United States Capitol or the White House, killing all on board.<sup>1</sup>

On September 11, 2001, nearly 3,000 people died as a result of the attacks.<sup>2</sup> This number includes 343 fatalities from the Fire Department of New York, 37 fatalities from the Port Authority Police Department, and 23 fatalities from the New York Police Department.<sup>3</sup> Also included are the people who died as a result of the attack on the Pentagon.<sup>4</sup>

While the attack at the towers caused great casualty, roughly 15,000-16,000 civilians were able to escape.<sup>5</sup> However, in addition to the people who died on that day, thousands sustained serious injury at the World Trade Center site.<sup>6</sup> Moreover, due to the crash at the Pentagon, 106 injured persons were taken to the hospital.<sup>7</sup>

In addition to injuries incurred on that day, reports and tracking of subsequent injuries have emerged with time. The World Trade Center Health Program (Program), through the Centers for Disease Control and Prevention, is federally funded to provide monitoring and treatment of long-term conditions caused by the events of September 11, 2001. Those directly affected by the attacks in New York, the Pentagon, and Shanksville, PA, are eligible to apply.<sup>8</sup>

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<sup>1</sup> 9/11 Commission, *The 9/11 Commission Report*, available at <https://www.9-11commission.gov/report/911Report.pdf> (last visited Feb. 21, 2023).

<sup>2</sup> 9/11 Memorial and Museum, *Commemoration*, available at <https://www.911memorial.org/connect/commemoration/September-11-2001> (last visited Feb. 22, 2023).

<sup>3</sup> 9/11 Commission, *supra* note 1.

<sup>4</sup> 9/11 Commission, *supra* note 1, at 314.

<sup>5</sup> The National Institute of Standards and Technology estimated that between 16,400 and 18,800 civilians were in the World Trade Center complex as of 8:46 a.m. on September 11. Of these, at most 2,152 civilians who were not airplane passengers or volunteer responders perished. *Id.* at 316.

<sup>6</sup> Melanie H. Jacobson, et al., BMC, Part of Springer Nature, *Conducting a Study to Assess the Long-term Impacts of Injury after 9/11: Participation, Recall, and Description*, *Injury Epidemiology* 6, Art. 8, (2019) (last visited Feb. 22, 2023). Injuries reported most often occurred while descending stairs or from being hit by a falling object.

<sup>7</sup> Office of the Secretary of Defense, Department of Defense, *Pentagon 9/11*, available at <https://history.defense.gov/Portals/70/Documents/pentagon/Pentagon9-11.pdf> (last visited Feb. 22, 2023).

<sup>8</sup> National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention in the U.S. Dep't of Health and Human Services, *9/11 World Trade Center Health Program*, available at <https://www.cdc.gov/wtc/about.html#:~:text=The%20Program%20provides%20no%2Dcost,%2C%20and%20in%20Shanksville%2C%20Pennsylvania> (last visited Feb. 22, 2023).

The Program accepts as participants those who:

- Served as first responders to provide rescue, recovery, debris cleanup, and related support on or in the aftermath of the events of September 11, 2001, at certain times through July 31, 2022;
- Were present in the dust or dust cloud on September 11, 2001; or
- Worked, resided, or attended school, childcare, or adult daycare in the New York City disaster area from September 11, 2001 to July 31, 2002.<sup>9</sup>

As of September 10, 2021, 4,627 Program participants have perished since September 11, 2001, more than who died on the day of the attacks. Still, participation in the Program is voluntary and only 112,000 are members, while the actual tally of all first responders, not including survivors, is estimated to be 410,000. Presumably, connected deaths also exist among those who sustained exposure but did not participate in the Program.<sup>10</sup> To date, researchers have identified more than 60 types of cancer and two dozen other conditions, including lung- and respiratory-related, causally connected to Ground Zero exposure through toxins and dust.<sup>11</sup> Most recently uterine cancer, as of January 18, 2023, has been added to the list of covered conditions in the Program.<sup>12</sup>

Memorials held since September 11, 2001, have commended and deemed heroic the actions of helpers during all phases of the attacks, namely for the calm demeanor and direct reporting to airline headquarters by the flight attendants, the messaging and phone calls from the passengers that created a record, the revolt by the passengers on Flight 93, and the considerable effort by first responders<sup>13</sup>, civilians trapped in the towers who helped others, medical responders, and volunteers.<sup>14</sup>

### Holidays and Special Observance Days

Examples of legal holidays are New Year's Day (January 1), Memorial Day (the last Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), Veterans' Day (November 11), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).<sup>15</sup> In addition to legal holidays, special observances are recognized and observed

<sup>9</sup> National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention in the U.S. Dep't of Health and Human Services, *9/11 World Trade Center Health Program*, available at <https://www.cdc.gov/wtc/about.html#:~:text=The%20Program%20provides%20no%2Dcost,%2C%20and%20in%20Shanksville%2C%20Pennsylvania> (last visited Feb. 22, 2023).

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

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

<sup>12</sup> National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention in the U.S. Dep't of Health and Human Services, *9/11 World Trade Center Health Program, Uterine Cancer Added to the List of World Trade Center (WTC)-Related Health Conditions*, available at [https://www.cdc.gov/wtc/uterineCancer\\_20230118.html](https://www.cdc.gov/wtc/uterineCancer_20230118.html) (last visited Feb. 22, 2023).

<sup>13</sup> Just after the first crash at the World Trade Center, responding firefighters opted to pursue a rescue rather than a firefighting operation. "They did know that the explosion had been large enough to send down a fireball that blew out elevators and windows in the lobby and that conditions were so dire that some civilians on upper floors were jumping or falling from the building. According to Division Chief for Lower Manhattan Peter Hayden, 'We had a very strong sense we would lose firefighters and that we were in deep trouble, but we had estimates of 25,000 to 50,000 civilians, and we had to try to rescue them.'" *9/11 Commission*, *supra* note 1, at 290.

<sup>14</sup> *9/11 Commission*, *supra* note 1.

<sup>15</sup> Section 683.01, F.S.

by the state. Special observance days include Law Enforcement Memorial Day<sup>16</sup>, Arbor Day<sup>17</sup>, and Bill of Rights Day<sup>18</sup>. While some special observance days encourage recognition in the public schools, others such as the Victims of Communism Day mandate 45 minutes of instruction for high school students enrolled in a required government course.<sup>19</sup>

### **Required Social Studies Courses**

Students in middle school must take, for middles grades promotion, courses in social studies, including a one-semester civics education course that includes roles and responsibilities of federal, state, and local government; structures and functions of each branch of government; and the meaning and significance of historic documents.<sup>20</sup>

Students in high school must take, for high school graduation, courses in social studies, including a one-half credit course in United States Government, which must include a comparative discussion of political ideology, such as communism and totalitarianism, that conflict with the principles of freedom and democracy central to the founding principles of the United States.<sup>21</sup>

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

SB 348 establishes and requires the Governor to annually proclaim September 11 as “9/11 Heroes Day,” to be recognized in the State Capitol and otherwise as the Governor designates. On this day, public schools are required to honor those who were harmed or killed in the attacks, including the:

- 2,763 people who died at the World Trade Center;
- 189 people who died at the Pentagon;
- 44 people who died on United Airlines Flight 93; and
- 25,000 people who were injured or who died from injuries on or after the date of the attacks.

In addition to public school recognition, annually on September 11 and beginning with the 2023-2024 school year, middle school and high school students enrolled in the civics education course or the United States Government course must receive at least 45 minutes of instruction on 9/11 Heroes Day topics involving the history and significance of September 11, 2001. Instruction must cover the sacrifices of military personnel, government employees, civilians, and emergency responders who were killed, wounded, or suffered sickness due to the terrorist attacks on or after September 11, 2001. Specific instruction must include:

- The historical context of global terrorism;
- A timeline of events on September 11, 2001, including the attacks on the World Trade Center, the Pentagon, and United Airlines Flight 93;
- The selfless heroism of police officers, firefighters, paramedics, other first responders, and civilians involved in the rescue and recovery of victims and the heroic actions taken by the passengers of United Airlines Flight 93;

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<sup>16</sup> Section 683.115, F.S.

<sup>17</sup> Section 683.04, F.S.

<sup>18</sup> Section 683.25, F.S.

<sup>19</sup> Section 683.334, F.S.

<sup>20</sup> Section 1003.4156(1)(c), F.S.

<sup>21</sup> Section 1003.4282(3)(d), F.S.



- The unprecedented outpouring of humanitarian, charitable, and volunteer aid occurring after 9/11; and
- The global response to terrorism and the importance of respecting civil liberties, while ensuring safety and security.

If September 11 falls on a day that is other than a school day, the 9/11 Heroes Day will be observed on the preceding school day or on a school day that local school authorities designate.

The bill requires the State Board of Education to adopt revised social studies standards for inclusion in the civics education course and the United States Government course, which may have an indeterminate, likely insignificant, negative fiscal impact. The Department of Education expects this fiscal impact to be absorbed within existing resources.

The bill takes effect 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 identified.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

**C. Government Sector Impact:**

The bill requires the State Board of Education to adopt revised social studies standards for inclusion in the civics education course and the United States Government course, which may have an indeterminate, likely insignificant, negative fiscal impact. The Department of Education expects this fiscal impact to be absorbed within existing resources.<sup>22</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The instruction required by the bill begins on September 11, 2023, in civics education and United States Government classes, using content from revised social studies standards which must be approved by the State Board of Education. It is questionable whether the time frame for the creation and approval through SBE rulemaking of revised standards is sufficient to meet that deadline for instruction.

**VIII. Statutes Affected:**

This bill creates section 683.335 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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<sup>22</sup> Telephone conversation with Cory Dowd, Legislative Affairs Director, Department of Education, Tallahassee, FL (February 28, 2023).

By Senator Hooper

21-00925-23

2023348\_\_

A bill to be entitled

An act relating to 9/11 Heroes Day; creating s. 683.335, F.S.; requiring the Governor to proclaim September 11 of each year as "9/11 Heroes Day"; requiring that the day be observed in public schools and by public exercise; requiring certain middle and high school students to receive specified instruction; requiring the State Board of Education to adopt certain revised social studies standards; providing an effective date.

WHEREAS, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, D.C., and

WHEREAS, the fourth hijacked aircraft crashed in southwestern Pennsylvania after passengers tried to take control of the aircraft to prevent the hijackers from crashing the aircraft into an important symbol of democracy and freedom, and

WHEREAS, these attacks were by far the deadliest terrorist attacks ever launched against the United States, killing thousands of innocent people, and

WHEREAS, in the aftermath of the attacks, the people of the United States stood united in providing support for those in need, NOW, THEREFORE,

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

Section 1. Section 683.335, Florida Statutes, is created to

Page 1 of 3

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

21-00925-23

2023348\_\_

read:

683.335 9/11 Heroes Day.—

(1) The Governor shall proclaim September 11 of each year as "9/11 Heroes Day," which shall be suitably observed in the public schools of this state as a day honoring those who perished in the September 11, 2001, attacks, including 2,763 people at the World Trade Center, 189 people at the Pentagon, and 44 people on United Airlines Flight 93, and the 25,000 people maimed or fatally injured on or after that date, and which shall be suitably observed by public exercise in the State Capitol and elsewhere as the Governor may designate.

(2) If September 11 falls on a day that is not a school day, 9/11 Heroes Day must be observed in the public schools in this state on the preceding school day or on such school day as may be designated by local school authorities.

(3) Beginning in the 2023-2024 school year, middle school and high school students enrolled in the civics education class required by s. 1003.4156 or the United States Government class required by s. 1003.4282(3)(d), respectively, must receive at least 45 minutes of instruction on 9/11 Heroes Day topics involving the history and significance of September 11, 2001, including remembering the sacrifices of military personnel, government employees, civilians, and emergency responders who were killed, wounded, or suffered sickness due to the terrorist attacks on or after that date, including, but not limited to:

(a) The historical context of global terrorism.

(b) A timeline of events on September 11, 2001, including the attacks on the World Trade Center, the Pentagon, and United Airlines Flight 93.

Page 2 of 3

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

21-00925-23

2023348

59       (c) The selfless heroism of police officers, firefighters,  
60 paramedics, other first responders, and civilians involved in  
61 the rescue and recovery of victims and the heroic actions taken  
62 by the passengers of United Airlines Flight 93.

63       (d) The unprecedented outpouring of humanitarian,  
64 charitable, and volunteer aid occurring after the events of  
65 September 11, 2001.

66       (e) The global response to terrorism and the importance of  
67 respecting civil liberties while ensuring safety and security.

68       (4) The State Board of Education shall adopt revised social  
69 studies standards for inclusion in the civics education course  
70 required by s. 1003.4156 and the United States Government class  
71 required by s. 1003.4282(3) (d) which incorporate the  
72 requirements of this section.

73       Section 2. This act shall take effect July 1, 2023.

The Florida Senate

# APPEARANCE RECORD

4/4/23

Meeting Date

348

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name William B. Smith

Phone 305-333-4344

Address 300 E BREVARD ST.  
Street

Email W.SMITH@FLPRA.ORG

TALLAHASSEE FL 32301  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without compensation or sponsorship.

☒ I am a registered lobbyist, representing:  
FL PBA

☐ 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 8, 2023

---

I respectfully request that **Senate Bill # 348**, relating to 9/11 Heroes Day, be placed on the:

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

A handwritten signature in black ink, appearing to read "Ed Hooper", is written over a horizontal line.

Senator Ed Hooper  
Florida Senate, District 21



The Florida Senate

## Committee Agenda Request

**To:** Senator Corey Simon, Chair  
Committee on Education Pre-K -12

**Subject:** Committee Agenda Request

**Date:** March 20, 2023

---

I respectfully request that **Senate Bill # 348**, relating to 9/11 Heroes Day, be placed on the:

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

A handwritten signature in black ink, appearing to read "Ed Hooper", is written over a horizontal line.

Senator Ed Hooper  
Florida Senate, District 21

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

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

---

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

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BILL: SB 444

INTRODUCER: Senator Ingoglia

SUBJECT: District School Board Elections

DATE: April 3, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	<b>Favorable</b>
2.	<u>Sagues</u>	<u>Bouck</u>	<u>ED</u>	<b>Favorable</b>
3.	<u>                    </u>	<u>                    </u>	<u>RC</u>	<u>                    </u>

---

**I. Summary:**

SB 444 revises the residency requirement for school board candidates. Current law requires a candidate for school board to be a resident of the district school board member residence area in which he or she seeks election at the time he or she qualifies to run for the office. This bill changes the time at which the residency requirement must be met to the time at which an elected school board member assumes office.

The bill takes effect July 1, 2023.

**II. Present Situation:**

Many elected offices require that the public officials holding them live within a specified district or area. Unless otherwise provided for constitutionally, legislatively, or judicially, any residency requirement for an elected office must be met at the time of assuming office.<sup>1</sup> Some offices with specified residency requirements are below.

Office	Point at Which Residency Requirement Must be Met
City commissioner	At time of assuming office, unless otherwise provided by city charter or ordinance <sup>2</sup>

---

<sup>1</sup> Florida Division of Elections, *Guidelines for Determining When Residency Qualifications for Elected Office Must be Met* (2018), available at <https://soe.dos.state.fl.us/pdf/DE%20Guide%200008%20-%20Guidelines%20for%20Determining%20When%20Residency%20Qualifications....pdf>.

<sup>2</sup> See *Nichols v. State*, 177 So.2d 467 (Fla. 1965); *Marina v. Leahy*, 578 So.2d 382; and Division of Elections, *Advisory Opinions by Year* (94-04 and 92-10), <https://www.dos.myflorida.com/elections/laws-rules/advisory-opinions/advisory-opinions-by-year/> (last visited March 27, 2023).



Congressional member (U.S. Senator or U.S. Representative)	At time of election <sup>3</sup>
County commissioner	At time of election <sup>4</sup>
Constitutional county officers (clerk of court, supervisor of elections, property tax appraiser, sheriff)	At time of assuming office <sup>5</sup>
Governor, Lieutenant Governor, or Cabinet member	At time of election <sup>6</sup>
Judge	At time of assuming office <sup>7</sup>
State legislators	At time of election <sup>8</sup>
School board members	At time of qualifying <sup>9</sup>
School superintendent	At time of assuming office <sup>10</sup>

For the purpose of electing district school board members, each district must be divided into at least five district school board member residence areas.<sup>11</sup> A district may also have 7 district school board members, with 5 residence areas and two members elected at large, contingent upon district school board resolution approved by voters in the district.<sup>12</sup>

Each candidate for district school board member must, at the time she or he qualifies, be a resident of the district school board member residence area from which the candidate seeks election. Each candidate who qualifies to have her or his name placed on the ballot is listed according to the district school board member residence area in which she or he resides. The candidate from each district school board member residence area who receives the highest number of votes in the general election is elected to the district school board.<sup>13</sup>

<sup>3</sup> U.S. CONST. art. 1, ss. 2 and 3.

<sup>4</sup> See *State v. Grassi*, 532 So.2d 1055 (Fla. 1988); FLA. CONST. art. VII, s. 1(e) (Amended 1998), Division of Elections, *Advisory Opinions by Year* (94-04 and 92-10), <https://www.dos.myflorida.com/elections/laws-rules/advisory-opinions/advisory-opinions-by-year/> (last visited March 27, 2023), and Office of Attorney General, *Attorney General Opinion 74-293*, <http://myfloridalegal.com/ago.nsf/Opinions/BA862ABB5A8981B3852566B3005C4A25> (last visited Mar. 27, 2023).

<sup>5</sup> See Division of Elections, *Advisory Opinions by Year* (90-30, 94-04 and 92-10), <https://www.dos.myflorida.com/elections/laws-rules/advisory-opinions/advisory-opinions-by-year/> (last visited Mar. 27, 2023).

<sup>6</sup> FLA. CONST. art. IV, s. 5, (Amended 1998).

<sup>7</sup> See FLA. CONST. art. V, s. 8 (Amended 1998), and Division of Elections, *Advisory Opinions by Year* (78-31 and 94-04), <https://www.dos.myflorida.com/elections/laws-rules/advisory-opinions/advisory-opinions-by-year/> (last visited Mar. 27, 2023).

<sup>8</sup> See *Ruiz v. Farias*, 43 So.3d 124 (Fla. 3DCA 2010).

<sup>9</sup> See ss. 1001.34 and 1001.361, F.S.; and Division of Elections opinions 82-02 and 94-04.

<sup>10</sup> See Division of Elections, *Advisory Opinions by Year* (94-04), <https://www.dos.myflorida.com/elections/laws-rules/advisory-opinions/advisory-opinions-by-year/> (last visited Mar. 27, 2023).

<sup>11</sup> Section 1001.36(1), F.S.

<sup>12</sup> Sections 1001.36(1) and 1001.34(2), F.S.

<sup>13</sup> Section 1001.361, F.S.

**III. Effect of Proposed Changes:**

The bill brings the residency requirement for school board members more in line with those for other offices by providing that a school board member must meet the residency requirement at the time he or she assumes office.

The bill takes effect 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:**

This bill substantially amends section 1001.361, 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.

---

By Senator Ingoglia

11-00362-23

2023444\_\_

1 A bill to be entitled  
 2 An act relating to district school board elections;  
 3 amending s. 1001.361, F.S.; providing that an elected  
 4 candidate for district school board must reside in the  
 5 district school board member residence area by the  
 6 date she or he assumes office instead of upon  
 7 qualifying for office; making technical changes;  
 8 providing an effective date.  
 9  
 10 Be It Enacted by the Legislature of the State of Florida:  
 11  
 12 Section 1. Section 1001.361, Florida Statutes, is amended  
 13 to read:  
 14 1001.361 Election of board by districtwide vote.—  
 15 Notwithstanding any provision of local law or any county  
 16 charter, the election of members of the district school board  
 17 must ~~shall~~ be by vote of the qualified electors of the entire  
 18 district in a nonpartisan election as provided in chapter 105.  
 19 Each elected candidate for district school board member must  
 20 ~~shall, by the date at the time~~ she or he assumes office  
 21 ~~qualifies~~, be a resident of the district school board member  
 22 residence area from which she or he was elected ~~the candidate~~  
 23 ~~seeks election~~. Each candidate who qualifies to have her or his  
 24 name placed on the ballot must ~~shall~~ be listed according to the  
 25 district school board member residence area in which she or he  
 26 is a candidate ~~resides~~. Each qualified elector of the district  
 27 is ~~shall be~~ entitled to vote for one candidate from each  
 28 district school board member residence area. The candidate from  
 29 each district school board member residence area who receives

Page 1 of 2

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

11-00362-23

2023444\_\_

30 the highest number of votes in the general election shall be  
 31 elected to the district school board.  
 32 Section 2. This act shall take effect July 1, 2023.

Page 2 of 2

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The Florida Senate

**APPEARANCE RECORD**

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

4/4/2023

Meeting Date

Education Pre K

Committee

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name Nancy Luna

Phone (407) 219-1787

Address 2934 Tanzanite Terrace

Street

Email nancy162002@gmail.com

Kissimmee

City

FL

State

34758

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

4/4/23

Meeting Date

SB 444

Bill Number or Topic

Education Pre K

Committee

Amendment Barcode (if applicable)

Name Charles Tribble

Phone 561-298-8998

Address 1510 W 13<sup>th</sup> Street

Email

Riverview

City

FL

State

33404

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

4/4/23

Meeting Date

Education Pre K

Committee

HB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Tatishka Thomas

Phone

727-688-6269

Address

1130 Beckett St.

Email

Street

Clearwater, FL 33785

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

4/4/2023

Meeting Date

444

Bill Number or Topic

Education pak-12

Committee

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

Amendment Barcode (if applicable)

Name Dr. Carolyn Zoning

Phone 850 714 3793

Address 620 Flintwoods Forest loop

Email zoningcarolyn@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:

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S-001 (08/10/2021)



The Florida Senate  
**APPEARANCE RECORD**

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

4-4  
Meeting Date  
Edu PreK-12

444  
Bill Number or Topic

Committee  
Name Barb Grimm

Amendment Barcode (if applicable)  
Phone 386 717-3407

Address 1605 W. French Ave  
Street  
Orange City FL 32763  
City State Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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

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S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

4/4/23

Meeting Date

Education Prek

Committee

SB 444

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name Tatiana Finlay

Phone 407-967-8977

Address 2454 Bexley Dr.

Street

Email tfinlayofge@gmail.com

Tavares

City

FL

State

32778

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

## PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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

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S-001 (08/10/2021)

4/4/23

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

SB444

Bill Number or Topic

Education Pre-K

Committee

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

Amendment Barcode (if applicable)

Name GROOVER Joseph

Phone 407-625-9288

Address 2428 Pershing Ave  
Street

Email Joseph1990Groover@msn.com

Orlando

City

FL

State

32808

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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S-001 (08/10/2021)

**APPEARANCE RECORD**

SB444

Bill Number or Topic

Meeting Date

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

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐ For☐ Against☐ Information**OR**

Waive Speaking:

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

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

SB444

Bill Number or Topic

Meeting Date

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

4/4/2023

Meeting Date

SB444

Bill Number or Topic

Education pre k-12

Committee

Amendment Barcode (if applicable)

Name Jacqueline Moore

Phone 407 963-8574

Address 2750 Maureen Dr

Street

Email anyellowguy@aol.com

Deltona FL 32725

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

04/04/2023

Meeting Date

Education Pre-K

Committee

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name

JUAN RODRIGUEZ

Phone

321 442 2161

Address

2841 Spring Breeze Way

Street

Kissimmee

City

FL

State

34744

Zip

Email

joverodriguez.afg@gmail.com

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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 444

4/4/2023

Meeting Date

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

Bill Number or Topic

Education - Pre-K

Committee

Amendment Barcode (if applicable)

Name

Keith Hannah

Phone

407-943-2473

Address

2902 Katie Beth Ct

Email

Katiebethwas11399@gmail.com

Street

City

Mississippi

State

Zip

34744

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

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

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S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

SB 444

4/4/23

Meeting Date

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 Jewel S. Dickson

Phone 386-717-4344

Address 601 N. Amelia Ave.  
Street

Email jeweldickson@mac.com

DeLand, FL  
City

State

32724  
Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

4/4/23

Meeting Date

SB 444

Bill Number or Topic

Education

Committee

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

Amendment Barcode (if applicable)

Name

Gretchen Robison

Phone

520 576-6706

Address

520 Ramona Lane

Email

pallas77@gmail.com

Street

Orlando, FL 32805

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

April 4<sup>th</sup> 2023

Meeting Date

SB 444

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name

Sheryl Posey

Phone

815-404-8601

Address

3104 Lake Jean Dr

Email

saposey818@gmail.com

Street

Orlando

City

FL

State

32817

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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S-001 (08/10/2021)

**APPEARANCE RECORD**

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

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**☒I am appearing without  
compensation or sponsorship.☐I am a registered lobbyist,  
representing:☐I am not a lobbyist, but received  
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sponsored by:

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S-001 (08/10/2021)

## APPEARANCE RECORD

4/4/2023

Meeting Date

Education ReK-12

Committee

444

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name

Valerie Chuchman

Phone

Address

Street

Tampa, FL 33604

City

State

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

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

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S-001 (08/10/2021)

**APPEARANCE RECORD**

4/4/2023

Meeting Date

Education Pack-12

Committee

444

Bill Number or Topic

Amendment Barcode (if applicable)

Name

LoraJane Riedas

Phone

Address

Street

Tampa

City

FL

State

33604

Zip

Email

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

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

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S-001 (08/10/2021)

## APPEARANCE RECORD

4/4/23

Meeting Date

SB 444

Bill Number or Topic

Ed Pre K-12

Committee

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

Amendment Barcode (if applicable)

Name

Nicole Morse

Phone

8029895705

Address

4200 Community Dr #1409

Street

Email

NIKKI.MORSE@gmail.com

West Palm Beach FL 33409

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

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

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S-001 (08/10/2021)

4/4/23

The Florida Senate

# APPEARANCE RECORD

SB 444

Meeting Date

Education pre-k

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

Bill Number or Topic

Committee

Name Gabriel Thomas

Amendment Barcode (if applicable)

Phone 443 764 5335

Address 263 N Fort Christmas Rd

Email AFGEGabe@gmail.com

Street

Christmas FL 32709

City

State

Zip

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

## PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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S-001 (08/10/2021)



4/4/2023

Meeting Date

Education PreK

Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name MARY Candace HARVEY

Phone 407-460-6514

Address 301 DAKOTA AVE  
Street

Email yow cat@hotmail.com

ST Cloud FL 34769  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

4/4/23  
Meeting Date  
Edw Prek  
Committee

Name Lorraine Boone Phone 954-326-6086

Address 2650 SW 114th Terr Apt. 108 Email lboone2001@yahoo.com  
Street

Miramar FL 33025  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

4/4/23

Meeting Date

SB-444

Bill Number or Topic

Ed. Per-K

Committee

Amendment Barcode (if applicable)

Name Michael Davis

Phone 813-666-9173 CELL

Address 632-Marghi/Kp

Street

Email velmicha@aol.com

Brandon

City

FL

State

335

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

4-4-23

Meeting Date

ED Pre K

Committee

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Willie Kitchen JR

Phone

813-323-3943

Address

1309 E Laura St

Street

Email

mrwckitchen@gmail.com

Plant City FLA

City

State

33563

Zip

Speaking:

☐ For

☐ Against

☐ Information

OR

Waive Speaking:

☒ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

4 Apr 2023

Meeting Date

Education Avek

Committee

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name James Totten

Phone 727-641-0171

Address 644 Northwest Blvd. N.  
Street

Email tottenj2011@gmail.com

St. Pete, FL 33702  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

APRIL 4, 2023

Meeting Date

SENATE EDUCATION PRE-K-12

Committee

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name DR. JETTE EDGILL SPANO

Phone 240-505-0125

Address 22 WOOD CENTER LANE

Street

Email ymspano@gmail.com

PALM COAST

City

FL

State

32164

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 444

4-4-2023

Meeting Date

Education PreK

Committee

Deliver both copies of this form to  
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Bill Number or Topic

Name

Pamela Burrell-Tomlinson

Phone

727-692-1467

Address

5488 30th Ave N

Email

bentley5550@yahoo.com

Street

St Petersburg, FL 33710

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:

☐

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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4/4/2023

Meeting Date

Education Pre K-12

Committee

444

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jasmine Burney-Clark w/ Equal Ground

Phone

407-466-6468

Address 424 E. Central Blvd Suite 650

Street

Email

jasmine@equal-ground.com

Orlando

City

FL

State

32801

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

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S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to  
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4-4-2023

Meeting Date

Pre K-12

Committee

SP 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Richard Myers

Phone

904 610-5609

Address

940 17th

Street

Email

myersr48@hotmail.com

Jacksonville

City

FL

State

32250

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

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representing:

☐

I am not a lobbyist, but received  
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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

4/4/23

Meeting Date

Education - Pre K

Committee

SB 444

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name Jeremy Childress

Phone 386 - 233 - 4796

Address 488 Hickory St

Email \_\_\_\_\_

New Smyrna Beach FL 32168

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

Deliver both copies of this form to  
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4/4/23  
Meeting Date  
Education Pre-K  
Committee

SB444  
Bill Number or Topic  
Amendment Barcode (if applicable)

Name Ashley Page Phone 407-538-1613

Address 906 D ~~Winter Park~~ Jamestown Dr Email Muzig2143@gmail.com  
Street

Winter Park FL 32792  
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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4/4/23

Meeting Date

Ed Pre-k

Committee

444

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Dr. Rich Templin

Phone

850-224-6928

Address

135 S. Monroe

Street

Tallahassee

City

FL

State

32304

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:

Florida AFL-CIO



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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

4/4/23

Meeting Date

Education Pre K

Committee

Deliver both copies of this form to  
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SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Donna Pixley

Phone

754 235 9966

Address

2226 SE PEAR LN

Email

PixPixster@outlook.com

Street

Port St Lucie FL 34905-2

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
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☐

I am a registered lobbyist,  
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☐

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S-001 (08/10/2021)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Finance and Tax, *Chair*  
Appropriations  
Appropriations Committee on Criminal  
and Civil Justice  
Banking and Insurance  
Children, Families, and Elder Affairs  
Criminal Justice  
Ethics and Elections

### SELECT COMMITTEE:

Select Committee on Resiliency

### JOINT COMMITTEE:

Joint Administrative Procedures Committee, *Alternating  
Chair*

**SENATOR BLAISE INGOGLIA**

11th District

March 22, 2023

The Honorable Corey Simon, Chair  
Committee on Education Pre K-12  
302 Senate Office Building  
402 South Monroe Street  
Tallahassee, FL 32399

### **Re: SB 444 District School Board Elections**

Chair Simon,

SB 444 has been referred to the Committee on Education Pre K-12 as its second committee of reference. I respectfully request that it be placed on the agenda at your earliest convenience.

If I may answer questions or be of assistance, please do not hesitate to contact me. Thank you for your leadership and consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Blaise Ingoglia", with a stylized flourish at the end.

Blaise Ingoglia  
State Senator, District 11

Cc: Matthew Buock, Staff Director  
Holly Sagues, Deputy Staff Director  
Secret Williams, Staff Assistant

**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 780

INTRODUCER: Committee on Education Pre-K —12 and Senator Calatayud

SUBJECT: Computer Science Instruction in K-12 Public Schools

DATE: April 5, 2023

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

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

---

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 780 modifies requirements for the delivery of computer science instruction in public schools and modifies bonuses related to providing computer science instruction. Specifically, the bill:

- Authorizes public elementary schools to provide computer science instruction with the intent to provide a foundation for future computer usage, digital literacy, and computer science instruction.
- Specifies that digital skills in digital classrooms established by elementary and middle schools include computer science, multimedia presentations, and the manipulation of multiple digital graphic images.
- Expands to certified school counselors, social workers, career specialists, school psychologists, librarians, and media specialists the eligibility for funding and bonuses related to computer science instruction.
- Removes district school boards from the process of distributing funds from the Department of Education to eligible instructional personnel for training or bonuses related to computer science instruction.
- Requires any unexpended balance of funds appropriated for computer science instruction training and bonuses to be carried forward to the next fiscal year for the same purpose.
- Extends to qualifying elementary school instructional personnel eligibility for a bonus for teaching a computer science course, which is currently only available to public middle and high school teachers.

The bill takes effect on July 1, 2023.

## II. Present Situation:

### Computer Science

The influence of computing is felt daily and experienced on a personal, societal, and global level.<sup>1</sup> Computer science, the discipline that makes the use of computers possible, has driven innovation in every industry and field of study and is powering approaches to many of the world's challenges.<sup>2</sup> Computer knowledge and skills are increasingly being recognized as foundational for an educated citizenry as computer science is considered a central component of innovation, economic growth and employment.<sup>3</sup>

Computer science is also foundational for student success. Multiple studies have shown that students who study computer science perform better in other subjects, excel at problem-solving, and are 17 percent more likely to attend college.<sup>4</sup> Although 90 percent of parents want their child to study computer science, only 47 percent of high schools teach computer science.<sup>5</sup>

### Computer Science Courses and Instruction

Florida law defines computer science as the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society.<sup>6</sup> Computer science also includes computer coding and computer programming.<sup>7</sup>

Foundational skills for computer science learning include problem solving, such as computational thinking, understanding and recognizing patterns, understanding and implementing sequencing, and understanding representation, meaning how computers represent data.<sup>8</sup>

Computational thinking, which refers to the thought processes involved in expressing solutions as computational steps or algorithms that can be carried out by a computer,<sup>9</sup> is essentially a problem-solving process that designs solutions that capitalize on the power of computers.<sup>10</sup>

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<sup>1</sup> K12 Computer Science, *K12 Computer Science Framework* (2016), available at <https://k12cs.org/wp-content/uploads/2016/09/K%E2%80%9312-Computer-Science-Framework.pdf> at 1.

<sup>2</sup> Examples of challenges include decreasing automobile deaths, distributing medical vaccines, and providing platforms for rural villagers to participate in larger economies. *Id.*

<sup>3</sup> Education Commission of the States, *State-level Policies Supporting Equitable K-12 Computer Science Education* (2017), available at <https://www.ecs.org/wp-content/uploads/MassCAN-Full-Report-v10.pdf> at 7.

<sup>4</sup> Code.org, *Why Computer Science*, <https://code.org/promote> (last visited Mar. 30, 2023). Code.org, *More Data and Talking Points for Advocacy*, *Why study computer science*, <https://code.org/promote/morestats> (last visited Mar. 30, 2023).

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

<sup>6</sup> Section 1007.2616(1), F.S.

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

<sup>8</sup> K-12 Computer Instruction Framework Steering Committee, *K-12 Computer Instructional Framework* (2016), pgs. 183-198, available at <https://k12cs.org/wp-content/uploads/2016/09/K%E2%80%9312-Computer-Science-Framework.pdf>.

<sup>9</sup> *Id.* at 295.

<sup>10</sup> *Id.* at 69.



Although typically associated with computer science, computational thinking can also be applied in the classroom setting through lessons in core subject areas.<sup>11</sup>

Florida public schools are required to provide students in grades K-12 opportunities for learning computer science including computer coding and computer programming.<sup>12</sup> Such opportunities may include:<sup>13</sup>

- Instruction on computer coding in elementary and middle school; and
- Instruction to develop computer usage and digital literacy<sup>14</sup> skills in middle school.

Elementary and middle schools may establish digital classrooms in which students are provided opportunities to improve digital literacy and competency; to learn digital skills, such as coding, multiple media presentation, and the manipulation of multiple digital graphic images. Students may also have the opportunity to earn digital tool certificates and certifications.<sup>15</sup>

Computer science courses must be offered to students in middle school and high school, including opportunities to earn industry certifications related to the courses.<sup>16</sup> Computer science courses and technology-related industry certifications that are identified as meeting mathematics or science requirements for high school graduation must be included in the course code directory.<sup>17</sup>

The Florida Virtual School (FLVS) must offer computer science courses identified in the Course Code Directory. If a school district does not offer an identified course, the district must provide students access to the course through FLVS or through other means.<sup>18</sup>

There are 72 middle and high school, as well as 2 elementary school, computer science courses currently identified in the course code directory.<sup>19</sup>

### High School Graduation Requirements

In Florida, a student must successfully complete 24 credits specified in law, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum to earn a standard high school diploma.<sup>20</sup> The required credits may be earned through equivalent, applied, or integrated courses or career education courses, including work-related internships

---

<sup>11</sup> For example, in English language arts, students may be asked to analyze simple sentences and determine a framework for generating similar sentences, using pattern recognition and problem solving skills. Code.org, *Computational Thinking Lesson Assessment*, available at <https://code.org/curriculum/course3/1/Assessment1-CompThinking.pdf>.

<sup>12</sup> Section 1007.2616(2)(a), F.S.

<sup>13</sup> *Id.*

<sup>14</sup> Digital literacy is the ability to use information and communication technologies to find, evaluate, create, and communicate information, requiring both cognitive and technical skills. American Library Association, *Digital Literacy*, <https://literacy.ala.org/digital-literacy/> (last visited Mar. 30, 2023).

<sup>15</sup> Section 1007.2616(5), F.S. See s. 1003.4203, F.S.

<sup>16</sup> *Id.*

<sup>17</sup> Section 1007.2616(6), F.S.

<sup>18</sup> Section 1007.2616(3), F.S.

<sup>19</sup> Florida Department of Education, *Florida Course Code Directory Computer Science Course Information 2022-2023*, available at <https://www.fldoe.org/core/fileparse.php/7746/urlt/2223CompSci.pdf>.

<sup>20</sup> Section 1003.4282(1)(a), F.S.

approved by the SBE and identified in the course code directory. However, any must-pass assessment requirements must be met.<sup>21</sup> A student may also earn a standard high school diploma through the 18 credit Academically Challenging Curriculum to Enhance Learning Option (ACCEL)<sup>22</sup> or the Career and Technical Education Graduation Pathway Option.<sup>23</sup> Both 18 credit options also require students to meet English language arts, mathematics, science, and social studies credit and assessment requirements.<sup>24</sup>

To graduate, a student must complete the specified requirements, including 4 credits in mathematics and 3 credits in science, and earn a cumulative grade point average (GPA) of 2.0 or higher on a 4.0 scale.<sup>25</sup> A student must also pass the statewide, standardized grade 10 ELA FSA and the statewide, standardized Algebra I End-of-Course (EOC) assessment.<sup>26</sup>

A student who earns a computer science credit may substitute the credit for up to 1 credit of the mathematics requirement with the exception of Algebra I and Geometry, or up to 1 credit of the science requirement, with the exception of Biology I.<sup>27</sup>

Students may also satisfy mathematics and science graduation requirements through specified industry certifications, as follows:<sup>28</sup>

- A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit, except for Algebra I and Geometry, up to two credits.
- A student who earns an industry certification in 3D rapid prototype printing may satisfy up to two credits of the mathematics requirement, with the exception of Algebra I, if the commissioner identifies the certification as being equivalent in rigor to the mathematics credit or credits.
- A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one science credit, except for Biology I.

### **Evaluation of Instructional Personnel**

Florida law requires each district school superintendent to establish procedures to evaluate the job performance of district instructional personnel.<sup>29</sup> The DOE must approve each school

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<sup>21</sup> Section 1003.4282(1)(b), F.S. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the Next Generation Sunshine State Standards for that subject. An applied course aligns with Next Generation Sunshine State Standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

<sup>22</sup> Section 1002.3105, F.S.

<sup>23</sup> Section 1003.4282(11), F.S.

<sup>24</sup> *Id.* and Section 1002.3105 F.S.

<sup>25</sup> Section 1003.4282(6)(a), F.S.

<sup>26</sup> Section 1003.4282(3), F.S.

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

<sup>28</sup> Section 1003.4282(3)(b) and (c), F.S.

<sup>29</sup> Section 1012.34(1)(a), F.S.

district's performance evaluation system, which must, among other requirements<sup>30</sup>, differentiate among the following four levels of performance:<sup>31</sup>

- Highly Effective.
- Effective.
- Needs Improvements or, for instructional personnel in the first 3 years of employment who needs improvement, Developing.
- Unsatisfactory.

Instructional personnel must be evaluated annually, except that newly hired classroom teachers must be evaluated at least twice in their first year of teaching in the school district.<sup>32</sup> Newly hired classroom teachers include first-time teachers new to the profession as well as veteran teachers new to the school district.<sup>33</sup>

### **Computer Science Teacher Training**

Subject to an appropriation, a school district may apply to the DOE for funding to deliver or facilitate training for classroom teachers to earn an educator certificate in computer science or training that leads to an industry certification associated with a course identified in the course code directory, or for professional development for classroom teachers to provide instruction in computer science courses and content.<sup>34</sup>

A classroom teacher who was evaluated as effective or highly effective in the previous school year or who is newly hired by the district school board and has not been evaluated must receive a bonus if funds are available and the classroom teacher holds an:<sup>35</sup>

- Educator certificate in computer science or if he or she has passed the computer science subject area examination and holds an adjunct certificate issued by a school district, he or she must receive a \$1,000 bonus after each year the individual completes teaching a computer science course at a public middle or high school, for up to 3 years.
- Industry certification associated with a computer science course, he or she must receive a bonus of \$500 after each year the individual completes teaching the identified course at a public middle or high school, for up to 3 years.

District school boards are required to report a qualifying classroom teacher to the DOE by a date and in a format established by the DOE.<sup>36</sup> An eligible classroom teacher must receive his or her bonus upon completion of the school year in which he or she taught the course. A teacher may not receive more than one bonus per year.<sup>37</sup> The State Board of Education is required to adopt rules to administer the bonuses related to computer science instruction.<sup>38</sup>

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<sup>30</sup> See s. 1012.34(2), F.S.

<sup>31</sup> Section 1012.34(1)(b), (2), and (3)(a), F.S. See rule 6A-5.030, F.A.C.

<sup>32</sup> Section 1012.334(3)(a), F.S.

<sup>33</sup> Rule 6A-5.030(2)(g), F.A.C.

<sup>34</sup> Section 1007.2616(4), F.S.

<sup>35</sup> Section 1007.2614(7), F.S.

<sup>36</sup> Section 1007.2616(7), F.S.

<sup>37</sup> Section 1007.2616(7), F.S.

<sup>38</sup> Section 1007.2616(8), F.S.

The appropriation to fund training for computer science and teacher bonuses for fiscal year 2022-2023 is \$10 million.<sup>39</sup>

### III. Effect of Proposed Changes:

CS/SB 780 modifies s. 1003.01, F.S., to provide definitions related to computer science instruction. Specifically, the bill defines:

- Computer science as the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, implementation, and impact on society, and includes computer coding, computer programming, and computational thinking.
- Computational thinking as the thought process involved in expressing solutions as computational steps or algorithms that can be carried out by a computer.

The bill creates s. 1003.4202, F.S., related to computer science instruction in K-12 public schools, and aligns with existing requirements for computer science and technology instruction in s. 1007.2616, F.S. The bill consequently repeals s. 1007.2616, F.S.

The bill modifies requirements for the delivery of computer science instruction by district school boards. Specifically, the bill:

- Authorizes public elementary schools to provide computer science instruction with the intent to provide a foundation for future computer usage, digital literacy, and computer science instruction.
- Specifies that digital skills in digital classrooms established by elementary and middle schools include computer science, multimedia presentations, and the manipulation of multiple digital graphic images.
- Expands to certified school counselors, social workers, career specialists, school psychologists, librarians, and media specialists the eligibility for funding and bonuses related to computer science instruction. Accordingly, the bill defines instructional personnel to include classroom teachers, certified school counselors, social workers, career specialists, and school psychologists, and librarians and media specialists.
- Removes district school boards from the process of distributing funds from the Department of Education to eligible instructional personnel for training or bonuses related to computer science instruction.
- Requires any unexpended balance of funds appropriated for computer science instruction training and bonuses to be carried forward to the next fiscal year for the same purpose.
- Extends to qualifying elementary school instructional personnel eligibility for a bonus for teaching a computer science course, which is currently only available to public middle and high school teachers.

The bill takes effect July 1, 2023.

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<sup>39</sup> Ch. 2022-156, s. 2, Specific Appropriation 100, Laws of Fla.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

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

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bonuses provided in the bill for qualifying instructional personnel are subject to legislative appropriation. The appropriation to fund training for computer science and teacher bonuses for fiscal year 2022-2023 is \$10 million.<sup>40</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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<sup>40</sup> Specific Appropriation 100, ch. 2022-156, s. 2, Laws of Fla.

**VIII. Statutes Affected:**

The bill substantially amends the following sections of the Florida Statutes: 1003.01 and 1003.4202.

The bill repeals section 1007.2616 of the Florida Statutes.

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

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

The committee substitute removes district school boards from the process distributing funds from the Department of Education to eligible instructional personnel for training or bonuses related to computer science instruction..

**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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939264

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2023	.	
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	.	
	.	

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

**Senate Amendment (with title amendment)**

Delete lines 87 - 135  
and insert:

(3) (a) Subject to legislative appropriation, the Department of Education shall provide or fund professional development for instructional personnel to earn an educator certificate in computer science pursuant to s. 1012.56 or a technology-related industry certification associated with a course identified in the Course Code Directory pursuant to subsection (1) or for



939264

professional development for instructional personnel to provide instruction in computer science. Such funding must be used only to:

1. Provide training pursuant to this paragraph for instructional personnel.

2. Pay fees for examinations that lead to a credential for instructional personnel.

3. Provide professional development for instructional personnel.

(b) For purposes of this section, the term "instructional personnel" has the same meaning as in s. 1012.01(2)(a), (b), and (c).

(4)(a) Subject to legislative appropriation, a member of the instructional personnel who was evaluated as effective or highly effective pursuant to s. 1012.34 in the previous school year or who is newly hired by the district school board and has not been evaluated pursuant to s. 1012.34 must receive a bonus as follows:

1. If the member of the instructional personnel holds an educator certificate in computer science pursuant to s. 1012.56 or if he or she has passed the computer science subject area examination and holds an adjunct certificate issued by a school district pursuant to s. 1012.57, he or she must receive a bonus of \$1,000 after each year he or she completes teaching a computer science course identified in the Course Code Directory pursuant to subsection (1) at a public elementary, middle, high, or combination school for up to 3 years.

2. If the member of the instructional personnel holds an industry certification associated with a course identified in





939264

the Course Code Directory pursuant to subsection (1), he or she must receive a bonus of \$500 after each year he or she completes teaching the identified course at a public elementary, middle, high, or combination school for up to 3 years.

(b) An eligible member of the

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

And the title is amended as follows:

Delete lines 20 - 22

and insert:

legislative appropriation, requiring the Department of Education to provide funding for specified purposes;

By Senator Calatayud

38-01832-23

2023780\_\_

1 A bill to be entitled  
 2 An act relating to computer science instruction in K-  
 3 12 public schools; amending s. 1003.01, F.S.; defining  
 4 the terms "computational thinking" and "computer  
 5 science"; creating s. 1003.4202, F.S.; requiring  
 6 computer science courses to be included in the Course  
 7 Code Directory and published on the Department of  
 8 Education's website; requiring the Florida Virtual  
 9 School to offer certain computer science courses;  
 10 requiring school districts to provide instruction in  
 11 computer science; providing requirements for the  
 12 instruction; requiring school districts to provide  
 13 students with access to computer science courses  
 14 through the Florida Virtual School or by other means  
 15 under certain circumstances; requiring high school  
 16 students to be provided opportunities to take certain  
 17 computer science courses for specified purposes;  
 18 authorizing elementary and middle schools to establish  
 19 digital classrooms for specified purposes; subject to  
 20 legislative appropriation, authorizing school  
 21 districts and consortiums of school districts to apply  
 22 to the department for funding for specified purposes;  
 23 providing requirements for such funding; defining the  
 24 term "instructional personnel"; subject to legislative  
 25 appropriation, providing for bonuses for certain  
 26 instructional personnel; providing requirements for  
 27 such bonuses; providing for the carryforward of  
 28 certain funds; providing for rulemaking; repealing s.  
 29 1007.2616, F.S., relating to computer science and

Page 1 of 6

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

38-01832-23

2023780\_\_

30 technology instruction; providing an effective date.  
 31  
 32 Be It Enacted by the Legislature of the State of Florida:  
 33  
 34 Section 1. Subsections (18) and (19) are added to section  
 35 1003.01, Florida Statutes, to read:  
 36 1003.01 Definitions.—As used in this chapter, the term:  
 37 (18) "Computational thinking" means the thought processes  
 38 involved in expressing solutions as computational steps or  
 39 algorithms that can be carried out by a computer.  
 40 (19) "Computer science" means the study of computers and  
 41 algorithmic processes, including their principles, hardware and  
 42 software designs, applications, implementation, and impact on  
 43 society, including, but not limited to, computer coding,  
 44 computer programming, and computational thinking.  
 45 Section 2. Section 1003.4202, Florida Statutes, is created  
 46 to read:  
 47 1003.4202 Computer science instruction in K-12 public  
 48 schools.—  
 49 (1) Computer science courses must be identified in the  
 50 Course Code Directory and published on the Department of  
 51 Education's website. Additional computer science courses may be  
 52 subsequently identified and posted on the Department of  
 53 Education's website.  
 54 (2)(a) The Florida Virtual School shall offer computer  
 55 science courses identified in the Course Code Directory pursuant  
 56 to subsection (1).  
 57 (b) School districts shall provide instruction in computer  
 58 science as follows:

Page 2 of 6

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

38-01832-23

2023780

1. Each public elementary school may provide computer science instruction with the intent to provide a foundation for future computer usage, digital literacy, and computer science instruction.

2. Each public middle and high school shall provide computer science instruction.

(c) If a school district does not offer a computer science course identified in the Course Code Directory, the district must provide students with access to the course through the Florida Virtual School or through other means approved by the department.

(d) High school students must be provided opportunities to take computer science courses that lead to technology-related industry certifications and satisfy high school graduation requirements pursuant to s. 1003.4282(3). Computer science courses and technology-related industry certifications identified by the Commissioner of Education as eligible to meet the mathematics or science credit graduation requirement for high school graduation under s. 1003.4282(3) must be included in the Course Code Directory.

(e) Public elementary and middle schools may establish digital classrooms where students are provided opportunities to improve their digital literacy and competency; learn digital skills, including computer science, multimedia presentations, and the manipulation of multiple digital graphic images; and earn CAPE Digital Tool Certificates and CAPE industry certifications pursuant to s. 1003.4203 and grade-appropriate, technology-related industry certifications.

(3)(a) Subject to legislative appropriation, a school

38-01832-23

2023780

district or consortium of school districts may apply to the department, by a date and in a format prescribed by the department, for funding to deliver or facilitate training for instructional personnel to earn an educator certificate in computer science pursuant to s. 1012.56 or a technology-related industry certification associated with a course identified in the Course Code Directory pursuant to subsection (1) or for professional development for instructional personnel to provide instruction in computer science. Such funding must be used only to:

1. Provide training pursuant to this paragraph for instructional personnel.

2. Pay fees for examinations that lead to a credential for instructional personnel.

3. Provide professional development for instructional personnel.

(b) The department shall establish a deadline for submitting applications for funding. The department shall award funding in an equitable manner that accounts for the unique needs of small or rural school districts.

(c) For purposes of this section, the term "instructional personnel" has the same meaning as in s. 1012.01(2)(a), (b), and (c).

(4)(a) Subject to legislative appropriation, a member of the instructional personnel who was evaluated as effective or highly effective pursuant to s. 1012.34 in the previous school year or who is newly hired by the district school board and has not been evaluated pursuant to s. 1012.34 must receive a bonus as follows:

38-01832-23

2023780

1. If the member of the instructional personnel holds an educator certificate in computer science pursuant to s. 1012.56 or if he or she has passed the computer science subject area examination and holds an adjunct certificate issued by a school district pursuant to s. 1012.57, he or she must receive a bonus of \$1,000 after each year he or she completes teaching a computer science course identified in the Course Code Directory pursuant to subsection (1) at a public elementary, middle, high, or combination school for up to 3 years.

2. If the member of the instructional personnel holds an industry certification associated with a course identified in the Course Code Directory pursuant to subsection (1), he or she must receive a bonus of \$500 after each year he or she completes teaching the identified course at a public elementary, middle, high, or combination school for up to 3 years.

(b) A school district shall report a member of the instructional personnel who is eligible for a bonus under this subsection to the department by a date and in a format established by the department. An eligible member of the instructional personnel shall receive his or her bonus upon completion of the school year in which he or she taught the computer science course. A member of the instructional personnel may not receive more than one bonus per year under this subsection.

(5) Any unexpended balance of funds appropriated pursuant to this section shall be carried forward to the next fiscal year for the same purpose.

(6) The State Board of Education shall adopt rules to administer this section.

Page 5 of 6

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

38-01832-23

2023780

Section 3. Section 1007.2616, Florida Statutes, is repealed.

Section 4. This act shall take effect July 1, 2023.

Page 6 of 6

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

The Florida Senate

APPEARANCE RECORD

04/04/23

Meeting Date

EDUCATION

Committee

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

SB 780

Bill Number or Topic

Amendment Barcode (if applicable)

Name ALLI LIBY-SCHOONOVER

Phone 850-205-9000

Address 119 S. MONROE ST. SUITE 200

Email ALS@MHPFIRM.COM

Street

FL

32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

MICROSOFT

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

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

4/4 /2023

Meeting Date

Education Pk-12

Committee

780

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Melanie Bostick

Phone

(850) 739-7455

Address

5422 Carrier Drive

Street

Email

mbostick@Ars.net

Orlando

City

FL

State

32819

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 Virtual School

☐

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**

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

SB 780 as amended

Bill Number or Topic

Amendment Barcode (if applicable)

4/4/23  
Meeting Date  
Pre K-12  
Committee

Name Ebo Entsuaah Phone 352-255-2436

Address 1128 Seminole St.  
Street

Clermont FL 34711  
City State Zip

Email eentsuaah@pltw.org

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

Project Lead The Way

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**

4.4.23

Meeting Date

Education PreK-12

Committee

780

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name Damaris Allen, Florida PTA

Phone 407.855.7604

Address 1747 Orlando Central Parkway  
Street

Email legislative@floridapta.org

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:

*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  
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4/4/2023

Meeting Date

SB 780

Bill Number or Topic

Ed. PreK-12

Committee

Amendment Barcode (if applicable)

Name Sarah Katherine Massey

Phone 850 545 0543

Address 136 S. Bronough St.

Street

Email smassey@flchamber.com

Tallahassee

City

FL

State

32301

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

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

Florida Chamber of Commerce

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

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S-001 (08/10/2021)

April 4, 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 780

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Sheela VanHoose**

Phone **9543056157**

Address **123 S. Adams Street**

Email **vanhoose@thesoutherngroup.com**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

### PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

**Code.org**

☐

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

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

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S-001 (08/10/2021)

4/4/23

The Florida Senate

# APPEARANCE RECORD

SB 780

Meeting Date

Education

Committee

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

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Alice Kerce (k-ear-s)

Phone

Address

215 S Monroe St Suite 710

Email

alice@atlridapromise.org

Street

Tallahassee

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without  
compensation or sponsorship.

☒

I am a registered lobbyist,  
representing:

The Foundation for  
Florida's Future

☐

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

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

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S-001 (08/10/2021)



**SENATOR Alexis M. Calatayud**  
38th District

## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**

Community Affairs, Chair  
Appropriations Committee on Education  
Appropriations Committee of Health and Human  
Services  
Education Pre-K 12  
Fiscal Policy  
Health Policy  
Military and Veterans Affairs, Space and Domestic  
Security  
Select Committee on Resiliency

February 27, 2023

Honorable Senator Corey Simon  
Chair  
Committee on Education Pre-K 12

Honorable Chair Simon,

I respectfully request SB 780 Computer Science Instruction in K-12 Public Schools be placed on the next committee agenda.

Requiring computer science courses to be included in the Course Code Directory and published on the Department of Education's website; requiring the Florida Virtual School to offer certain computer science courses; providing requirements for the instruction; subject to legislative appropriation, authorizing school districts and consortiums of school districts to apply to the department for funding for specified purposes; repealing a provision relating to computer science and technology instruction.

Sincerely,

*Alexis M. Calatayud*

---

Senator Alexis M. Calatayud  
Florida Senate, District 39

CC: Matthew Bouck, Staff Director  
Secret Williams, Committee Administrative Assistant

REPLY TO:

- 11011 SW 101<sup>st</sup> St, STE 5101, Miami Florida 33176 (305) 596-3002
- 324 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5038

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

**Kathleen Passidomo**  
President of the Senate

**Dennis Baxley**  
President Pro Tempore

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

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

---

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

---

BILL: SB 804

INTRODUCER: Senator Simon

SUBJECT: Required African-American Instruction

DATE: April 3, 2023

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

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

---

**I. Summary:**

SB 804 adds requirements regarding the required instruction in Florida schools related to the history of African Americans.

The bill requires school districts to annually certify and provide evidence to the Department of Education (DOE) that the requirements for African American history instruction are met.

The bill expands entities from whom the DOE may seek input regarding standards and curriculum from state or national African American organizations, and authorizes the DOE to contract with state or national African American educational organizations to develop training for instructional personnel and classroom resources.

This bill does not have an impact on state revenues or expenditures.

The bill takes effect on July 1, 2023.

**II. Present Situation:**

**Required Instruction**

Each district school board must provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet the state's 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>1</sup>

---

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

Instructional personnel must, subject to the rules of the State Board of Education and the district school board, teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, topics that include:<sup>2</sup>

- The history and content of the Declaration of Independence and Constitution of the United States.
- The elements of civil government.
- The history of the United States.
- The history of the Holocaust.
- The history of the state.
- Comprehensive age-appropriate and developmentally appropriate health education and life skills.
- The study of women's contributions to the United States.
- Civic and character education.

### **African American History**

African American history is part of the required instruction that must be taught in all public schools.<sup>3</sup> For African American history, the following areas of study are required:<sup>4</sup>

- The history of African peoples before the political conflicts that led to the development of slavery;
- The passage to America;
- The enslavement experience;
- Abolition; and
- The history and contributions of Americans of the African diaspora to society.<sup>5</sup>

The purpose of such instruction is for students to develop an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms, and examine what it means to be a responsible and respectful person, for the purpose of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions.<sup>6</sup>

Instruction must include the roles and contributions of individuals from all walks of life and their endeavors to learn and thrive throughout history as artists, scientists, educators, businesspeople, influential thinkers, members of the faith community, and political and governmental leaders and the courageous steps they took to fulfill the promise of democracy and unite the nation.<sup>7</sup>

Instructional materials must include the vital contributions of African Americans to build and strengthen American society and celebrate the inspirational stories of African Americans who prospered, even in the most difficult circumstances.<sup>8</sup>

---

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

<sup>3</sup> Section 1003.42, F.S.

<sup>4</sup> Rule 6A-1.094124, F.A.C.

<sup>5</sup> Florida Department of Education, *African American History*, <https://www.fldoe.org/academics/standards/subject-areas/social-studies/african-amer-hist.stml> (last visited Mar. 21, 2023).

<sup>6</sup> Section 1003.42(1)(h), F.S.

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

<sup>8</sup> *Id.*



The Department of Education must prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's African American History Task Force.<sup>9</sup>

In accordance with State Board of Education rule,<sup>10</sup> each school district is required to submit to the Commissioner of Education, by July 1 of each year, a report that describes how instruction was provided for all required areas of instruction, including African American history, for the prior school year. The required report is submitted online through the Required Instruction Reporting Portal and contains:

- The specific courses in which instruction has been delivered for each grade level.
- A description of the materials and resources utilized to deliver instruction.
- The professional qualifications of the person delivering instruction for certain types of instruction.

In 1994, Florida law began requiring the instruction of history, culture, experiences, and contributions of African Americans in the state's K-12 curriculum. The African American History Task Force (AAHTF) was formulated to sustain this effort, and grant supported initiatives were developed to effectively execute the spirit of the law's original legislative intent.<sup>11</sup> The AAHTF is an advocate for Florida's school districts, teacher education training centers, and the community at large, in implementing the teaching of the history of African peoples and the contributions of African Americans to society. The Task Force works to ensure awareness of the requirements, identify and recommend needed state education leadership action, assist in adoption of instructional materials by the state, and build supporting partnerships. The stated goals of the ASHTF are:<sup>12</sup>

- Promoting awareness, understanding, and the infusing of the required instruction that addresses the African and African American experience into the curriculum of Florida's schools.
- Development of instructional guidelines, standardized framework, and supplemental materials /resources that include the African and African American experience.
- Provide pre- and in-service training for implementation of the required instruction using various technologies and materials.
- Make recommendations to the Commissioner of Education and the appropriate Florida Department of Education leaders that support the full implementation of the required instruction mandate.<sup>13</sup>

### III. Effect of Proposed Changes:

SB 804 modifies s. 1003.42, F.S., regarding African American History instruction.

---

<sup>9</sup> Florida Department of Education, *African American History*, <https://www.fldoe.org/academics/standards/subject-areas/social-studies/african-amer-hist.stml> (last visited Mar. 21, 2023)

<sup>10</sup> Rule 6A-1.094124, F.A.C.

<sup>11</sup> Commissioner of Education's African American History Task Force, *History*, <https://afroamfl.org/history/> (last visited: Mar. 21, 2023).

<sup>12</sup> Commissioner of Education's African American History Task Force, *Mission and Goals*, <https://afroamfl.org/mission-and-goals/> (last visited Mar. 21, 2023).

<sup>13</sup> *Id.*

**Reporting of Instruction**

The bill modifies s. 1003.42(2), F.S., to add reporting requirements for African American history instruction by district school boards. The bill requires each school district to annually certify and provide evidence to the Department of Education (DOE) of compliance with such instruction, and for the DOE to establish the reporting requirements.

**Curriculum and Resources**

The bill modifies s. 1003.42(2), F.S., to allow the DOE to seek input from any state or nationally recognized African American educational organization regarding the development of standards and curriculum, rather than only the Commissioner of Education's African American History Task Force.

The bill also allows DOE to contract with any state or nationally recognized African American educational organization to develop training for instructional personnel and grade-appropriate classroom resources to support curriculum.

The bill takes effect 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:**

This bill substantially amends section 1003.42 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Simon

3-01652-23

2023804\_\_

1 A bill to be entitled  
 2 An act relating to required African-American  
 3 instruction; amending s. 1003.42, F.S.; requiring each  
 4 school district to certify and provide certain  
 5 evidence to the Department of Education regarding  
 6 certain instruction; authorizing the department to  
 7 seek input from and contract with certain educational  
 8 organizations for specified purposes; providing an  
 9 effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

12  
 13 Section 1. Paragraph (h) of subsection (2) of section  
 14 1003.42, Florida Statutes, is amended to read:

15 1003.42 Required instruction.—

16 (2) Members of the instructional staff of the public  
 17 schools, subject to the rules of the State Board of Education  
 18 and the district school board, shall teach efficiently and  
 19 faithfully, using the books and materials required that meet the  
 20 highest standards for professionalism and historical accuracy,  
 21 following the prescribed courses of study, and employing  
 22 approved methods of instruction, the following:

23 (h) The history of African Americans, including the history  
 24 of African peoples before the political conflicts that led to  
 25 the development of slavery, the passage to America, the  
 26 enslavement experience, abolition, and the history and  
 27 contributions of Americans of the African diaspora to society.  
 28 Students shall develop an understanding of the ramifications of  
 29 prejudice, racism, and stereotyping on individual freedoms, and

Page 1 of 3

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

3-01652-23

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30 examine what it means to be a responsible and respectful person,  
 31 for the purpose of encouraging tolerance of diversity in a  
 32 pluralistic society and for nurturing and protecting democratic  
 33 values and institutions. Instruction shall include the roles and  
 34 contributions of individuals from all walks of life and their  
 35 endeavors to learn and thrive throughout history as artists,  
 36 scientists, educators, businesspeople, influential thinkers,  
 37 members of the faith community, and political and governmental  
 38 leaders and the courageous steps they took to fulfill the  
 39 promise of democracy and unite the nation. Instructional  
 40 materials shall include the vital contributions of African  
 41 Americans to build and strengthen American society and celebrate  
 42 the inspirational stories of African Americans who prospered,  
 43 even in the most difficult circumstances. Instructional  
 44 personnel may facilitate discussions and use curricula to  
 45 address, in an age-appropriate manner, how the individual  
 46 freedoms of persons have been infringed by slavery, racial  
 47 oppression, racial segregation, and racial discrimination, as  
 48 well as topics relating to the enactment and enforcement of laws  
 49 resulting in racial oppression, racial segregation, and racial  
 50 discrimination and how recognition of these freedoms has  
 51 overturned these unjust laws. However, classroom instruction and  
 52 curriculum may not be used to indoctrinate or persuade students  
 53 to a particular point of view inconsistent with the principles  
 54 enumerated in subsection (3) or the state academic standards.  
 55 Each school district must annually certify and provide evidence  
 56 to the department, in a manner prescribed by the department,  
 57 that the requirements of this paragraph are met. The department  
 58 shall prepare and offer standards and curriculum for the

Page 2 of 3

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

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2023804

instruction required by this paragraph and may seek input from the Commissioner of Education's African American History Task Force or from any state or nationally recognized African-American educational organizations. The department may contract with any state or nationally recognized African-American educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (t).

Section 2. 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

APRIL 4, 2023

Meeting Date

SB 804

Bill Number or Topic

SENATE EDUCATION PRE-K-12

Committee

Amendment Barcode (if applicable)

Name DR. YVETTE EDGILL SPANO

Phone 240-505-0125

Address 22 WOOD CENTER LANE

Email ymspano@gmail.com

PALM COAST

City

FL

State

32164

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

4/4/2023

Meeting Date

Education preK-12

Committee

804

Bill Number or Topic

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

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:**

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

Meeting Date

4-4  
Edu Pre K-12

Committee

Bill Number or Topic

804

Amendment Barcode (if applicable)

Name

Barb Grimm

Phone

386 717-3407

Address

1605 W. French Ave

Email

Street

Orange City FL

32763

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

Committee

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

SB 804

Bill Number or Topic

4/4/23

Meeting Date

Edu Dev R-12

Committee

Amendment Barcode (if applicable)

Name Jewel Dickson

Phone 386-717-4344

Address 60 N Amelia Ave  
Street

Email jewel.dickson@mac.com

DeLand,  
City

FL  
State

32724  
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

804 4.4.23

Meeting Date

Education PreK-12

Committee

804

Bill Number or Topic

Amendment Barcode (if applicable)

Name Damarius Allen, Florida PTA

Phone 407.855.7604

Address 1747 Orlando Central Pkwy

Street

Email legislative@floridapta.org

Orlando, FL 32809

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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☒ I am not a lobbyist, but received  
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This form is part of the public record for this meeting.

S-001 (08/10/2021)

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

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

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

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BILL: CS/SB 926

INTRODUCER: Senators Rodriguez and Jones

SUBJECT: Florida Virtual School

DATE: April 5, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sagues	Bouck	ED	<b>Fav/CS</b>
2.			GO	
3.			AP	

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

To provide additional support to military children who are out-of-state due to the duty station of their military parent, SB 926 creates a process by which a parent can request flexibility in assessment administration to permit a Florida Virtual School (FLVS) full-time student to participate in statewide, standardized assessments while out-of-state.

The fiscal impact of the bill is indeterminate. See Section V.

The bill takes effect on July 1, 2023.

**II. Present Situation:**

**Florida Virtual School**

The Florida Virtual School (FLVS) was established to develop and deliver online and distance learning education,<sup>1</sup> and is part of Florida's public school system.<sup>2</sup> The Commissioner of Education is charged with monitoring the performance of the FLVS.<sup>3</sup> The FLVS is required to

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<sup>1</sup> Section 1002.37(1)(a), F.S.

<sup>2</sup> Section 1000.04(5), F.S.

<sup>3</sup> Section 1002.37(1)(a), F.S.

serve any student in the state who meets the profile for success in online and distance learning education, giving priority to students:<sup>4</sup>

- Who need expanded access to courses in order to meet their educational goals.
- Seeking accelerated access to obtain a high school diploma at least one semester early.
- Who are children of an active duty member of the United States Armed Forces whose home of record or state of legal residence is Florida.

Children of military personnel not stationed in Florida are considered Florida residents for purposes of enrollment in the FLVS if their home of record or state of legal residence is Florida. This allows such students to enroll in the FLVS without having to pay tuition.<sup>5</sup>

The FLVS is authorized to provide full-time and part-time instruction for students in kindergarten through grade 12.<sup>6</sup> Public school students receiving full-time instruction by the FLVS must take all required statewide assessments, and students receiving part-time instruction in courses requiring statewide end-of-course assessments must take all required assessments.<sup>7</sup> Unless an alternative testing site is mutually agreed to by the FLVS and the school district or a qualified contractor, all industry certification examinations, national assessments, progress monitoring, and statewide assessments must be taken at the school to which the student would be assigned according to district school board attendance areas.<sup>8</sup>

During the 2021-2022 school year, the FLVS served 11,832 unduplicated students in the full-time program and completed 361,362 semester enrollments in the part-time program.<sup>9</sup>

Currently there are 172 military family full-time students enrolled in the FLVS. Of these:<sup>10</sup>

- Sixty-one are enrolled in grades K-5, of which 21 are stationed out-of-state.
- Fifty-nine are enrolled in grades 6-8, of which 21 are living out-of-state and 7 are enrolled in courses requiring a statewide standardized end-of-course assessment (EOC).<sup>11</sup>
- Fifty-two are in grades 9-12, of which 11 are living out-of-state and 8 are enrolled in courses requiring a statewide standardized EOC assessment.<sup>12</sup>

### Statewide Assessments

Florida's statewide, standardized assessments measure the extent to which students have mastered the state academic standards.<sup>13</sup> Florida and federal law require that all public school students participate in statewide, standardized English Language Arts (ELA) and Mathematics assessments at least annually beginning in the 3<sup>rd</sup> grade.<sup>14</sup> Federal law also requires that students

<sup>4</sup> Section 1002.37(1)(b)1.-3., F.S.

<sup>5</sup> Section 1002.37(1)(b), F.S.

<sup>6</sup> Section 1002.37(9)(a), F.S.

<sup>7</sup> Section 1002.37(10)(a)-(b), F.S.

<sup>8</sup> Section 1002.37(10)(d), F.S.

<sup>9</sup> Florida Department of Education, *Fact Sheet, Florida's Public Virtual Education Programs* (2022), available at <https://www.fldoe.org/core/fileparse.php/5606/urlt/Virtual-Sept.pdf>.

<sup>10</sup> Email, Keenen Vernon, Deputy Director of Legislative Affairs, Florida Department of Education, (March 31, 2023).

<sup>11</sup> Sections 1003.4156(1)(b) and 1003.4282(3), F.S.

<sup>12</sup> Section 1003.4282(3), F.S.

<sup>13</sup> Section 1008.22(3), F.S.

<sup>14</sup> Section 1008.22(3)(a), F.S.; 20 U.S.C. s. 6311(b)(2)(v)(I).

participate in a standardized science assessment at least once in each of grades 3 through 5, 6 through 9, and 10 through 12.<sup>15</sup> Additionally, federal law allows a state to use multiple statewide interim assessments<sup>16</sup> that result in a single summative score,<sup>17</sup> a single summative assessment,<sup>18</sup> or computer adaptive assessments for the purposes of meeting federal requirements.<sup>19</sup> The requirements for students in Florida are as follows:<sup>20</sup>

- English Language Arts:
  - Grades 3-10: Annual participation in the statewide, standardized assessment.
- Mathematics:
  - Grades 3-8: Annual participation in the statewide, standardized assessment.
  - High school: Algebra I and Geometry statewide, standardized EOC assessments.
- Science:
  - Grades 5 and 8: Participation in the statewide, standardized assessment.
  - High school: Participation in the Biology I statewide, standardized EOC assessment.
- Social Studies:
  - Middle school: Participation in the Civics statewide, standardized EOC assessment.
  - High school: Participation in the U.S. History statewide, standardized EOC assessment.

Beginning with the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment administered to students is the statewide, standardized ELA assessment for students in grades 3 through 10 and the statewide, standardized Mathematics assessment for students in grades 3 through 8.<sup>21</sup>

EOC assessments count as 30 percent of a student's final course grade.<sup>22</sup> Results from assessments are used to calculate school grades and school improvement ratings<sup>23</sup> and determine student readiness for promotion to 4<sup>th</sup> grade and high school graduation.<sup>24</sup> In addition, school districts use student performance data from the assessments in the performance evaluations for instructional personnel and school administrators.<sup>25</sup>

The State Board of Education must adopt test security rules for the statewide, standardized assessment program.<sup>26</sup> Violation of the test security rules for assessments administered pursuant to the student assessment program for public schools is a misdemeanor in the first degree.<sup>27</sup>

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<sup>15</sup> See 20 U.S.C. s. 6311(b)(2)(v)(II).

<sup>16</sup> An interim assessment is used to evaluate students' knowledge and skills relative to a specific set of academic goals.

<sup>17</sup> 34 C.F.R. s. 200.2(b)(10)(i)-(ii).

<sup>18</sup> A summative assessment is generally administered once, typically at the end of the school year to evaluate performance against a set of content standards.

<sup>19</sup> 34 C.F.R. s. 200.2(c)(1).

<sup>20</sup> Section 1008.22(3)(a) and (b), F.S.; Rule 6A-1.09422(4), F.A.C.

<sup>21</sup> Section 1008.22(3)(a)2., F.S.

<sup>22</sup> Sections 1003.4156(1)(b) and 1003.4282(3), F.S.

<sup>23</sup> Sections 1008.34 and 1008.341, F.S.

<sup>24</sup> Sections 1008.25(5) and 1003.4282(3)(a) and (b), F.S.

<sup>25</sup> Section 1012.34(3)(a)1., F.S.; Rule 6A-5.030(2)(a), F.A.C.

<sup>26</sup> Section 1008.24, F.S.; see Rule 6A-10.042, F.A.C.

<sup>27</sup> Section 1008.24(2), F.S.

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

To provide additional support to military children who are out-of-state due to the duty station of their military parent or guardian, CS/SB 926 creates s. 1008.213, F.S. and modifies s. 1008.22, F.S., to establish a process by which the parent or guardian can request flexibility in assessment administration to permit the student to participate in statewide, standardized assessments while out-of-state.

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

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

The flexibility in assessment administration authorized by the bill may be used by the student to take a statewide, standardized comprehensive assessment, a statewide, standardized end-of-course assessment, or a Florida Department of Education (FDOE) approved alternate assessment.

The request for flexibility in assessment administration must be made in writing by the student's parent or guardian to the FLVS at least 90 days prior to the assessment and include written, official documentation of the family's current out-of-state military duty station. The FLVS must review and make a recommendation regarding granting or denying the request to the FDOE as soon as practicable. The FDOE must make a final determination on the requested flexibility in assessment administration, and report this determination to the FLVS, within 14 days. Upon receipt of the FDOE's determination, the FLVS must notify the parent or guardian whether the flexibility in assessment administration has been granted or denied.

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

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

The bill takes effect on July 1, 2023.

### **IV. Constitutional Issues:**

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

None.

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

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The fiscal impact of the bill is indeterminate. Florida Virtual School and the Florida Department of Education may incur additional expenses to provide assessment flexibility to military family students stationed out-of-state.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 1008.22 of the Florida Statutes.

This bill creates section 1008.213 of the Florida Statutes.

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

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

**CS by Education PreK-12 on April 4, 2023:**

The committee substitute removes from the bill the following provisions:

- Providing an exception to reemployment after retirement limitations and authorizing the Florida Virtual School (FLVS) Board of Trustees to reemploy a retiree as a substitute or hourly teacher, or education paraprofessional, and administrative and support personnel on a noncontractual or contractual basis after the retiree has been retired for one calendar month.
- Expressly authorizing FLVS instructional personnel to participate in the Deferred Retirement Option Program for up to 36 calendar months beyond the 60 month period and adding such authorization for administrative and support personnel.
- Requiring a student of the FLVS to be funded for each credit completion, regardless of the number of surveys the student is reported in.
- Removing the 1.0 full-time equivalent (FTE) cap on the number of FLVS credit completions a student may be funded for, as long as the student seeks accelerated access to courses in order to obtain a high school diploma at least one semester early.

**B. Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2023	.	
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The Committee on Education Pre-K -12 (Rodriguez) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 1008.213, Florida Statutes, is created  
to read:

1008.213 Children of military families residing outside  
this state; flexible assessment administration.—

(1) A Florida Virtual School full-time student of a  
military family residing outside this state who is prevented by





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11 his or her parent's or guardian's out-of-state military duty  
12 station's location from participating in a Florida-based Florida  
13 Virtual School secure and proctored exam must be offered  
14 flexibility with respect to assessment administration in order  
15 to demonstrate the grade-level mastery of skills that have been  
16 acquired and are measured by the statewide, standardized  
17 comprehensive assessment under s. 1008.22(3)(a), the statewide,  
18 standardized end-of-course assessment under s. 1008.22(3)(b), or  
19 an alternate assessment under s. 1008.22(3)(d).

20 (2)(a) The flexibility in assessment administration must  
21 allow a Florida Virtual School full-time student from a military  
22 family currently stationed outside this state to participate in  
23 statewide, standardized assessments administered securely by a  
24 licensed, certified instructor or an education services officer  
25 test administrator at his or her parent's or guardian's current  
26 military duty station.

27 (b) A licensed, certified instructor or an education  
28 services officer test administrator must meet the criteria  
29 specified in s. 1008.24(3)(a).

30 (3) The student's parent or guardian may submit to the  
31 Florida Virtual School a written request for flexibility in  
32 assessment administration at any time during the school year,  
33 but not later than 90 days before the current school year's  
34 assessment administration for which the request is made. A  
35 request must include written, official documentation of the  
36 family's current out-of-state military duty stationing.

37 (4) Based on such documentation provided by the family  
38 pursuant to subsection (3), the Florida Virtual School shall  
39 submit a recommendation to the Department of Education as soon



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as practicable as to whether flexibility in assessment administration for a given statewide assessment should be granted or denied. Upon receipt of the request, documentation, and recommendation, the department shall verify the information documented as soon as practicable, make a determination, and notify the Florida Virtual School within 14 days. After the receipt of the department's determination, the Florida Virtual School shall notify the parent or guardian whether the flexibility in assessment administration has been granted or denied. If the department grants the request, the student's progress must be assessed with flexibility in assessment administration as provided in s. 1008.22.

(5) The Legislature may request from the Florida Virtual School a report containing the number of requests for flexibility in assessment administration made under this section, the number of requests for flexibility in assessment administration granted under this section, and data regarding student performance on statewide, standardized assessments.

(6) The State Board of Education shall adopt rules to implement this section.

Section 2. Present subsections (11) through (14) of section 1008.22, Florida Statutes, are redesignated as subsections (12) through (15), respectively, and a new subsection (11) is added to that section, to read:

1008.22 Student assessment program for public schools.—

(11) CHILD OF A MILITARY FAMILY RESIDING OUTSIDE THIS STATE.—In addition to the flexibility in assessment administration under s. 1008.213, a child of a military family residing outside this state is eligible for flexibility in



442740

assessment administration in accordance with this subsection  
when participating in the statewide, standardized comprehensive  
assessment in paragraph (3)(a), the statewide, standardized end-  
of-course assessment in paragraph (3)(b), or an alternate  
assessment in paragraph (3)(d).

(a) Definition.—For the purposes of this subsection, the  
term “child of a military family residing outside this state who  
is eligible for flexibility in assessment administration” means  
a Florida Virtual School full-time student of a military family  
residing outside this state who is prevented by his or her  
parent’s or guardian’s out-of-state military duty station’s  
location from participating in a Florida-based Florida Virtual  
School secure and proctored exam.

(b) Flexibility in assessment administration option.—The  
flexibility in assessment administration under this subsection  
must allow a Florida Virtual School full-time student from a  
military family currently stationed outside this state to  
participate in statewide, standardized assessments administered  
securely by a licensed, certified instructor or an education  
services officer test administrator at his or her family’s  
current military duty station. To be eligible for this  
flexibility, the student’s parent or guardian must meet the  
requirements of s. 1008.213, and the student must be determined  
eligible by the Department of Education.

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

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

And the title is amended as follows:

Delete everything before the enacting clause



442740

and insert:

A bill to be entitled

An act relating to the Florida Virtual School;  
creating s. 1008.213, F.S.; providing for flexibility  
in the administration of specified assessments for  
Florida Virtual School full-time students of military  
families residing outside this state; providing that  
such assessments for students granted such flexibility  
must be administered securely by persons who meet  
specified criteria at a certain location; providing a  
process for the parents or guardians of such students  
to request the flexibility in assessment  
administration from the Florida Virtual School;  
providing requirements for such parents or guardians,  
the Florida Virtual School, and the Department of  
Education in such process; authorizing the Legislature  
to request a report from the Florida Virtual School  
regarding requests for flexibility in assessment  
administration; requiring the State Board of Education  
to adopt rules; amending s. 1008.22, F.S.; providing  
flexibility in the administration of specified  
assessments for certain Florida Virtual School  
students; defining the term "child of a military  
family residing outside this state who is eligible for  
flexibility in assessment administration"; providing  
requirements for such flexibility in assessment  
administration; providing an effective date.

By Senator Rodriguez

40-00576A-23

2023926\_\_

1 A bill to be entitled  
 2 An act relating to the Florida Virtual School;  
 3 amending s. 121.091, F.S.; authorizing the board of  
 4 trustees of the Florida Virtual School (FLVS) to  
 5 reemploy retirees in certain positions under certain  
 6 conditions; authorizing additional personnel to  
 7 participate in the Deferred Retirement Option Program;  
 8 creating s. 1008.213, F.S.; providing flexibility in  
 9 assessment administration for FLVS full-time students  
 10 of military families residing outside this state;  
 11 providing that statewide, standardized assessments for  
 12 students granted such flexibility in assessment  
 13 administration must be administered securely by a  
 14 licensed, certified instructor or Education Services  
 15 Officer test administrator at their parent's or  
 16 guardian's current military duty station; specifying  
 17 the procedure for the student's parent or guardian to  
 18 request flexibility in assessment administration;  
 19 requiring FLVS to recommend to the Department of  
 20 Education whether flexibility in assessment  
 21 administration should be granted for a given statewide  
 22 assessment; providing requirements for the department  
 23 in making a determination; authorizing the Legislature  
 24 to request a report from FLVS regarding requests for  
 25 flexibility in assessment administration; requiring  
 26 the State Board of Education to adopt rules; amending  
 27 s. 1008.22, F.S.; providing flexibility in assessment  
 28 administration for certain FLVS students regarding  
 29 certain assessments; defining the term "child of a

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30 military family residing outside this state eligible  
 31 for flexibility in assessment administration";  
 32 providing requirements for flexibility in assessment  
 33 administration; amending s. 1011.61, F.S.; providing  
 34 requirements for funding FLVS students for successful  
 35 credit completions; providing that there is no cap on  
 36 the number of credit completions per student if the  
 37 student satisfies a specified requirement; providing  
 38 an effective date.  
 39  
 40 Be It Enacted by the Legislature of the State of Florida:  
 41  
 42 Section 1. Paragraph (b) of subsection (13) of section  
 43 121.091, Florida Statutes, is amended, and paragraph (g) is  
 44 added to subsection (9) of that section, to read:  
 45 121.091 Benefits payable under the system.—Benefits may not  
 46 be paid under this section unless the member has terminated  
 47 employment as provided in s. 121.021(39)(a) or begun  
 48 participation in the Deferred Retirement Option Program as  
 49 provided in subsection (13), and a proper application has been  
 50 filed in the manner prescribed by the department. The department  
 51 may cancel an application for retirement benefits when the  
 52 member or beneficiary fails to timely provide the information  
 53 and documents required by this chapter and the department's  
 54 rules. The department shall adopt rules establishing procedures  
 55 for application for retirement benefits and for the cancellation  
 56 of such application when the required information or documents  
 57 are not received.  
 58 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.—

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(g) The board of trustees of the Florida Virtual School may reemploy a retiree as a substitute or hourly teacher, an education paraprofessional, or administrative or support personnel on a noncontractual basis after he or she has been retired for 1 calendar month. The board of trustees of the Florida Virtual School may reemploy a retiree as instructional, administrative, or support personnel on a contractual basis after he or she has been retired for 1 calendar month. The reemployed member may receive retirement benefits and compensation from the board of trustees of the Florida Virtual School. Any member who is reemployed within 1 calendar month after retirement shall void his or her application for retirement benefits. The board of trustees of the Florida Virtual School reemploying such teachers, education paraprofessionals, or administrative or support personnel is subject to the retirement contribution required by subparagraph (b) 2.

(13) DEFERRED RETIREMENT OPTION PROGRAM.—In general, and subject to this section, the Deferred Retirement Option Program, hereinafter referred to as DROP, is a program under which an eligible member of the Florida Retirement System may elect to participate, deferring receipt of retirement benefits while continuing employment with his or her Florida Retirement System employer. The deferred monthly benefits shall accrue in the Florida Retirement System on behalf of the member, plus interest compounded monthly, for the specified period of the DROP participation, as provided in paragraph (c). Upon termination of employment, the member shall receive the total DROP benefits and begin to receive the previously determined normal retirement

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benefits. Participation in the DROP does not guarantee employment for the specified period of DROP. Participation in DROP by an eligible member beyond the initial 60-month period as authorized in this subsection shall be on an annual contractual basis for all participants.

(b) *Participation in DROP.*—Except as provided in this paragraph, an eligible member may elect to participate in DROP for a period not to exceed a maximum of 60 calendar months.

1.a. Members who are instructional personnel employed by the Florida School for the Deaf and the Blind and authorized by the Board of Trustees of the Florida School for the Deaf and the Blind; ~~7~~ who are instructional personnel as defined in s. 1012.01(2)(a)-(d) in grades K-12 and authorized by the district school superintendent; who are instructional, administrative, or support personnel employed and authorized by the board of trustees of the Florida Virtual School; ~~7~~ or who are instructional personnel as defined in s. 1012.01(2)(a), employed by a developmental research school and authorized by the school's director, or if the school has no director, by the school's principal, may participate in DROP for up to 36 calendar months beyond the 60-month period. Effective July 1, 2018, instructional personnel who are authorized to extend DROP participation beyond the 60-month period must have a termination date that is the last day of the last calendar month of the school year within the DROP extension granted by the employer. If, on July 1, 2018, the member's DROP participation has already been extended for the maximum 36 calendar months and the extension period concludes before the end of the school year, the member's DROP participation may be extended through the last

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day of the last calendar month of that school year. The employer shall notify the division of the change in termination date and the additional period of DROP participation for the affected instructional personnel.

b. Administrative personnel in grades K-12, as defined in s. 1012.01(3), who have a DROP termination date on or after July 1, 2018, may be authorized to extend DROP participation beyond the initial 60 calendar month period if the administrative personnel's termination date is before the end of the school year. Such administrative personnel may have DROP participation extended until the last day of the last calendar month of the school year in which their original DROP termination date occurred if a date other than the last day of the last calendar month of the school year is designated. The employer shall notify the division of the change in termination date and the additional period of DROP participation for the affected administrative personnel.

c. Effective July 1, 2022, a member of the Special Risk Class who is a law enforcement officer who meets the criteria in s. 121.0515(3)(a) and who is a DROP participant on or after July 1, 2022, may participate in DROP for up to 36 calendar months beyond the 60-month period if he or she enters DROP on or before June 30, 2028.

2. Upon deciding to participate in DROP, the member shall submit, on forms required by the division:

a. A written election to participate in DROP;

b. Selection of DROP participation and termination dates that satisfy the limitations stated in paragraph (a) and subparagraph 1. The termination date must be in a binding letter

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of resignation to the employer establishing a deferred termination date. The member may change the termination date within the limitations of subparagraph 1., but only with the written approval of the employer;

c. A properly completed DROP application for service retirement as provided in this section; and

d. Any other information required by the division.

3. The DROP participant is a retiree under the Florida Retirement System for all purposes, except for paragraph (5)(f) and subsection (9) and ss. 112.3173, 112.363, 121.053, and 121.122. DROP participation is final and may not be canceled by the participant after the first payment is credited during the DROP participation period. However, participation in DROP does not alter the participant's employment status, and the member is not deemed retired from employment until his or her deferred resignation is effective and termination occurs as defined in s. 121.021.

4. Elected officers are eligible to participate in DROP subject to the following:

a. An elected officer who reaches normal retirement date during a term of office may defer the election to participate until the next succeeding term in that office. An elected officer who exercises this option may participate in DROP for up to 60 calendar months or no longer than the succeeding term of office, whichever is less.

b. An elected or a nonelected participant may run for a term of office while participating in DROP and, if elected, extend the DROP termination date accordingly; however, if such additional term of office exceeds the 60-month limitation

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established in subparagraph 1., and the officer does not resign from office within such 60-month limitation, the retirement and the participant's DROP is null and void as provided in subparagraph (c)5.d.

c. An elected officer who is dually employed and elects to participate in DROP must terminate all employment relationships as provided in s. 121.021(39) for the nonelected position within the original 60-month period or maximum participation period as provided in subparagraph 1. For DROP participation ending:

(I) Before July 1, 2010, the officer may continue employment as an elected officer as provided in s. 121.053. The elected officer shall be enrolled as a renewed member in the Elected Officers' Class or the Regular Class, as provided in ss. 121.053 and 121.122, on the first day of the month after termination of employment in the nonelected position and termination of DROP. Distribution of the DROP benefits shall be made as provided in paragraph (c).

(II) On or after July 1, 2010, the officer may continue employment as an elected officer but must defer termination as provided in s. 121.053.

Section 2. Section 1008.213, Florida Statutes, is created to read:

1008.213 Children of military families residing outside this state; flexible assessment administration.-

(1) A Florida Virtual School (FLVS) full-time student of a military family residing outside this state who is prevented by his or her parent's or guardian's out-of-state military duty station's location from participating in a Florida-based FLVS secure and proctored exam shall be offered flexibility with

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respect to assessment administration in order to demonstrate the grade-level mastery of skills that have been acquired and are measured by the statewide, standardized comprehensive assessment pursuant to s. 1008.22(3)(a), the statewide, standardized end-of-course assessment pursuant to s. 1008.22(3)(b), or an alternate assessment pursuant to s. 1008.22(3)(d).

(2)(a) The flexibility in assessment administration must allow a FLVS full-time student from a military family currently stationed outside this state to participate in statewide, standardized assessments administered securely by a licensed, certified instructor or Education Services Officer (ESO) test administrator at his or her parent's or guardian's current military duty station.

(b) A licensed, certified instructor or ESO test administrator must meet the criteria specified in s. 1008.24(3)(a).

(3) The student's parent or guardian may submit to FLVS a written request for flexibility in assessment administration at any time during the school year, but not later than 90 days before the current school year's assessment administration for which the request is made. A request must include written, official documentation of the family's current out-of-state military duty stationing.

(4) Based on such documentation provided by the family pursuant to subsection (3), FLVS shall submit a recommendation to the Department of Education as soon as practicable as to whether flexibility in assessment administration for a given statewide assessment should be granted or denied. Upon receipt of the request, documentation, and recommendation, the



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department shall verify the information documented as soon as practicable, make a determination, and notify FLVS within 14 days. After the receipt of the initial request, FLVS shall notify the parent or guardian whether the flexibility in assessment administration has been granted or denied. If the department grants the request, the student's progress must be assessed with flexibility in assessment administration, in the manner required in s. 1008.22.

(5) A report containing the number of requests for flexibility in assessment administration made under this section, the number of requests for flexibility in assessment administration granted under this section, and data regarding student performance on statewide, standardized assessments may be requested of FLVS by the Legislature.

(6) The State Board of Education shall adopt rules to expedite the process by which requests for flexibility in assessment administration are reviewed and approved. Such rules must demonstrate the utmost consideration for meeting the parent's or guardian's and child's needs.

Section 3. Present subsections (11) through (14) of section 1008.22, Florida Statutes, are redesignated as subsections (12) through (15), respectively, and a new subsection (11) is added to that section, to read:

1008.22 Student assessment program for public schools.—

(11) CHILD OF A MILITARY FAMILY RESIDING OUTSIDE THIS STATE.—In addition to the flexibility in assessment administration provided for under s. 1008.213, effective July 1, 2023, a child of a military family residing outside this state is eligible for flexibility in assessment administration in

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accordance with this subsection when participating in the statewide, standardized comprehensive assessment pursuant to paragraph (3) (a), statewide, standardized end-of-course assessment pursuant to paragraph (3) (b), or an alternate assessment pursuant to paragraph (3) (d).

(a) Definition.—For the purposes of this subsection, the term "child of a military family residing outside this state eligible for flexibility in assessment administration" means a Florida Virtual School (FLVS) full-time student of a military family residing outside this state who is prevented by his or her parent's or guardian's out-of-state military duty station's location from participating in a Florida-based FLVS secure and proctored exam.

(b) Flexibility in assessment administration option.—The flexibility in assessment administration offered under this subsection must allow an FLVS full-time student from a military family currently stationed outside this state to participate in statewide, standardized assessments administered securely by a licensed, certified instructor or Education Services Officer test administrator at his or her family's current military duty station.

Section 4. Paragraph (c) of subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

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291 (c)1. A "full-time equivalent student" is:

292 a. A full-time student in any one of the programs listed in

293 s. 1011.62(1)(c); or

294 b. A combination of full-time or part-time students in any

295 one of the programs listed in s. 1011.62(1)(c) which is the

296 equivalent of one full-time student based on the following

297 calculations:

298 (I) A full-time student in a combination of programs listed

299 in s. 1011.62(1)(c) shall be a fraction of a full-time

300 equivalent membership in each special program equal to the

301 number of net hours per school year for which he or she is a

302 member, divided by the appropriate number of hours set forth in

303 subparagraph (a)1. The difference between that fraction or sum

304 of fractions and the maximum value as set forth in subsection

305 (4) for each full-time student is presumed to be the balance of

306 the student's time not spent in a special program and shall be

307 recorded as time in the appropriate basic program.

308 (II) A prekindergarten student with a disability shall meet

309 the requirements specified for kindergarten students.

310 (III) A full-time equivalent student for students in

311 kindergarten through grade 12 in a full-time virtual instruction

312 program under s. 1002.45 or a virtual charter school under s.

313 1002.33 shall consist of six full-credit completions or the

314 prescribed level of content that counts toward promotion to the

315 next grade in programs listed in s. 1011.62(1)(c). Credit

316 completions may be a combination of full-credit courses or half-

317 credit courses.

318 (IV) A full-time equivalent student for students in

319 kindergarten through grade 12 in a part-time virtual instruction

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320 program under s. 1002.45 shall consist of six full-credit

321 completions in programs listed in s. 1011.62(1)(c)1. and 3.

322 Credit completions may be a combination of full-credit courses

323 or half-credit courses.

324 (V) A Florida Virtual School full-time equivalent student

325 shall consist of six full-credit completions or the prescribed

326 level of content that counts toward promotion to the next grade

327 in the programs listed in s. 1011.62(1)(c)1. and 3. for students

328 participating in kindergarten through grade 12 part-time virtual

329 instruction and the programs listed in s. 1011.62(1)(c) for

330 students participating in kindergarten through grade 12 full-

331 time virtual instruction. Credit completions may be a

332 combination of full-credit courses or half-credit courses. A

333 student who has successful credit completions shall be funded

334 for each credit completion, regardless of the number of surveys

335 the student is reported in. There may not be a cap on the number

336 of credit completions per student as long as the student seeks

337 accelerated access pursuant to s. 1002.37(1)(b)2.

338 (VI) Each successfully completed full-credit course earned

339 through an online course delivered by a district other than the

340 one in which the student resides shall be calculated as 1/6 FTE.

341 (VII) A full-time equivalent student for courses requiring

342 passage of a statewide, standardized end-of-course assessment

343 under s. 1003.4282 to earn a standard high school diploma shall

344 be defined and reported based on the number of instructional

345 hours as provided in this subsection.

346 (VIII) For students enrolled in a school district as a

347 full-time student, the district may report 1/6 FTE for each

348 student who passes a statewide, standardized end-of-course

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assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

a. Juvenile justice education programs.

b. The Florida Virtual School.

c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must retake the course in order to be eligible to graduate with the student's class.

The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

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The department shall determine and implement an equitable method of equivalent funding for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum term as provided in s. 1011.60(2).

Section 5. This act shall take effect July 1, 2023.

The Florida Senate

**APPEARANCE RECORD**

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐

I am appearing without compensation or sponsorship.

☒

I am a registered lobbyist, representing:

Florida Virtual School

☐

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

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

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

S-001 (08/10/2021)

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

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

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

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BILL: CS/SB 1328

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

SUBJECT: Charter School Capital Outlay Funding

DATE: April 5, 2023

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	<b>Fav/CS</b>
2.			AED	
3.			AP	

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1328 modifies provisions related to charter school capital outlay funding. The bill provides a five-year glide path of local sharing with eligible charter schools that are operated by a not-for-profit entity in the largest school districts.

Additionally, the bill clarifies that for a district school board resolution to levy a sales surtax for capital projects, the calculation for sharing revenues with charter schools must be based on capital outlay full-time equivalent enrollment. This applies to resolutions adopted after July 1, 2023.

The bill has a significant negative fiscal impact on state revenues and expenditures. The bill has a significant negative fiscal impact on certain school districts. See section V.

The bill is effective July 1, 2023.

**II. Present Situation:**

**District School Tax – Capital Outlay**

School districts receive financial support from local, state, and federal sources. Local revenue for school support is derived almost entirely from property taxes levied by Florida's 67 counties, each of which constitutes a school district.

In addition to the required and discretionary millage levy for school district and charter school operations, each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools and for district schools to fund, in part:

- New construction, and remodeling, renovation, maintenance, and repair of existing school plants or leased facilities.
- The purchase, lease-purchase, or lease of school buses.
- The purchase, lease-purchase, or lease of new and replacement equipment, including computer hardware and software for instructional purposes.
- Lease and lease-purchase agreements for educational facilities.
- Costs directly related to compliance with state and federal environmental regulations.
- The cost of the opening day collection for the library media center of a new school.<sup>1</sup>

The school board in each county may levy a voted discretionary sales surtax at a rate that may not exceed 0.5 percent.<sup>2</sup> The resolution for the ballot must include a statement that provides a brief and general description of the school capital outlay projects to be funded by the surtax. The resolution must include a statement that the revenues collected must be shared with eligible charter schools based on their proportionate share of the total school district enrollment.<sup>3</sup>

The resolution providing for the imposition of the surtax must set forth a plan for use of the surtax proceeds for:<sup>4</sup>

- Fixed capital expenditures or fixed capital costs associated with the construction, reconstruction, or improvement of school facilities and campuses which have a useful life expectancy of five or more years.
- Any land acquisition, land improvement, design, and engineering costs.
- Any purchase, lease-purchase, lease, or maintenance of school buses which have a useful life expectancy of five or more years.
- The costs of retrofitting and providing for technology implementation, including hardware and software, for the various sites within the school district.
- Service of bond indebtedness to finance projects authorized in law.

### **Charter School Capital Outlay**

Charter schools are tuition-free public schools created through an agreement or “charter” that provides flexibility relative to regulations created for traditional public schools.<sup>5</sup> All charter schools in Florida are public schools and are part of the state’s public education system.<sup>6</sup> During the 2021-2022 school year, 361,939 students were enrolled in 703 charter schools in 47 Florida districts.<sup>7</sup> Florida’s charter schools serve 51 percent low-income students statewide. Seventy percent of the students attending charter schools in the 2021-2022 school year were minorities.

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<sup>1</sup> Section 1011.71(2), F.S.

<sup>2</sup> Section 212.055(6)(a), F.S.

<sup>3</sup> Section 212.055(6)(b), F.S.

<sup>4</sup> Section 212.055(6)(c), F.S.

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

<sup>6</sup> Section 1002.33(1), F.S.

<sup>7</sup> Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida’s Charter Schools* (September 2022), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

Hispanic students comprised 45 percent of Florida's charter school enrollment, and 19 percent were African-American students.<sup>8</sup>

For the 2022-2023 fiscal year, charter school capital outlay funding consists of state funds appropriated in the 2022-2023 General Appropriations Act (GAA). Beginning in fiscal year 2023-2024, charter school capital outlay funding must consist of state funds, when such funds are appropriated in the GAA, and revenue resulting from the school district discretionary millage authorized in s. 1011.71(2), F.S., if the amount of state funds appropriated for charter school capital outlay in any fiscal year is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year.<sup>9</sup>

In addition to the appropriated state funds for charter school capital outlay, the law authorizes, but does not require, school districts to share the discretionary 1.5 mills revenue with charter schools.<sup>10</sup> It is unknown the extent to which school districts currently share such revenue as the Department of Education (DOE) does not collect this data.

The Legislature has fully funded charter school capital outlay with state funds in Fiscal Years 2018-2019 through 2022-2023.<sup>11</sup> The estimated amount of funding required for Fiscal Year 2023-2024 is \$213.4 million.

To be eligible for charter school capital outlay funding, a charter school must:<sup>12</sup>

- Have been in operation for two or more years and:
  - Be governed by a governing board established in Florida for two or more years which operates both charter schools and conversion charter schools within the state;
  - Be part of an expanded feeder chain<sup>13</sup> with an existing charter school in the district that is currently receiving charter school capital outlay funds;
  - Be accredited by a regional accrediting association as defined by State Board of Education rule;
  - Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace; or
  - Be operated by a hope operator pursuant to s. 1002.333, F.S.
- Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1), F.S., for the most recent fiscal year for which such audit results are available;

<sup>8</sup> Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida's Charter Schools* (September 2022), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

<sup>9</sup> Section 1013.62(1), F.S.

<sup>10</sup> Section 1011.71(2), F.S.

<sup>11</sup> Chapters 2017-70, 2018-9, 2019-115, 2020-111, 2021-36, and 2022-156 Laws of Fla.

<sup>12</sup> Section 1013.62(1)(a), F.S. A conversion charter school, i.e., a charter school created by the conversion of an existing public school to charter status, is not eligible for capital outlay funding if it operates in facilities provided by its sponsor at no charge or for a nominal fee or if it is directly or indirectly operated by the school district. Section 1013.62(1)(d), F.S.

<sup>13</sup> A charter school may be considered a part of an expanded feeder chain under s. 1013.62, F.S., if it either sends or receives a majority of its students directly to or from a charter school that is currently receiving capital outlay funding pursuant to s. 1013.62, F.S. Rule 6A-2.0020 (1), F.A.C.

- Have satisfactory student achievement based upon the state accountability standards applicable to charter schools;<sup>14</sup>
- Have received final approval from its sponsor pursuant to s. 1002.33, F.S., for operation during that fiscal year; and
- Serve students in facilities that are not provided by the charter school sponsor.

State funds for charter school capital outlay are allocated to eligible charter schools based on each school's weighted full-time equivalent (FTE) enrollment. Charter schools receive a weight of 1.0 per FTE student, with an additional weight for schools that meet one or both of the following criteria:<sup>15</sup>

- Seventy-five percent or more of the school's students are eligible for free or reduced-price lunch; and
- Twenty-five percent or more of the school's students are students with disabilities.

Schools that meet only one of the above criteria receive capital outlay funding weighted at 1.25, and schools that meet both criteria receive capital outlay funding weighted at 1.5. Eligible schools that do not meet either of the criteria receive capital outlay funding weighted at 1.0.<sup>16</sup>

If a charter school or charter lab school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with public funds, including charter school capital outlay funds, revert to the ownership of the district school board or the state university, as appropriate. Any reversions focus on recoverable assets (equipment, property, etc.) but not on intangible or irrecoverable costs (e.g., rental or leasing fees, normal maintenance, and limited renovations).<sup>17</sup>

### **The Office of Program Policy Analysis and Government Accountability**

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is a research arm of the Florida Legislature. OPPAGA was created by the Legislature in 1994 to help improve the performance and accountability of state government. OPPAGA provides data, evaluative research, and objective analyses to assist legislative budget and policy deliberations. OPPAGA conducts research as directed by state law, the presiding officers, or the Joint Legislative Auditing Committee.<sup>18</sup>

### ***OPPAGA Charter School Funding Report***

In 2022, the Legislature directed OPPAGA to analyze the current methods used to distribute capital outlay funds and specified federal program funds to traditional public schools and charter

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<sup>14</sup> State board rule allows "satisfactory student achievement" to be determined in accordance with a charter contract; however, a charter school that earns a school grade of "F" is not eligible for capital outlay funding for the school year immediately following the designation. Rule 6A-2.0020(4), F.A.C.

<sup>15</sup> Section 1013.62(2)(a), F.S.

<sup>16</sup> Section 1013.62(2)(b), F.S.

<sup>17</sup> Section 1013.62(5), F.S.

<sup>18</sup> The Office of Program Policy Analysis and Government Accountability, *About OPPAGA*, <https://oppaga.fl.gov/About> (last visited March 31, 2023).



schools.<sup>19</sup> The law further directed OPPAGA to recommend changes to provide an equitable allocation of these funds to all public schools.

OPPAGA's analysis focused on the two largest local sources and the largest state source of public capital outlay funds representing 78.8 percent of the total funding available for capital outlay: District Local Capital Improvement Tax, School District Local Sales Tax, and Charter School Capital Outlay, which together, accounted for \$4.4 billion of capital outlay expenditures in Fiscal Year 2020-21.<sup>20</sup>

To ensure that the most pressing construction, renovation, repair, and maintenance needs are addressed regardless of the type of public school a student attends, OPPAGA recommends distributing capital outlay funding to charter schools based on demonstrated need. School districts are already required<sup>21</sup> to conduct a plant survey of traditional public schools at least every five years. By including charter school facilities as part of this district plant survey, school districts can work with charter schools to evaluate and prioritize the use of capital outlay funds from all sources to fund the most urgent capital projects and maintenance needs for both charter schools and traditional public schools.<sup>22</sup>

### III. Effect of Proposed Changes:

CS/SB 1328 amends s. 1013.62, F.S., to provide a five-year glide path of local sharing with eligible charter schools that are operated by a not-for-profit entity in the largest school districts.

The bill requires school boards that levy the authorized discretionary millage and have a combined total of all capital outlay full-time equivalent membership and total unweighted full-time equivalent students of eligible charter schools which exceeds 100,000 to share an amount of their eligible local funds with eligible charter schools that are operated by a not-for-profit entity.

The bill specifies, for the 2023-2024 fiscal year, the amount is 20 percent of the amount calculated by using the following methodology:

1. Reduce the school district's total discretionary millage revenue by the school's annual debt service obligation incurred by March 1, 2017, which has not been subsequently retired, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8., which is being satisfied by revenues raised by the discretionary millage.
2. Multiply the discretionary millage amount from step one above by 20 percent.
3. Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

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<sup>19</sup> Ch. 2022-144, Laws of Fla.

<sup>20</sup> The Office of Program Policy Analysis and Government Accountability, *Charter School Funding Report 22-11* (December 2022), available at <https://oppaga.fl.gov/Documents/Reports/22-11.pdf> at vi.

<sup>21</sup> Section 1013.31, F.S.

<sup>22</sup> The Office of Program Policy Analysis and Government Accountability, *Charter School Funding Report 22-11* (December 2022), available at <https://oppaga.fl.gov/Documents/Reports/22-11.pdf> at viii.

4. Multiply the result of the calculation made from bullet three above by the total number of full-time equivalent students of each eligible charter school in the district to determine the capital outlay allocation for each charter school.

The bill specifies the amount will increase by 20 percent each year until 2027-2028, and thereafter, when 100 percent of the calculated amount is shared.

The bill requires that if the state portion and local portion are greater than the total capital outlay millage per full-time equivalent (FTE) student, the department must reduce the school district's sharing amount by the difference between total funds and the calculated amount for the total capital outlay FTE membership.

Additionally, the bill amends s. 212.055, F.S., to clarify that the calculation of each school district's enrollment for purposes of calculating the proportionate share of school capital outlay surtax must be based on capital outlay full-time equivalent enrollment (COFTE), rather than the total school district enrollment. COFTE differs from regular enrollment in that it is based on the number of students that are expected to need a physical seat in the school district. Students in virtual education programs or hospital/homebound programs would not be included. COFTE projections are used for facilities planning.

However, the bill provides that the changes in the bill that modify the calculation of student enrollment in s. 212.055(6)(b), F.S., only applies to a resolution for a school capital outlay surtax adopted on July 1, 2023, or thereafter, unless the resolution is amended or renewed.

The bill is effective July 1, 2023.

#### **IV. Constitutional Issues:**

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

None.

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

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill has a significant negative fiscal impact on state revenues and expenditures. The 2023-2024 fiscal year calculation shows \$213,453,885 in nonrecurring funds from the Public Education Capital Outlay and Debt Service Trust Fund to the Department of Education for charter school capital outlay funding.

The school districts that will have to share these funds with eligible charter schools will have a significant negative fiscal impact that is indeterminate at this time. The bill will require the following school districts to share funds: Polk, Duval, Palm Beach, Orange, Hillsborough, Broward, and Miami-Dade. There are 450 charter schools located in those seven districts. Of the 450 charter schools, 219 are operated or managed by a not-for-profit entity.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends sections 212.055 and 1013.62 of the Florida Statutes.

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

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

**CS by Education Pre-K -12 on April 4, 2023:**

The committee substitute retains the provisions in the bill related to school capital outlay surtax. The committee substitute also:

- Reverts the state calculation to the calculation outlined in current law.
- Provides a five-year glide path of local sharing with eligible charter schools that are operated by a not-for-profit entity in the largest school districts.
- Requires school boards that levy the authorized discretionary millage and have a combined total of all capital outlay full-time equivalent membership and total

unweighted full-time equivalent students of eligible charter schools which exceeds 100,000 to share an amount of their eligible local funds with eligible charter schools that are operated by a not-for-profit entity.

- Specifies, for the 2023-2024 fiscal year, the amount is 20 percent of the amount calculated under the new methodology.
- Specifies the amount will increase by 20 percent each year until 2027-2028, and thereafter, when 100% of the calculated amount is shared.
- Specifies that if the state portion and local portion are greater than the total capital outlay millage per full-time equivalent (FTE) student, the department must reduce the school district's sharing amount by the difference of total funds and the calculated amount for the total capital outlay FTE membership.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2023	.	
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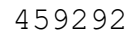
The Committee on Education Pre-K -12 (Boyd) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 16 - 208  
and insert:

Section 1. Paragraphs (b) and (c) of subsection (6) of  
section 212.055, Florida Statutes, are amended to read:

212.055 Discretionary sales surtaxes; legislative intent;  
authorization and use of proceeds.—It is the legislative intent  
that any authorization for imposition of a discretionary sales  
surtax shall be published in the Florida Statutes as a



(6) SCHOOL CAPITAL OUTLAY SURTAX.—

.....AGAINST THE .....CENTS TAX

581-03419-23



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fixed capital expenditures or fixed capital costs associated with the construction, reconstruction, or improvement of school facilities and campuses which have a useful life expectancy of 5 or more years, and any land acquisition, land improvement, design, and engineering costs related thereto, or any purchase, lease-purchase, lease, or maintenance of school buses, as defined in s. 1006.25, which have a life expectancy of 5 years or more. Additionally, the plan shall include the costs of retrofitting and providing for technology implementation, including hardware and software, for the various sites within the school district. Surtax revenues may be used to service bond indebtedness to finance projects authorized by this subsection, and any interest accrued thereto may be held in trust to finance such projects. Neither the proceeds of the surtax nor any interest accrued thereto shall be used for operational expenses. Surtax revenues shared with charter schools shall be expended by the charter school in a manner consistent with the allowable uses set forth in s. 1013.62(5) ~~s. 1013.62(4)~~. All revenues and expenditures shall be accounted for in a charter school's monthly or quarterly financial statement pursuant to s. 1002.33(9). The eligibility of a charter school to receive funds under this subsection shall be determined in accordance with s. 1013.62(1). If a school's charter is not renewed or is terminated and the school is dissolved under the provisions of law under which the school was organized, any unencumbered funds received under this subsection shall revert to the sponsor.

Section 2. Notwithstanding the expiration date in section 5 of chapter 2022-157, Laws of Florida, present subsections (4) through (7) of section 1013.62, Florida Statutes, are



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redesignated as subsections (5) through (8), respectively, a new subsection (4) is added to that section, subsection (1) of that section is amended, and subsections (2) and (3) of that section are reenacted, to read:

1013.62 Charter schools capital outlay funding.—

(1) ~~For the 2022-2023 fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the 2022-2023 General Appropriations Act. Beginning in fiscal year 2023-2024,~~ Charter school capital outlay funding shall consist of state funds when such funds are appropriated in the General Appropriations Act and revenue resulting from the discretionary millage authorized in s. 1011.71(2) if, except as provided in subsection (4), the amount of state funds appropriated for charter school capital outlay in any fiscal year is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year. Nothing in this subsection prohibits a school district from distributing to charter schools funds resulting from the discretionary millage authorized in s. 1011.71(2).

(a) To be eligible to receive capital outlay funds, a charter school must:

1.a. Have been in operation for 2 or more years;

b. Be governed by a governing board established in the state for 2 or more years which operates both charter schools and conversion charter schools within the state;





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c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by a regional accrediting association as defined by State Board of Education rule;

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b); or

f. Be operated by a hope operator pursuant to s. 1002.333.

2. Have an annual audit that does not reveal any of the financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

(b) A charter school is not eligible to receive capital outlay funds if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

(2) The department shall use the following calculation methodology to allocate state funds appropriated in the General Appropriations Act to eligible charter schools:

(a) Eligible charter schools shall be grouped into categories based on their student populations according to the



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following criteria:

1. Seventy-five percent or greater who are eligible for free or reduced-price school meals under the National School Lunch Program or, for schools operating programs under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010, an equivalent percentage of the student population eligible for free and reduced-price meals as determined by applying the multiplier authorized under the National School Lunch Act, 42 U.S.C. s. 1759a(a)(1)(F)(vii), to the number of students reported for direct certification.

2. Twenty-five percent or greater with disabilities as defined in state board rule and consistent with the requirements of the Individuals with Disabilities Education Act.

(b) If an eligible charter school does not meet the criteria for either category under paragraph (a), its FTE shall be provided as the base amount of funding and shall be assigned a weight of 1.0. An eligible charter school that meets the criteria under subparagraph (a)1. or subparagraph (a)2. shall be provided an additional 25 percent above the base funding amount, and the total FTE shall be multiplied by a weight of 1.25. An eligible charter school that meets the criteria under both subparagraphs (a)1. and (a)2. shall be provided an additional 50 percent above the base funding amount, and the FTE for that school shall be multiplied by a weight of 1.5.

(c) The state appropriation for charter school capital outlay shall be divided by the total weighted FTE for all eligible charter schools to determine the base charter school per weighted FTE allocation amount. The per weighted FTE allocation amount shall be multiplied by the weighted FTE to



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determine each charter school's capital outlay allocation.

(d) The department shall calculate the eligible charter school funding allocations. Funds shall be allocated using full-time equivalent membership from the second and third enrollment surveys and free and reduced-price school lunch data. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.

(e) The department shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation.

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), and the state funds appropriated for charter school capital outlay in any fiscal year are less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year, the department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:

(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of



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March 1, 2017, which has not been subsequently retired, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students of each eligible charter school to determine the capital outlay allocation for each charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated to each eligible charter school in subsection (2) to determine the maximum calculated capital outlay allocation.

(e) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year, as required by this subsection, based on the amount of funds received by the district school board. School districts shall distribute any remaining capital outlay funds, as required by this subsection, upon the receipt of such funds until the total amount calculated pursuant to this subsection is distributed.

By October 1 of each year, each school district shall certify to the department the amount of debt service and participation requirement that complies with the requirement of paragraph (a)



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and can be reduced from the total discretionary millage revenue. The Auditor General shall verify compliance with the requirements of paragraph (a) and s. 1011.71(2)(e) during scheduled operational audits of school districts.

(4) Beginning in the 2023-2024 fiscal year, if the state funds appropriated for charter school capital outlay in any fiscal year are equal to or greater than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year, district school boards that levy the discretionary millage authorized in s. 1011.71(2) and have a combined total of all capital outlay full-time equivalent membership and total unweighted full-time equivalent students of eligible charter schools which exceeds 100,000 must share an amount of their eligible local funds with eligible charter schools that are operated by a not-for-profit entity. The department shall use the following calculation methodology to determine the amount of revenue that a school district must distribute pursuant to this subsection to each eligible charter school:

(a)1. Reduce the school district's total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, which has not been subsequently retired, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. which is being satisfied by revenues raised by the discretionary millage.



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a. For fiscal year 2023-2024, the amount is 20 percent of the amount calculated under this paragraph.

b. For fiscal year 2024-2025, the amount is 40 percent of the amount calculated under this paragraph.

c. For fiscal year 2025-2026, the amount is 60 percent of the amount calculated under this paragraph.

d. For fiscal year 2026-2027, the amount is 80 percent of the amount calculated under this paragraph.

e. For fiscal year 2027-2028, and thereafter, the amount is 100 percent of the amount calculated under this paragraph.

2. Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

3. Multiply the result of the calculation made under paragraph (a) for the applicable fiscal year by the total number of full-time equivalent students of each eligible charter school in the district pursuant to paragraph (1)(a) to determine the capital outlay allocation pursuant to this subsection for each charter school pursuant to this subsection.

4. In any fiscal year, if the combined amount of state funds allocated pursuant to subsection (1) and the funds allocated pursuant to this subsection are greater than the total capital outlay millage per full-time equivalent student, the department must reduce the school district's sharing amount by the difference of the total funds and the calculated amount for the total capital outlay full-time equivalent membership.



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(b) School districts shall distribute capital outlay funds to charter schools no later than February 1 of each year, as required by this subsection, based on the amount of funds received by the district school board. School districts shall distribute any remaining capital outlay funds, as required by this subsection, upon the receipt of such funds until the total amount calculated pursuant to this subsection is distributed.

By October 1 of each year, each school district shall certify to the department the amount of debt service and participation requirement that complies with the requirements of paragraph (a) and can be reduced from the total discretionary millage revenue. The Auditor General shall verify compliance with the requirements of paragraph (a) and s. 1011.71(2)(e) during scheduled operational audits of school districts.

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

And the title is amended as follows:

Delete lines 6 - 11

and insert:

charter schools; conforming a cross-reference;  
reenacting and amending s. 1013.62, F.S.; revising the  
manner of determining charter school capital outlay  
funding; requiring district school boards to share  
certain funds with eligible charter schools if certain  
conditions are met; providing a calculation  
methodology for the Department of Education to  
determine the amount of funds the district school  
board must distribute; requiring the school district



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299       to distribute the funds by a specified date; requiring  
300       each school district to annually certify certain  
301       information to the department by a specified date;  
302       requiring the Auditor General to verify compliance  
303       during audits; providing applicability;



**By** Senator Boyd

20-01747A-23

20231328

1 A bill to be entitled  
2 An act relating to charter school capital outlay  
3 funding; amending s. 212.055, F.S.; revising the form  
4 of a resolution proposing a school capital outlay  
5 surtax regarding the sharing of surtax revenues with  
6 charter schools; reenacting and amending s. 1013.62,  
7 F.S.; revising the manner of determining charter  
8 school capital outlay funding; revising the  
9 calculation methodologies to be used by the Department  
10 of Education in determining the allocation of state  
11 funds to charter schools; providing applicability;  
12 providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Paragraph (b) of subsection (6) of section  
17 212.055, Florida Statutes, is amended to read:

18 212.055 Discretionary sales surtaxes; legislative intent;  
19 authorization and use of proceeds.—It is the legislative intent  
20 that any authorization for imposition of a discretionary sales  
21 surtax shall be published in the Florida Statutes as a  
22 subsection of this section, irrespective of the duration of the  
23 levy. Each enactment shall specify the types of counties  
24 authorized to levy; the rate or rates which may be imposed; the  
25 maximum length of time the surtax may be imposed, if any; the  
26 procedure which must be followed to secure voter approval, if  
27 required; the purpose for which the proceeds may be expended;  
28 and such other requirements as the Legislature may provide.  
29 Taxable transactions and administrative procedures shall be as

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

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provided in s. 212.054.

(6) SCHOOL CAPITAL OUTLAY SURTAX.—

(b) The resolution must include a statement that provides a brief and general description of the school capital outlay projects to be funded by the surtax. The resolution must include a statement that the revenues collected must be shared with eligible charter schools based on their proportionate share of the total school district capital outlay full-time equivalent enrollment as adopted by the Education Estimating Conference established in s. 216.136 enrollment. The statement must conform to the requirements of s. 101.161 and ~~shall~~ be placed on the ballot by the governing body of the county. The following question must ~~shall~~ be placed on the ballot:

....FOR THE                                ....CENTS TAX

....AGAINST THE                                ....CENTS TAX

Section 2. Notwithstanding the expiration date in section 5 of chapter 2022-157, Laws of Florida, subsections (1), (2), and (3) of section 1013.62, Florida Statutes, are reenacted and amended to read:

1013.62 Charter schools capital outlay funding.—

(1) ~~For the 2022-2023 fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the 2022-2023 General Appropriations Act. Beginning in fiscal year 2023-2024,~~ Charter school capital outlay funding shall consist

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

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of state funds when such funds are appropriated in the General Appropriations Act and revenue resulting from the discretionary millage authorized in s. 1011.71(2) ~~if the amount of state funds appropriated for charter school capital outlay in any fiscal year is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year. Nothing in this subsection prohibits a school district from distributing to charter schools funds resulting from the discretionary millage authorized in s. 1011.71(2).~~

(a) To be eligible to receive capital outlay funds, a charter school must:

1.a. Have been in operation for 2 or more years;

b. Be governed by a governing board established in the state for 2 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by a regional accrediting association as defined by State Board of Education rule;

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant to s. 1002.33(15)(b); or

f. Be operated by a hope operator pursuant to s. 1002.333.

2. Have an annual audit that does not reveal any of the

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financial emergency conditions provided in s. 218.503(1) for the most recent fiscal year for which such audit results are available.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

(b) A charter school is not eligible to receive capital outlay funds if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

(2) The department shall use the following calculation methodology to allocate state funds appropriated in the General Appropriations Act to eligible charter schools:

(a) Divide the school district's annual debt service obligation incurred as of March 1, 2017, which has not been subsequently retired, and any amount of the participation requirement pursuant to s. 1013.64(2)(a)8. which is being satisfied by revenues raised by the discretionary millage by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school in the district.

(b) Multiply the result of the calculation made under paragraph (a) by the total number of full-time equivalent students of each eligible charter school in the district to determine the capital outlay state appropriation for charter

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~~schools Eligible charter schools shall be grouped into categories based on their student populations according to the following criteria:~~

~~1. Seventy-five percent or greater who are eligible for free or reduced price school meals under the National School Lunch Program or, for schools operating programs under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010, an equivalent percentage of the student population eligible for free and reduced-price meals as determined by applying the multiplier authorized under the National School Lunch Act, 42 U.S.C. s. 1759a(a)(1)(F)(vii), to the number of students reported for direct certification.~~

~~2. Twenty-five percent or greater with disabilities as defined in state board rule and consistent with the requirements of the Individuals with Disabilities Education Act.~~

~~(b) If an eligible charter school does not meet the criteria for either category under paragraph (a), its FTE shall be provided as the base amount of funding and shall be assigned a weight of 1.0. An eligible charter school that meets the criteria under subparagraph (a)1. or subparagraph (a)2. shall be provided an additional 25 percent above the base funding amount, and the total FTE shall be multiplied by a weight of 1.25. An eligible charter school that meets the criteria under both subparagraphs (a)1. and (a)2. shall be provided an additional 50 percent above the base funding amount, and the FTE for that school shall be multiplied by a weight of 1.5.~~

~~(c) The state appropriation for charter school capital outlay shall be divided by the total weighted FTE for all eligible charter schools to determine the base charter school~~

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~~per weighted FTE allocation amount. The per weighted FTE allocation amount shall be multiplied by the weighted FTE to determine each charter school's capital outlay allocation.~~

~~(d) The department shall calculate the eligible charter school funding allocations. Funds shall be allocated using full-time equivalent membership from the second and third enrollment surveys and free and reduced-price school lunch data. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.~~

~~(c)(e) The department shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation.~~

~~(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), and the state funds appropriated for charter school capital outlay in any fiscal year are less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year, the department must shall use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:~~

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(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, which has not been subsequently retired, and any amount of participation requirement pursuant to s. 1013.64(2)(a)8. ~~which that~~ is being satisfied by revenues raised by the discretionary millage.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of unweighted full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students of each eligible charter school to determine the capital outlay allocation for each charter school.

~~(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated to each eligible charter school in subsection (2) to determine the maximum calculated capital outlay allocation.~~

~~(e)~~ School districts shall distribute capital outlay funds to eligible charter schools no later than February 1 of each year, as required by this subsection, based on the amount of funds received by the district school board. School districts shall distribute any remaining capital outlay funds, as required by this subsection, upon the receipt of such funds until the total amount calculated pursuant to this subsection is distributed.

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20231328

By October 1 of each year, each school district shall certify to the department the amount of debt service and participation requirement that complies with the requirement of paragraph (a) and can be reduced from the total discretionary millage revenue. The Auditor General shall verify compliance with the requirements of paragraph (a) and s. 1011.71(2)(e) during scheduled operational audits of school districts.

Section 3. The amendments made by this act to s. 212.055(6)(b), Florida Statutes, do not apply to a resolution for a school capital outlay surtax adopted before July 1, 2023, pursuant to s. 212.055(6)(c), Florida Statutes, until such resolution is amended, renewed, or repealed in the manner provided for by law.

Section 4. This act shall take effect July 1, 2023.

04/04/23

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

1328

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Lauren Jackson**

Phone **931-265-8999**

Address **205 S. Adams St.**

Email **lauren@ericksconsultants.com**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

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

## PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**Ericks Consultants/ City of  
Pembroke Pines**

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

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

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

S-001 (08/10/2021)

4/4/23

The Florida Senate  
**APPEARANCE RECORD**

SB 1328

Meeting Date

Bill Number or Topic

Education

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

Committee

Amendment Barcode (if applicable)

Name Alice Kerce (k-ear-s) Phone \_\_\_\_\_

Address 215 S Monroe St Suite 710 Email alice@afidapromise.org  
Street

Tallahassee FL 32301  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

The Foundation for  
Florida's Future

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

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

SB 1328

Bill Number or Topic

4/4/23

Meeting Date

Education pre-K

Committee

Name

Gabriel Thomas

Phone

443 764 5335

Amendment Barcode (if applicable)

Address

263 N Fort Christmas Rd

Email

AFGEgabe@gmail.com

Street

Christmas FL 32709

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

4-4-2023

SB 1328

Meeting Date

Education Pre-K

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Pamela Burrell-Torlinson

Phone

727-692-1467

Address

5408 30th Ave N.

Email

berttley5550@yahoo.com

Street

Petersburg, FL 33710

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**

SB 1328

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

Jeremy Childress

Phone

386-233-4796

Address

488 Hickory St  
Street

Email

New Smyrna Beach FL 32108  
City State Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

4-4-2023

Meeting Date

Pre 12-12

Committee

SB 1328

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Rick Myers

Phone

904 610-5609

Address

940 17th Ave N

Street

Email

myersr48@hotmail.com

Jacksonville

City

FL

State

32250

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**

7/4/23

Meeting Date

DEK-12

Committee

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

1322

Bill Number or Topic

459292

Amendment Barcode (if applicable)

Name Yale Olenick (Florida Education Assoc) Phone \_\_\_\_\_

Address 203 S. Monroe Email \_\_\_\_\_

Street

Tallahassee

City

FL

State

32302

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

FEA

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

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

**OR**

Waive Speaking:

☐ In Support

☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:

FEA



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

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

SB 1328

4/4/23

Meeting Date

Education Pr K

Committee

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

Bill Number or Topic

Amendment Barcode (if applicable)

Name Tatshika Thomas

Phone 727.688-6209

Address 1130 Beekett St  
Street

Email tishajthomas@gmail.com

CLW FL 33705  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

SB 1328

414123

Meeting Date

Bill Number or Topic

Education Bill

Committee

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

Amendment Barcode (if applicable)

Name Charles Tribble

Phone 561-298-8998

Address 1510 W 13th Street

Email

Birmingham Beach FL

33404

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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S-001 (08/10/2021)

4/4/2023  
Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

SB 1328  
Bill Number or Topic

CHARTER SCHOOLS Edu.  
Committee

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

Amendment Barcode (if applicable)

Name MARY Candace HARVEY Phone 407-460-6514

Address 301 DAKOTA AVE Email yowcat@hotmail.com  
Street

ST Cloud FL 34769  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)



4/4/23  
Meeting Date

Edna Pre K  
Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB 1328  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Lorraine Boone

Phone 954-326-6086

Address 2650 SW 114th Terr apt 108  
Street

Email lboone2007@yahoo.com

Miami, FL 33025  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

SB-1328

4/4/23

Meeting Date

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

Bill Number or Topic

ED / Per K

Committee

Amendment Barcode (if applicable)

Name

Michael F Davis Sr

Phone

813-666-9173

Address

632 Marphil Loop

Email

vee.michael@aol.com

Street

Brandon

FL

33511

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

4 Apr 2023  
Meeting Date

Education Pre-K  
Committee

SB 1328  
Bill Number or Topic

Amendment Barcode (if applicable)

Name James Tatten

Phone 727-641-0171

Address 444 Northwest Blvd. N.

Email tattenj2011@gmail.com

St. Pete, FL 33702  
Street City State Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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

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S-001 (08/10/2021)

4/4/23  
Education Pre K

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

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

SB 1328

Bill Number or Topic

Committee

Name

Cynthia Thompson

Phone

361 281-0234

Address

19113 SW Taurus Lane

Email

cathy507CBT@gmail.com

Street

PSL

City

FL

State

34984

Zip

Amendment Barcode (if applicable)

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☒

In Support

☐

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without  
compensation or sponsorship.

☐

I am a registered lobbyist,  
representing:

☐

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

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

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S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

4/4/23

Meeting Date

Education Pre-K

Committee

SB1328

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name Tatiana Finlay

Phone 407-967-8977

Address 2454 Bexley Dr.  
Street

Email +finlayafge@gmail.com

Tavares

City

FL

State

32778

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

## PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

4/4/23  
Meeting Date

Education Pre-K  
Committee

SB 1328  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Groover Joseph Phone 407-625-9288

Address 2428 pershing Ave Email \_\_\_\_\_  
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:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Deliver both copies of this form to

Senate professional staff conducting the meeting

04/04/23

Meeting Date

SB 1328

Bill Number or Topic

education pre-K

Committee

Amendment Barcode (if applicable)

Name

Kimberly Katz

Phone

2152007162

Address

4695 Ellis Cir

Email

KimmyKaboom@gmail.com

Street

JHUENCL

City

FL

State

32780

Zip

Speaking:

☐

For

☐

Against

☐

Information

**OR**

Waive Speaking:

☐

In Support

☒

Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒

I am appearing without compensation or sponsorship.

☐

I am a registered lobbyist, representing:

☐

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

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

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S-001 (08/10/2021)



04/04/2023  
Meeting Date  
Education Pre-K  
Committee

The Florida Senate  
**APPEARANCE RECORD**

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

SB 1328  
Bill Number or Topic  
Amendment Barcode (if applicable)

Name Jovan Rodriguez

Phone 321 442 2141

Address 2841 Spring Breeze Way  
Street

Email jrodriguez.afg@gmail.com

Kissimmee FL 34744  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
compensation or sponsorship.

☐ I am a registered lobbyist,  
representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

SB 1328

04/4/2023

Meeting Date

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

Bill Number or Topic

Education Pre-K

Committee

Amendment Barcode (if applicable)

Name Keith Hamrah

Phone 407-973-2473

Address 2902 Katis Beth Ct

Email Katisbethmusie399@gmail.com

Street

Mississippi FL 34744

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

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

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

April 4<sup>th</sup> 2023

Meeting Date

SB 1328

Bill Number or Topic

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

Committee

Amendment Barcode (if applicable)

Name Sheryl Posey

Phone 815-404-8601

Address 3104 Lake Jean Drive

Email Saposcy818@gmail.com

Street

Orlando

City

FL

State

32817

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

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S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

4/4

Meeting Date

Education

Committee

1328

Bill Number or Topic

Amendment Barcode (if applicable)

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

Name BRIAN ANTOINE

Phone 504 296 9730

Address 13737 MEADOW PARK AVE

Email B.Antoine33@GMAIL.COM

Street

ORLANDO

FL

32826

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

## PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

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representing:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

4.4.23

Meeting Date

Education PreK-12

Committee

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

1328

Bill Number or Topic

Amendment Barcode (if applicable)

Name Damaris Allen

Phone 407.855.7604

Address 1747 Orlando Central Pkwy  
Street

Email legislative@Floridapta.org

Orlando, FL 32809  
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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4/4/2023

Meeting Date

Education PreK-12

Committee

1328

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Valerie Chuchman

Phone

Address

Street

Tampa, FL 33604

City

State

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**



I am appearing without  
compensation or sponsorship.



I am a registered lobbyist,  
representing:



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

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S-001 (08/10/2021)

4/4/2023

## APPEARANCE RECORD

1328

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

LoraJane Riedas

Phone

Address

Street

Tampa FL 33604

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  
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(travel, meals, lodging, etc.),  
sponsored by:

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S-001 (08/10/2021)



4/4/23

Meeting Date

Education PreK-12

Committee

The Florida Senate

## APPEARANCE RECORD

Deliver both copies of this form to  
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SB 1328

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Stephanie Kunkel**

Phone **850-320-4208**

Address **213 S Adams Street**

Email **Stephanie.Kunkel@floridaea.org**

Street

**Tallahassee**

**FL**

**32301**

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

### PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without  
compensation or sponsorship.

☒ I am a registered lobbyist,  
representing:

**Florida Education Association**

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

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S-001 (08/10/2021)



4/4/23

Meeting Date

Ed Pre K-12

Committee

Name Nicole Morse

Phone 8029895705

Address 4200 Community Dr #1409

Street

Email NIKKIMORSE@GMAIL.COM

West Palm Beach FL 33409

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

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

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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SB 1320

Bill Number or Topic

Amendment Barcode (if applicable)

**APPEARANCE RECORD**

4/4/23

Meeting Date

Education

Committee

Deliver both copies of this form to  
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SB 1328

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Bretchen Robinson

Phone

520-576-6706

Address

520 Ramona Lane

Street

Orlando

City

FL

State

32805

Zip

Email

pallas77gr@gmail.com

Speaking:



For



Against



Information

**OR**

Waive Speaking:



In Support



Against

**PLEASE CHECK ONE OF THE FOLLOWING:**I am appearing without  
compensation or sponsorship.I am a registered lobbyist,  
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S-001 (08/10/2021)

4/4/2023

Meeting Date

Senate Education

Committee

The Florida Senate

## APPEARANCE RECORD

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SB 1328

Bill Number or Topic

Amendment Barcode (if applicable)

Name Ron Steiger

Phone 786-494-4061

Address 20030 NE 20 Ct  
Street

Email rsteiger@dadeschools.net

Miami  
City

FL  
State

33179  
Zip

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

### PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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4/4/23

Meeting Date

SB1328

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Ashley Page Phone 407-538-1013

Address 906 Jamestown Dr Email murug  
Street

Winter Park FL 32792  
City State Zip

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

**PLEASE CHECK ONE OF THE FOLLOWING:**

☒ I am appearing without  
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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

4/4/23

Meeting Date

SB 1328

Bill Number or Topic

EDUCATION PRE K

Committee

Deliver both copies of this form to  
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Amendment Barcode (if applicable)

Name

Donna Pyley

Phone

754 235 9966

Address

2226 SE PEAR LANE

Email

Street

Port ST LOR FL 34952

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:

☐

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S-001 (08/10/2021)

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

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

---

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

---

BILL: SB 1564

INTRODUCER: Senator Stewart

SUBJECT: Year-round School Pilot Program

DATE: April 3, 2023

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

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

---

## **I. Summary:**

SB1564 establishes the Year-round School Pilot Program (program) beginning in the 2024-2025 school year. Specifically, the bill creates the program as a four year pilot for the Florida Department of Education (DOE) to assist district school boards in establishing year-round schools and to study the outcomes.

The bill requires the DOE to create an application process that includes certain elements.

The bill requires the DOE to select five school districts for participation in the program and outlines requirements for district school boards participating in the program, which includes submission of specific data to the DOE for an evaluation of the program.

At the conclusion of the program, the bill requires the Commissioner of Education to submit a report to the Governor and the Legislature that includes benefits to students and instructional personnel, barriers to implementation, and recommendation for expansion.

The bill takes effect on July 1, 2023.

## **II. Present Situation:**

### **Year-round Schools in Florida**

Florida law<sup>1</sup> requires each district school board to operate all public schools for a term of 180 days or the equivalent on an hourly basis.<sup>2</sup> Each district school board is required to set the

---

<sup>1</sup> Section 1001.42(12)(a), F.S.

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

opening and closing of schools with the earliest opening date for schools as August 10 of each year.<sup>3</sup>

Florida law authorizes year-round-schools.<sup>4</sup> For the 2021-2022 school year, there were 16 schools that were identified as year-round schools by the Department of Education (DOE),<sup>5</sup> most were aimed to serve students in Department of Juvenile Justice facilities or other alternative educational facilities. Charlotte County Public School district operates three elementary schools on year-round calendars. Brevard County Public Schools has one charter school that offers year-round instruction for elementary and middle school grades.

Florida law also provides for extended-school-year (ESY) programs that districts may apply to the Commissioner of Education for funds in order to plan and implement extended-school-year programs in their services areas.<sup>6</sup> These programs allow for extension of the school year to 210 days or more.<sup>7</sup> An ESY program is specially designed instruction and related services that are provided to a student with a disability beyond the normal school year of the school district, in accordance with the student's individual educational plan (IEP), and at no cost to the parents.<sup>8</sup>

### **Types of Year-round Calendars**

Most year-round schools operate as a “single-track” or “balanced calendar” where the general 180 day school year is spread over the entire year with smaller but more frequent breaks rather than a longer two to three month summer vacation.<sup>9</sup> A common model is the 45/15 version, wherein students attend school for a 45-day period, followed by a 15-day vacation. This cycle repeats four times throughout the school year, taking into account holidays that take place throughout the year.

Some year-round schools have operated on a “multi-track” system whereby scheduling students on different tracks with staggered vacations, administrators could expand the capacity of existing school buildings.<sup>10</sup> Essentially, one of the tracks of students is always on break so that the school can accommodate more students over the course of the year.

From 1999 to 2018 the percentage of U.S. public schools employing year-round calendars fell from about six percent of schools to three percent.<sup>11</sup> Literature characterizes some positive possible outcomes of year-round schools as:

- More frequent and evenly spaced breaks.
- Additional enrichment opportunities during short breaks.
- Less summer learning loss.<sup>12</sup>

---

<sup>3</sup> Section 1001.42(4), F.S.

<sup>4</sup> Section 1011.62(1)(q), F.S.

<sup>5</sup> Email, Keenen Vernon, Deputy Director of Legislative Affairs, Florida Department of Education (Mar. 30, 2023).

<sup>6</sup> Section 1011.62(1)(r), F.S.

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

<sup>8</sup> Rule 6A-6.03028(2)(d), F.A.C.

<sup>9</sup> U.S. News and World Report, *Pros and Cons of Year-Round School*, <https://www.usnews.com/education/k12/articles/the-pros-and-cons-of-year-round-school-calendars>, (last visited Mar. 30, 2023).

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

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

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

The same literature describes the following possible negative outcomes:

- Limited evidence of academic benefits.
- Childcare difficulties.
- Shorter summers.<sup>13</sup>

### III. Effect of Proposed Changes:

SB 1564 creates s. 1003.07, F.S., to establish the Year-round School Pilot Program (program) as a four year pilot beginning with the 2025-2025 school year. The program's purpose is to allow the Department of Education (DOE) to assist district school boards in establishing a year-round school program within their service area with a minimum of one elementary school participating. The pilot will study the issues, benefits and schedule options that could be employed across the state.

The bill requires the DOE to create an application process for districts to apply to participate in the program. The DOE is given authority to adopt rules to implement the program. The application process must include a number of elements which include:

- The number of students enrolled in schools that will be part of the program.
- The academic performance of the students in schools enrolled in the program.
- The rate of absenteeism and the tardiness of the students in schools enrolled in the program.
- The commitment of each school's instructional personnel and students to the program.
- An explanation of the benefits of the program.

The bill requires the Commissioner of Education to select five district school boards to participate in the program with an emphasis on having representative districts from a variety of demographics which must include urban, suburban, and rural schools. Program districts will implement either a single-track or multi-track schedule and provide data to the DOE to allow for analysis of the academic and safety benefits of the program, an evaluation of potential barriers for implementation of the program, and strategies for addressing barriers. The evaluation must include the following:

- Issues related to the commitment of personnel and students in the pilot.
- The provision of services during the summer months.
- Parental engagement.
- Coordination with community services.
- Student assessment and progression.
- Issues with transportation.

The bills requires the Commissioner of Education (commissioner) to report to the Governor, the President of the Senate, and the Speaker of the House of Representatives after the completion of the pilot. The bill includes specific information that must be included in the report as follows:

- The number of students enrolled in the program schools prior, during, and after the program.
- The health, academic, and safety benefits to the students and instructional personnel in the program.

---

<sup>13</sup> U.S. News and World Report, *Pros and Cons of Year-Round School*, <https://www.usnews.com/education/k12/articles/the-pros-and-cons-of-year-round-school-calendars>, (last visited Mar. 30, 2023).



- The barriers to implementation.
- Recommendations from the commissioner on the universal adoption of year-round schools.

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:**

This bill creates section 1003.07 of the Florida Statutes.

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

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

None.

**B. Amendments:**

None.

---

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

---

By Senator Stewart

17-01443-23

20231564\_\_

A bill to be entitled

An act relating to the Year-round School Pilot Program; creating s. 1003.07, F.S.; creating the Year-round School Pilot Program for a period of 4 school years beginning with a specified school year; providing the purpose of the program; providing an application process for school districts seeking to participate in the program; requiring the Commissioner of Education to select a certain number of school districts to participate in the program; providing requirements for participating school districts; requiring the commissioner to submit a report to the Governor and Legislature; providing requirements for the report; authorizing the State Board of Education to adopt rules; providing an effective date.

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

Section 1. Section 1003.07, Florida Statutes, is created to read:

1003.07 Year-round School Pilot Program.—Beginning with the 2024-2025 school year, the Year-round School Pilot Program is created for a period of 4 school years. The purpose of the program is for the Department of Education to assist school districts in establishing a year-round school program within at least one elementary school in a district and to study the issues, benefits, and schedule options for instituting year-round school programs for all students.

(1) (a) School districts shall apply to the Department of

Page 1 of 3

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

17-01443-23

20231564\_\_

Education, in a format and by a date prescribed by the department, to participate in the program. The application must include:

1. The number of students enrolled in the elementary school or schools that will implement a year-round school program.

2. The academic performance of the students enrolled in such school or schools.

3. The rate of absenteeism and tardiness of students enrolled in such school or schools.

4. The commitment of such school's or schools' instructional personnel and students to the year-round school program.

5. An explanation of how the implementation of the year-round school program will benefit the students.

(b) The Commissioner of Education shall select five school districts to participate in the program. To the extent possible, the commissioner shall select school districts that represent a variety of demographics, including, but not limited to, urban, suburban, and rural school districts.

(2) A school district selected for a year-round school program shall:

(a) Implement a single-track or multi-track schedule.

(b) Provide data to the department to allow for:

1. An assessment of the academic and safety benefits associated with establishing a year-round school program.

2. An evaluation of any potential barriers for the school district upon implementation of a year-round school program, including, but not limited to:

a. Issues related to the commitment of instructional

Page 2 of 3

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

17-01443-23

20231564\_\_

59 personnel and students.

60 b. The provision of services during the summer months.

61 c. School district budgeting.

62 d. Parental engagement and participation.

63 e. Coordination with community services.

64 f. Student assessment and progression practices.

65 g. Student transportation.

66 3. The consideration of strategies for addressing such  
67 potential barriers.

68 (3) Upon completion of the program, the commissioner shall  
69 provide a report to the Governor, the President of the Senate,  
70 and the Speaker of the House of Representatives. The report must  
71 include:

72 (a) The number of students enrolled at participating  
73 schools.

74 (b) The number of students enrolled at participating  
75 schools before and after the implementation of the year-round  
76 school program.

77 (c) Any health, academic, and safety benefits for students  
78 or instructional personnel from the implementation of the year-  
79 round school program.

80 (d) An evaluation of any potential barriers for school  
81 districts and families associated with a year-round school  
82 program.

83 (e) The commissioner's recommendation on the adoption of  
84 year-round school programs for all students.

85 (4) The State Board of Education may adopt rules to  
86 administer the program.

87 Section 2. This act shall take effect July 1, 2023.

The Florida Senate

# APPEARANCE RECORD

Education 4.4.23

Meeting Date

Education PreK-12

Committee

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

1564

Bill Number or Topic

Amendment Barcode (if applicable)

Name Damaris Allen, Florida PTA

Phone 407.855.7604

Address 1747 Orlando Central Parkway

Street

Email legislative@floridapta.org

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  
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S-001 (08/10/2021)

585

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

I, Cord Byrd, Secretary of State,  
do hereby certify that

***Esther Byrd***

is duly appointed a member of the  
**State Board of Education**

for a term beginning on the Eleventh day of March, A.D., 2022,  
until the Thirty-First day of December, A.D., 2025 and is subject  
to be confirmed by the Senate during the next regular session of  
the Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Twenty-Fifth day of January, A.D., 2023.*



Secretary of State



**RON DeSANTIS**  
GOVERNOR

RECEIVED  
DEPARTMENT OF STATE

2022 MAR 17 AM 10:10

SECTION OF ELECTIONS  
TALLAHASSEE, FL

March 11, 2022

Secretary Laurel M. Lee  
Department of State  
R.A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following appointment under the provisions of Section 1001.01, Florida Statutes:

Ms. Esther Byrd  
724 5<sup>th</sup> Street  
Neptune Beach, Florida 32266

as a member of the State Board of Education, filling a vacant seat previously occupied by Andy Tuck, subject to confirmation by the Senate. This appointment is effective March 11, 2022, for a term ending December 31, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis  
Governor

RD/ch

# OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED  
DEPARTMENT OF STATE  
2022 MAR 25 AM 8:48  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

STATE OF FLORIDA

County of Duval

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Member, Board of Education

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]  
Signature

Sworn to and subscribed before me by means of ☒ physical presence or  
☐ online notarization, this 23 day of March, 2022.

[Signature]  
Signature of Officer Administering Oath or of Notary Public

Paula Harrigan  
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced Florida Driver License



## ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

724 5th Street

Street or Post Office Box

Neptune Beach, FL 32266

City, State, Zip Code

Esther Byrd

Print Name

[Signature]  
Signature



**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

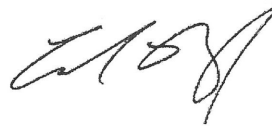
I, Cord Byrd, Secretary of State,  
do hereby certify that

***Grazie Christie***

is duly appointed a member of the  
**State Board of Education**

for a term beginning on the Eleventh day of March, A.D., 2022,  
until the Thirty-First day of December, A.D., 2025 and is  
subject to be confirmed by the Senate during the next regular  
session of the Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Sixth day of June, A.D., 2022.*



Secretary of State



**RON DeSANTIS**  
GOVERNOR

RECEIVED  
DEPARTMENT OF STATE  
2022 MAR 17 AM 10:10  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

March 11, 2022

Secretary Laurel M. Lee  
Department of State  
R.A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following appointment under the provisions of Section 1001.01, Florida Statutes:

Dr. Grazie Pozo Christie  
524 Hampton Lane  
Key Biscayne, Florida 33149

as a member of the State Board of Education, succeeding Marva Johnson, subject to confirmation by the Senate. This appointment is effective March 11, 2022, for a term ending December 31, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis  
Governor

RD/ch

# OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

STATE OF FLORIDA

County of MIAMI-DADE

2022 MAR 25 AM 9:00

NOTARY PUBLIC  
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Member of Board of Education  
(Title of Office)

on which I am now about to enter, so help me God.

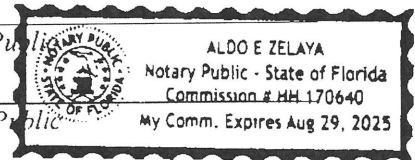
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]  
Signature

Sworn to and subscribed before me by means of ☒ physical presence or  
online notarization, this 17 day of MARCH, 2022.

Aldo E Zelaya  
Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known ☐ OR

Produced Identification ☒

Type of Identification Produced

Florida Drivers License

## ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

524 Hampton Lane  
Street or Post Office Box

Key Biscayne FL  
City, State, Zip Code  
33149

Grazie Christie  
Print Name

[Signature]  
Signature

# CourtSmart Tag Report

**Room:** KB 412      **Case No.:** -  
**Caption:** Senate Education Pre-K-12 Committee

**Type:**  
**Judge:**

**Started:** 4/4/2023 11:02:48 AM  
**Ends:** 4/4/2023 12:23:50 PM      **Length:** 01:21:03

11:02:48 AM Meeting called to order, roll call  
11:03:23 AM Quorum is present  
11:03:26 AM Chair Simon makes opening remarks  
11:03:36 AM Tab 2, SB 348- 9/11 Heroes Day by Senator Hooper  
11:03:49 AM Chair Simon recognizes Senator Hooper  
11:03:56 AM Senator Hooper explains the bill  
11:05:00 AM Senator Hooper waives close  
11:05:06 AM Roll call on SB 348  
11:05:23 AM Chair Simon reports the bill  
11:05:40 AM Tab 1, SB 4- Relief of Maria Garcia by the Pinellas County School Board by Senator Rouson  
11:06:00 AM Chair Simon recognizes Senator Rouson  
11:06:08 AM Senator Rouson explains the bill  
11:07:18 AM Debate:  
11:07:19 AM Senator Perry  
11:08:33 AM Senator Rouson waives close  
11:08:40 AM Roll call on SB 4  
11:08:56 AM Chair Simon reports the bill  
11:09:12 AM Tab 3, SB 444- District School Board Elections by Senator Ingoglia  
11:09:26 AM Chair Simon recognizes Senator Ingoglia  
11:09:30 AM Senator Ingoglia explains the bill  
11:09:51 AM Questions:  
11:09:53 AM Senator Osgood  
11:10:15 AM Senator Ingoglia  
11:11:06 AM Senator Osgood  
11:11:08 AM Senator Osgood  
11:11:59 AM Senator Ingoglia  
11:12:40 AM Senator Osgood  
11:12:58 AM Senator Ingoglia  
11:13:50 AM Senator Osgood  
11:14:14 AM Senator Ingoglia  
11:14:25 AM Chair Simon recognizes public testimony:  
11:14:36 AM Dr. Rich Templin, Florida AFL-CIO  
11:17:21 AM Chair Simon reads appearance cards waiving  
11:19:55 AM Debate:  
11:19:56 AM Senator Osgood  
11:24:39 AM Senator Ingoglia closes on the bill  
11:26:58 AM Senator Osgood  
11:27:15 AM Senator Ingoglia  
11:27:27 AM Roll call on SB 444  
11:27:44 AM Chair Simon reports the bill  
11:27:59 AM Tab 4, SB 780- Computer Science Instruction in K-12 Public Schools by Senator Calatayud  
11:28:27 AM Chair Simon recognizes Senator Calatayud  
11:28:37 AM Senator Calatayud explains the bill  
11:29:27 AM Amendment 939264  
11:29:33 AM Senator Calatayud explains the amendment  
11:30:06 AM Senator Calatayud waives close  
11:30:19 AM Chair Simon reports the amendment  
11:30:31 AM Questions:  
11:30:33 AM Senator Berman  
11:30:55 AM Senator Calatayud  
11:31:13 AM Chair Simon reads appearance cards waiving  
11:31:51 AM Senator Calatayud waives close

11:31:58 AM Roll call on CS/SB 780  
11:32:22 AM Chair Simon reports the bill  
11:32:26 AM Chair Simon passes the chair to Vice Chair Burgess  
11:32:37 AM Tab 5, SB 804- Required African-American Instruction by Senator Simon  
11:32:51 AM Chair Burgess recognizes Senator Simon  
11:32:58 AM Senator Simon explains the bill  
11:33:32 AM Questions:  
11:33:34 AM Senator Berman  
11:33:57 AM Senator Simon  
11:34:33 AM Chair Burgess reads appearance cards waiving  
11:35:08 AM Senator Simon closes on the bill  
11:37:09 AM Roll call on SB 804  
11:37:30 AM Chair Burgess reports the bill  
11:37:35 AM Chair Burgess passes the chair back to Senator Simon  
11:37:43 AM Tab 7, SB 1328- Charter School Capital Outlay Funding by Senator Boyd  
11:38:03 AM Chair Simon recognizes Senator Hutson  
11:38:11 AM Senator Hutson explains the bill  
11:38:14 AM Amendment 459292  
11:38:20 AM Senator Hutson explains the amendment  
11:38:56 AM Questions:  
11:38:58 AM Senator Jones  
11:39:09 AM Senator Hutson  
11:39:38 AM Senator Hutson waives close  
11:39:49 AM Chair Simon reports amendment  
11:39:54 AM Questions:  
11:39:57 AM Senator Jones  
11:41:25 AM Senator Hutson  
11:41:51 AM Senator Jones  
11:42:30 AM Senator Hutson  
11:42:50 AM Senator Jones  
11:42:57 AM Senator Hutson  
11:43:26 AM Senator Jones  
11:43:54 AM Senator Hutson  
11:44:15 AM Senator Jones  
11:44:39 AM Senator Hutson  
11:44:56 AM Senator Berman  
11:45:10 AM Senator Hutson  
11:45:37 AM Senator Berman  
11:45:41 AM Senator Hutson  
11:46:07 AM Senator Berman  
11:46:12 AM Senator Hutson  
11:46:17 AM Senator Berman  
11:46:23 AM Senator Hutson  
11:46:27 AM Senator Berman  
11:46:37 AM Senator Hutson  
11:46:40 AM Senator Osgood  
11:47:53 AM Senator Hutson  
11:48:13 AM Senator Osgood  
11:48:42 AM Senator Hutson  
11:48:53 AM Senator Osgood  
11:49:08 AM Senator Hutson  
11:50:09 AM Chair Simon recognizes public testimony:  
11:50:42 AM Ron Steiger, Finance Council  
11:52:31 AM Gretchen Robinson  
11:53:54 AM Chair Simon reads appearance cards waiving  
11:56:45 AM Debate:  
11:56:46 AM Senator Jones  
12:00:24 PM Senator Osgood  
12:02:11 PM Senator Calatayud  
12:03:47 PM Senator Grall  
12:05:21 PM Senator Berman  
12:06:29 PM Senator Hutson closes on the bill

12:07:12 PM Roll call on CS/SB 1328  
12:07:35 PM Chair Simon reports the bill  
12:07:42 PM Tab 9, SB 926- Florida Virtual Schools by Senator Rodriguez  
12:07:58 PM Amendment 442740  
12:08:09 PM Senator Rodriguez explains the amendment  
12:08:46 PM Senator Rodriguez waives close  
12:08:51 PM Chair Simon reports the amendment  
12:09:16 PM Chair Simon reads appearance cards waiving  
12:09:29 PM Senator Rodriguez waives close  
12:09:39 PM Roll call on CS/SB 926  
12:09:52 PM Chair Simon reports the bill  
12:10:00 PM Tab 8, SB 1564- Year-round School Pilot Program by Senator Stewart  
12:10:18 PM Chair Simon recognizes Senator Stewart  
12:10:23 PM Senator Stewart explains the bill  
12:11:38 PM Questions:  
12:11:41 PM Senator Hutson  
12:12:02 PM Senator Stewart  
12:12:13 PM Senator Hutson  
12:12:51 PM Senator Stewart  
12:13:13 PM Senator Osgood  
12:13:49 PM Senator Stewart  
12:14:25 PM Chair Simon reads appearance cards waiving  
12:14:41 PM Debate:  
12:14:44 PM Senator Jones  
12:15:59 PM Senator Osgood  
12:17:14 PM Senator Grall  
12:18:57 PM Senator Hutson  
12:19:54 PM Senator Stewart closes on the bill  
12:20:55 PM Roll call on SB 1564  
12:21:12 PM Chair Simon reports the bill  
12:21:31 PM Tab 9, Confirmation Hearing of Esther Byrd and Grazie Christie  
12:22:09 PM Roll call on Confirmation  
12:22:26 PM Chair Simon reports the confirmations  
12:22:40 PM Senator Avila moves to record a missed vote  
12:23:03 PM Senator Burgess moves to record a missed vote  
12:23:13 PM Senator Grall moves to record a missed vote  
12:23:22 PM Senator Perry moves to record a missed vote  
12:23:39 PM Meeting adjourned