

Tab 1	SB 166 by Simon ; Administrative Efficiency in Public Schools				
Tab 2	SB 296 by Bradley (CO-INTRODUCERS) Yarborough, Davis ; Identical to H 00343 Middle School and High School Start Times				
512394	D	S	RCS	ED, Bradley	Delete everything after 03/03 05:02 PM
Tab 3	SB 356 by Berman (CO-INTRODUCERS) Davis, Polsky, Arrington, Smith ; Identical to H 00251 Holocaust Remembrance Day				

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K - 12
Senator Simon, Chair
Senator Calatayud, Vice Chair

MEETING DATE: Monday, March 3, 2025**TIME:** 3:30—5:30 p.m.**PLACE:** Pat Thomas Committee Room, 412 Knott Building**MEMBERS:** Senator Simon, Chair; Senator Calatayud, Vice Chair; Senators Berman, Burgess, Collins, Davis, Gaetz, Osgood, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 166 Simon	Administrative Efficiency in Public Schools; Exempting district school boards from requirements for adopting certain rules; deleting a requirement for a district school board to employ an internal auditor in certain circumstances; requiring innovation schools of technology to comply with specified provisions relating to instructional multiyear contracts, in addition to annual contracts, for instructional personnel in addition to annual contracts; revising requirements relating to district school board attendance policies for Voluntary Prekindergarten Education Programs; revising requirements for assessments needed for a student to earn a high school diploma; providing requirements for advanced degrees which may be used to set salary schedules for instructional personnel and school administrators hired after a specified date; revising eligibility requirements for individuals to participate in the Teacher Apprenticeship Program, etc. ED 03/03/2025 Favorable AED FP	Favorable Yeas 7 Nays 0
2	SB 296 Bradley (Identical H 343, Compare H 261)	Middle School and High School Start Times; Deleting the duty of district school boards to adopt policies for middle school and high school start times; deleting a requirement that instructional days for middle schools and high schools begin no earlier than specified times; deleting a requirement that certain charter schools comply with middle school and high school start times, etc. ED 03/03/2025 Fav/CS AED FP	Fav/CS Yeas 6 Nays 1
3	SB 356 Berman (Identical H 251)	Holocaust Remembrance Day; Requiring the Governor to proclaim a specified day annually as "Holocaust Remembrance Day"; authorizing "Holocaust Remembrance Day" to be observed in this state's public schools and be observed by public exercise as the Governor may designate, etc. ED 03/03/2025 Favorable RC	Favorable Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA
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Monday, March 3, 2025, 3:30—5:30 p.m.

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

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 166

INTRODUCER: Senator Simon

SUBJECT: Administrative Efficiency in Public Schools

DATE: February 28, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick, Jahnke, Palazes, Sabitsch	Bouck	ED	Favorable
2.			AED	
3.			FP	

I. Summary:

SB 166 streamlines administrative processes for school districts by reducing regulations, increasing flexibility in policymaking, and enhancing financial and facilities management. Relating to:

- Assessment and accountability, the bill:
 - Expands the assessments that satisfy requirements for fourth grade progression.
 - Provides that students will not be required to pass Algebra 1 and grade 10 English Language Arts (ELA) assessments to earn a standard high school diploma, and requires that the grade 10 ELA assessment constitute 30 percent of the final course grade.
 - Eliminates certain school district requirements relating to the uniform assessment calendar, but requires the calendar to indicate state and district assessments.
 - Authorizes district school superintendents to establish deadlines for extraordinary exemptions from certain assessments.
 - Specifies that the value-added model (VAM) may not be the sole determinate in recruiting instructional personnel.
 - Requires State Board of Education (SBE) rule to provide a timeline for approving school turnaround plans and for the release of Title I funding.
- Instructional personnel, the bill:
 - Authorizes district school boards to determine personnel evaluation components, but requires at least half of the evaluation be based on student performance.
 - Expands eligibility requirements for the teacher apprenticeship program.
 - Removes an employment provision for a teacher to receive a CAPE bonus.
 - Clarifies options for an advanced degree that may be used for salary adjustments.
 - Specifies that collective bargaining may not preclude a district from providing salary supplements based on statewide or district teacher needs.
 - Creates a three-year instructional multiyear contract.
 - Establishes a 10-year renewable professional certificate.

- Authorizes school districts or regional consortia to issue temporary educator certificates.
- Limits the requirement for demonstration of general knowledge to classroom teachers.
- School district operations, the bill:
 - Exempts school boards from Administrative Procedures Act rulemaking requirements, but maintains requirements for public input and transparency.
 - Allows school boards to shorten the timeline to address student absenteeism.
 - Eliminates an obsolete requirement for districts exceeding class size limits to submit a compliance plan to the Department of Education (DOE) to mitigate a financial penalty.
 - Removes the requirement that certain districts employ an internal auditor, but maintains general financial audit requirements.
 - Clarifies that operator or provider requirements to protect student data do not also require certain provisions in school district contracts.
 - Authorizes district school board instructional materials purchases to follow the full five-year adoption cycle.
- School district facilities, the bill:
 - Removes prescribed 5-year, 10-year, and 20-year school facility work program mandates, but maintains requirements for district long-term facility planning.
 - Permanently eliminates cost-per-student-station limits on school construction projects.
 - Modifies the conditions for districts to employ an architect.
 - Repeals life-cycle cost analysis requirements for school construction projects.
 - Expands the use of funds for the sale of school district airspace.
- School district finance and budgets, the bill:
 - Removes the requirement for graphical representation of a district budget.
 - Expands district school board discretion in allocating Title I funding and clarifies that charter schools can access services or programs funded by Title I.
 - Expands allowable uses of the 1.5 mill discretionary capital levy proceeds to include ancillary and auxiliary facilities and additional vehicles used to transport students.
 - Requires charter schools to directly respond to expenditure questions from the DOE.
 - Expands the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.
 - Authorizes district school boards to determine the need to make up days lost because of a bona fide emergency.
- School choice, the bill:
 - Authorizes district school boards to determine controlled open enrollment capacity and reduces the frequency from every 12 weeks to twice a year.
 - Modifies the timeline for developing an Individualized Education Program for students receiving a Family Empowerment Scholarship for Students with Unique Abilities.
- Early learning, the bill:
 - Shifts oversight of public school Voluntary Prekindergarten (VPK) programs from early learning coalitions to the school district.
 - Authorizes public VPK programs to verify attendance using existing electronic systems.
- DOE and SBE oversight, the bill:
 - Clarifies that the SBE may adopt rules only within statutory authority.
 - Requires the DOE to provide district school boards with annual guidance on statutory and rule-based requirements.

The bill is effective July 1, 2025, except as otherwise specified.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Assessment and Accountability

Present Situation

Third Grade Retention

More than half of all states have a third-grade retention policy that either allows school districts or requires them to retain students based on a student's mastery of literacy.¹ Florida has long been a national leader in investments and policy ideas targeted at improving early grades literacy. Since 2002, Florida has mandated that third grade students who score at an achievement level 1 on a statewide, standardized assessment be retained unless a student meets a good cause exemption.² Students can meet a good cause exemption if one of the following criteria is met:³

- Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program.
- Students with disabilities whose Individual Education Plan (IEP) indicates that participation in the statewide assessment program is not appropriate.
- Students who demonstrate an acceptable level of performance on an alternative standardized reading or ELA assessment approved by the State Board of Education.
- A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts (ELA) assessment.
- Students with disabilities who take the statewide, standardized ELA assessment and who have an IEP, or a Section 504 plan that reflects that the student has received intensive instruction in reading or ELA for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.
- Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

In the 2022-2023 school year, 59,806 third grade students scored at an achievement level 1 on the final administration of the coordinated screening and progress monitoring (CSPM) assessment for grade 3 ELA (progress monitoring administration 3, or PM3).⁴ Of the 59,806 students who scored at an achievement level 1, 36,769 students were promoted to grade 4 by

¹ Sarah Schwartz, *3rd Grade Reading Retention: Why the Research is Complicated*, (Aug. 29, 2023), <https://www.edweek.org/teaching-learning/3rd-grade-reading-retention-why-the-research-is-complicated/2023/08> (last visited February 24, 2025).

² Ch. 2002-387, Laws of Fla.

³ Section 1008.25(7)(b)1.-6., F.S.

⁴ Florida Department of Education, *2023 Florida Assessment of Student Thinking and B.E.S.T. End-of-Course Assessments, FAST English Language Arts, Grades 3-10*, <https://www.fldoe.org/accountability/assessments/k-12-student-assessment/results/2023.stml> (last visited February 24, 2025).

meeting one of the good cause exemptions.⁵ The determination of whether or not to retain the student is made solely on the basis of PM3.⁶

High School Graduation Requirements

Nearly all states have established minimum credit and course requirements to earn a standard diploma, but graduation requirements may also serve to assess specific skills and content knowledge prioritized by the state, evaluate college and career readiness, or offer multiple pathways to a diploma.⁷ At least 34 states and the District of Columbia, require students to complete specific assessments to meet a graduation requirement.⁸ Eleven states require students to pass an ELA and/or a mathematics assessment to earn a standard high school diploma.⁹

Florida's High School Graduation Requirements

To earn a standard high school diploma a student must complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.¹⁰

The 24-credit option for a standard diploma includes:¹¹

- Four credits in ELA I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or career and technical education.
- One credit in physical education which includes the integration of health.
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.

Students enrolled in Algebra 1, Geometry, Biology, and U.S. History must participate in the corresponding end-of-course (EOC) assessment, and it must constitute 30 percent of the final course grade.¹² Additionally, all students must pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score, and must pass the statewide, standardized Algebra I EOC

⁵ Florida Department of Education, *Retentions and Non-Promotions, 3rd Grade Promotions: Good Cause Exemptions, 2022-23*, <https://www.fldoe.org/core/fileparse.php/7584/urlt/3rdPromotionExemption2223.xlsx>, (last visited February 24, 2025).

⁶ Section 1008.25(5)(c), F.S.

⁷ Education Commission of the States, *50- State Comparison: High School Graduation Requirements*, <https://www.ecs.org/50-state-comparison-high-school-graduation-requirements-2023/>, (last visited Feb. 25, 2025).

⁸ *Id.*

⁹ *Id.* Of those 11 states, two allow the use of a portfolio of work in lieu of passing an assessment and two states require students to pass the assessments if they do not choose a graduation pathway.

¹⁰ Section 1003.4282(1)(a), F.S.

¹¹ Section 1003.4282(3)(a)-(g), F.S.

¹² Florida Department of Education, *Academic Advisement – What Students and Parents need to Know: Students entering grade 9 in 2023-24 and Thereafter*, <https://www.fldoe.org/core/fileparse.php/7764/urlt/aaflyer-2324thereafter.pdf>, (last visited Feb. 25, 2025). The statewide, standardized end-of-course assessment in civics education constitutes 30 percent of the course grade in middle grades civics education. Section 1003.4156(1)(c), F.S.

assessment, or earn a comparative score, in order to earn a standard high school diploma.¹³ Students may satisfy the assessment requirement using a specified score on the SAT, ACT, Classic Learning Test, or PSAT/NMSQT. The use of concordant and comparative scores has significantly increased over the past six years, from 27.5 percent of graduates in 2018 satisfying assessment requirements using comparative and concordant scores to 42.9 percent in 2024.¹⁴

High School Graduation Requirements for Transfer Students and English Language Learners

Students who transfer to a Florida public high school from out of country, out of state, a private school, or a home education program and:

- The student's transcript shows a credit in Algebra I, the student must pass the statewide, standardized Algebra I EOC assessment to earn a standard high school diploma unless the student earned a comparative score or passed another mathematics assessment specified in law.¹⁵
- The student's transcript shows a credit in high school reading or English Language Arts II or III, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score.¹⁶

For students who enter a Florida public school in grade 11 or 12 from out of state or out of country, in order to receive a standard high school diploma students must pass the grade 10 ELA assessment, or earn a concordant score and must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score.¹⁷ Students who have been enrolled in an English for Speakers of Other Languages program for less than 2 school years and have met all requirements for the standard high school diploma except for passage the grade 10 ELA assessment may meet the requirement by satisfactorily demonstrating grade-level expectations on formative assessments.¹⁸

Pre-K-12 Assessments

The Department of Education (DOE) is required to operate a statewide assessment program designed to accurately measure the core curricula content of the state educational standards.¹⁹ Participation in the assessment program is mandatory for all school districts and all students attending public schools.²⁰

¹³ Section 1003.4282(3), F.S. A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns a specified score is not required to take the corresponding EOC assessment. Section 1008.22(3)(b)6., F.S.

¹⁴ Florida Department of Education, *Know Your Data Advanced Reports: High School Graduate Pathways*, https://knowyourdatafl.org/views/PK12-PathwaystoGraduation/GRADUATEPATHWAYS-MAP?:showAppBanner=false&:display_count=n&:showVizHome=n&:origin=viz_share_link&:isGuestRedirectFromVizportal=y&:embed=y, (last visited, Feb. 25, 2025). Florida Department of Education Emergency Orders No. 2020-EO-1 and No. 2021-EO-2 exempted students in the 2019-20 and 2020-21 graduation cohorts from the statewide standardized assessment requirements.

¹⁵ Section 1003.4282(6), F.S.

¹⁶ *Id.*

¹⁷ Section 1003.433(1), F.S.

¹⁸ Section 1003.433(3)(b), F.S.

¹⁹ Section 1008.22(3), F.S.

²⁰ *Id.*

The statewide, standardized CSPM system is used to measure student progress in public schools as well as in the Voluntary Prekindergarten (VPK) program to identify the educational strengths and needs of students.²¹ The CSPM system measures student progress in meeting the appropriate expectations in early literacy and mathematics skills and in ELA and mathematics standards.

Florida allows a student with a disability to receive an extraordinary exemption from an assessment if the IEP team determines that the student would be prevented from demonstrating mastery of skills measured by a statewide or alternate assessment.²² The IEP team may submit to the superintendent a written request for an extraordinary exemption at any time during the school year but not later than 60 days prior to the current year's assessment administration.²³

By January of each year, the Commissioner of Education must publish on the DOE's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next two school years. The uniform calendar must be provided to school districts in an electronic format that allows each school district and public school to populate the calendar with, at minimum, the following information when reporting the district assessment schedules must include:²⁴

- Whether the assessment is a district-required assessment or a state-required assessment.
- The specific date or dates that each assessment will be administered, including administrations of the CSPM system.
- The time allotted to administer each assessment.
- Whether the assessment is a computer-based assessment or a paper-based assessment.
- The grade level or subject area associated with the assessment.
- The date that the assessment results are expected to be available to teachers and parents.
- The type of assessment, the purpose of the assessment, and the use of the assessment results.
- A glossary of assessment terminology.
- Estimates of average time for administering state-required and district-required assessments, by grade level.

School districts are required to establish schedules for the administration of any statewide, standardized assessments and district-required assessments and approve the schedules as an agenda item at a district school board meeting. Each school district is required to publish the testing schedules on its website using the uniform calendar and submit the schedules to the DOE by October 1 of each year; however, the DOE is not required to post the assessment calendars on its website. Each public school must publish schedules for statewide, standardized assessments and district-required assessments on its website using the uniform calendar.²⁵

School Improvement and Turnaround

Florida's system of improving low-performing schools is referred to as "school improvement" (SI). Under SI, the lowest-performing schools receive more comprehensive, state-provided

²¹ Section 1008.25(8)(a)1., F.S.

²² Section 1008.212(2), F.S.

²³ Section 1008.212(3), F.S.

²⁴ Section 1008.22(7)(b), F.S.

²⁵ Section 1008.22(7)(d), F.S.

intervention and support than schools that are closer to meeting student achievement goals.²⁶ Intervention and support is required for traditional public schools earning a letter grade of “D,” or “F.”²⁷ Upon receipt of its first grade of “D,” a school is considered a Tier I SI school in need of support and intervention from the school district and the DOE.²⁸ Intensive intervention and support strategies must be applied through turnaround plans to schools earning two consecutive grades of “D” or a grade of “F.”²⁹

The DOE requires that a school that has been identified as an SI school must meet the following educator staff requirements:³⁰

- Provide a literacy coach who has a record of effectiveness as an English Language Arts teacher or coach with a value-added model (VAM) rating of Highly Effective or Effective.
- Provide a mathematics coach who has a record of effectiveness as a mathematics teacher or coach with a VAM rating of Highly Effective or Effective.
- Staff the SI school so that the percentage of instructional personnel with a VAM rating that is below effective is less than the district average if the district has more than five total schools and less than the state average, if the district has five or fewer schools.

Through section 1003 of Title I, the United States Department of Education administers three grants specifically targeted to improving student performance at schools in need of improvement:³¹

- Unified School Improvement Grant (UniSIG) grant – In the 2023-24 school year, Florida’s state allocation was \$72,623,399. The UniSIG grant is allocated to school districts to serve traditional and charter Title I public schools implementing comprehensive support and improvement activities to support the schools SI plan and provide resources to raise student achievement in the lowest-performing schools.
- UniSIG Supplemental Teacher and Administrator Allocation (STAA) - In the 2023-24 school year, Florida’s state allocation was \$30,000,000. The UniSIG STAA grant allocates funding for districts to recruit teachers, to schools in need of improvement, who have a rating of highly effective or effective according to VAM. Educators who teach grades K-3, ESE and ESOL certified teachers, and science teachers are often not eligible for the STAA award because they do not earn a VAM score.
- UniSIG Closing Achievement Gaps Between Subgroups and All Students (CAGSS) In the 2023-24 school year, Florida’s allocation was \$98,193,480. The UnSIG CAGSS support Local Educational Agencies that are serving low-performing subgroups of students in schools implementing targeted and comprehensive support and improvement activities.

²⁶ Section 1008.33(2)(b) and (4), F.S.; *see* rule 6A-1.099811, F.A.C. School Improvement requirements were originally established under the 2002 reauthorization of ESEA, otherwise known as the No Child Left Behind (NCLB) Act of 2001. Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

²⁷ Section 1008.33(3)(b), F.S.

²⁸ Rule 6A-1.099811(3)(a), F.A.C.

²⁹ Section 1008.33(4)(a), F.S.

³⁰ Rule 6A-1.099811, F.A.C. VAM is a statistical model used for the purpose of determining an individual teacher’s contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

³¹ Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023).

Effect of Proposed Changes

Third Grade Retention

The bill modifies s. 1008.25, F.S., to allow a score of level 2 or higher in English Language Arts for grade 3 on any administration of the CSPM system to be used for promotion of the student to grade 4. This would include the beginning, middle, and end-of-the year administrations (PM1, PM2, and PM3).

Florida's High School Graduation Requirements

The bill modifies s. 1003.4282, F.S., and s 1003.433 F.S., to provide that, effective upon becoming law, students are not required to pass the statewide, standardized grade 10 ELA assessment and pass the statewide, standardized Algebra I EOC assessment to earn a standard high school diploma. The bill provides that, effective upon becoming law, a student's performance on the statewide, standardized grade 10 ELA assessment constitutes 30 percent of the student's final course grade. The bill does not remove the requirement for students to take all statewide, standardize assessments or to meet the course requirements for the 24-credit diploma option.

Pre-K-12 Assessments

The bill amends s. 1008.22, F.S., to remove the requirement for school districts and schools to submit their uniform assessment calendar to the DOE. Instead, by November 1, each school district must post an assessment calendar on its website and include it in the district's parent guide. The calendar must indicate whether each assessment is state- or district-required and specify the grade bands or subject areas to which it applies. However, the bill maintains the prohibition against school districts exceeding 5 percent of a student's total school hours for administering:

- Statewide standardized assessments
- The coordinated screening and progress monitoring system
- District-required local assessments

The bill modifies s. 1008.212, F.S., regarding extraordinary exemptions for assessments to provide that a written request for an extraordinary exemption is subject to district-established deadlines, rather than the previous deadline of 60 days before the assessment. The bill also specifies that the first two administrations of the CSPM system or associated alternative assessments are exempt from extraordinary exemption requirements.

School Improvement and Turnaround

The bill modifies s. 1008.33, F.S., to require the DOE to adopt, in rule, a timeline for approving a district's turnaround plan and a timeline for the release of the UniSIG funding, which should not exceed 20 calendar days after the school improvement plan has been approved by the DOE. The bill also prohibits the use of VAM³² as the sole determinant in recruiting instructional personnel to provide school districts with greater flexibility in staffing schools identified as in need of improvement.

³² VAM is a statistical model used for the purpose of determining an individual teacher's contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

The provisions about high school graduation for in-state and transfer students are effective upon becoming a law.

Instructional Personnel

Present Situation

Personnel Evaluations

Under No Child Left Behind, states were required to develop and implement educator and school leader evaluation systems. The Every Student Succeeds Act removed the requirement, and instead allowed states and districts to develop and implement evaluation systems.³³

The Department of Education (DOE) is required to approve and monitor each school district's instructional personnel and school administrator evaluation systems.³⁴ Evaluation systems for instructional personnel and school administrators must:³⁵

- Be designed to support effective instruction and student learning growth, and evaluation results must be used when developing district and school-level improvement plans.
- Provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of the professional skills of instructional personnel and school administrators, and performance evaluation results must be used when identifying professional development.
- Include a mechanism to examine performance data from multiple sources, including opportunities for parents to provide input performance evaluations when appropriate.
- Identify those teaching fields for which special evaluation procedures and criteria are necessary.
- Differentiate among four levels of performance as follows:
 - Highly effective.
 - Effective.
 - Needs improvement or, for instructional personnel in the first three years of employment who need improvement, developing.
 - Unsatisfactory.
- Provide for training and monitoring programs based upon guidelines provided by the department to ensure that all individuals with evaluation responsibilities understand the proper use of the evaluation criteria and procedures.

Additionally, evaluation criteria must include:³⁶

- Performance of students. —At least one-third of a performance evaluation must be based upon data and indicators of student performance, as determined by each school district. This portion of the evaluation must include growth or achievement data of the teacher's students or, for a school administrator, the students attending the school.

³³ Education Commission on States, *ESSA: Quick Guides on top issues* (2016), <https://www.ecs.org/wp-content/uploads/ESSA-Quick-guides-on-top-issues.pdf>.

³⁴ Section 1012.34(1)(b), F.S.

³⁵ Section 1012.34(2)(a)-(f), F.S.

³⁶ Section 1012.34(3)(a), F.S.

- Instructional practice.—For instructional personnel, at least one-third of the performance evaluation must be based upon instructional practice. based upon each of the Florida Educator Accomplished Practices (FEAP). For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the FEAP and may include specific job expectations related to student support.
- Instructional leadership.—For school administrators, at least one-third of the performance evaluation must be based on instructional leadership. Evaluation criteria for instructional leadership must include indicators based upon each of the leadership standards adopted by the SBE.
- Other indicators of performance.—For instructional personnel and school administrators, the remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the State Board of Education (SBE) or identified by the district school board and, for instructional personnel, peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.

Beginning in 2011, school districts were required to use the state’s learning growth model (Value-Added Model or VAM) for statewide assessment-related courses in educator evaluations; school districts could also request to use alternatives to the state growth model in educator evaluations.³⁷ In Florida, VAM is used to measure the contribution of a teacher or school to student learning growth. VAM measures the difference in each student’s actual performance on a statewide assessment from that student’s expected performance, which accounts for specific student and classroom factors that impact the learning process. VAM scores are produced for the teachers of the following grades and subjects:³⁸

- English Language Arts (4th–10th);
- Mathematics (4th–8th); and
- Algebra 1 (8th and 9th grades only).

In 2017, the requirement that school districts had to use VAM as the component for student performance was removed and school districts were allowed to develop their own measure of student performance.³⁹ Although VAM is not required to be used in school district evaluation systems, the DOE requires that only educators with a highly-effective or effective VAM score are eligible for the UniSIG Supplemental Teacher and Administrator Allocation.⁴⁰ The VAM requirement for eligibility, generally excludes educators who teach in grades K-3, ESE and ESOL certified teachers, and science teachers.

³⁷ Ch. 2011-01, Laws of Fla.

³⁸ Florida Department of Education, *Florida’s Value-Added Models (VAM) Frequently Asked Questions* (2024), available at .

³⁹ Ch.2017-116, Laws of Fla.

⁴⁰ Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023). The UniSIG STAA grant allocates funding for districts to recruit teachers, to low-performing schools who have a rating of highly effective or effective according to VAM. Educators with a highly-effective VAM rating can receive up to \$15,000 and educators with an effective VAM rating can receive up to \$7,000.

Teacher Bonus Awards for CAPE Industry Certifications

The Florida Education Finance Program (FEFP) provides additional full-time equivalent (FTE) student membership funding for students who successfully complete career-themed courses, courses embedded with CAPE industry certifications, or CAPE Digital Tool certificates, and who earn industry certifications included on the CAPE Industry Certification Funding List. The additional FTE calculation follows a structured framework.⁴¹

- CAPE Digital Tool certificates earned by elementary and middle school students generate 0.025 FTE per student.
- Industry certifications embedded in career courses receive 0.1 FTE per student, or 0.2 FTE per student if the certification has a statewide articulation agreement for college credit.
- Students completing at least three courses and earning an industry certification within a single career and technical education program generate 0.3 FTE per student.
- CAPE Acceleration Industry Certifications that articulate for 15-29 college credit hours generate 0.5 FTE per student, while certifications that articulate for 30 or more college credit hours receive 1.0 FTE per student.

There is also bonus funding for teachers who provide the instruction for students who earn one of these digital tools or industry certifications. The school district is required to distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional FTE membership:⁴²

- A bonus of \$25 per student for certifications weighted at 0.1.
- A bonus of \$50 per student for certifications weighted at 0.2.
- A bonus of \$75 per student for certifications weighted at 0.3.
- A bonus of \$100 per student for certifications weighted at 0.5 or 1.0.

Bonuses must be awarded to teachers employed by the district in the year the additional FTE membership is calculated. Bonuses are based on the CAPE industry certification weight for the year the student earns the certification.⁴³ Similar teacher bonuses for student success in Advanced Placement, Advanced International Certificate of Education, and International Baccalaureate exams do not require employment with the funds are distributed.⁴⁴

In the 2022-2023 school year, 133,465 students who were enrolled in a registered CAPE Academy⁴⁵ or in a career-themed course⁴⁶ earned at least one industry certification.⁴⁷

⁴¹ Section 1011.62(1)(o)1., F.S.

⁴² Section 1011.62(1)(o), F.S.

⁴³ Section 1011.62(1)(o), F.S. (Flush left)

⁴⁴ See s. 1011.62(1)(l)-(n), F.S.

⁴⁵ Section 1003.493(1)(a), F.S. A “career and professional academy” is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Commerce.

⁴⁶ Section 1003.493(1)(b), F.S. A “career-themed course” is a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

⁴⁷ Florida Department of Education, *State Secondary: Career, Technical, and Adult Education 2022-2023 Summary*, available at <https://www.fldoe.org/file/9904/2223DataSecondary.pdf>, at 5.

Salary Schedules and Collective Bargaining

District school boards are required to designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees.⁴⁸ Additionally school districts are required to develop a compensation and salary schedule that includes:

- Grandfathered salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. A district school board is required to base a portion of each employee's compensation upon performance demonstrated under the districts evaluation system and must provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.⁴⁹
- Performance salary schedules to be used as the basis for paying all school employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule. Performance salary schedules are required to provide annual salary adjustments for instructional personnel and school administrators based upon the personnel evaluation.⁵⁰

School districts are prohibited from using advanced degrees in setting a salary schedule for instructional personnel or school administrators hired on or after July 1, 2011, unless the advanced degree is held in the individual's area of certification and is only a salary supplement.⁵¹

School districts engage in collective bargaining with employee unions, but certain responsibilities cannot be negotiated away. Collective bargaining agreements cannot prevent a school district from exercising its authority regarding:⁵²

- Providing incentives to effective and highly effective teachers.
- Implementing intervention and support strategies to address low student performance and improve academic outcomes and attendance.
- Enforcing student discipline policies, including reviewing a student's abilities, past performance, behavior, and needs.
- Implementing school safety plans and requirements.
- Implementing staff and student recognition programs.
- Distributing correspondence to parents, teachers, and the community related to daily school and district operations.
- Providing any required notices or copies of information related to district school board or district operations, which is readily available on the school district's website.
- The school district's calendar.

⁴⁸ Section 1012.22(1), F.S.

⁴⁹ Section 1012.22(1)(c) 4., F.S.

⁵⁰ Section 1012.22(1)(c) 5., F.S.

⁵¹ Section 1012.22(1)(c) 3., F.S.

⁵² Section 1012.22(3)(a), F.S.

Educator Contracts

Each person employed as a member of the instructional staff in any district school system is entitled to and must receive a written contract.⁵³ Three types of contracts are used to employ instructional personnel in Florida—continuing contracts, professional service contracts, and annual contracts.

An annual contract is an employment contract for a period of no longer than one school year that a district school board may choose to award or not award without cause.⁵⁴ As of July 1, 2011, instructional personnel may only be employed on an annual contract basis. For newly hired instructional personnel, beginning in July 1, 2011, school districts are required to award a probationary contract and after successful completion of the probationary contract, the district school board may award an annual contract.⁵⁵ An annual contract may be awarded only if the employee:⁵⁶

- Holds an active professional certificate or temporary certificate.
- Has been recommended by the district school superintendent for the annual contract based upon the individual's evaluation and approved by the district school board.
- Has not received two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, or 3 consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.

Instructional personnel hired on or after July 1, 1984, and up to July 1, 2011, were awarded professional service contracts after three years of probationary service on annual contracts. Professional service contracts were automatically renewed each year, unless the employee was charged with unsatisfactory performance based upon his or her annual performance evaluation or the employee's performance evaluations indicate chronically ineffective performance.⁵⁷

Instructional personnel hired before July 1, 1984, entered into continuing contracts upon meeting eligibility requirements. After completing three years of probationary service on annual contracts. A continuing contract entitled the employee to continued employment without the necessity of annual renewal until discontinuation of the position, resignation, dismissal, or removal from continuing contract status.⁵⁸

Nondegreed Teachers of Career Education

Each district school board is required to establish the minimal qualifications for part-time and full-time nondegreed teachers of career programs. The qualifications for such teachers must

⁵³ Section 1012.33(1)(a), F.S.

⁵⁴ Section 1012.335(1)(a), F.S.

⁵⁵ Section 1012.335(2)(a), F.S.

⁵⁶ Section 1012.335(2)(c), F.S.

⁵⁷ Section 1012.33(3), F.S.

⁵⁸ Section 231.36(3)(e), F.S. (1981). A continuing contract employee may be dismissed or returned to annual contract status for a period of three years based upon the recommendation of the district school superintendent, school principal, or a majority of the school board. Section 1012.33(4)(b), F.S.; see also s. 231.36(4), F.S. (1981).

require the filing of a complete set of fingerprints for background screening and documentation of:⁵⁹

- A high school diploma or the equivalent.
- Completion of 3 years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.
- For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students.
- Completion of an industry certification when state or national industry certifications are available and applicable.

Teacher Apprenticeship Program

In 2023, the legislature created the Teacher Apprenticeship Program (TAP).⁶⁰ The TAP was created as an alternative pathway for an individual to enter the teaching profession. The DOE is required administer the program in accordance with legislative intent regarding apprenticeship training⁶¹ provided for in law.

To meet the minimum eligibility requirements to participate in the TAP, a candidate must have:⁶²

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

As a condition of participating in the TAP, an apprentice teacher must be appointed by the district school board as an education paraprofessional and must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law⁶³ and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.⁶⁴

Educator Certification

Educational personnel in public schools must possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence to demonstrate an acceptable level of professional performance.⁶⁵ For a person to serve as an

⁵⁹ Section 1012.39(1)(c), F.S.

⁶⁰ Ch. 2023-38, s. 6, Laws of Fla.

⁶¹ Section 446.011, F.S. provides that it is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their abilities; to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills.

⁶² Section 1012.555, (2)(a)1.-4., F.S.

⁶³ “Team teaching” or “co-teaching” means two or more teachers are assigned to a group of students and each teacher is responsible for all the students during the entire class period. Section 1003.03(5) (c), F.S.

⁶⁴ Section 1012.555(2)(c) and (d), F.S.

⁶⁵ Section 1012.54, F.S.

educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.⁶⁶

The SBE designates the certification subject areas, establishes competencies, and adopts rules by which educator certificates are issued by the DOE to qualified applicants.⁶⁷

To seek educator certification, a person must attest to uphold the principles of the United States and meet other general eligibility requirements, which include receipt of a bachelor's or higher degree from an approved postsecondary institution and minimum age, background screening, moral character, and competence requirements.⁶⁸

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:⁶⁹

- General knowledge;
- Subject area knowledge; and
- Professional preparation and education competence.

Acceptable means of demonstrating mastery of general knowledge include:⁷⁰

- Achievement of passing scores on the general knowledge (GK) examination;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the SBE;
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that meets certain criteria;
- Achievement of passing scores on national or international examinations with comparable verbal, writing, quantitative reasoning, and rigor as the GK exam, including but not limited to Graduate Record Examination; or
- Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.

A school district that employs an individual who does not achieve passing scores on any subtest of the GK examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. The requirement of mastery of general knowledge must be waived for an individual who has been provided 3 years of support and instruction and who has been rated effective or highly effective for each of the last 3 years.⁷¹

⁶⁶ Sections 1012.55(1) and 1002.33(12)(f), F.S.

⁶⁷ Section 1012.55(1) (a), F.S.

⁶⁸ Section 1012.56(2), F.S., and Rule 6A-4.003, F.A.C.

⁶⁹ Section 1012.56(2)(g)-(i), F.S.

⁷⁰ Section 1012.56(3), F.S.

⁷¹ Section 1012.56(3), F.S. (flush left)

The acceptable means of demonstrating mastery of subject area knowledge include passing a subject area or other alternative examination as approved by the SBE, having a valid teaching certificate from another state, having a valid certificate from the NBPTS, or a passing score or program completion of a specified defense language proficiency test or program.⁷²

A candidate for a professional certificate may demonstrate professional preparation and education competence through the completion of a teacher preparation program and a passing score on the corresponding professional education competency exam required by the SBE.⁷³ Other means include a valid certification from another state, postsecondary teaching experience, or completion of a professional learning certification program.⁷⁴

For the renewal of a professional certificate, applicants must earn a minimum of 6 college credits or 120 inservice points or a combination thereof, which must include at least 1 college credit or 20 inservice points in teaching students with disabilities. All renewal credits must be earned during the validity period and prior to the expiration date of the current professional certificate.⁷⁵ In lieu of college credit or inservice points, applicants may renew a subject area specialization by passing a state board approved Florida-developed subject area examination.⁷⁶

For renewal of a professional certificate in any area of certification identified by SBE rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of 2 college credits or 40 inservice points in evidence-based instruction and interventions grounded in the science of reading.⁷⁷

A temporary teaching certificate is valid for five school fiscal years and is nonrenewable.⁷⁸ The DOE is required to issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer and is required to electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant an official statement of status of eligibility at the time the certificate is issued.⁷⁹

The DOE must issue a temporary certificate to any applicant who:⁸⁰

- Completes applicable subject area content requirements or demonstrates mastery of subject area knowledge by, for example, successful completion of an approved exam; and

⁷² Section 1012.56(5), F.S., and Rule 6A-4.002(4), F.A.C.

⁷³ Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida*, incorporated by reference in rule 6A-4.0021, F.A.C.

⁷⁴ Section 1012.56(6), F.S.

⁷⁵ Section 1012.585(3), F.S. and Florida Department of Education, *Florida Educator Certification Renewal Requirements*, <https://www.fldoe.org/teaching/certification/renewal-requirements/> (last visited Feb. 25, 2025).

⁷⁶ Section 1012.585(3)(b), F.S.

⁷⁷ Section 1012.585(3)(f), F.S. The evidence-based instruction and interventions grounded in the science of reading must be specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies.

⁷⁸ Section 1012.56(7), F.S.

⁷⁹ Section 1012.56(1)(b), F.S.

⁸⁰ Section 1012.56(7)(b) and (d), F.S. As specified in law, alternative pathways for a temporary certificate are available for military service members and participants in the Teacher Apprenticeship Program.

- Holds an accredited degree or a degree approved by the DOE at the level required for the subject area specialization in SBE rule.

A person issued a temporary certificate must be assigned a teacher mentor for a minimum of two school years after commencing employment. Each teacher mentor selected must:⁸¹

- Hold a valid professional certificate;
- Have earned at least 3 years of teaching experience in prekindergarten through grade 12; and
- Have earned an effective or highly effective rating on the prior year's performance evaluation.

A classroom teacher under a temporary certificate has the validity period of the certificate to complete the remaining requirements of general knowledge and professional preparation and education competence in preparation for application for a professional certificate.⁸²

Effect of Proposed Changes

Personnel Evaluations

The bill modifies s. 1012.34, F.S., to remove the requirement that a school district receive approval from the DOE on its personnel evaluation systems; however school districts must still submit the personnel evaluation systems to the DOE. The bill makes changes to the required components in a school district's evaluation system, by:

- Providing school districts flexibility on how to evaluate the instructional practice components for educators and instructional leadership components.
- Requiring that at least half of a performance evaluation be based upon data and indicators of student performance.

The bill also prohibits the use of VAM as the sole determinant for any incentive pay for instructional personnel or school administrators.

Teacher Bonus Awards for CAPE Industry Certifications

The bill modifies s. 1011.62, F.S., to remove the requirement that a teacher must be employed by the district at the time the additional FTE membership calculation is made to receive a CAPE industry certification bonus.

Salary Schedules and Collective Bargaining

The bill modifies s. 1012.22, F.S., to clarify that an advanced degree used for salary adjustments does not have to be solely in the individual's area of certification, instead, it allows for flexibility by permitting either a doctorate or master's degree in the certification area or any doctorate or master's degree that includes at least 18 graduate semester hours in the certification area.

⁸¹ Section 1012.56(7), F.S.

⁸² Florida Department of Education, *Upgrading from the Temporary to the Professional Certificate*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/moving-from-the-temporary-to-the-profe.stml> (last visited Feb. 25, 2025).

The bill also specifies that collective bargaining may not preclude a district from providing salary supplements based on identified critical statewide or district needs.

Educator Contracts

The bill modifies s. 1012.335, F.S., to allow instructional personnel hired on or after July 1, 2011, to be offered, beginning July 1, 2026, an instructional multiyear contract. An instructional multi-year contract is an employment contract for a period not to exceed 3 years which the district school board may choose to award upon completion of a probationary contract and at least one annual contract. The instructional multiyear contract may only be awarded to an employee if he or she:

- Holds an active professional certificate or temporary certificate;
- Has been recommended by the district school superintendent for the instructional multiyear contract based upon the individual's evaluation under and approved by the district school board; and
- Has not received an annual performance evaluation rating of unsatisfactory or needs improvement.

The bill requires that an employee awarded an instructional multiyear contract who receives an annual performance evaluation rating of unsatisfactory or needs improvement must be returned to an annual contract in the following school year. Such evaluation rating must be included with the evaluation ratings under subsequent annual contracts for determinations of just cause.⁸³

Nondegreed Teachers of Career Education

The bill modifies s. 1012.39, F.S., to provide flexibility from certification requirements for school boards in hiring non-degree CTE teachers by removing the 3-year experience and specified training requirements in favor of a minimum level established by the district school board.

Teacher Apprenticeship Program

The bill modifies s. 1012.555, F.S., to expand eligibility for the teacher apprenticeship program by allowing candidates who are enrolled in a postsecondary institution to be eligible for the apprenticeship program, instead of requiring the candidate to have earned an associate degree prior to being eligible. The bill also expands eligibility for the teacher apprenticeship program by authorizing individuals who are working in the district as a paraprofessional but not necessarily employed through the district, to enroll in the teacher apprenticeship program. This would allow paraprofessionals who are contracted by the district through a staffing agency to qualify as a teacher candidate.

⁸³ Section 1012.33, F.S. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: immorality, misconduct in office, incompetency, two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory, gross insubordination, willful neglect of duty, or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

Educator Certification

The bill modifies s. 1012.56, F.S., to specify that the requirement to demonstrate mastery of general knowledge applies only to individuals serving as classroom teachers thereby removing from the requirement instructional personnel such as librarians/media specialists, school counselors, and social workers.

The bill authorizes school districts or regional education consortia⁸⁴ to issue temporary certificates and requires the DOE to adopt reporting requirements regarding the award of such certificates.

The bill also adds a requirement for applicants of a temporary apprenticeship certificate to complete the subject area content requirements or demonstrate mastery of subject area knowledge.

The bill modifies the renewal of educator certification requirements in s. 1012.585, F.S., by:

- Establishing an additional professional certificate with a 10-year validity period. Applicants for the 10-year professional certificate must have been awarded at least one 5-year professional certificate and must have been rated highly effective in the first 4 years of the 5-year validity period of his or her professional certificate.
- Specifying that applicants rated effective or highly effective for the first 9 years of the 10-year validity period of his or her professional certificate are eligible to renew the 10-year professional certificate and must earn a minimum of 9 college credits or 180 inservice points or a combination thereof to renew the 10-year professional certificate. The applicant must earn a minimum of 5 college credits or 100 inservice points or a combination thereof within the first 5 years of the 10-year professional certificate. An applicant who does not meet the initial or renewal requirements for a 10-year professional certificate may be awarded a 5-year professional certificate.
- Authorizing district school boards to reduce the renewal requirements for applicants on their initial 5-year professional certificate by 1 credit or 20 inservice hours if the applicant has been rated highly effective in at least 3 years of the 5-year validity period of his or her initial professional certificate.

School District Operations

Present Situation

District School Board Policymaking

District school boards derive their primary policymaking authority from the Florida Constitution, which grants them the power to operate, control, and supervise all free public schools within the district and to determine the local school tax rate.⁸⁵ The Administrative Procedures Act (APA) applies to district school boards only when they act pursuant to statutory authority rather than

⁸⁴ A regional education consortium is a non-profit, educational service agency established to provide cooperative services to small and rural member districts. The regional education consortia in Florida are the North East Florida Educational Consortium, Heartland Educational Consortium, and the Panhandle Area Educational Consortium.

⁸⁵ FLA. CONST. art. IX, s. 4(b).

their constitutional authority.⁸⁶ Policies adopted under constitutional authority are subject to judicial review, typically in the local circuit court.⁸⁷

The Legislature also identifies the general powers of district school boards. These include, for example, the authority to:⁸⁸

- Determine policies and programs necessary for the efficient operation and general improvement of the district school system, provided they align with state law and rule.
- Adopt rules under the APA to implement their statutory duties and supplement those established by the SBE and commissioner.
- Establish standards and policies that ensure every student has access to a comprehensive education program, including language arts, mathematics, science, social studies, health, physical education, foreign languages, and the arts, as outlined by state academic standards.

When promulgating rules under the APA, district school boards are required to notify the public:⁸⁹

- By publication in a newspaper in the affected area or on a publicly accessible website;
- By mail to all persons who have made requests for advance notice of its proceedings and to organizations representing persons affected by the proposed rule; and
- By posting in appropriate places so that those particular classes of persons to whom the intended action is directed may be duly notified.

Unlike state agencies, which must adhere to the APA, local government entities—including counties, municipalities, and special districts—are not subject to APA rulemaking procedures. Instead, they must comply with Florida’s open government laws, including:

- Florida’s Sunshine Law, which requires all meetings of local government boards to be open to the public, with reasonable notice provided.⁹⁰
- Requirements for notices of public meetings to include information on how affected persons may appeal decisions made at the meeting.⁹¹
- Requirements for public participation, which guarantee the public a reasonable opportunity to be heard before local governing bodies make decisions.⁹²

Charter schools are not required to follow rulemaking procedures prescribed by the APA.⁹³

Instructional Materials Purchase and Reporting

Each district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students.⁹⁴ Adequate instructional materials is defined as a sufficient number of student or site licenses or set or materials that are available in bound,

⁸⁶ See s. 120.52(1)(a) and (6), F.S. See also *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

⁸⁷ See *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

⁸⁸ Section 1001.41, F.S.

⁸⁹ Section 120.81(1)(d), F.S.

⁹⁰ Section 286.011, F.S.

⁹¹ Section 286.0105, F.S.

⁹² Section 286.0114, F.S.

⁹³ Section 1002.33(16), F.S.

⁹⁴ Section 1006.28(2), F.S.

unbound, kit or package form and may consist of textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media and computer courseware or software that serve as the basis for instruction for each student in the core subject areas.⁹⁵ The core subject areas are mathematics, language arts, social studies, science, reading and literature. Each district school board is required to purchase current instructional materials to provide for each student in grades K-12 with a major tool of instruction for core courses. Purchases are required to be made within the first three years after the effective date of the adoption cycle for materials adopted by the state.⁹⁶

Each district school board or a consortium of school districts may implement an instructional materials program that includes the review, recommendation, adoption, and purchase of instruction materials.⁹⁷ Procedures for the adoption of instructional materials by school districts or a consortium of school districts are specified in law.⁹⁸

Student Online Personal Information Protection Act

K-12 schools and district school boards rely on hundreds of technology service providers each school year for various operational and educational needs. These providers offer services such as data storage, educational games, learning management systems, attendance tracking, and other essential functions.⁹⁹ The privacy protections that each company must implement can vary based on the type and sensitivity of student data they hold and how it is collected, used, or shared.¹⁰⁰ Contracting individually with each service provider to ensure this protection is often extremely difficult for both district school boards and companies.¹⁰¹

The Student Online Personal Information Protection Act (SOPIPA)¹⁰² establishes clear restrictions on operators of websites, online services, or applications used for K-12 school purposes. Specifically, SOPIPA prohibits operators from collecting, disclosing, or selling student data, or from using it for targeted advertising.¹⁰³ Violations of SOPIPA constitute deceptive and unfair trade practices under the Florida Deceptive and Unfair Trade Practices Act, with enforcement authority vested solely in the Department of Legal Affairs.¹⁰⁴

While SOPIPA directly regulates operators' handling of student data, an existing SBE rule imposes additional obligations on district school boards and charter schools. This rule requires that all contracts or agreements with third-party vendors or service providers contain additional provisions safeguarding the privacy of education records and personally identifiable student information.¹⁰⁵

⁹⁵ Section 1006.28(1)(a)1., F.S.

⁹⁶ Section 1006.40(3)(a), F.S.

⁹⁷ Section 1006.283(1), F.S.

⁹⁸ Section 1006.28(2), F.S.

⁹⁹ Student Privacy Compass, *The First National Model Student Data Privacy Agreement Launches*, <https://studentprivacycompass.org/the-first-national-model-student-data-privacy-agreement-launches/> (last visited Feb. 25, 2025).

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² Section 1006.1494, F.S.

¹⁰³ Section 1006.1494, F.S.

¹⁰⁴ Section 1006.1494(7), F.S.

¹⁰⁵ Rule 6A-1.09550(4)(a), F.A.C.

Internal Auditor

All district school boards are required to conduct an annual financial audit of their accounts and records by an independent certified public accountant.¹⁰⁶ In addition, school districts receiving annual federal, state, and local funds in excess of \$500 million are required to employ an internal financial auditor.¹⁰⁷

School Financial Report

Parents of public school students have the right to an easy-to-read report card about the school's grade designation or, if applicable, the school's improvement rating, and the school's accountability report, including the school financial report. The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, which must also be included in the student handbook or a similar publication.¹⁰⁸

Maximum Class Size

Each year, on or before the October student membership survey, the following class size maximum number of students assigned to each teacher who is teaching a core-curricula course¹⁰⁹ in a public school classroom may not exceed:¹¹⁰

- 18 students in prekindergarten through grade 3;
- 22 students in grades 4 through 8; and
- 25 students in grades 9 through 12.

These class size maximums must be maintained after the October student membership survey. District school boards have the flexibility to determine whether it is warranted to assign a student enrolled after the October student membership survey to a class that will exceed the maximum size. If determined by the district school board to exceed the class size maximums after the October membership survey, the district school board is required to develop a plan to ensure that the school will be in full compliance with the maximum class size limits by the next October student membership survey. This plan is not required to be submitted to the DOE.¹¹¹

The DOE must calculate compliance with class size maximums for traditional schools, charter schools, and district-operated schools of choice using data from the October student membership survey.¹¹² A memorandum is sent from the DOE to notify school districts and charter schools of their class size compliance and the details of the process and timeline for appeals and submission of compliance plans.¹¹³ In 2023, the Legislature repealed the class size reduction penalty calculation for schools exceeding the class size limits.¹¹⁴ The certified compliance plan school

¹⁰⁶ Section 218.39(1), F.S.

¹⁰⁷ Section 1001.42(12)(l), F.S.

¹⁰⁸ Section 1002.20(16), F.S.

¹⁰⁹ Section 1003.01(5), F.S.

¹¹⁰ Section 1003.03(1), F.S.

¹¹¹ Section 1003.03(1)-(2)

¹¹² Section 1003.03 (2).

¹¹³ Florida Department of Education, *Class Size Reduction Memorandums*, <https://www.fldoe.org/finance/budget/class-size/class-size-reduction-memorums.shtml> (last visited Feb. 25, 2025).

¹¹⁴ Ch. 2023-104, s. 1, Laws of Fla.

districts and charter schools found out of compliance are required to submit to the DOE are used to reduce their class size reduction penalty.¹¹⁵

Enforcement of School Attendance

Florida school districts are required to take an active role in promoting and enforcing attendance as a means of improving student performance.¹¹⁶ Each district school superintendent is responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. Superintendents are tasked with recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, for students enrolled. The policies are required to ensure that public schools track excused and unexcused absences and contact parents in the case of any unexcused absences or if the reason for the absence is unknown, to prevent the development of patterns of nonattendance.¹¹⁷

Each public school is required to take steps to promote and enforce regular school attendance.¹¹⁸ These steps include:

- Determining the reason for each unexcused absence or absence where the reason is unknown.
- Reporting by the student's primary teacher to the school principal or designee if a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period.
- Referring, when there is a pattern of nonattendance, the case to the school's child study team to determine if early patterns of truancy are developing.
- Meeting with parents to identify remedies.
- Implementing additional steps if the problem is not resolved including seeking criminal prosecution for non-compliance.

Effect of Proposed Changes

District School Board Policymaking

The bill amends s. 120.81, F.S., to remove district school boards from the APA rulemaking requirements, aligning their rulemaking procedures with those of other similarly situated local government entities. The bill clarifies that district school boards must adopt rules with public input at a public meeting, rather than through APA rulemaking procedures.

By removing APA rulemaking requirements, the bill creates consistency in how district school boards and other local governments adopt rules. Public notice and participation requirements will remain governed by Florida's Sunshine Law and related provisions, ensuring continued public

¹¹⁵ Florida Department of Education, *Memorandum, Reallocation and Restoration Calculations for 2022-2023 Class Size Operation Categorical Program* (June 26, 2023), available at <https://www.fldoe.org/core/fileparse.php/7603/urlt/2022-23-Class-Size-Operating-Categorical-Reallocation-and-Restoration-Calculations.pdf>.

¹¹⁶ Section 1003.26, F.S.

¹¹⁷ Section 1003.26, F.S.

¹¹⁸ Section 1003.26(1), F.S.

access to school board policymaking processes. Legal challenges to school board rules would likely be brought in circuit court, similar to municipal or county rule challenges.

Instructional Materials Purchase and Reporting

The bill amends s. 1006.40, F.S., to authorize the district school board to purchase instructional materials for up to 5 years, rather than 3, within the completion of the standard 5- year adoption cycle of those materials.

Student Online Personal Information Protection Act

The bill amends s. 1006.1494, F.S., to clarify that nothing in the Student Online Personal Information Protection Act requires a K-12 school, school district, or district school board to include any additional provisions in contracts with operators or vendors.

Internal Auditor

The bill amends s. 1001.42, F.S., to remove the requirement that school districts receiving annual federal, state, and local funds in excess of \$500 million employ an internal financial auditor. The bill maintains the requirement for all school districts to have an annual financial audit conducted by an independent certified public accountant.

School Financial Report

The bill amends s. 1002.20, F.S., to remove the requirement that the school financial report be included in the student handbook or similar publication. The bill requires the DOE to produce the easy-to-read report card about the school's grade designation or improvement rating, the school's accountability report, and the school financial report and make the reports for each school available on the DOE's website in a prominent location. The bill requires each district school board to provide a link to these reports for parent access.

Maximum Class Size

The bill amends s. 1003.03, F.S., by removing the requirement that school districts exceeding the maximum class size limits must submit a certified compliance plan to the DOE. The compliance plan is no longer needed as there is no longer a financial penalty for failure to comply with class size maximum limits. The bill maintains the requirement for school districts over the class size limits after the October student membership survey to develop a plan to be in full compliance with the class size limits by the following October student membership survey.

Enforcement of School Attendance

The bill amends s. 1003.26(1), F.S., to allow district school boards to adopt a period that is shorter than the current 90-calendar-day period to take action when there are 10 unexcused absences or absences that the reasons are unknown. The change may allow for or encourage earlier intervention for students who may be developing a pattern of truancy.

District School Board Facilities

Present Situation

District School Board Educational Facilities Plans

Annually, prior to the adoption of the district school budget, each district school board is required to prepare a tentative district educational facilities plan that includes long-range planning for facilities needs over 5-year, 10-year, and 20-year periods. Florida law enumerates specific requirements that the district school board must evaluate at over the course of the plan, including for 5-year, 10-year, and 20-year periods.¹¹⁹

The plan is required to include a financially feasible district facilities work program for a 5-year period. The work program is required to include:¹²⁰

- A schedule of major repair and renovation projects necessary to maintain the educational facilities and ancillary facilities of the district.
- A schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs, with detailed specifications set forth in state law.
- The projected cost for each project identified in the district facilities work program, including a schedule of cost comparisons for the planned cost of each new student station compared with the low, average, and high cost of facilities constructed throughout the state.
- A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.
- A schedule indicating which projects included in the district facilities work program will be funded from current revenues.
- A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded with currently approved revenue sources.
- The number of existing vacant classrooms in each school that the district does not intend to use or does not project will be needed for educational purposes for the following school year.¹²¹
- Prototype construction and design to be used for the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school.¹²²

To the extent available, the tentative district educational facilities plan is required to be based on information produced by the state demographic, revenue, and education estimating conferences.¹²³ Not less than once every 5 years, the district school board must have an audit conducted of the board's educational planning and construction activities. An operational audit conducted by the Auditor General satisfies this requirement.¹²⁴

¹¹⁹ Section 1013.35(2)(a), F.S.

¹²⁰ Section 1013.35(2)(b), F.S.

¹²¹ Section 1002.33(18)(g), F.S.

¹²² Section 1013.45(4), F.S.

¹²³ Section 1013.35(2)(c), F.S.

¹²⁴ Section 1013.35(2)(f), F.S.

Annually, the district school board is required to consider and adopt the tentative district educational facilities plan. The adopted district educational facilities plan must:¹²⁵

- Be a complete, balanced, and financially feasible capital outlay financial plan for the district.
- Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.

Charter schools share in district school board capital outlay funding but are not subject to any of the facilities plan requirements.¹²⁶

Cost Per Student Station Limitation

In Florida, construction costs for traditional K-12 public school facilities are reported based on the cost per student station.¹²⁷ In 2005, the DOE conducted a study on overall inflation of school construction costs, including the Consumer Price Index (CPI) and other factors. The cost per student station levels adopted in 2006 were based on the DOE's study recommendations and is adjusted to reflect increases and decreases in the CPI.¹²⁸ The DOE and the Office of Economic and Demographic Research (EDR)¹²⁹ are required to work together to calculate and disseminate new statutory caps.¹³⁰

The forecast by EDR for the July 2025 cost per student station limits are:¹³¹

- \$28,878 for an elementary school.
- \$31,185 for a middle school.
- \$40,507 for a high school.

Except for certain educational facilities and sites subject to a lease-purchase agreement that may be paid for by a district school board levy,¹³² or funded solely through local impact fees, a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station that exceeds these amounts.¹³³ The cost per student station includes, for example, contract costs, fees of architects and engineers, and the cost of furniture and equipment.¹³⁴ The cost per student station does not include the cost of purchasing or leasing the site for the construction, legal and administrative costs, the cost of related site or offsite improvements, and costs for school safety and hardening items and other capital

¹²⁵ Section 1013.35(4), F.S.

¹²⁶ Sections 1002.33(16)-(17) and 1013.62, F.S.

¹²⁷ Section 1013.64(6), F.S.

¹²⁸ Office of Economic and Demographic Research, *Review of Florida's Cost Per Student Station* (January 2017), available at <http://edr.state.fl.us/content/special-research-projects/education/CostPerStudentStation.pdf>, at 6.

¹²⁹ The Office of Economic and Demographic Research is a research arm of the Legislature principally concerned with forecasting economic and social trends that affect policy making, revenues, and appropriations. Office of Economic and Demographic Research, *Welcome*, <http://edr.state.fl.us/Content/> (last visited Feb. 25, 2025).

¹³⁰ Section 1013.64(6)(b)1., F.S.

¹³¹ Office of Economic and Demographic Research, *Student Station Cost Factors* (August 2024), available at <http://edr.state.fl.us/Content/conferences/peco/studentstation.pdf>.

¹³² Section 1011.71(2)(e), F.S., sets forth the guidelines for authorized district school board lease-purchase agreements.

¹³³ Section 1013.64(6)(b)3., F.S.

¹³⁴ Section 1013.64(6)(d), F.S.

construction items approved by the school safety specialist to ensure building security for new educational, auxiliary, or ancillary facilities.¹³⁵

An unfinished construction project for new construction of educational plant space started on or before July 1, 2028, is exempt from the total cost per student station requirements.¹³⁶

Educational Facilities Contracting and Construction Techniques

The State Requirements for Educational Facilities (SREF) is the uniform statewide building code for the planning and construction of public educational facilities and ancillary plants.¹³⁷ District school boards must adhere to the SREF when planning and constructing new facilities.

Generally, SREF standards are premised on providing enhanced safety for occupants and increasing the life span of the extensive, publicly funded infrastructure of Florida's public school districts.¹³⁸ SREF requires district school boards to employ the services of an architect for all construction projects for which the construction cost is at least \$300,000.¹³⁹

The law imposes additional requirements for the employment of an architect by district school boards. District school boards are required to use the services of a registered architect for the development of plans for the erection, enlargement, or alteration of any educational facility.¹⁴⁰ The services of a registered architect are not required, however, for a minor renovation project for which the construction cost is less than \$50,000 or for the placement or hookup of relocatable educational facilities.¹⁴¹

District school boards are required to compare the following life-cycle costs of materials used by competing providers when constructing or expanding school capacity:¹⁴²

- The anticipated annual energy consumption;
- The relative resistance to damage by wind loads and associated debris;
- The resistance to wood-destroying organisms;
- The perpetual maintenance costs;
- The resistance to fire; and
- A comparison of the annual insurance costs.

¹³⁵ Section 1013.64(6)(d), F.S. Such safety improvements include the cost for securing entries, checkpoint construction, lighting specifically designed for entry point security, security cameras, automatic locks and locking devices, electronic security systems, fencing designed to prevent intruder entry into a building, or bullet-proof glass. *Id.*

¹³⁶ Section 1013.64(6)(e), F.S.

¹³⁷ The State Requirements for Educational Facilities (SREF) is incorporated in Rule 6A-2.0010, F.A.C., is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04664>. The SREF is applicable to all public educational facilities and plants: pre-kindergarten (pre-K) through grade 12, including conversion charter schools; area vocational educational schools; area vocational/technical centers; adult education; Florida colleges and universities; the Florida School for the Deaf and the Blind (FSDB), where referenced; ancillary plants; relocatables; factory-built structures, reconstructable facilities, modular buildings and manufactured buildings; lease and lease-purchase; and new construction, remodeling, renovation, improvements and site-development projects. *Id.* The SREF does not apply to charter schools. Section 1002.33(18), F.S.

¹³⁸ See, e.g., s. 1013.12, F.S. (casualty, safety, sanitation, and fire safety standards and inspection of property) and s. 1013.451, F.S. (life-cycle cost comparison).

¹³⁹ Florida Department of Education, *State Requirements for Educational Facilities* § 4.3(7)(c) (2014), available at <https://flrules.org/Gateway/reference.asp?No=Ref-04664>, at 58.

¹⁴⁰ Section 1013.45(4), F.S.

¹⁴¹ Section 1013.45(4), F.S.

¹⁴² Section 1013.451(1), F.S.

Use of Airspace for Joint-Use Development and Capital Outlay

District school boards, Florida College System institution boards, and state university boards may sell, lease, or encumber airspace for joint-use development, including nonpublic uses, with proceeds reinvested in fixed capital outlay projects. Funds may support renovations, remodeling, or new construction, though new facilities at colleges and universities require legislative approval. Any joint-use structure must comply with all applicable regulations, and educational facilities within these structures remain under their governing boards' oversight.¹⁴³

Effect of Proposed Changes

District School Board Educational Facilities Plans

The bill amends s. 1013.35, F.S., to replace the specifically enumerated requirements for school board educational facilities plans and work programs with the general requirement that each school board adopt a facilities plan to meet the needs of the district, with public participation. The bill maintains the required 5-year audit of the board's educational planning and construction activities, and maintains the requirements for the general balanced nature of the plans, developed through public participation and local cooperation.

The bill makes corresponding changes in ss. 1002.33 and 1013.41, F.S., to reflect the removal of the requirement for district school boards to include a specific 5-year work program in the school board educational facilities plan.

These changes may bring district school boards closer to the operational flexibility of charter schools, which typically have more autonomy in facility planning and management.

Cost Per Student Station Limitation

The bill amends s. 1013.64, F.S., to make the cost per student station exemption permanent and remove cost per student station limitations on district school board construction projects. The changes in the bill provide greater local control in building durable and safe facilities for students, approaching the flexibility in construction of charter schools. The bill also provides additional options for funding construction by removing the restriction on local or certain grant revenue for facility construction. The bill makes a conforming change in s. 1013.356, F.S., to remove the cost per student station limitation for facilities projects funded by an educational facilities benefit district or community development district.

Educational Facilities Contracting and Construction Techniques

The bill amends s. 1013.45, F.S., to remove the requirement for school boards to employ an architect for the erection, enlargement, or alteration of any educational facility, or for minor renovation projects in which the cost of construction is at least \$50,000. Instead, district school boards would adhere to applicable building codes when determining architectural requirements.

The bill repeals s. 1013.451, F.S., to remove the requirement for school boards to compare specific life-cycle costs of materials used by competing providers when constructing or expanding school capacity.

¹⁴³ Section 1013.19, F.S.

Use of Airspace for Joint-Use Development and Capital Outlay

The bill amends s. 1013.19, F.S., by removing the requirement that proceeds from the sale or lease of airspace by district school boards must be used for fixed capital outlay. Removing this requirement may provide district school boards with greater flexibility in allocating these funds toward operational or capital expenses.

School District Finance and Budgets

Present Situation

Cost Accounting and Reporting for School Districts

School districts must account for all state, local, and federal funds on a school-by-school and district-aggregate basis using cost accounting and reporting guidelines specified in law. District reporting is required as prescribed in law or in a manual developed by the Department of Education (DOE).¹⁴⁴

School districts are required to provide cost reporting on a district-aggregate basis, expenditures for inservice training, and categorical funds. School districts are required to report to the DOE on a school-by-school and district-aggregate basis expenditures for:¹⁴⁵

- Funds for the operation of schools under the Florida Education Finance Program (FEFP).
- Total operational costs for administrative expenditures.
- Expenditures for classroom instruction.

The DOE must categorize all public schools into appropriate groups based primarily on average full-time equivalent (FTE) student enrollment as reported and to calculate for all schools, districts and the entire state the average percentage of classroom expenditures for various reporting categories of expenditures.¹⁴⁶ The DOE is required to develop a web-based fiscal transparency tool that displays and identifies the financial efficiency of each public school and district.¹⁴⁷ The Commissioner of Education is required to report to the Legislature prior to the open of the regular session each year a district-by-district report of expenditures.

Each district must expend a specified percentage of funds on programs that generated the funds. For example, a district must expend 90 percent of funds for kindergarten through grade 3, while districts must expend 95 percent of funds on juvenile justice programs.¹⁴⁸

School District Fiscal Transparency

District school boards are required to post on their websites a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public. The website must include a link to the web-based fiscal transparency tool developed by the DOE to enable taxpayers to evaluate the financial efficiency of the school district and compare the financial efficiency of the school district with other

¹⁴⁴ Section 1010.20(1), F.S.

¹⁴⁵ Section 1010.20(2)(b), F.S.

¹⁴⁶ Section 1010.20(2), F.S.

¹⁴⁷ *Id.*

¹⁴⁸ Section 1010.20(3), F.S.

similarly situated school districts.¹⁴⁹ The plain language version must also include graphical representations of:¹⁵⁰

- Summary of financial efficiency data.
- Fiscal trend information for the previous 3 years on:
 - The ratio of FTE students to FTE instructional personnel.
 - The ratio of FTE students to FTE administrative personnel.
 - The total operating expenditures per FTE student.
 - The total instructional expenditures per FTE student.
 - The general administrative expenditures as a percentage of total budget.
 - The rate of change in the general fund's ending fund balance not classified as restricted.

The district school board website should contain links to:¹⁵¹

- Help explain or provide background information on various budget items that are required by state or federal law.
- Allow users to navigate to related sites to view supporting details.
- Enable taxpayers, parents, and education advocates to send e-mails asking questions about the budget and enable others to view the questions and responses.

Charter schools are exempt from these requirements.¹⁵²

Short-Term Loans for Education Capital Outlay

District school boards can create short-term obligations based on anticipated revenues without pledging district credit or requiring future tax levies. These obligations are limited to one year but may be extended annually with lender approval for up to a total of five years.¹⁵³ These short term obligations may be used only for only the purchase of school buses, land, and equipment for educational purposes; the erection of, alteration to, or addition to educational facilities; and the adjustment of insurance on educational property on a 5-year plan, as provided by rules of the SBE.¹⁵⁴ District school boards may only borrow money through this process if:

- The proposed obligation does not exceed one-fourth of the revenue received during the preceding year for the district school fund for operating expenses.
- The school board adopts and includes in its minutes a resolution giving the nature of the obligations to be incurred, stating the plan of payment, and providing that such funds will be budgeted during the period of the loan from the current revenue to retire the obligations maturing during the year.
- The school board issues interest-bearing notes for the obligations that do not exceed the maximum rate for government bonds.

Emergency Make-up Days

The Florida Legislature established the FEFP to equalize funding for educational programs and services for all students in the K-12 public school system, regardless of geographic or local

¹⁴⁹ Section 1011.035(2), F.S.

¹⁵⁰ Section 1011.035(2)(a), F.S.

¹⁵¹ Section 1011.035(4), F.S.

¹⁵² Section 1002.33(16), F.S.

¹⁵³ Section 1011.14, F.S.

¹⁵⁴ Section 1011.14(1), F.S.

economic factors.¹⁵⁵ The FEFP is the primary mechanism for funding the operating costs of Florida school districts.¹⁵⁶

Charter schools also receive funding through the FEFP. Students enrolled in a charter school, regardless of the sponsorship, are funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in a school district.¹⁵⁷

To receive state funding through the FEFP, district school boards are required to meet minimum requirements, including operating all schools for a term of 180 actual teaching days or the equivalent on an hourly basis each school year.¹⁵⁸ The SBE may alter this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts if, in the opinion of the SBE, it is not feasible to make up lost days or hours.¹⁵⁹ The apportionment from the FEFP may, at the discretion of the commissioner, and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools.¹⁶⁰

Equity in School-Level Funding

Title I of the Elementary and Secondary Education Act of 1965 (ESEA),¹⁶¹ as amended by the Every Student Succeeds Act of 2015,¹⁶² is a federal funding program to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.¹⁶³ For the 2022-2023 fiscal year, Florida received approximately \$1.06 billion for Title I programs.¹⁶⁴

Part A of Title I focuses on improving basic programs operated by local educational agencies, including district school boards and eligible charter schools within the school district.¹⁶⁵

District school boards must allocate Title I-A funds first to serve schools in areas with poverty rates of at least 75 percent, or 50 percent for high schools.¹⁶⁶ If funds remain, the school board may serve schools in rank order according to the percentage of children from low-income families in the area, but a school board may only serve schools in areas with a poverty rate of

¹⁵⁵ Section 1011.62, F.S.; Florida Department of Education, *2024-25 Funding for Florida School Districts*, (2024), available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>, at 4.

¹⁵⁶ *Id.*

¹⁵⁷ Section 1002.33(17), F.S.

¹⁵⁸ Section 1011.60(2), F.S.

¹⁵⁹ Section 1011.60(2), F.S.

¹⁶⁰ Section 1011.60(2), F.S.

¹⁶¹ Pub. L. No. 89-10, 79 Stat. 27 (Apr. 11, 1965).

¹⁶² Pub. L. 114-95, 129 Stat 1802 (Dec. 10, 2015).

¹⁶³ 20 U.S.C. s. 6301.

¹⁶⁴ Florida Department of Education, *Finance Data Base: Fiscal Year 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2324.pdf>, at 8.

¹⁶⁵ 20 U.S.C. s. 6311, et. seq. Local educational agencies are public boards of education and include district school boards. 34 C.F.R. s. 303.23. *See also* s. 1011.69(2), F.S., specifying that an eligible school includes a charter school that is eligible to receive Title I funds.

¹⁶⁶ 20 U.S.C. s. 6313(a)(3).

less than 35 percent if the per student allocation of state and local funds is 125 percent greater than the per student amount received under Title I-A.¹⁶⁷

Florida law limits the threshold for identifying eligible schools to the threshold established by a district school board for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually, which was 53.8 percent¹⁶⁸ in 2024.¹⁶⁹

Prior to the allocation of Title I funds to eligible schools, Florida law authorizes a district school board to withhold funds only as follows:¹⁷⁰

- One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
- A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of ten percent;
- A reasonable and necessary amount to provide:
 - Homeless programs;
 - Delinquent and neglected programs;
 - Prekindergarten programs and activities;
 - Private school equitable services; and
 - Transportation for foster care children to their school of origin or choice programs; and
- A necessary and reasonable amount, not to exceed one percent, for eligible schools to provide educational services in accordance with the approved Title I plan.

Title I also authorizes district school boards to provide up to five percent of the Title I-A allocation to provide financial incentives and rewards to teachers who serve in eligible schools that are identified for comprehensive support and improvement activities or targeted support and improvement activities for the purpose of attracting and retaining qualified and effective teachers.¹⁷¹ The DOE requires all recruitment, retention, and reward incentives under the ESEA, including Title I-A and Title II,¹⁷² to be based on the state value-added model or an alternative state-approved student growth model for personnel evaluations.¹⁷³

Under the ESEA, the state education agency must liquidate all obligations incurred under the Federal award not later than 120 calendar days after the end date of the period of availability. Under section 412(b) of the General Education Provisions Act,¹⁷⁴ grants issued for a fiscal year may be made available for obligation on the basis of an academic or school basis.¹⁷⁵ As a result

¹⁶⁷ 34 C.F.R. s. 200.78(b).

¹⁶⁸ FLHealthCharts, *Elementary School Students Eligible for Free/Reduced Lunch*, <https://www.flhealthcharts.gov/ChartsDashboards/rdPage.aspx?rdReport=NonVitalIndNoGrp.Dataviewer&cid=497> (last visited Feb. 25, 2025).

¹⁶⁹ Section 1011.69(4), F.S.

¹⁷⁰ Section 1011.69(4)(a), F.S.

¹⁷¹ 20 U.S.C. s. 6313(c)(4).

¹⁷² Florida's Title II allocation was approximately \$119.8 million for the 2023-2024 fiscal year. Florida Department of Education, *Finance Data Base: Fiscal Year 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2324.pdf>, at 8.

¹⁷³ Florida Department of Education, K12 ESEA Federal Programs, 2023-24 *Elementary and Secondary Education Act (ESEA) Federal Programs Application Companion Guide*, available at <https://www.floridacims.org/downloads>, at 61.

¹⁷⁴ Pub. L. No. 90-247.

¹⁷⁵ 20 U.S.C. s. 1225b.

of these requirements, many Federal programs – including the Title I, Title II,¹⁷⁶ and Title III¹⁷⁷ programs – have a total period of availability of 27 months (from July 1st of the award year to September 30th of the carryover year) and a subsequent liquidation period of 120 days (October 1st through approximately January 28).¹⁷⁸ In addition, a state educational agency is required to award each subgrant for school improvement for a period of not more than 4 years, which may include a planning year.¹⁷⁹

School Board Discretionary Millage Levy

Each district school board is authorized to levy a 1.5 mill discretionary ad valorem tax against the taxable value for public school purposes to fund specific needs as identified in law, including, for example:¹⁸⁰

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities,¹⁸¹ athletic facilities, or ancillary facilities.¹⁸²
- Purchase, lease-purchase, and lease of school buses.
- Payments for educational facilities and sites due under a lease-purchase agreement.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites, or of renting or leasing buildings or space within existing buildings.

Effect of Proposed Changes

Cost Accounting and Reporting for School Districts

The bill modifies s. 1010.20, F.S., by requiring each charter school to receive and respond to monitoring questions from the DOE. The change removes the school district as an intermediary between the DOE and the individual charter school.

School District Fiscal Transparency

The bill amends s. 1011.035, F.S., by removing the requirement that the plain language version of the school board budget posted on its website include graphical representations of the budget.

¹⁷⁶ Title II of the ESEA provides grants to state educational agencies and subgrants to local educational agencies to increase student achievement consistent with the challenging State academic standards; improve the quality and effectiveness of teachers, principals, and other school leaders; increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and provide low-income and minority students greater access to effective teachers, principals, and other school leaders. 20 U.S.C. s. 6601.

¹⁷⁷ Title III of the ESEA is the English Language Acquisition, Language Enhancement, and Academic Achievement Act. 20 U.S.C. s. 6811.

¹⁷⁸ US Department of Education, *Florida Consolidated Performance Review Report FY 2023*, available at <https://oese.ed.gov/files/2023/04/FDOE-2023-Performance-Report.pdf>, at 11.

¹⁷⁹ 20 U.S.C. s. 6303(c).

¹⁸⁰ Section 1011.71(2), F.S.

¹⁸¹ “Auxiliary facility” means the spaces located at educational plants which are not designed for student occupant stations. Section 1013.01(1), F.S.

¹⁸² “Ancillary plant” is comprised of the building, site, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program. Section 1013.01(2), F.S.

Short-Term Loans for Education Capital Outlay

The bill modifies s. 1011.14, F.S., to expand the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.

This bill authorizes district school boards to incur obligations not only for the construction and renovation of educational facilities but also for the development and enhancement of support and supplemental structures associated with the educational process, which include the entire educational plant, ancillary plants, and auxiliary facilities.

By broadening the permissible use of anticipated revenue for these additional categories of capital projects, the bill allows for a more comprehensive development of the educational environment, acknowledging the role of various facilities in delivering a full spectrum of educational services. The district school boards would remain bound by the existing fiscal constraints—namely, the limitation of indebtedness to no more than one-fourth of the district ad valorem tax revenue for operations for the preceding year and the requirement for a detailed resolution outlining the nature and plan of repayment for the obligations.

Emergency Make-up Days

The bill modifies s. 1011.60, F.S., to remove the required threshold of infeasibility that a district school board must demonstrate to be released from making up days lost because of a bona fide emergency. This may provide more flexibility to district school boards in determining whether the additional days are necessary for students to learn the required academic standards.

Equity in School-Level Funding

The bill modifies s. 1011.69, F.S., to remove the provision that prohibits a school district from identifying any other eligible schools that exceed the poverty threshold established by a school district for the 2016-2017 school year, or the statewide percentage of economically disadvantaged students determined annually. This may afford discretion to the district school board to focus services on the schools with the highest needs.

The bill also removes the cap of one percent of Title I funds that a district may withhold to provide district educational services to Title I schools, including charter schools. This may provide flexibility for a district school board to leverage district resources to provide programs across all eligible schools, including eligible charter schools.

The bill authorizes district school boards to utilize up to 5 percent of its Title I allocation to provide financial incentives and rewards to teachers who serve students in Title I schools, including charter schools, identified for comprehensive support and improvement activities or targeted support and improvement activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a state-approved measurement of student performance is unavailable.

The bill clarifies that the DOE must make funds from Title I, Title II, and Title III programs available to local education agencies for the full period of availability provided in federal law. This may provide stability for district school boards in the implementation of Title I services.

School Board Discretionary Millage Levy

The bill amends s. 1011.71, F.S., by expanding the allowable uses of proceeds from the district discretionary 1.5 mill levy to include facilities beyond traditional educational facilities, such as ancillary and auxiliary facilities. For example, transportation hubs, cafeterias, or administrative facilities.

The bill authorizes the use of these funds for vehicles other than school buses, as long as they are regularly used to transport prekindergarten disability program and K-12 public school students.

This may provide school districts with greater flexibility in using revenue from the discretionary 1.5 mill capital levy, allowing for more efficient student transportation options, investment in essential support facilities, and improved resource allocation to meet local needs.

School Choice

Present Situation

Controlled Open Enrollment

Controlled open enrollment is a public education delivery system that allows school districts to make student school assignments using parents' indicated preferential educational choice as a significant factor.¹⁸³ Each school district or charter school is required to allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district.¹⁸⁴ School districts and charter schools are required to make school capacity determinations for their schools by grade level every 12 weeks. The school capacity determinations must be made based on specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under the school district educational facilities plan.¹⁸⁵

Family Empowerment Scholarship

The Family Empowerment Scholarship (FES) program provides children of families in Florida with educational options to achieve success in their education, including children of families with limited financial resources, children of law enforcement and military families, and children with disabilities.¹⁸⁶ The FES program includes two types of scholarships to assist eligible students to pay for the tuition and fees associated with attendance at a private school or transportation to another public school (FES-EO), and to provide access to additional education options for a student with a disability by covering the cost of a variety of approved items, including: contracted services, curriculum, instructional materials, tutoring, specified education programs, and specialized services (FES-UA).¹⁸⁷

¹⁸³ Section 1002.31 (1), F.S.

¹⁸⁴ Section 1002.31 (2)(a), F.S.

¹⁸⁵ Section 1002.31 (2)(b), F.S.

¹⁸⁶ Section 1002.394, F.S.; *see also* Rule 6A-6.0952, F.A.C.

¹⁸⁷ Section 1002.394(3)(a) and (3)(b), F.S.

A student is eligible for an FES-UA scholarship if the student:¹⁸⁸

- Is a resident of Florida.
- Is 3 or 4 years of age on or before September 1 of the year in which the student applies for program participation or is eligible to enroll in kindergarten through grade 12 in a Florida public school.
- Has a disability as provided for in law.¹⁸⁹
- Is the subject of an Individualized Education Plane (IEP) written in accordance with rules of the State Board of Education (SBE) or with the applicable rules of another state or has received a diagnosis of a disability from a licensed physician, a licensed psychologist, or a physician with a specified out-of-state license.

A parent of a student with a disability who is applying for the FES-UA scholarship and who does not have an IEP or is seeking a reevaluation of an existing IEP may request an IEP meeting and evaluation from the school district. Upon receiving the request, the district must notify the parent that it is required to complete the IEP and matrix of services within 30 days.¹⁹⁰

The school district must conduct a meeting, develop an IEP, and complete the matrix of services within this 30-day period. It is required to accept the diagnosis and consider the service plan provided by the licensed professional making the diagnosis. The matrix must assign the student to a level of service based on the criteria in place before the 2000-2001 school year.¹⁹¹

For nonpublic school students without an IEP, the district may use evaluation reports and care plans from licensed professionals to complete the matrix of services.¹⁹²

In the 2023-2024 school year, over 92,000 students were funded through the FES-UA Scholarship program.¹⁹³

¹⁸⁸ Section 1002.394(3)(b)1., F.S.

¹⁸⁹ Section 1002.394(1)(e), F.S. a disability means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063; Down syndrome, as defined in s. 393.063; an intellectual disability, as defined in s. 393.063; a speech impairment; a language impairment; an orthopedic impairment; any other health impairment; an emotional or a behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; Phelan-McDermid syndrome, as defined in s. 393.063; Prader-Willi syndrome, as defined in s. 393.063; spina bifida, as defined in s. 393.063; being a high-risk child, as defined in s. 393.063(22)(a); muscular dystrophy; Williams syndrome; rare diseases which affect patient populations of fewer than 200,000 individuals in the United States, as defined by the National Organization for Rare Disorders; anaphylaxis; a hearing impairment, including deafness; a visual impairment, including blindness; traumatic brain injury; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term “hospital or homebound” includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the home or hospital for more than 6 months.

¹⁹⁰ Section 1002.394(7)(b).

¹⁹¹ *Id.*

¹⁹² *Id.*

¹⁹³ Step up for Students, 2025-2026 SFO Renewal Application, available at <https://www.fldoe.org/core/fileparse.php/20808/urlt/9-2.pdf>, A.A.A., 2025-2026 SFO Renewal Application, available at <https://www.fldoe.org/core/fileparse.php/20808/urlt/8-2.pdf>.

Federal Requirements for an IEP

The parent of a child or a school district may initiate a request for an initial evaluation to determine if the child is a child with a disability.¹⁹⁴ Once the request is made the initial evaluation must be conducted within 60 days of receiving parental consent for the evaluation, unless a state establishes a timeframe within which the evaluation must be conducted, within the 60 day timeframe.¹⁹⁵ In addition, the initial evaluation must consist of procedures to determine if the child has a disability and to determine the educational needs of the child. Once the initial evaluation is complete and if the child is determined to have a disability, a school district must meet within 30 days to develop an IEP.¹⁹⁶

Effect of Proposed Changes

Controlled Open Enrollment

The bill modifies s. 1002.32, F.S., to authorize district school boards to determine how to make capacity determinations for controlled open enrollment and reduce the required capacity determinations from every 12 weeks to twice annually.

Family Empowerment Scholarship

The bill amends s. 1002.394, F.S., to better align to 60 days the timeline for developing an Individualized Education Program (IEP) for students receiving a Family Empowerment Scholarship for Students with Unique Abilities (FES-UA) between federal requirements and the timeline used by school districts for public school students.

Early Learning

Present Situation

Since the inception of the Voluntary Prekindergarten (VPK) program, public schools have been instrumental in delivering the program. Public schools deliver both the 540 hour school year VPK program¹⁹⁷ and the 300 hour summer VPK program.¹⁹⁸ Historically, public schools comprise just over 20 percent of the overall VPK programs during the entire program year.¹⁹⁹

Public schools are required to contract through the early learning coalitions (ELCs) and are subject to the same requirements as non-public programs in terms of implementing instructional standards, personnel requirements, and program accountability. While both public schools and private providers offer the school year prekindergarten program, public school districts are required to offer the summer VPK program, consisting of 300 hours of instruction, to any parent who enrolls his or her child in the program.²⁰⁰

¹⁹⁴ 34 C.F.R. § 300.301(b)

¹⁹⁵ 34 C.F.R. § 300.301(c)(1)

¹⁹⁶ 34 C.F.R. § 300.323(c)(1)

¹⁹⁷ Section 1002.63(1), F.S.

¹⁹⁸ Section 1002.61(1), F.S.

¹⁹⁹ Florida Department of Education, *Division of Early Learning Annual Report 2023-2024*, available at: <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf>.

²⁰⁰ Section 1002.53(6)(b), F.S.

In general, VPK programs in public schools are subject to the same oversight as private VPK programs, including requirements for use of the state contract, instructor to child ratios, instructor training, attendance and reporting, accountability, and methods regarding reimbursement for the VPK program. ELCs are required to monitor the compliance of public school VPK programs in their county or multi-county service region for both school year²⁰¹ and summer²⁰² VPK programs.

Effect of Proposed Changes

The bill modifies ss. 1002.61 and 1002.63, F.S., to remove the requirement, for both school year and summer VPK programs, that ELCs verify statutory compliance by school district-operated VPK programs. This aligns oversight of the school district operated VPK programs with other district-operated educational programs.

The bill removes the requirement in s. 1002.71, F.S., that each district school board's attendance policy must require parents to sign monthly attendance forms and retain those forms for two years. The school district will be required to certify attendance on the single point of entry system that is used for payment of VPK program attendance. The revision offers flexibility to school districts to utilize existing attendance tracking methods without duplication due to required forms.

State Board of Education/Department of Education Oversight

Present Situation

The State Board of Education (SBE) is the chief implementing and coordinating body of public education in Florida except for the State University System, and it is required to focus on high-level policy decisions.²⁰³ The SBE has authority to adopt rules pursuant to the Administrative Procedures Act (APA)²⁰⁴ to implement its statutory duties to improve the state system of Early Learning-20 public education except for the State University System. The SBE is authorized to delegate its general powers to the Commissioner of Education (commissioner) or the directors of the divisions of the Department of Education (DOE).²⁰⁵

The APA provides uniform procedures for the exercise of specified government authority.²⁰⁶ An agency is required to comply with the APA rulemaking procedures when developing rules.²⁰⁷ A "rule" under the APA is defined as each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule.²⁰⁸

²⁰¹ Section 1002.63(9)(a), F.S.

²⁰² Section 1002.61(10)(a), F.S.

²⁰³ Section 1001.02(1), F.S. The Florida Constitution provides that the state board of education is a body corporate and have such supervision of the system of free public education as is provided by law. FL. CONST. art. 9, s. 2.

²⁰⁴ Chapter 120, F.S.

²⁰⁵ Section 1001.02(1), F.S.

²⁰⁶ Section 120.515, F.S.

²⁰⁷ Section 120.54(1)(a), F.S.

²⁰⁸ Section 120.52(16), F.S.

The SBE is required to adopt cohesive rules pursuant to the APA, within statutory authority.²⁰⁹ An agency may adopt only rules that implement or interpret the specific powers and duties granted by the enabling statute. No agency is authorized to adopt a rule only because it is reasonably related to the purpose of the enabling legislation.²¹⁰ An invalid exercise of delegated legislative authority means action that goes beyond the powers, functions, and duties delegated by the Legislature.²¹¹

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.²¹² The commissioner is appointed by the SBE and serves as the executive director of the DOE.²¹³ The DOE assists in providing professional leadership and guidance and in carrying out the policies, procedures, and duties authorized by law or by the SBE.²¹⁴

The APA also provides a process for any substantially affected person to seek a declaratory statement regarding an agency's opinion as to the applicability of a statutory provision, or of any rule or order of the agency, as it applies to the petitioner's particular set of circumstances.²¹⁵ The petition seeking a declaratory statement must state with particularity the petitioner's set of circumstances and specify the statutory provision, rule, or order that the petitioner believes may apply to the set of circumstances.²¹⁶

The agency is required to give notice of the filing of each petition in the next available issue of the Florida Administrative Register and transmit copies of each petition to the Administrative Procedures Committee.²¹⁷ The agency must issue a declaratory statement or deny the petition within 90 days after the filing of the petition and notice the statement in the next available issue of the Florida Administrative Register. Agency disposition of petitions are final agency action.²¹⁸

Effect of Proposed Changes

The bill amends s. 1001.02, F.S., to clarify that the SBE is authorized to adopt rules within statutory authority as specifically provided in law.

The bill expands s. 1001.23, F.S., to add to the specific powers and duties of the DOE. The additional requirements may provide clarity to district school boards in the implementation of state law. The bill requires the DOE to annually:

- By August 1, inform district school superintendents that they may receive a declaratory statement pursuant to the APA regarding the DOE's opinion as to the applicability to a

²⁰⁹ Section 1001.02(2)(n), F.S.

²¹⁰ Section 120.52(8), F.S.

²¹¹ Section 120.52(8), F.S.

²¹² Section 1001.20(1), F.S.

²¹³ Section 20.15(2), F.S.

²¹⁴ Section 1001.20(2), F.S.

²¹⁵ Section 120.565(1), F.S.

²¹⁶ Section 120.565(2), F.S.

²¹⁷ Section 120.565(3), F.S. The term "Administrative Procedures Committee" means a committee designated by joint rule of the Legislature or by agreement between the President of the Senate and the Speaker of the House of Representatives. Section 1.01(16), F.S.

²¹⁸ Section 120.565(3), F.S.

school district of a statutory or rule provision as it applies to the district's particular set of circumstances.

- Maintain and make available to school districts a list of all requirements in statute and rule relating to required actions by district school boards or superintendents. The list must include but is not limited to, required parent notifications, information that must be posted to the district website, and reporting, filing, and certification requirements.

The bill is effective July 1, 2025, except as otherwise specified.

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 the following sections of the Florida Statutes: 120.81, 1001.02, 1001.23, 1001.42, 1002.20, 1002.31, 1002.33, 1002.394, 1002.451, 1002.61, 1002.63, 1002.71, 1003.03, 1003.26, 1003.4282, 1003.433, 1006.1494, 1006.40, 1008.212, 1008.22, 1008.25, 1008.33, 1010.20, 1011.035, 1011.14, 1011.60, 1011.62, 1011.6202, 1011.69, 1011.71, 1012.22, 1012.335, 1012.34, 1012.39, 1012.555, 1012.56, 1012.585, 1013.19, 1013.35, 1013.41, 1013.45, 1013.62, 1013.64, 163.3180, 1002.68, 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98.

This bill repeals section 1013.451 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

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2025166__

1 A bill to be entitled
 2 An act relating to administrative efficiency in public
 3 schools; amending s. 120.81, F.S.; exempting district
 4 school boards from requirements for adopting certain
 5 rules; amending s. 1001.02, F.S.; revising a duty of
 6 the State Board of Education to adopt certain rules;
 7 amending s. 1001.23, F.S.; requiring the Department of
 8 Education to annually inform district school
 9 superintendents by a specified date that they are
 10 authorized to petition to receive a specified
 11 declaratory statement; requiring the department to
 12 annually maintain and provide school districts with a
 13 list of statutory and rule requirements; providing
 14 requirements for such list; amending s. 1001.42, F.S.;
 15 deleting a requirement for a district school board to
 16 employ an internal auditor in certain circumstances;
 17 amending s. 1002.20, F.S.; deleting a requirement that
 18 the school financial report be included in the student
 19 handbook; requiring the department to produce
 20 specified reports relating to school accountability
 21 and make such reports available on the department's
 22 website; requiring each school district to provide a
 23 link to such reports; amending s. 1002.31, F.S.;
 24 revising how often a school district or charter school
 25 must update its school capacity determination;
 26 deleting a requirement relating to school capacity
 27 determination by district school boards; conforming a
 28 cross-reference; amending s. 1002.33, F.S.; conforming
 29 a provision relating to a 5-year facilities plan;

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30 amending s. 1002.394, F.S.; revising the timeframe for
 31 a school district to develop an IEP and matrix of
 32 services after receipt of a parent's request; amending
 33 s. 1002.451, F.S.; requiring innovation schools of
 34 technology to comply with specified provisions
 35 relating to instructional multiyear contracts, in
 36 addition to annual contracts, for instructional
 37 personnel in addition to annual contracts; amending s.
 38 1002.61, F.S.; removing public schools from a
 39 requirement for early learning coalitions to verify
 40 compliance with law; amending s. 1002.63, F.S.;
 41 deleting a requirement for an early learning coalition
 42 to verify that certain public schools comply with
 43 specified provisions; amending s. 1002.71, F.S.;
 44 revising requirements relating to district school
 45 board attendance policies for Voluntary
 46 Prekindergarten Education Programs; requiring a school
 47 district to certify its attendance records for a
 48 Voluntary Prekindergarten Education Program; amending
 49 s. 1003.03, F.S.; deleting a requirement for district
 50 school boards to provide an accountability plan to the
 51 Commissioner of Education under certain conditions;
 52 amending s. 1003.26, F.S.; authorizing a district
 53 school board to determine a timeframe for purposes of
 54 addressing a student's absences; amending s.
 55 1003.4282, F.S.; revising requirements for assessments
 56 needed for a student to earn a high school diploma;
 57 deleting a requirement for a student who transfers
 58 into a public high school to take specified

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59 assessments; revising the courses for which the
 60 transferring course final grade must be honored for a
 61 transfer student under certain conditions; amending s.
 62 1003.433, F.S.; deleting requirements that must be met
 63 by students who transfer to a public school for 11th
 64 or 12th grade; amending s. 1006.1494, F.S.; providing
 65 that provisions relating to student online personal
 66 information protection do not impose requirements for
 67 a K-12 school, school district, or school board;
 68 amending s. 1006.40, F.S.; revising the timeframe
 69 within which certain instructional materials must be
 70 purchased; amending s. 1008.212, F.S.; providing that
 71 certain assessments are not subject to specified
 72 requirements; revising a deadline for IEP teams to
 73 submit requests for extraordinary exemptions; amending
 74 s. 1008.22, F.S.; requiring the Commissioner of
 75 Education to notify school districts of the assessment
 76 schedule for a specified time interval; deleting
 77 requirements relating to a uniform calendar that must
 78 be published by the commissioner each year; revising
 79 an annual timeframe for each school district to
 80 establish schedules for the administration of
 81 statewide, standardized assessments; requiring each
 82 school district to publish certain information
 83 regarding such schedules on its website; conforming
 84 provisions to changes made by the act; amending s.
 85 1008.25, F.S.; specifying the score needed on any
 86 administration of the coordinated screening and
 87 progress monitoring system for a student to be

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88 promoted to grade 4; conforming cross-references;
 89 amending s. 1008.33, F.S.; prohibiting a school from
 90 being required to use a certain parameter as the sole
 91 determining factor to recruit instructional personnel;
 92 providing requirements for a rule adopted by the State
 93 Board of Education; amending s. 1010.20, F.S.;
 94 requiring charter schools to respond to monitoring
 95 questions from the department; amending s. 1011.035,
 96 F.S.; deleting a requirement that each district school
 97 board budget posted on the school board's website
 98 include a graphical representation of specified
 99 information; revising website requirements; amending
 100 s. 1011.14, F.S.; revising the types of facilities for
 101 which district school boards may incur certain
 102 financial obligations; amending s. 1011.60, F.S.;
 103 revising circumstances under which the State Board of
 104 Education may alter the length of school terms for
 105 certain school districts; amending s. 1011.62, F.S.;
 106 deleting a requirement that certain full-time
 107 equivalent bonuses under the Florida Education Finance
 108 Program be paid only to teachers who are employed by
 109 the district when the bonus is calculated; amending s.
 110 1011.6202, F.S.; requiring schools participating in
 111 the Principal Autonomy Program Initiative to comply
 112 with specified provisions relating to instructional
 113 multiyear contracts, in addition to annual contracts,
 114 for instructional personnel; amending s. 1011.69,
 115 F.S.; deleting a requirement relating to Title I fund
 116 allocations to schools; providing a new category of

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117 funding school districts are authorized to withhold;
 118 revising a category of funding a school district is
 119 authorized to withhold; requiring the department to
 120 make certain funds available to local education
 121 agencies; amending s. 1011.71, F.S.; revising
 122 specified vehicles that may be purchased or leased
 123 using specified revenue; revising the types of
 124 facilities payments that may be made from such
 125 revenue; amending s. 1012.22, F.S.; providing
 126 requirements for advanced degrees which may be used to
 127 set salary schedules for instructional personnel and
 128 school administrators hired after a specified date;
 129 specifying district school board activities that may
 130 not be precluded by collective bargaining; amending s.
 131 1012.335, F.S.; defining the term "instructional
 132 multiyear contract"; providing requirements for the
 133 award of an instructional multiyear contract;
 134 requiring that an employee awarded an instructional
 135 multiyear contract be returned to an annual contract
 136 under certain conditions; making conforming and
 137 technical changes; amending s. 1012.34, F.S.;
 138 requiring that procedures and requirements established
 139 by the district school superintendent for performance
 140 evaluations be approved by the district school board;
 141 requiring the district school superintendent to submit
 142 evaluation systems to the department under certain
 143 circumstances; deleting a requirement for the
 144 department to approve and monitor each school
 145 district's evaluation systems; revising the portion of

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146 a performance evaluation that is based on student
 147 performance; deleting certain performance evaluation
 148 requirements; providing that student performance may
 149 not be the sole determinant for incentive pay for
 150 instructional personnel or school administrators;
 151 amending s. 1012.39, F.S.; revising an occupational
 152 experience qualification requirement for nondegreed
 153 teachers of career programs; deleting a training
 154 requirement for full-time nondegreed teachers of
 155 career programs; amending s. 1012.555, F.S.; revising
 156 eligibility requirements for individuals to
 157 participate in the Teacher Apprenticeship Program;
 158 amending employment requirements for paraprofessionals
 159 to serve as an apprentice teacher; amending s.
 160 1012.56, F.S.; specifying individuals who must
 161 demonstrate mastery of general knowledge for educator
 162 certification; authorizing school districts and
 163 consortia of school districts to issue temporary
 164 certificates under certain conditions; conforming a
 165 cross-reference; amending s. 1012.585, F.S.; revising
 166 the validity period for professional certificates;
 167 providing eligibility requirements for 5-year and 10-
 168 year professional certificates; revising requirements
 169 for the renewal of professional certificates; amending
 170 s. 1013.19, F.S.; requiring that proceeds from certain
 171 sales or leases of property be used for specified
 172 purposes by boards of trustees for Florida College
 173 System institutions or state universities; amending s.
 174 1013.35, F.S.; deleting definitions; revising

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175 requirements for the contents of a district school
 176 board's tentative district educational facilities
 177 plan; deleting provisions relating to district school
 178 boards coordinating with local governments to ensure
 179 consistency between school district and local
 180 government plans; authorizing, rather than requiring,
 181 local governments to review tentative district
 182 educational facilities plans; making conforming
 183 changes; amending s. 1013.41, F.S.; revising
 184 requirements for an educational facilities plan;
 185 revising the duties of the Office of Educational
 186 Facilities; amending s. 1013.45, F.S.; specifying that
 187 Florida College System institution and state
 188 university boards of trustees are required to use an
 189 architect for the development of certain plans;
 190 deleting district school board requirements for
 191 certain construction plans; repealing s. 1013.451,
 192 F.S., relating to life-cycle costs comparisons;
 193 amending s. 1013.62, F.S.; conforming a cross-
 194 reference; amending s. 1013.64, F.S.; revising
 195 determinations of allocations from the Public
 196 Education Capital Outlay and Debt Service Trust Fund;
 197 revising criteria for construction project funding
 198 from a specified account; revising district school
 199 board requirements relating to educational plant
 200 construction; amending ss. 163.3180, 1002.68,
 201 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98,
 202 F.S.; conforming cross-references; providing effective
 203 dates.

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204
 205 Be It Enacted by the Legislature of the State of Florida:
 206
 207 Section 1. Paragraph (a) of subsection (1) of section
 208 120.81, Florida Statutes, is amended to read:
 209 120.81 Exceptions and special requirements; general areas.—
 210 (1) EDUCATIONAL UNITS.—
 211 (a) District school boards are not subject to the
 212 requirements for rules in this chapter when making and adopting
 213 rules with public input at a public meeting. Notwithstanding s.
 214 120.536(1) and the flush left provisions of s. 120.52(8),
 215 district school boards may adopt rules to implement their
 216 general powers under s. 1001.41.
 217 Section 2. Paragraph (n) of subsection (2) of section
 218 1001.02, Florida Statutes, is amended to read:
 219 1001.02 General powers of State Board of Education.—
 220 (2) The State Board of Education has the following duties:
 221 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
 222 120.54, within statutory authority as specifically provided by
 223 law.
 224 Section 3. Subsections (5) and (6) are added to section
 225 1001.23, Florida Statutes, to read:
 226 1001.23 Specific powers and duties of the Department of
 227 Education.—In addition to all other duties assigned to it by law
 228 or by rule of the State Board of Education, the department
 229 shall:
 230 (5) Annually by August 1, inform district school
 231 superintendents that pursuant to s. 120.565, the superintendents
 232 may receive a declaratory statement, within 90 days after

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233 submitting a petition to receive such statement, regarding the
 234 department's opinion as to the applicability of a statutory or
 235 rule provision to a school district as it applies to the
 236 district's particular set of circumstances.

237 (6) Annually maintain and make available to school
 238 districts a list of all requirements in statute and rule
 239 relating to required actions by district school boards or
 240 superintendents. The list must include, but is not limited to,
 241 required parent notifications; information that must be posted
 242 to the district website; and reporting, filing, and
 243 certification requirements.

244 Section 4. Paragraph (1) of subsection (12) of section
 245 1001.42, Florida Statutes, is amended to read:

246 1001.42 Powers and duties of district school board.—The
 247 district school board, acting as a board, shall exercise all
 248 powers and perform all duties listed below:

249 (12) FINANCE.—Take steps to assure students adequate
 250 educational facilities through the financial procedure
 251 authorized in chapters 1010 and 1011 and as prescribed below:

252 ~~(1) Internal auditor. May or, in the case of a school~~
 253 ~~district receiving annual federal, state, and local funds in~~
 254 ~~excess of \$500 million, shall employ an internal auditor. The~~
 255 ~~scope of the internal auditor shall not be restricted and shall~~
 256 ~~include every functional and program area of the school system.~~

257 ~~1. The internal auditor shall perform ongoing financial~~
 258 ~~verification of the financial records of the school district, a~~
 259 ~~comprehensive risk assessment of all areas of the school system~~
 260 ~~every 5 years, and other audits and reviews as the district~~
 261 ~~school board directs for determining;~~

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262 ~~a. The adequacy of internal controls designed to prevent~~
 263 ~~and detect fraud, waste, and abuse as defined in s. 11.45(1).~~

264 ~~b. Compliance with applicable laws, rules, contracts, grant~~
 265 ~~agreements, district school board-approved policies, and best~~
 266 ~~practices.~~

267 ~~c. The efficiency of operations.~~

268 ~~d. The reliability of financial records and reports.~~

269 ~~e. The safeguarding of assets.~~

270 ~~f. Financial solvency.~~

271 ~~g. Projected revenues and expenditures.~~

272 ~~h. The rate of change in the general fund balance.~~

273 ~~2. The internal auditor shall prepare audit reports of his~~
 274 ~~or her findings and report directly to the district school board~~
 275 ~~or its designee.~~

276 ~~3. Any person responsible for furnishing or producing any~~
 277 ~~book, record, paper, document, data, or sufficient information~~
 278 ~~necessary to conduct a proper audit or examination which the~~
 279 ~~internal auditor is by law authorized to perform is subject to~~
 280 ~~the provisions of s. 11.47(3) and (4).~~

281 Section 5. Subsection (16) of section 1002.20, Florida
 282 Statutes, is amended to read:

283 1002.20 K-12 student and parent rights.—Parents of public
 284 school students must receive accurate and timely information
 285 regarding their child's academic progress and must be informed
 286 of ways they can help their child to succeed in school. K-12
 287 students and their parents are afforded numerous statutory
 288 rights including, but not limited to, the following:

289 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
 290 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students

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291 have the right to an easy-to-read report card about the school's
 292 grade designation or, if applicable under s. 1008.341, the
 293 school's improvement rating, and the school's accountability
 294 report, including the school financial report as required under
 295 s. 1010.215. The school financial report must be provided to the
 296 parents and indicate the average amount of money expended per
 297 student in the school, ~~which must also be included in the~~
 298 ~~student handbook or a similar publication. The department shall~~
 299 produce the reports required under this subsection and make the
 300 reports for each school available on the department's website in
 301 a prominent location. Each public school district must provide a
 302 link on its website to such reports for parent access.

303 Section 6. Paragraph (b) of subsection (2) and subsection
 304 (5) of section 1002.31, Florida Statutes, are amended to read:
 305 1002.31 Controlled open enrollment; public school parental
 306 choice.—

(2)

308 (b) Each school district and charter school capacity
 309 determinations for its schools, by grade level, must be updated
 310 at least twice annually ~~every 12 weeks~~ and be identified on the
 311 school district and charter school's websites. ~~In determining~~
 312 ~~the capacity of each district school, the district school board~~
 313 ~~shall incorporate the specifications, plans, elements, and~~
 314 ~~commitments contained in the school district educational~~
 315 ~~facilities plan and the long-term work programs required under~~
 316 ~~s. 1013.35.~~ Each charter school governing board shall determine
 317 capacity based upon its charter school contract. Each virtual
 318 charter school and each school district with a contract with an
 319 approved virtual instruction program provider shall determine

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320 capacity based upon the enrollment requirements established
 321 under s. 1002.45(1)(d)4.

322 (5) For a school or program that is a public school of
 323 choice under this section, the calculation for compliance with
 324 maximum class size ~~pursuant to s. 1003.03(4)~~ is the average
 325 number of students at the school level.

326 Section 7. Paragraph (g) of subsection (18) of section
 327 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

330 (g) Each school district shall annually provide to the
 331 Department of Education ~~as part of its 5 year work plan~~ the
 332 number of existing vacant classrooms in each school that the
 333 district does not intend to use or does not project will be
 334 needed for educational purposes for the following school year.
 335 The department may recommend that a district make such space
 336 available to an appropriate charter school.

337 Section 8. Paragraph (b) of subsection (7) of section
 338 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(7) SCHOOL DISTRICT OBLIGATIONS.—

341 (b)1. The parent of a student with a disability who does
 342 not have an IEP in accordance with subparagraph (3)(b)4. or who
 343 seeks a reevaluation of an existing IEP may request an IEP
 344 meeting and evaluation from the school district in order to
 345 obtain or revise a matrix of services. The school district shall
 346 notify a parent who has made a request for an IEP that the
 347 district is required to complete the IEP and matrix of services
 348 within 60 ~~30~~ days after receiving notice of the parent's

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request. The school district shall conduct a meeting and develop an IEP and a matrix of services within 60 ~~30~~ days after receipt of the parent's request in accordance with State Board of Education rules. The district must accept the diagnosis and consider the service plan of the licensed professional providing the diagnosis pursuant to subparagraph (3)(b)4. The school district must complete a matrix that assigns the student to one of the levels of service as they existed before the 2000-2001 school year. For a nonpublic school student without an IEP, the school district is authorized to use evaluation reports and plans of care developed by the licensed professionals under subparagraph (4)(b)3. to complete the matrix of services.

2.a. The school district must provide the student's parent and the department with the student's matrix level within 10 calendar days after its completion.

b. The department shall notify the parent and the organization of the amount of the funds awarded within 10 days after receiving the school district's notification of the student's matrix level.

c. A school district may change a matrix of services only if the change is a result of an IEP reevaluation or to correct a technical, typographical, or calculation error.

Section 9. Paragraph (a) of subsection (5) of section 1002.451, Florida Statutes, is amended to read:

1002.451 District innovation school of technology program.—

(5) EXEMPTION FROM STATUTES.—

(a) An innovation school of technology is exempt from chapters 1000-1013. However, an innovation school of technology shall comply with the following provisions of those chapters:

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1. Laws pertaining to the following:

a. Schools of technology, including this section.

b. Student assessment program and school grading system.

c. Services to students who have disabilities.

d. Civil rights, including s. 1000.05, relating to discrimination.

e. Student health, safety, and welfare.

2. Laws governing the election and compensation of district school board members and election or appointment and compensation of district school superintendents.

3. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level.

4. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011, for annual or instructional multiyear contracts for instructional personnel. This subparagraph does not apply to at-will employees.

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

Section 10. Paragraph (a) of subsection (10) of section 1002.61, Florida Statutes, is amended to read:

1002.61 Summer prekindergarten program delivered by public

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schools and private prekindergarten providers.—

(10)(a) Each early learning coalition shall verify that each private prekindergarten provider ~~and public school~~ delivering the Voluntary Prekindergarten Education Program within the coalition's county or multicounty region complies with this part.

Section 11. Subsection (9) of section 1002.63, Florida Statutes, is amended to read:

1002.63 School-year prekindergarten program delivered by public schools.—

(9)(a) ~~Each early learning coalition shall verify that each public school delivering the Voluntary Prekindergarten Education Program within the coalition's service area complies with this part.~~

~~(b)~~ If a public school fails or refuses to comply with this part or engages in misconduct, the department must ~~shall~~ require that the school district ~~to~~ remove the school from eligibility to deliver the Voluntary Prekindergarten Education Program and receive state funds under this part for a period of at least 2 years but no more than 5 years.

Section 12. Paragraph (b) of subsection (6) and subsection (7) of section 1002.71, Florida Statutes, are amended to read:

1002.71 Funding; financial and attendance reporting.—

(6)

(b)1. Each private prekindergarten provider's ~~and district school board's~~ attendance policy must require the parent of each student in the Voluntary Prekindergarten Education Program to verify, each month, the student's attendance on the prior month's certified student attendance.

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2. The parent must submit the verification of the student's attendance to the private prekindergarten provider ~~or public school~~ on forms prescribed by the department. The forms must include, in addition to the verification of the student's attendance, a certification, in substantially the following form, that the parent continues to choose the private prekindergarten provider or public school in accordance with s. 1002.53 and directs that payments for the program be made to the provider or school:

VERIFICATION OF STUDENT'S ATTENDANCE
AND CERTIFICATION OF PARENTAL CHOICE

I, ...(Name of Parent)..., swear (or affirm) that my child, ...(Name of Student)..., attended the Voluntary Prekindergarten Education Program on the days listed above and certify that I continue to choose ...(Name of Provider or School)... to deliver the program for my child and direct that program funds be paid to the provider or school for my child.

...(Signature of Parent)...

...(Date)...

3. The private prekindergarten provider ~~or public school~~ must keep each original signed form for at least 2 years. Each private prekindergarten provider must permit the early learning coalition, ~~and each public school must permit the school district,~~ to inspect the original signed forms during normal business hours. The department shall adopt procedures for early learning coalitions ~~and school districts~~ to review the original

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signed forms against the certified student attendance. The review procedures must ~~shall~~ provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition ~~and the school districts~~ must comply with the review procedures.

(7) The department shall require that administrative expenditures be kept to the minimum necessary for efficient and effective administration of the Voluntary Prekindergarten Education Program. Administrative policies and procedures must ~~shall be revised~~, to the maximum extent practicable, be revised to incorporate the use of automation and electronic submission of forms, including those required for child eligibility and enrollment, provider and class registration, and monthly certification of attendance for payment. A school district may use its automated daily attendance reporting system for the purpose of maintaining and transmitting attendance records to the early learning coalition in a mutually agreed-upon format. Each school district shall certify the correctness of attendance data submitted to the single point of entry system described in paragraph (5) (a) as required by the department. In addition, actions must ~~shall~~ be taken to reduce paperwork, eliminate the duplication of reports, and eliminate other duplicative activities. Each early learning coalition may retain and expend no more than 5.0 percent of the funds paid by the coalition to private prekindergarten providers and public schools under paragraph (5) (b). Funds retained by an early learning coalition under this subsection may be used only for administering the Voluntary Prekindergarten Education Program and may not be used for the school readiness program or other programs.

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Section 13. Subsection (4) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

~~(4) ACCOUNTABILITY. Each district that has not complied with the requirements in subsection (1), based on the October student membership survey, shall submit to the commissioner by February 1 a plan certified by the district school board that describes the specific actions the district will take in order to fully comply with the requirements in subsection (1) by October of the following school year.~~

Section 14. Paragraph (b) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The

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policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(b) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period, or a period of time less than 90 days as determined by the district school board, the student's primary teacher must ~~shall~~ report to the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies, and the principal must ~~shall~~ notify the district school superintendent and the school district contact for home education programs that the referred student is exhibiting a pattern of nonattendance.

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Section 15. Effective upon becoming a law, paragraphs (a) and (b) of subsection (3), paragraph (c) of subsection (5), and subsection (6) of section 1003.4282, Florida Statutes, are amended to read:

1003.4282 Requirements for a standard high school diploma.—

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

(a) *Four credits in English Language Arts (ELA).*—The four credits must be in ELA I, II, III, and IV. A student's performance on the statewide, standardized grade 10 ELA assessment constitutes 30 percent of the student's final course grade. A student must pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score, in order to earn a standard high school diploma.

(b) *Four credits in mathematics.*—

1. A student must earn one credit in Algebra I and one credit in Geometry. A student's performance on the statewide, standardized Algebra I end-of-course (EOC) assessment constitutes 30 percent of the student's final course grade. ~~A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma.~~ A student's performance on the statewide, standardized Geometry EOC assessment constitutes 30 percent of the student's final course grade.

2. 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. Substitution may occur for up to two mathematics credits, except for Algebra I and

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Geometry. A student may earn two mathematics credits by successfully completing Algebra I through two full-year courses. A certified school counselor or the principal's designee shall ~~must~~ advise the student that admission to a state university may require the student to earn 3 additional mathematics credits that are at least as rigorous as Algebra I.

3. A student who earns a computer science credit may substitute the credit for up to one credit of the mathematics requirement, with the exception of Algebra I and Geometry, if the commissioner identifies the computer science credit as being equivalent in rigor to the mathematics credit. An identified computer science credit may not be used to substitute for both a mathematics and a science credit. 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.

(5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

(c) A student who earns the required 24 credits, or the required 18 credits under s. 1002.3105(5), but fails to ~~pass the assessments required under s. 1008.22(3) or~~ achieve a 2.0 GPA shall be awarded a certificate of completion in a form prescribed by the State Board of Education. However, a student who is otherwise entitled to a certificate of completion may elect to remain in high school either as a full-time student or a part-time student for up to 1 additional year and receive special instruction designed to remedy his or her identified deficiencies.

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(6) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—~~Beginning with the 2012-2013 school year, if a student transfers to a Florida public high school from out of country, out of state, a private school, a personalized education program, or a home education program and the student's transcript shows a credit in Algebra I, the student must pass the statewide, standardized Algebra I EOC assessment in order to earn a standard high school diploma unless the student earned a comparative score, passed a statewide assessment in Algebra I administered by the transferring entity, or passed the statewide mathematics assessment the transferring entity uses to satisfy the requirements of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA), 20 U.S.C. ss. 6301 et seq. If a student's transcript shows a credit in high school reading or English Language Arts II or III, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score. If a transfer student's transcript shows a final course grade and course credit in Algebra I, Geometry, Biology I, or United States History, or the equivalent of a grade 10 ELA course, the transferring course final grade and credit must shall be honored without the student taking the requisite statewide, standardized EOC assessment and without the assessment results constituting 30 percent of the student's final course grade.~~

Section 16. Effective upon becoming a law, section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional

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instruction to meet high school graduation requirements.-

~~(1) Students who enter a Florida public school at the 11th or 12th grade from out of state or out of country may shall not be required to spend additional time in a Florida public school in order to meet the high school course requirements if the student has met all requirements of the school district, state, or country from which he or she is transferring. Such students who are not proficient in English should receive immediate and intensive instruction in English language acquisition. However, to receive a standard high school diploma, a transfer student must earn a 2.0 grade point average and meet the requirements under s. 1008.22.~~

~~(2) Students who earn the required 24 credits for the standard high school diploma except for passage of any must-pass assessment under s. 1003.4282 or s. 1008.22 or an alternate assessment by the end of grade 12 must be provided the following learning opportunities:~~

~~(a) Participation in an accelerated high school equivalency diploma preparation program during the summer.~~

~~(b) Upon receipt of a certificate of completion, be allowed to take the College Placement Test and be admitted to developmental education or credit courses at a Florida College System institution, as appropriate.~~

~~(c) Participation in an adult general education program as provided in s. 1004.93 for such time as the student requires to master English, reading, mathematics, or any other subject required for high school graduation. A student attending an adult general education program shall have the opportunity to take any must-pass assessment under s. 1003.4282 or s. 1008.22~~

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~~an unlimited number of times in order to receive a standard high school diploma.~~

~~(3) Students who have been enrolled in an ESOL program for less than 2 school years and have met all requirements for the standard high school diploma except for passage of any must-pass assessment under s. 1003.4282 or s. 1008.22 or alternate assessment may:~~

~~(a) Receive immersion English language instruction during the summer following their senior year. Students receiving such instruction are eligible to take the required assessment or alternate assessment and receive a standard high school diploma upon passage of the required assessment or alternate assessment. This paragraph shall be implemented to the extent funding is provided in the General Appropriations Act.~~

~~(b) Beginning with the 2022-2023 school year, meet the requirement to pass the statewide, standardized grade 10 English Language Arts assessment by satisfactorily demonstrating grade-level expectations on formative assessments, in accordance with state board rule.~~

Section 17. Paragraph (j) is added to subsection (6) of section 1006.1494, Florida Statutes, to read:

1006.1494 Student online personal information protection.-

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

(j) Impose requirements for a K-12 school, school district, or district school board.

The State Board of Education may adopt rules to implement this section.

Section 18. Subsection (2) of section 1006.40, Florida

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Statutes, is amended to read:

1006.40 Purchase of instructional materials.—

(2) Each district school board must purchase current instructional materials to provide each student in kindergarten through grade 12 with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. Such purchase must be made within the first 5 ~~3~~ years after the effective date of the adoption cycle unless a district school board or a consortium of school districts has implemented an instructional materials program pursuant to s. 1006.283.

Section 19. Subsections (2) and (3) of section 1008.212, Florida Statutes, are amended to read:

1008.212 Students with disabilities; extraordinary exemption.—

(2) A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(d) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with rule 6A-6.03020, Florida Administrative Code, is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption. The first two administrations of the coordinated screening and

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progress monitoring system under s. 1008.25(9) or any alternate assessments used in lieu of such administrations are not subject to the requirements of this section.

(3) The IEP team, which must include the parent, may submit to the district school superintendent a written request for an extraordinary exemption at any time during the school year, subject to deadlines established by the district school superintendent but not later than 60 days before the current year's assessment administration for which the request is made. A request must include all of the following:

(a) A written description of the student's disabilities, including a specific description of the student's impaired sensory, manual, or speaking skills.

(b) Written documentation of the most recent evaluation data.

(c) Written documentation, if available, of the most recent administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.

(d) A written description of the condition's effect on the student's participation in the statewide standardized assessment, an end-of-course assessment, or an alternate assessment.

(e) Written evidence that the student has had the opportunity to learn the skills being tested.

(f) Written evidence that the student has been provided appropriate instructional accommodations.

(g) Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the

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administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment in prior assessments.

(h) Written evidence of the circumstance or condition as defined in subsection (1).

Section 20. Paragraphs (a), (b), and (d) of subsection (7) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(a) The Commissioner of Education shall establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedules. By January 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment schedule for, at a minimum, the next 2 school years. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized ELA and Mathematics assessments and all statewide, standardized EOC assessments must be made available no later than June 30, except for results for the grade 3 statewide, standardized ELA assessment, which must be made available no later than May 31. Beginning with the 2023-2024 school year, assessment results for the statewide, standardized ELA and Mathematics assessments must be available no later than May 31. School districts shall administer statewide, standardized assessments in accordance with the schedule established by the commissioner.

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~~(b) By January of each year, the commissioner shall publish on the department's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next 2 school years. The uniform calendar must be provided to school districts in an electronic format that allows each school district and public school to populate the calendar with, at minimum, the following information for reporting the district assessment schedules under paragraph (d):~~

~~1. Whether the assessment is a district-required assessment or a state-required assessment.~~

~~2. The specific date or dates that each assessment will be administered, including administrations of the coordinated screening and progress monitoring system under s. 1008.25(9)(b).~~

~~3. The time allotted to administer each assessment.~~

~~4. Whether the assessment is a computer-based assessment or a paper-based assessment.~~

~~5. The grade level or subject area associated with the assessment.~~

~~6. The date that the assessment results are expected to be available to teachers and parents.~~

~~7. The type of assessment, the purpose of the assessment, and the use of the assessment results.~~

~~8. A glossary of assessment terminology.~~

~~9. Estimates of average time for administering state-required and district-required assessments, by grade level.~~

(c)(d) Each school district shall, by November 1 of each year, establish schedules for the administration of any statewide, standardized assessments and district-required assessments and approve the schedules as an agenda item at a

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813 district school board meeting. Each school district shall
 814 publish ~~the~~ testing schedules on its website which specify
 815 whether an assessment is a state-required or district-required
 816 assessment and the grade bands or subject areas associated with
 817 the assessments using the uniform calendar, including all
 818 information required under paragraph (b), and submit the
 819 schedules to the Department of Education by October 1 of each
 820 year. Each public school shall publish schedules for statewide,
 821 standardized assessments and district-required assessments on
 822 its website using the uniform calendar, including all
 823 information required under paragraph (b). The school board-
 824 approved assessment ~~uniform~~ calendar must be included in the
 825 parent guide required by s. 1002.23(5).

826 Section 21. Paragraph (c) of subsection (5) and paragraphs
 827 (b), (c), and (d) of subsection (9) of section 1008.25, Florida
 828 Statutes, are amended to read:

829 1008.25 Public school student progression; student support;
 830 coordinated screening and progress monitoring; reporting
 831 requirements.-

832 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.-

833 (c) To be promoted to grade 4, a student must score a Level
 834 2 or higher in English Language Arts for grade 3 on any
 835 administration of the coordinated screening and progress
 836 monitoring system, which includes ~~on~~ the statewide, standardized
 837 English Language Arts assessment required under s. 1008.22 ~~for~~
 838 ~~grade 3~~. If a student's reading deficiency is not remedied by
 839 the end of grade 3, as demonstrated by scoring Level 2 or higher
 840 on the mid-year or final administration of the coordinated
 841 screening and progress monitoring system, which includes the

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842 statewide, standardized assessment required under s. 1008.22 for
 843 grade 3, the student must be retained.

844 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.-

845 (b) Beginning with the 2022-2023 school year, private
 846 Voluntary Prekindergarten Education Program providers and public
 847 schools must participate in the coordinated screening and
 848 progress monitoring system pursuant to this paragraph.

849 1. For students in the school-year Voluntary
 850 Prekindergarten Education Program through grade 2, the
 851 coordinated screening and progress monitoring system must be
 852 administered at least three times within a school year, with the
 853 first administration occurring no later than the first 30
 854 instructional days after a student's enrollment or the start of
 855 the school year, the second administration occurring midyear,
 856 and the third administration occurring within the last 30 days
 857 of the school year pursuant to state board rule. The state board
 858 may adopt alternate timeframes to address nontraditional school
 859 year calendars to ensure the coordinated screening and progress
 860 monitoring program is administered a minimum of three times
 861 within a year.

862 2. For students in the summer prekindergarten program, the
 863 coordinated screening and progress monitoring system must be
 864 administered two times, with the first administration occurring
 865 no later than the first 10 instructional days after a student's
 866 enrollment or the start of the summer prekindergarten program,
 867 and the final administration occurring within the last 10 days
 868 of the summer prekindergarten program pursuant to state board
 869 rule.

870 3. For grades 3 through 10 English Language Arts and grades

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3 through 8 Mathematics, the coordinated screening and progress monitoring system must be administered at the beginning, middle, and end of the school year pursuant to state board rule. The end-of-year administration of the coordinated screening and progress monitoring system must be a comprehensive progress monitoring assessment administered in accordance with the scheduling requirements under s. 1008.22(7)(b) ~~s. 1008.22(7)(c)~~.

(c) To facilitate timely interventions and supports pursuant to subsection (4), the system must provide results from the first two administrations of the progress monitoring to a student's teacher or prekindergarten instructor within 1 week and to the student's parent within 2 weeks after the administration of the progress monitoring. Delivery of results from the comprehensive, end-of-year progress monitoring ELA assessment for grades 3 through 10 and Mathematics assessment for grades 3 through 8 must be in accordance with s. 1008.22(7)(g) ~~s. 1008.22(7)(h)~~.

1. A student's results from the coordinated screening and progress monitoring system must be recorded in a written, easy-to-comprehend individual student report. Each school district shall provide a parent secure access to his or her child's individual student reports through a web-based portal as part of its student information system. Each early learning coalition shall provide parents the individual student report in a format determined by state board rule.

2. In addition to the information under subparagraph (a)5., the report must also include parent resources that explain the purpose of progress monitoring, assist the parent in interpreting progress monitoring results, and support informed

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parent involvement. Parent resources may include personalized video formats.

3. The department shall annually update school districts and early learning coalitions on new system features and functionality and collaboratively identify with school districts and early learning coalitions strategies for meaningfully reporting to parents results from the coordinated screening and progress monitoring system. The department shall develop ways to increase the utilization, by instructional staff and parents, of student assessment data and resources.

4. An individual student report must be provided in a printed format upon a parent's request.

(d) Screening and progress monitoring system results, including the number of students who demonstrate characteristics of dyslexia and dyscalculia, shall be reported to the department pursuant to state board rule and maintained in the department's Education Data Warehouse. Results must be provided to a student's teacher and parent in a timely manner as required in s. 1008.22(7)(f) ~~s. 1008.22(7)(g)~~.

Section 22. Paragraph (c) of subsection (3) and subsection (5) of section 1008.33, Florida Statutes, are amended to read:
1008.33 Authority to enforce public school improvement.—
(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools. The intervention and support strategies must address student performance and may include improvement planning;

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leadership quality improvement; educator quality improvement; professional learning; curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and the use of continuous improvement and monitoring plans and processes. In addition, the state board may prescribe reporting requirements to review and monitor the progress of the schools. The rule must define the intervention and support strategies for school improvement for schools earning a grade of "D" or "F" and the roles for the district and department. A school may not be required to use the measure of student learning growth in s. 1012.34(7) as the sole determinant to recruit instructional personnel. The rule must create a timeline for a school district's school improvement plan or district-managed turnaround plan to be approved and for the school improvement funds under Title I to be released to the school district. The timeline established in rule for the release of school improvement funding under Title I may not exceed 20 calendar days after the approval of the school improvement plan or district-managed turnaround plan.

(5) The state board shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section. The rules shall include timelines for submission of implementation plans, approval criteria for implementation plans, timelines for releasing Title I funding, implementing intervention and support strategies, a standard charter school turnaround contract, a standard facility lease, and a mutual management agreement. The state board shall consult with education stakeholders in developing the rules.

Section 23. Paragraph (e) is added to subsection (2) of

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section 1010.20, Florida Statutes, to read:

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

(e) Each charter school shall receive and respond to monitoring questions from the department.

Section 24. Subsections (2) and (4) of section 1011.035, Florida Statutes, are amended to read:

1011.035 School district fiscal transparency.—

(2) Each district school board shall post on its website:

(a) A plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public and ~~includes~~ (a) Graphical representations, for each public school within the district and for the school district, of the following:

~~1. Summary financial efficiency data.~~

~~2. Fiscal trend information for the previous 3 years on:~~

~~a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.~~

~~b. The ratio of full-time equivalent students to full-time equivalent administrative personnel.~~

~~c. The total operating expenditures per full-time equivalent student.~~

~~d. The total instructional expenditures per full-time equivalent student.~~

~~e. The general administrative expenditures as a percentage of total budget.~~

~~f. The rate of change in the general fund's ending fund~~

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987 ~~balance not classified as restricted.~~

988 (b) A link to the web-based fiscal transparency tool
 989 developed by the department pursuant to s. 1010.20 to enable
 990 taxpayers to evaluate the financial efficiency of the school
 991 district and compare the financial efficiency of the school
 992 district with other similarly situated school districts.

993
 994 This information must be prominently posted on the school
 995 district's website in a manner that is readily accessible to the
 996 public.

997 (4) The website should contain links to:

998 ~~(a) Help explain or provide background information on~~
 999 ~~various budget items that are required by state or federal law.~~

1000 ~~(b) Allow users to navigate to related sites to view~~
 1001 ~~supporting details.~~

1002 ~~(c)~~ enable taxpayers, parents, and education advocates to
 1003 send e-mails asking questions about the budget and enable others
 1004 to view the questions and responses.

1005 Section 25. Subsection (1) of section 1011.14, Florida
 1006 Statutes, is amended to read:

1007 1011.14 Obligations for a period of 1 year.—District school
 1008 boards are authorized only under the following conditions to
 1009 create obligations by way of anticipation of budgeted revenues
 1010 accruing on a current basis without pledging the credit of the
 1011 district or requiring future levy of taxes for certain purposes
 1012 for a period of 1 year; however, such obligations may be
 1013 extended from year to year with the consent of the lender for a
 1014 period not to exceed 4 years, or for a total of 5 years
 1015 including the initial year of the loan:

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1016 (1) PURPOSES.—The purposes for which such obligations may
 1017 be incurred within the intent of this section shall include only
 1018 the purchase of school buses, land, and equipment for
 1019 educational purposes; the erection of, alteration to, or
 1020 addition to educational plants, ancillary plants, and auxiliary
 1021 facilities; and the adjustment of insurance on educational
 1022 property on a 5-year plan, as provided by rules of the State
 1023 Board of Education.

1024 Section 26. Subsection (2) of section 1011.60, Florida
 1025 Statutes, is amended to read:

1026 1011.60 Minimum requirements of the Florida Education
 1027 Finance Program.—Each district which participates in the state
 1028 appropriations for the Florida Education Finance Program shall
 1029 provide evidence of its effort to maintain an adequate school
 1030 program throughout the district and shall meet at least the
 1031 following requirements:

1032 (2) MINIMUM TERM.—Operate all schools for a term of 180
 1033 actual teaching days or the equivalent on an hourly basis as
 1034 specified by rules of the State Board of Education each school
 1035 year. The State Board of Education may prescribe procedures for
 1036 altering, and, upon written application, may alter, this
 1037 requirement during a national, state, or local emergency as it
 1038 may apply to an individual school or schools in any district or
 1039 districts if the district school board certifies to the
 1040 Commissioner of Education that if, in the opinion of the board,
 1041 it is not necessary feasible to make up lost days or hours, and
 1042 the apportionment may, at the discretion of the Commissioner of
 1043 Education and if the board determines that the reduction of
 1044 school days or hours is caused by the existence of a bona fide

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emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools. A strike, as defined in s. 447.203(6), by employees of the school district may not be considered an emergency.

Section 27. Paragraph (o) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

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

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

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b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not rely solely on the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic

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postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of at least three courses and an industry certification in a single career and technical education program or program of study.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(4) and 1008.44.

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

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct

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instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

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

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

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

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

~~Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation.~~ Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to

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receive. A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph.

Section 28. Paragraph (b) of subsection (3) of section 1011.6202, Florida Statutes, is amended to read:

1011.6202 Principal Autonomy Program Initiative.—The Principal Autonomy Program Initiative is created within the Department of Education. The purpose of the program is to provide a highly effective principal of a participating school with increased autonomy and authority to operate his or her school, as well as other schools, in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with the district school board for participation in the program.

(3) EXEMPTION FROM LAWS.—

(b) A participating school or a school operated by a principal pursuant to subsection (5) shall comply with the provisions of chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:

1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.

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2. Those laws relating to the student assessment program and school grading system, including chapter 1008.

3. Those laws relating to the provision of services to students with disabilities.

4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.

5. Those laws relating to student health, safety, and welfare.

6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.

7. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level for a participating school.

8. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.

9. Section 1012.33(5), relating to workforce reductions for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

10. Section 1012.335, relating to annual or instructional multiyear contracts for instructional personnel hired on or after July 1, 2011. This subparagraph does not apply to at-will employees.

11. Section 1012.34, relating to personnel evaluation procedures and criteria.

12. Those laws pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for relocatables, is eligible for exemption.

13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and

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1012.28(8).

Section 29. Subsection (4) of section 1011.69, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

1011.69 Equity in School-Level Funding Act.—

(4) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, which may include high schools above the 50 percent threshold as permitted by federal law, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible school is a school that is eligible to receive Title I funds, including a charter school. ~~The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.~~

(a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of 10 percent;

3. A reasonable and necessary amount to provide:

- a. Homeless programs;
- b. Delinquent and neglected programs;
- c. Prekindergarten programs and activities;

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d. Private school equitable services; and

e. Transportation for foster care children to their school of origin or choice programs;

4. Up to 5 percent to provide financial incentives and rewards to teachers who serve students in eligible schools, including charter schools, identified for comprehensive support and improvement activities or targeted support and improvement activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a measurement under s. 1012.34(7) or a state-approved Alternative Student Growth Model is unavailable; and

~~5.4.~~ A necessary and reasonable amount, ~~not to exceed 1 percent~~, for eligible schools, including charter schools, to provide educational services in accordance with the approved Title I plan.

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. An eligible school may use funds under this subsection to participate in discretionary educational services provided by the school district. Any funds provided by an eligible school to participate in discretionary educational services provided by the school district are not subject to the requirements of this subsection.

(c) Any funds carried forward by the school district are not subject to the requirements of this subsection.

(5) The Department of Education shall make funds from Title I, Title II, and Title III programs available to local education agencies for the full period of availability provided in federal

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1277 law.

1278 Section 30. Paragraphs (c), (e), and (h) of subsection (2)
1279 of section 1011.71, Florida Statutes, are amended to read:

1280 1011.71 District school tax.—

1281 (2) In addition to the maximum millage levy as provided in
1282 subsection (1), each school board may levy not more than 1.5
1283 mills against the taxable value for school purposes for charter
1284 schools pursuant to s. 1013.62(1) and (3) and for district
1285 schools to fund:

1286 (c) The purchase, lease-purchase, or lease of school buses
1287 or other motor vehicles regularly used for the transportation of
1288 prekindergarten disability program and K-12 public school
1289 students to and from school or to and from school activities,
1290 and owned, operated, rented, contracted, or leased by any
1291 district school board.

1292 (e) Payments for educational plants, ancillary plants, and
1293 auxiliary facilities and sites due under a lease-purchase
1294 agreement entered into by a district school board pursuant to s.
1295 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate,
1296 an amount equal to three-fourths of the proceeds from the
1297 millage levied by a district school board pursuant to this
1298 subsection. The three-fourths limit is waived for lease-purchase
1299 agreements entered into before June 30, 2009, by a district
1300 school board pursuant to this paragraph. If payments under
1301 lease-purchase agreements in the aggregate, including lease-
1302 purchase agreements entered into before June 30, 2009, exceed
1303 three-fourths of the proceeds from the millage levied pursuant
1304 to this subsection, the district school board may not withhold
1305 the administrative fees authorized by s. 1002.33(20) from any

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1306 charter school operating in the school district.

1307 (h) Payment of costs of leasing relocatable educational
1308 plants, ancillary plants, and auxiliary facilities, of renting
1309 or leasing educational plants, ancillary plants, and auxiliary
1310 facilities and sites pursuant to s. 1013.15(2), or of renting or
1311 leasing buildings or space within existing buildings pursuant to
1312 s. 1013.15(4).

1313 Section 31. Paragraph (c) of subsection (1) and paragraph
1314 (a) of subsection (3) of section 1012.22, Florida Statutes, are
1315 amended to read:

1316 1012.22 Public school personnel; powers and duties of the
1317 district school board.—The district school board shall:

1318 (1) Designate positions to be filled, prescribe
1319 qualifications for those positions, and provide for the
1320 appointment, compensation, promotion, suspension, and dismissal
1321 of employees as follows, subject to the requirements of this
1322 chapter:

1323 (c) *Compensation and salary schedules.*—

1324 1. Definitions.—As used in this paragraph:

1325 a. "Adjustment" means an addition to the base salary
1326 schedule that is not a bonus and becomes part of the employee's
1327 permanent base salary and shall be considered compensation under
1328 s. 121.021(22).

1329 b. "Grandfathered salary schedule" means the salary
1330 schedule or schedules adopted by a district school board before
1331 July 1, 2014, pursuant to subparagraph 4.

1332 c. "Instructional personnel" means instructional personnel
1333 as defined in s. 1012.01(2)(a)–(d), excluding substitute
1334 teachers.

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d. "Performance salary schedule" means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

e. "Salary schedule" means the schedule or schedules used to provide the base salary for district school board personnel.

f. "School administrator" means a school administrator as defined in s. 1012.01(3)(c).

g. "Supplement" means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee's continuing base salary but shall be considered compensation under s. 121.021(22).

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:

a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.

b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

3. Advanced degrees.—A district school board may use advanced degrees in setting a salary schedule for instructional personnel or school administrators if the advanced degree is held in the individual's area of certification. For purposes of the salary schedule, an advanced degree may include a doctorate or master's degree in the area of certification, or a doctorate or master's degree with a minimum of 18 graduate semester hours in the area of certification.

4. Grandfathered salary schedule.—

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a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph 4. ~~5.~~ Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.

5. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule that provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under s. 1012.34. Employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered

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1393 salary schedule to the performance salary schedule shall be
1394 compensated pursuant to the performance salary schedule once
1395 they have received the appropriate performance evaluation for
1396 this purpose.

1397 a. Base salary.—The base salary shall be established as
1398 follows:

1399 (I) The base salary for instructional personnel or school
1400 administrators who opt into the performance salary schedule
1401 shall be the salary paid in the prior year, including
1402 adjustments only.

1403 (II) Instructional personnel or school administrators new
1404 to the district, returning to the district after a break in
1405 service without an authorized leave of absence, or appointed for
1406 the first time to a position in the district in the capacity of
1407 instructional personnel or school administrator shall be placed
1408 on the performance salary schedule.

1409 b. Salary adjustments.—Salary adjustments for highly
1410 effective or effective performance shall be established as
1411 follows:

1412 (I) The annual salary adjustment under the performance
1413 salary schedule for an employee rated as highly effective must
1414 be at least 25 percent greater than the highest annual salary
1415 adjustment available to an employee of the same classification
1416 through any other salary schedule adopted by the district.

1417 (II) The annual salary adjustment under the performance
1418 salary schedule for an employee rated as effective must be equal
1419 to at least 50 percent and no more than 75 percent of the annual
1420 adjustment provided for a highly effective employee of the same
1421 classification.

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1422 (III) A salary schedule may ~~shall~~ not provide an annual
1423 salary adjustment for an employee who receives a rating other
1424 than highly effective or effective for the year.

1425 c. Salary supplements.—In addition to the salary
1426 adjustments, each district school board shall provide for salary
1427 supplements for activities that must include, but are not
1428 limited to:

1429 (I) Assignment to a Title I eligible school.

1430 (II) Assignment to a school that earned a grade of "F" or
1431 three consecutive grades of "D" pursuant to s. 1008.34 such that
1432 the supplement remains in force for at least 1 year following
1433 improved performance in that school.

1434 (III) Certification and teaching in critical teacher
1435 shortage areas. Statewide critical teacher shortage areas shall
1436 be identified by the State Board of Education under s. 1012.07.
1437 However, the district school board may identify other areas of
1438 critical shortage within the school district for purposes of
1439 this sub-sub-subparagraph and may remove areas identified by the
1440 state board which do not apply within the school district.

1441 (IV) Assignment of additional academic responsibilities.

1442
1443 If budget constraints in any given year limit a district school
1444 board's ability to fully fund all adopted salary schedules, the
1445 performance salary schedule may ~~shall~~ not be reduced on the
1446 basis of total cost or the value of individual awards in a
1447 manner that is proportionally greater than reductions to any
1448 other salary schedules adopted by the district. Any compensation
1449 for longevity of service awarded to instructional personnel who
1450 are on any other salary schedule must be included in calculating

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the salary adjustments required by sub-subparagraph b.

(3) (a) *Collective bargaining.*—Notwithstanding provisions of chapter 447 related to district school board collective bargaining, collective bargaining may not preclude a district school board from carrying out its constitutional and statutory duties related to the following:

1. Providing incentives to effective and highly effective teachers.
2. Implementing intervention and support strategies under s. 1008.33 to address the causes of low student performance and improve student academic performance and attendance.
3. Implementing student discipline provisions required by law, including a review of a student's abilities, past performance, behavior, and needs.
4. Implementing school safety plans and requirements.
5. Implementing staff and student recognition programs.
6. Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.
7. Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.
8. The school district's calendar.
9. Providing salary supplements pursuant to sub-sub-
subparagraph (1) (c) 5.c. (III).

Section 32. Present paragraphs (b) and (c) of subsection (1) of section 1012.335, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, a new paragraph (b) is added to that subsection, paragraphs (d) and (e) are added to

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subsection (2) of that section, and subsections (3) and (4) of that section are amended, to read:

1012.335 Contracts with instructional personnel hired on or after July 1, 2011.—

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

(b) "Instructional multiyear contract," beginning July 1, 2026, means an employment contract for a period not to exceed 3 years which the district school board may choose to award upon completion of a probationary contract and at least one annual contract.

(2) EMPLOYMENT.—

(d) An instructional multiyear contract may be awarded, beginning July 1, 2026, only if the employee:

1. Holds an active professional certificate or temporary certificate issued pursuant to s. 1012.56 and rules of the State Board of Education;
2. Has been recommended by the district school superintendent for the instructional multiyear contract based upon the individual's evaluation under s. 1012.34 and approved by the district school board; and
3. Has not received an annual performance evaluation rating of unsatisfactory or needs improvement under s. 1012.34.

(e) An employee awarded an instructional multiyear contract who receives an annual performance evaluation rating of unsatisfactory or needs improvement under s. 1012.34 must be returned to an annual contract in the following school year. Such evaluation rating must be included with the evaluation ratings under subsequent annual contracts for determinations of just cause under s. 1012.33.

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(3) VIOLATION OF ANNUAL OR INSTRUCTIONAL MULTIYEAR CONTRACT.—Instructional personnel who accept a written offer from the district school board and who leave their positions without prior release from the district school board are subject to the jurisdiction of the Education Practices Commission.

(4) SUSPENSION OR DISMISSAL OF INSTRUCTIONAL PERSONNEL ON ANNUAL OR INSTRUCTIONAL MULTIYEAR CONTRACT.—Any instructional personnel with an annual or instructional multiyear contract may be suspended or dismissed at any time during the term of the contract for just cause as provided in subsection (5). The district school board shall notify the employee in writing whenever charges are made and may suspend such person without pay. However, if the charges are not sustained, the employee must ~~shall~~ be immediately reinstated and his or her back pay must ~~shall~~ be paid. If the employee wishes to contest the charges, he or she must, within 15 days after receipt of the written notice, submit a written request for a hearing to the district school board. A direct hearing must ~~shall~~ be conducted by the district school board or a subcommittee thereof within 60 days after receipt of the written appeal. The hearing must ~~shall~~ be conducted in accordance with ss. 120.569 and 120.57. A majority vote of the membership of the district school board shall be required to sustain the district school superintendent's recommendation. The district school board's determination is final as to the sufficiency or insufficiency of the grounds for suspension without pay or dismissal. Any such decision adverse to the employee may be appealed by the employee pursuant to s. 120.68.

Section 33. Paragraphs (a) and (b) of subsection (1) and

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paragraph (a) of subsection (3) of section 1012.34, Florida Statutes, are amended, and paragraph (c) is added to subsection (7) of that section, to read:

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

(a) For the purpose of increasing student academic performance by improving the quality of instructional, administrative, and supervisory services in the public schools of this the state, the district school superintendent shall establish procedures for evaluating the performance of duties and responsibilities of all instructional, administrative, and supervisory personnel employed by the school district. The procedures and requirements in subsection (3) must be established by the district school superintendent and approved by the district school board, must set the standards of service to be offered to the public within the meaning of s. 447.209, and are not subject to collective bargaining. The district school superintendent shall provide instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes. The district school superintendent shall report accurate class rosters for the purpose of calculating district and statewide student performance and annually report the evaluation results of instructional personnel and school administrators to the Department of Education in addition to the information required under subsection (5).

(b) The district school superintendent shall submit the district instructional personnel and school administrator evaluation systems to the department whenever the evaluation systems in subsection (2) are amended ~~department must approve~~

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~~each school district's instructional personnel and school administrator evaluation systems. The department shall monitor each district's implementation of its instructional personnel and school administrator evaluation systems for compliance with the requirements of this section.~~

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

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

1. Performance of students.—At least one-half ~~one-third~~ of a performance evaluation must be based upon data and indicators of student performance, as determined by each school district.

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~~This portion of the evaluation must include growth or achievement data of the teacher's students or, for a school administrator, the students attending the school over the course of at least 3 years. If less than 3 years of data are available, the years for which data are available must be used. The proportion of growth or achievement data may be determined by instructional assignment.~~

2. Instructional practice.—~~For instructional personnel, at least one-third of the performance evaluation must be based upon instructional practice. Evaluation criteria used when annually observing classroom teachers, as defined in s. 1012.01(2)(a), excluding substitute teachers, must include indicators based upon each of the Florida Educator Accomplished Practices adopted by the State Board of Education. For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the Florida Educator Accomplished Practices and may include specific job expectations related to student support. This section does not preclude a school administrator from visiting and observing classroom teachers throughout the school year for purposes of providing mentorship, training, instructional feedback, or professional learning.~~

3. Instructional leadership.—~~For school administrators, at least one-third of the performance evaluation must be based on instructional leadership. Evaluation criteria for instructional leadership must include indicators based upon each of the leadership standards adopted by the State Board of Education under s. 1012.986, including performance measures related to the effectiveness of classroom teachers in the school, the administrator's appropriate use of evaluation criteria and~~

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~~procedures, recruitment and retention of effective and highly effective classroom teachers, improvement in the percentage of instructional personnel evaluated at the highly effective or effective level, and other leadership practices that result in student learning growth. The system may include a means to give parents and instructional personnel an opportunity to provide input into the administrator's performance evaluation.~~

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

(7) MEASUREMENT OF STUDENT PERFORMANCE.—

(c) The measurement of student learning growth under paragraph (a) may not be the sole determinant for any incentive pay for instructional personnel or school administrators.

Section 34. Paragraph (c) of subsection (1) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and 1012.57, or any other provision of law or rule to the contrary,

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each district school board shall establish the minimal qualifications for:
(c) Part-time and full-time nondegreed teachers of career programs. Qualifications must be established for nondegreed teachers of career and technical education courses for program clusters that are recognized in the state and are based primarily on successful occupational experience rather than academic training. The qualifications for such teachers must require:
1. The filing of a complete set of fingerprints in the same manner as required by s. 1012.32. Faculty employed solely to conduct postsecondary instruction may be exempted from this requirement.
2. Documentation of education and successful occupational experience, including documentation of:
a. A high school diploma or the equivalent.
b. Completion of a minimum level, established by the district school board, 3 years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.
c. ~~For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students. This training may be completed through coursework from an accredited or approved institution or an approved district teacher education program, or the local school district~~

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~~inservice master plan.~~

~~4.~~ Documentation of industry certification when state or national industry certifications are available and applicable.

Section 35. Paragraphs (a), (b), (d), and (e) of subsection (2) of section 1012.555, Florida Statutes, are amended to read:

1012.555 Teacher Apprenticeship Program.—

(2)(a) An individual must meet the following minimum eligibility requirements to participate in the apprenticeship program:

1. Be enrolled in or have completed ~~Have received~~ an associate degree program at ~~from~~ an accredited postsecondary institution.

2. Have earned a cumulative grade point average of 2.5 in that degree program.

3. Have successfully passed a background screening as provided in s. 1012.32.

4. Have received a temporary apprenticeship certificate as provided in s. 1012.56(7)(d).

(b) As a condition of participating in the program, an apprentice teacher must commit to spending at least the first 2 years in the classroom of a mentor teacher using team teaching strategies identified in s. 1003.03(4)(b) ~~s. 1003.03(5)(b)~~ and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.

(d) An apprentice teacher must be appointed by the district school board or work in the district as an education paraprofessional and must be paid in accordance with s. 446.032 and rules adopted by the State Board of Education.

(e) An apprentice teacher may change schools or districts

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after the first year of his or her apprenticeship if the ~~receiving hiring~~ school or district has agreed to fund the remaining year of the apprenticeship.

Section 36. Paragraph (g) of subsection (2), subsections (3) and (7), and paragraph (a) of subsection (8) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

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

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

(3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of demonstrating mastery of general knowledge are:

(a) Achievement of passing scores on the general knowledge examination required by state board rule;

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

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

(d) Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program;

(e) Achievement of passing scores, identified in state

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board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination and the SAT, ACT, and Classic Learning Test. Passing scores identified in state board rule must be at approximately the same level of rigor as is required to pass the general knowledge examinations;

~~or~~ (f) Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the Department of Education has identified as having a quality program resulting in a baccalaureate degree or higher.

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. Such information must include, but need not be limited to, state-level test information guides, school district test preparation resources, and preparation courses offered by state universities and Florida College System institutions. The requirement of mastery of general knowledge shall be waived for an individual who has been provided 3 years of supports and instruction and who has been rated effective or highly effective under s. 1012.34 for each of the last 3 years.

(7) TYPES AND TERMS OF CERTIFICATION.—

(a) The Department of Education shall issue a professional

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

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

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1799 certificate.

1800 (b) The department shall issue a temporary certificate to

1801 any applicant who:

1802 1. Completes the requirements outlined in paragraphs

1803 (2)(a)-(f) and completes the subject area content requirements

1804 specified in state board rule or demonstrates mastery of subject

1805 area knowledge pursuant to subsection (5) and holds an

1806 accredited degree or a degree approved by the Department of

1807 Education at the level required for the subject area

1808 specialization in state board rule;

1809 2. For a subject area specialization for which the state

1810 board otherwise requires a bachelor's degree, documents 48

1811 months of active-duty military service with an honorable

1812 discharge or a medical separation; completes the requirements

1813 outlined in paragraphs (2)(a), (b), and (d)-(f); completes the

1814 subject area content requirements specified in state board rule

1815 or demonstrates mastery of subject area knowledge pursuant to

1816 subsection (5); and documents completion of 60 college credits

1817 with a minimum cumulative grade point average of 2.5 on a 4.0

1818 scale, as provided by one or more accredited institutions of

1819 higher learning or a nonaccredited institution of higher

1820 learning identified by the Department of Education as having a

1821 quality program resulting in a bachelor's degree or higher; or

1822 3. Is enrolled in a state-approved teacher preparation

1823 program under s. 1004.04; is actively completing the required

1824 program field experience or internship at a public school;

1825 completes the requirements outlined in paragraphs (2)(a), (b),

1826 and (d)-(f); completes the subject area content requirements

1827 specified in state board rule or demonstrates mastery of subject

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1828 area knowledge pursuant to subsection (5); and documents

1829 completion of 60 college credits with a minimum cumulative grade

1830 point average of 2.5 on a 4.0 scale, as provided by one or more

1831 accredited institutions of higher learning or a nonaccredited

1832 institution of higher learning identified by the Department of

1833 Education as having a quality program resulting in a bachelor's

1834 degree or higher.

1835 (c) The department shall issue one nonrenewable 2-year

1836 temporary certificate and one nonrenewable 5-year professional

1837 certificate to a qualified applicant who holds a bachelor's

1838 degree in the area of speech-language impairment to allow for

1839 completion of a master's degree program in speech-language

1840 impairment.

1841 (d) The department shall issue a temporary apprenticeship

1842 certificate to any applicant who:

1843 1. Meets the requirements of paragraphs (2)(a), (b), and

1844 (d)-(f).

1845 2. Completes the subject area content requirements

1846 specified in state board rule or demonstrates mastery of subject

1847 area knowledge as provided in subsection (5).

1848 (e) A person who is issued a temporary certificate under

1849 paragraph (b) must be assigned a teacher mentor for a minimum of

1850 2 school years after commencing employment. Each teacher mentor

1851 selected by the school district, charter school, or charter

1852 management organization must:

1853 1. Hold a valid professional certificate issued pursuant to

1854 this section;

1855 2. Have earned at least 3 years of teaching experience in

1856 prekindergarten through grade 12; and

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

(f)1. A temporary certificate is valid for 5 school fiscal years, is limited to a one-time issuance, and is nonrenewable.

2. A temporary apprenticeship certificate issued under paragraph (d) is valid for 5 school years, may be issued only once, and is nonrenewable.

(g) A certificateholder may request that her or his certificate be placed in an inactive status. A certificate that has been inactive may be reactivated upon application to the department. The department shall prescribe, by rule, professional learning requirements as a condition of reactivating a certificate that has been inactive for more than 1 year.

(h) A school district or a regional education consortium may issue temporary certificates, based on the requirements in paragraph (b). School districts and regional education consortia must report the number of such certificates issued, and any additional information to the department, based on reporting requirements adopted by the State Board of Education.

At least 1 year before an individual's department-issued temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed.

(8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

(a) The Department of Education shall develop and each

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school district, charter school, and charter management organization may provide a cohesive competency-based professional learning certification program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection (6) and rules of the State Board of Education. Participants must hold a state-issued temporary certificate. A school district, charter school, or charter management organization that implements the program shall provide a competency-based certification program developed by the Department of Education or developed by the district, charter school, or charter management organization and approved by the Department of Education. These entities may collaborate with other supporting agencies or educational entities for implementation. The program shall include the following:

1. A teacher mentorship and induction component.

a. Each individual selected by the district, charter school, or charter management organization as a mentor:

(I) Must hold a valid professional certificate issued pursuant to this section;

(II) Must have earned at least 3 years of teaching experience in prekindergarten through grade 12;

(III) Must have completed training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional learning under s. 1012.98(4);

(IV) Must have earned an effective or highly effective rating on the prior year's performance evaluation; and

(V) May be a peer evaluator under the district's evaluation system approved under s. 1012.34.

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b. The teacher mentorship and induction component must, at a minimum, provide routine opportunities for mentoring and induction activities, including ongoing professional learning as described in s. 1012.98 targeted to a teacher's needs, opportunities for a teacher to observe other teachers, co-teaching experiences, and reflection and follow-up ~~followup~~ discussions. Professional learning must meet the criteria established in s. 1012.98(3). Mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate in accordance with this section.

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

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

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

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

a. The state academic standards provided under s. 1003.41, including scientifically researched and evidence-based reading instructional strategies grounded in the science of reading, content literacy, and mathematical practices, for each subject identified on the temporary certificate. Reading instructional

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strategies for foundational skills shall include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

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

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

5. Beginning with candidates entering a program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(g) ~~or~~ ~~1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum.

Section 37. Paragraph (a) of subsection (2), subsection (3), and paragraph (b) of subsection (5) of section 1012.585, Florida Statutes, are amended to read:

1012.585 Process for renewal of professional certificates.—

(2)(a) All professional certificates, except a nonrenewable professional certificate, are ~~shall be~~ renewable for successive periods not to exceed 10 ~~5~~ years after the date of submission of

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documentation of completion of the requirements for renewal provided in subsection (3). Only one renewal may be granted during each 5-year or 10-year validity period of a professional certificate.

1. An applicant who is rated highly effective, pursuant to s. 1012.34, in the first 4 years of the 5-year validity period of his or her professional certificate is eligible for a professional certificate valid for 10 years. An applicant must be issued at least one 5-year professional certificate to be eligible for a 10-year professional certificate. An applicant who does not meet the requirement of this subparagraph is eligible only to renew his or her 5-year professional certificate.

2. An applicant who is rated effective or highly effective, pursuant to s. 1012.34, for the first 9 years of the 10-year validity period of his or her professional certificate is eligible to renew a professional certificate valid for 10 years. An applicant issued a 10-year professional certificate who does not meet the requirement of this subparagraph is eligible only for renewal of a professional certificate valid for 5 years.

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

(a) The applicant must:

1. Earn a minimum of 6 college credits or 120 inservice points or a combination thereof for a certificate valid for 5 years. The district school board may reduce the requirements by 1 college credit or 20 inservice points for an applicant rated highly effective, pursuant to s. 1012.34, in at least 3 of the 5 years of the 5-year validity period of his or her initial

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professional certificate.

2. Earn a minimum of 9 college credits or 180 inservice points or a combination thereof for a professional certificate valid for 10 years. A minimum of 5 college credits or 100 inservice points or a combination thereof must be earned within the first 5 years of a professional certificate valid for 10 years.

(b) For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 1004.04(5)(b); participation in mentorship and induction activities, including as a mentor, pursuant to s. 1012.56(8)(a); and credits or points that provide training in the area of scientifically researched, knowledge-based reading literacy grounded in the science of reading, including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies, and computational skills acquisition, exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule that include reading instruction

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 or intervention for any students in kindergarten through grade
 6. Each district school board shall include in its inservice
 master plan the ability for teachers to receive inservice points
 for supporting students in extracurricular career and technical
 education activities, such as career and technical student
 organization activities outside of regular school hours and
 training related to supervising students participating in a
 career and technical student organization. Credits or points
 earned through approved summer institutes may be applied toward
 the fulfillment of these requirements. Inservice points may also
 be earned by participation in professional growth components
 approved by the State Board of Education and specified pursuant
 to s. 1012.98 in the district's approved master plan for
 inservice educational training; however, such points may not be
 used to satisfy the specialization requirements of this
 paragraph.

(c) ~~(b)~~ In lieu of college course credit or inservice
 points, the applicant may renew a subject area specialization by
 passage of a state board approved Florida-developed subject area
 examination or, if a Florida subject area examination has not
 been developed, a standardized examination specified in state
 board rule.

(d) ~~(e)~~ If an applicant wishes to retain more than two
 specialization areas on the certificate, the applicant must
~~shall~~ be permitted two successive validity periods for renewal
 of all specialization areas, but must earn no fewer than 6
 college course credit hours or the equivalent inservice points
 in any one validity period.

(e) ~~(d)~~ The State Board of Education shall adopt rules for

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 the expanded use of training for renewal of the professional
 certificate for educators who are required to complete training
 in teaching students of limited English proficiency or students
 with disabilities and training in the teaching of reading as
 follows:

1. A teacher who holds a professional certificate may use
 college credits or inservice points earned through training in
 teaching students of limited English proficiency or students
 with disabilities and training in the teaching of reading in
 excess of 6 semester hours during one certificate-validity
 period toward renewal of the professional certificate during the
 subsequent validity periods.

2. A teacher who holds a temporary certificate may use
 college credits or inservice points earned through training in
 teaching students of limited English proficiency or students
 with disabilities and training in the teaching of reading toward
 renewal of the teacher's first professional certificate. Such
 training must not have been included within the degree program,
 and the teacher's temporary and professional certificates must
 be issued for consecutive school years.

(f) ~~(e)~~ Beginning July 1, 2014, an applicant for renewal of
 a professional certificate must earn a minimum of one college
 credit or the equivalent inservice points in the area of
 instruction for teaching students with disabilities. The
 requirement in this paragraph may not add to the total hours
 required by the department for continuing education or inservice
 training.

(g) ~~(f)~~ An applicant for renewal of a professional
 certificate in any area of certification identified by State

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Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of 2 college credits or the equivalent inservice points in evidence-based instruction and interventions grounded in the science of reading specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies. Such training must be provided by teacher preparation programs under s. 1004.04 or s. 1004.85 or approved school district professional learning systems under s. 1012.98. The requirements in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

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

(i) ~~(h)~~ A teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth.

(5) The State Board of Education shall adopt rules to allow the reinstatement of expired professional certificates. The

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department may reinstate an expired professional certificate if the certificateholder:

(b) Documents completion of 6 college credits during the 5 years immediately preceding reinstatement of the expired certificate, completion of 120 inservice points, or a combination thereof, in an area specified in paragraph (3)(b) ~~(3)(a)~~ to include the credit required under paragraph (3)(f) ~~(3)(e)~~.

The requirements of this subsection may not be satisfied by subject area examinations or college credits completed for issuance of the certificate that has expired.

Section 38. Section 1013.19, Florida Statutes, is amended to read:

1013.19 Purchase, conveyance, or encumbrance of property interests above surface of land; joint-occupancy structures.—For the purpose of implementing jointly financed construction project agreements, or for the construction of combined occupancy structures, any board may purchase, own, convey, sell, lease, or encumber airspace or any other interests in property above the surface of the land, provided the lease of airspace for nonpublic use is for such reasonable rent, length of term, and conditions as the board in its discretion may determine. All proceeds from such sale or lease shall be used by a the board of trustees for a Florida College System institution or state university or boards receiving the proceeds solely for fixed capital outlay purposes. These purposes may include the renovation or remodeling of existing facilities owned by the board or the construction of new facilities; however, for a

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Florida College System institution board or university board, such new facility must be authorized by the Legislature. It is declared that the use of such rental by the board for public purposes in accordance with its statutory authority is a public use. Airspace or any other interest in property held by the Board of Trustees of the Internal Improvement Trust Fund or the State Board of Education may not be divested or conveyed without approval of the respective board. Any building, including any building or facility component that is common to both nonpublic and educational portions thereof, constructed in airspace that is sold or leased for nonpublic use pursuant to this section is subject to all applicable state, county, and municipal regulations pertaining to land use, zoning, construction of buildings, fire protection, health, and safety to the same extent and in the same manner as such regulations would be applicable to the construction of a building for nonpublic use on the appurtenant land beneath the subject airspace. Any educational facility constructed or leased as a part of a joint-occupancy facility is subject to all rules and requirements of the respective boards or departments having jurisdiction over educational facilities. Any contract executed by a university board of trustees pursuant to this section is subject to the provisions of s. 1010.62.

Section 39. Section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.-

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

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~~(a) "Adopted educational facilities plan" means the comprehensive planning document that is adopted annually by the district school board as provided in subsection (2) and that contains the educational plant survey.~~

~~(b) "District facilities work program" means the 5-year listing of capital outlay projects adopted by the district school board as provided in subparagraph (2)(a)2. and paragraph (2)(b) as part of the district educational facilities plan, which is required in order to:~~

~~1. Properly maintain the educational plant and ancillary facilities of the district.~~

~~2. Provide an adequate number of satisfactory student stations for the projected student enrollment of the district in K-12 programs.~~

~~(c) "Tentative educational facilities plan" means the comprehensive planning document prepared annually by the district school board and submitted to the Office of Educational Facilities and the affected general-purpose local governments.~~

~~(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN.-~~

~~(a) Annually, before prior to the adoption of the district school budget, each district school board shall prepare a tentative district educational facilities plan that includes long-range planning for facilities needs over 5-year, 10-year, and 20-year periods. The plan must be developed in coordination with the general-purpose local governments and be consistent with the local government comprehensive plans. The school board's plan for provision of new schools must meet the needs of all growing communities in the district, ranging from small~~

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2205 rural communities to large urban cities. The plan must include:

2206 1. Projected student populations apportioned geographically
 2207 at the local level. The projections must be based on information
 2208 produced by the demographic, revenue, and education estimating
 2209 conferences pursuant to s. 216.136, where available, as modified
 2210 by the district based on development data and agreement with the
 2211 local governments and the Office of Educational Facilities. The
 2212 projections must be apportioned geographically with assistance
 2213 from the local governments using local development trend data
 2214 and the school district student enrollment data.

2215 2. An inventory of existing school facilities. Any
 2216 anticipated expansions or closures of existing school sites over
 2217 the 5-year, 10-year, and 20-year periods must be identified. The
 2218 inventory must include an assessment of areas proximate to
 2219 existing schools and identification of the need for improvements
 2220 to infrastructure, safety, including safe access routes, and
 2221 conditions in the community. The plan must also provide a
 2222 listing of major repairs and renovation projects anticipated
 2223 over the period of the plan.

2224 3. Projections of facilities space needs, which may not
 2225 exceed the norm space and occupant design criteria established
 2226 in the State Requirements for Educational Facilities.

2227 4. Information on leased, loaned, and donated space and
 2228 relocatables used for conducting the district's instructional
 2229 programs.

2230 5. The general location of public schools proposed to be
 2231 constructed over the 5-year, 10-year, and 20-year time periods,
 2232 including a listing of the proposed schools' site acreage needs
 2233 and anticipated capacity and maps showing the general locations.

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2234 The school board's identification of general locations of future
 2235 school sites must be based on the school siting requirements of
 2236 s. 163.3177(6)(a) and policies in the comprehensive plan which
 2237 provide guidance for appropriate locations for school sites.

2238 6. The identification of options deemed reasonable and
 2239 approved by the school board which reduce the need for
 2240 additional permanent student stations. Such options may include,
 2241 but need not be limited to:

2242 a. ~~Acceptable capacity;~~

2243 b. ~~Redistricting;~~

2244 c. ~~Busing;~~

2245 d. ~~Year round schools;~~

2246 e. ~~Charter schools;~~

2247 f. ~~Magnet schools;~~ and

2248 g. ~~Public-private partnerships.~~

2249 7. The criteria and method, jointly determined by the local
 2250 government and the school board, for determining the impact of
 2251 proposed development to public school capacity.

2252 (b) The plan must also include a financially feasible
 2253 district facilities work program for a 5-year period. The work
 2254 program must include:

2255 1. A schedule of major repair and renovation projects
 2256 necessary to maintain the educational facilities and ancillary
 2257 facilities of the district.

2258 2. A schedule of capital outlay projects necessary to
 2259 ensure the availability of satisfactory student stations for the
 2260 projected student enrollment in K-12 programs. This schedule
 2261 shall consider:

2262 a. The locations, capacities, and planned utilization rates

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of current educational facilities of the district. The capacity of existing satisfactory facilities, as reported in the Florida Inventory of School Houses must be compared to the capital outlay full-time equivalent student enrollment as determined by the department, including all enrollment used in the calculation of the distribution formula in s. 1013.64.

b. The proposed locations of planned facilities, whether those locations are consistent with the comprehensive plans of all affected local governments, and recommendations for infrastructure and other improvements to land adjacent to existing facilities. The provisions of ss. 1013.33(6), (7), and (8) and 1013.36 must be addressed for new facilities planned within the first 3 years of the work plan, as appropriate.

c. Plans for the use and location of relocatable facilities, leased facilities, and charter school facilities.

d. Plans for multitrack scheduling, grade level organization, block scheduling, or other alternatives that reduce the need for additional permanent student stations.

e. Information concerning average class size and utilization rate by grade level within the district which will result if the tentative district facilities work program is fully implemented.

f. The number and percentage of district students planned to be educated in relocatable facilities during each year of the tentative district facilities work program. For determining future needs, student capacity may not be assigned to any relocatable classroom that is scheduled for elimination or replacement with a permanent educational facility in the current year of the adopted district educational facilities plan and in

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the district facilities work program adopted under this section. Those relocatable classrooms clearly identified and scheduled for replacement in a school board-adopted, financially feasible, 5-year district facilities work program shall be counted at zero capacity at the time the work program is adopted and approved by the school board. However, if the district facilities work program is changed and the relocatable classrooms are not replaced as scheduled in the work program, the classrooms must be reentered into the system and be counted at actual capacity. Relocatable classrooms may not be perpetually added to the work program or continually extended for purposes of circumventing this section. All relocatable classrooms not identified and scheduled for replacement, including those owned, lease-purchased, or leased by the school district, must be counted at actual student capacity. The district educational facilities plan must identify the number of relocatable student stations scheduled for replacement during the 5-year survey period and the total dollar amount needed for that replacement.

g. Plans for the closure of any school, including plans for disposition of the facility or usage of facility space, and anticipated revenues.

h. Projects for which capital outlay and debt service funds accruing under s. 9(d), Art. XII of the State Constitution are to be used shall be identified separately in priority order on a project priority list within the district facilities work program.

3. The projected cost for each project identified in the district facilities work program. For proposed projects for new student stations, a schedule shall be prepared comparing the

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planned cost and square footage for each new student station, by elementary, middle, and high school levels, to the low, average, and high cost of facilities constructed throughout the state during the most recent fiscal year for which data is available from the Department of Education.

4. A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.

5. A schedule indicating which projects included in the district facilities work program will be funded from current revenues projected in subparagraph 4.

6. A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded under subparagraph 5. Additional anticipated revenues may include Classrooms First funds.

(e) To the extent available, the tentative district educational facilities plan shall be based on information produced by the demographic, revenue, and education estimating conferences pursuant to s. 216.136.

(2)(d) Provision must ~~shall~~ be made for public comment concerning the tentative district educational facilities plan.

(e) The district school board shall coordinate with each affected local government to ensure consistency between the tentative district educational facilities plan and the local government comprehensive plans of the affected local governments during the development of the tentative district educational facilities plan.

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(3)(f) Not less than once every 5 years, the district school board shall have an audit conducted of the district's educational planning and construction activities. An operational audit conducted by the Auditor General pursuant to s. 11.45 satisfies this requirement.

(4)(3) ~~SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN TO LOCAL GOVERNMENT.~~ The district school board shall submit a copy of its tentative district educational facilities plan to all affected local governments before ~~prior~~ to adoption by the board. The affected local governments may ~~shall~~ review the tentative district educational facilities plan and comment to the district school board on the consistency of the plan with the local comprehensive plan, whether a comprehensive plan amendment will be necessary for any proposed educational facility, and whether the local government supports a necessary comprehensive plan amendment. If the local government does not support a comprehensive plan amendment for a proposed educational facility, the matter must ~~shall~~ be resolved pursuant to the interlocal agreement when required by ss. 163.3177(6)(h), 163.31777, and 1013.33(2). The process for the submittal and review must ~~shall~~ be detailed in the interlocal agreement when required pursuant to ss. 163.3177(6)(h), 163.31777, and 1013.33(2).

(5)(4) ~~ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~ Annually, the district school board shall consider and adopt the tentative district educational facilities plan ~~completed~~ pursuant to subsection (2). Upon giving proper notice to the public and local governments and opportunity for public comment, the district school board may amend the plan to revise the

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priority of projects, to add or delete projects, to reflect the impact of change orders, or to reflect the approval of new revenue sources which may become available. The adopted district educational facilities plan ~~must~~ shall:

(a) Be a complete, balanced, and financially feasible capital outlay financial plan for the district.

(b) Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.

~~(6)(5) EXECUTION OF ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~ The first year of the adopted district educational facilities plan constitutes ~~shall constitute~~ the capital outlay budget required in s. 1013.61. ~~The adopted district educational facilities plan shall include the information required in subparagraphs (2)(b)1., 2., and 3., based upon projects actually funded in the plan.~~

Section 40. Subsections (3) and (4) of section 1013.41, Florida Statutes, are amended to read:

1013.41 SMART schools; Classrooms First; legislative purpose.—

(3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the purpose of the Legislature to create s. 1013.35, requiring each school district annually to adopt an educational facilities plan that provides an integrated long-range facilities plan ~~including the survey of projected needs and the 5-year work program.~~ The purpose of the educational facilities plan is to

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keep the district school board, local governments, and the public fully informed as to whether the district is using sound policies and practices that meet the essential needs of students and that warrant public confidence in district operations. The educational facilities plan will be monitored by the Office of Educational Facilities, which will also apply performance standards pursuant to s. 1013.04.

(4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of the Legislature to require the Office of Educational Facilities to assist school districts in building SMART schools utilizing functional and frugal practices. The Office of Educational Facilities shall ~~must~~ review district facilities ~~work programs~~ and projects and identify opportunities to maximize design and construction savings; ~~develop school district facilities work program performance standards;~~ and provide for review and recommendations to the Governor, the Legislature, and the State Board of Education.

Section 41. Subsection (4) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques for school districts and Florida College System institutions.—

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used by Florida College System institution and state university boards of trustees for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than

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2437 \$50,000 or for the placement or hookup of relocatable
 2438 educational-facilities that conform to standards adopted under
 2439 s. 1013.37. However, boards must provide compliance with
 2440 building code requirements and ensure that these structures are
 2441 adequately anchored for wind resistance as required by law. ~~A~~
 2442 ~~district school board shall reuse existing construction~~
 2443 ~~documents or design criteria packages if such reuse is feasible~~
 2444 ~~and practical. If a school district's 5-year educational~~
 2445 ~~facilities work plan includes the construction of two or more~~
 2446 ~~new schools for students in the same grade group and program,~~
 2447 ~~such as elementary, middle, or high school, the district school~~
 2448 ~~board must require that prototype design and construction be~~
 2449 ~~used for the construction of these schools.~~ Notwithstanding s.
 2450 287.055, a board may purchase the architectural services for the
 2451 design of educational or ancillary facilities under an existing
 2452 contract agreement for professional services held by a district
 2453 school board in the State of Florida, provided that the purchase
 2454 is to the economic advantage of the purchasing board, the
 2455 services conform to the standards prescribed by rules of the
 2456 State Board of Education, and such reuse is not without notice
 2457 to, and permission from, the architect of record whose plans or
 2458 design criteria are being reused. Plans must be reviewed for
 2459 compliance with the State Requirements for Educational
 2460 Facilities. Rules adopted under this section must establish
 2461 uniform prequalification, selection, bidding, and negotiation
 2462 procedures applicable to construction management contracts and
 2463 the design-build process. This section does not supersede any
 2464 small, woman-owned, or minority-owned business enterprise
 2465 preference program adopted by a board. Except as otherwise

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2466 provided in this section, the negotiation procedures applicable
 2467 to construction management contracts and the design-build
 2468 process must conform to the requirements of s. 287.055. A board
 2469 may not modify any rules regarding construction management
 2470 contracts or the design-build process.
 2471 Section 42. Section 1013.451, Florida Statutes, is
 2472 repealed.
 2473 Section 43. Paragraph (a) of subsection (3) of section
 2474 1013.62, Florida Statutes, is amended to read:
 2475 1013.62 Charter schools capital outlay funding.—
 2476 (3) If the school board levies the discretionary millage
 2477 authorized in s. 1011.71(2), the department shall use the
 2478 following calculation methodology to determine the amount of
 2479 revenue that a school district must distribute to each eligible
 2480 charter school:
 2481 (a) Reduce the total discretionary millage revenue by the
 2482 school district's annual debt service obligation incurred as of
 2483 March 1, 2017, which has not been subsequently retired, and any
 2484 amount of participation requirement pursuant to s.
 2485 1013.64(2)(a)7. ~~s. 1013.64(2)(a)8.~~ that is being satisfied by
 2486 revenues raised by the discretionary millage.
 2487
 2488 By October 1 of each year, each school district shall certify to
 2489 the department the amount of debt service and participation
 2490 requirement that complies with the requirement of paragraph (a)
 2491 and can be reduced from the total discretionary millage revenue.
 2492 The Auditor General shall verify compliance with the
 2493 requirements of paragraph (a) and s. 1011.71(2)(e) during
 2494 scheduled operational audits of school districts.

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Section 44. Paragraph (e) of subsection (1), paragraph (a) of subsection (2), paragraph (d) of subsection (3), paragraph (b) of subsection (5), and paragraphs (b) through (e) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(1)

(e) Remodeling projects must ~~shall~~ be based on the recommendations of a survey pursuant to s. 1013.31, or, for district school boards, as indicated by the relative need as determined by the Florida Inventory of School Houses and the capital outlay full-time equivalent enrollment in the district.

(2) (a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the "Special Facility Construction Account." The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the

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Special Facility Construction Committee. A district may not receive funding for more than one approved project in any 3-year period or while any portion of the district's participation requirement is outstanding. The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. Before developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the chair of the committee to include two representatives of the department and two staff members from school districts not eligible to participate in the program. A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department's next annual capital outlay legislative budget request, the preapplication review request must be made before February 1. Within 90 days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the

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district's pattern of student growth; the district's existing and projected capital outlay full-time equivalent student enrollment as determined by the demographic, revenue, and education estimating conferences established in s. 216.136; the district's existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the ~~most recent survey or survey amendment cooperatively prepared by the district school board and the department,~~ and approved by the department under the rules of the State Board of Education. If a district school board employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.

3. The construction project must appear on the district's approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

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~~6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) unless approved by the Special Facility Construction Committee. At the discretion of the committee, costs that exceed the cost per student station for special facilities may include legal and administrative fees, the cost of site improvements or related offsite improvements, the cost of complying with public shelter and hurricane hardening requirements, cost overruns created by a disaster as defined in s. 252.34(2), costs of security enhancements approved by the school safety specialist, and unforeseeable circumstances beyond the district's control.~~

~~7.~~ There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

~~7.8.~~ For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district's participation requirement, levy the maximum millage against its nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage

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against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Any district with a new or active project, funded under the provisions of this subsection, shall be required to budget no more than the value of 1 mill per year to the project until the district's participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied.

8.9- If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

9.10- The department shall certify the inability of the district to fund the ~~survey-recommended~~ project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

10.11- The district shall have on file with the department an adopted resolution acknowledging its commitment to satisfy its participation requirement, which is equivalent to all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.

11.12- Phase I plans must be approved by the district

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school board as being in compliance with the building and life safety codes before June 1 of the year the application is made.

(3)

(d) Funds accruing to a district school board from the provisions of this section shall be expended on needed projects as shown ~~by survey or surveys~~ under the rules of the State Board of Education.

(5) District school boards shall identify each fund source and the use of each proportionate to the project cost, as identified in the bid document, to assure compliance with this section. The data shall be submitted to the department, which shall track this information as submitted by the boards. PECO funds shall not be expended as indicated in the following:

(b) PECO funds shall not be used for the construction of football fields, bleachers, site lighting for athletic facilities, tennis courts, stadiums, racquetball courts, or any other competition-type facilities not required for physical education curriculum. Regional or intradistrict football stadiums may be constructed with these funds provided a minimum of two high schools and two middle schools are assigned to the facility ~~and the stadiums are survey recommended~~. Sophisticated auditoria shall be limited to magnet performing arts schools, with all other schools using basic lighting and sound systems as determined by rule. Local funds shall be used for enhancement of athletic and performing arts facilities.

(6)

(b)1. ~~A district school board may not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College~~

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2669 ~~District Capital Outlay and Debt Service Trust Fund, Classrooms~~
 2670 ~~First Program funds provided in s. 1013.68, nonvoted 1.5 mill~~
 2671 ~~levy of ad valorem property taxes provided in s. 1011.71(2),~~
 2672 ~~Classrooms for Kids Program funds provided in s. 1013.735,~~
 2673 ~~District Effort Recognition Program funds provided in s.~~
 2674 ~~1013.736, or High Growth District Capital Outlay Assistance~~
 2675 ~~Grant Program funds provided in s. 1013.738 to pay for any~~
 2676 ~~portion of the cost of any new construction of educational plant~~
 2677 ~~space with a total cost per student station, including change~~
 2678 ~~orders, which exceeds:~~
 2679 ~~a. \$17,952 for an elementary school;~~
 2680 ~~b. \$19,386 for a middle school; or~~
 2681 ~~c. \$25,181 for a high school;~~
 2682
 2683 ~~(January 2006) as adjusted annually to reflect increases or~~
 2684 ~~decreases in the Consumer Price Index. The department, in~~
 2685 ~~conjunction with the Office of Economic and Demographic~~
 2686 ~~Research, shall estimate review and adjust the cost per student~~
 2687 ~~station limits to reflect actual construction costs by January~~
 2688 ~~1, 2020, and annually thereafter. The adjusted cost per student~~
 2689 ~~station shall be used by the department for computation of the~~
 2690 ~~statewide average costs per student station for each~~
 2691 ~~instructional level pursuant to paragraph (d). The department~~
 2692 ~~may shall also collaborate with the Office of Economic and~~
 2693 ~~Demographic Research to select an industry-recognized~~
 2694 ~~construction index to reflect annual changes in the cost per~~
 2695 ~~student station replace the Consumer Price Index by January 1,~~
 2696 ~~2020, adjusted annually to reflect changes in the construction~~
 2697 ~~index.~~

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2698 2. District school boards ~~School districts~~ shall maintain
 2699 accurate documentation related to the costs of all new
 2700 construction of educational plant space reported to the
 2701 Department of Education pursuant to paragraph (c) ~~(d)~~. ~~The~~
 2702 ~~Auditor General shall review the documentation maintained by the~~
 2703 ~~school districts and verify compliance with the limits under~~
 2704 ~~this paragraph during its scheduled operational audits of the~~
 2705 ~~school district.~~
 2706 3. ~~Except for educational facilities and sites subject to a~~
 2707 ~~lease-purchase agreement entered pursuant to s. 1011.71(2)(c) or~~
 2708 ~~funded solely through local impact fees, in addition to the~~
 2709 ~~funding sources listed in subparagraph 1., a district school~~
 2710 ~~board may not use funds from any sources for new construction of~~
 2711 ~~educational plant space with a total cost per student station,~~
 2712 ~~including change orders, which equals more than the current~~
 2713 ~~adjusted amounts provided in sub-subparagraphs 1.a.-c. However,~~
 2714 ~~if a contract has been executed for architectural and design~~
 2715 ~~services or for construction management services before July 1,~~
 2716 ~~2017, a district school board may use funds from any source for~~
 2717 ~~the new construction of educational plant space and such funds~~
 2718 ~~are exempt from the total cost per student station requirements.~~
 2719 4. ~~A district school board must not use funds from the~~
 2720 ~~Public Education Capital Outlay and Debt Service Trust Fund or~~
 2721 ~~the School District and Community College District Capital~~
 2722 ~~Outlay and Debt Service Trust Fund for any new construction of~~
 2723 ~~an ancillary plant that exceeds 70 percent of the average cost~~
 2724 ~~per square foot of new construction for all schools.~~
 2725 (c) ~~Except as otherwise provided, new construction for~~
 2726 ~~which a contract has been executed for architectural and design~~

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~~services or for construction management services by a district school board on or after July 1, 2017, may not exceed the cost per student station as provided in paragraph (b).~~

~~(d)~~ The department shall:

1. Compute for each calendar year the statewide average construction costs for facilities serving each instructional level, for relocatable educational facilities, for administrative facilities, and for other ancillary and auxiliary facilities. The department shall compute the statewide average costs per student station for each instructional level.

2. Annually review the actual completed construction costs of educational facilities in each school district. ~~For any school district in which the total actual cost per student station, including change orders, exceeds the statewide limits established in paragraph (b), the school district shall report to the department the actual cost per student station and the reason for the school district's inability to adhere to the limits established in paragraph (b). The department shall collect all such reports and shall provide these reports to the Auditor General for verification purposes.~~

~~Cost per student station includes contract costs, fees of architects and engineers, and the cost of furniture and equipment. Cost per student station does not include the cost of purchasing or leasing the site for the construction, legal and administrative costs, or the cost of related site or offsite improvements. Cost per student station also does not include the cost for securing entries, checkpoint construction, lighting specifically designed for entry point security, security~~

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~~cameras, automatic locks and locking devices, electronic security systems, fencing designed to prevent intruder entry into a building, bullet-proof glass, or other capital construction items approved by the school safety specialist to ensure building security for new educational, auxiliary, or ancillary facilities.~~

~~(e) Notwithstanding the requirements of this subsection, an unfinished construction project for new construction of educational plant space that was started on or before July 1, 2028, is exempt from the total cost per student station requirements established in paragraph (b).~~

Section 45. Paragraph (e) of subsection (6) of section 163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(6)

(e) A school district that includes relocatable facilities in its inventory of student stations shall include the capacity of such relocatable facilities ~~as provided in s. 1013.35(2)(b)2.f.~~, provided the relocatable facilities were purchased after 1998 and the relocatable facilities meet the standards for long-term use pursuant to s. 1013.20.

Section 46. Paragraph (a) of subsection (5) of section 1002.68, Florida Statutes, is amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(5) (a) If a public school's or private prekindergarten provider's program assessment composite score for its prekindergarten classrooms fails to meet the minimum program assessment composite score for contracting adopted in rule by

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the department, the private prekindergarten provider or public school may not participate in the Voluntary Prekindergarten Education Program beginning in the consecutive program year and thereafter until the public school or private prekindergarten provider meets the minimum composite score for contracting. A public school or private prekindergarten provider may request one program assessment per program year in order to requalify for participation in the Voluntary Prekindergarten Education Program, provided that the public school or private prekindergarten provider is not excluded from participation under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9) ~~1002.63(9)(b)~~, or paragraph (5)(b) of this section. If a public school or private prekindergarten provider would like an additional program assessment completed within the same program year, the public school or private prekindergarten provider shall be responsible for the cost of the program assessment.

Section 47. Paragraphs (c) and (e) of subsection (2) of section 1003.631, Florida Statutes, are amended to read:

1003.631 Schools of Excellence.—The Schools of Excellence Program is established to provide administrative flexibility to the state's top schools so that the instructional personnel and administrative staff at such schools can continue to serve their communities and increase student learning to the best of their professional ability.

(2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence must be provided the following administrative flexibilities:

(c) For instructional personnel, the substitution of 1 school year of employment at a School of Excellence for 20 inservice points toward the renewal of a professional

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certificate, up to 60 inservice points in a 5-year cycle, ~~pursuant to s. 1012.585(3).~~

(e) Calculation for compliance with maximum class size ~~pursuant to s. 1003.03(4)~~ based on the average number of students at the school level.

Section 48. Paragraph (c) of subsection (2) and paragraph (b) of subsection (5) of section 1004.04, Florida Statutes, are amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

(c) Each candidate must receive instruction and be assessed on the uniform core curricula in the candidate's area or areas of program concentration during course work and field experiences. Beginning with candidates entering a teacher preparation program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience under subsection (5), in order to graduate from the program.

(5) PRESERVICE FIELD EXPERIENCE.—All postsecondary instructors, school district personnel and instructional personnel, and school sites preparing instructional personnel through preservice field experience courses and internships shall meet special requirements. District school boards may pay student teachers during their internships.

(b)1. All school district personnel and instructional

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

- a. Evidence of "clinical educator" training;
- b. A valid professional certificate issued pursuant to s. 1012.56;
- c. At least 3 years of teaching experience in prekindergarten through grade 12;
- d. Earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34 or be a peer evaluator under the district's evaluation system approved under s. 1012.34; and
- e. Beginning with the 2022-2023 school year, for all such personnel who supervise or direct teacher preparation students during internships in kindergarten through grade 3 or who are enrolled in a teacher preparation program for a certificate area identified pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~, a certificate or endorsement in reading.

The State Board of Education shall approve the training requirements.

2. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates his or her impact on student learning growth, through a Florida online or distance program must have received "clinical educator" training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field

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experience takes place, and have at least 3 years of teaching experience in prekindergarten through grade 12.

3. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates his or her impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least 3 years teaching experience in prekindergarten through grade 12.

Section 49. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

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

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in

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 the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) before participating in field experiences.

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

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

Section 50. Paragraph (b) of subsection (2) of section 1012.586, Florida Statutes, is amended to read:

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

(2)

(b) As part of adopting a pathway pursuant to paragraph (a), the department shall review the competencies for the

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 reading endorsement and subject area examinations for educator certificates identified pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~ for alignment with evidence-based instructional and intervention strategies rooted in the science of reading and identified pursuant to s. 1001.215(7) and recommend changes to the State Board of Education. Recommended changes must address identification of the characteristics of conditions such as dyslexia, implementation of evidence-based classroom instruction and interventions, including evidence-based reading instruction and interventions specifically for students with characteristics of dyslexia, and effective progress monitoring. By July 1, 2023, each school district reading endorsement add-on program must be resubmitted for approval by the department consistent with this paragraph.

Section 51. Paragraph (b) of subsection (5) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Learning Act.—

(5) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional learning system as specified in subsection (4). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning system must:

1. Be reviewed and approved by the department for

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2025166__

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

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

3. Provide inservice activities coupled with follow-up ~~followup~~ support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall focus on analysis of student achievement data; ongoing formal and informal assessments of student achievement; identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas; enhancement of subject content expertise; integrated use of classroom technology that enhances teaching and learning; classroom management; parent involvement;

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and school safety.

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

5. Include a professional learning catalog for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog must be aligned to and support the school-based inservice catalog and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards shall submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional

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learning plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning plan.

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

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

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

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

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

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

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

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills must be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional

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2025166

strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~.

Section 52. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2025.

The Florida Senate
APPEARANCE RECORD

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

3/3/25

Meeting Date

Prek-12 Ed

Committee

166

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Dr. Danielle Thomas

Phone

850 414 2578

Address

203S Monroe St

Email

thomas@fsba.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:

FSBA

☐

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

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

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

S-001 (08/10/2021)

March 3, 2025

Meeting Date
Education PreK-12

Committee

The Florida Senate
APPEARANCE RECORD

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

166

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Greg Black**

Phone **8505098022**

Address **201 East Park Avenue, Suite 200B**
Street

Email **Greg@BlackConsultingLLC.com**

Tallahassee
City

FL
State

32312
Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Martin County School District

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

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

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

S-001 (08/10/2021)

March 3, 20245

Meeting Date

Education PreK12

Committee

The Florida Senate

APPEARANCE RECORD

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

SB 166

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@mhdfirm.com

Street

TLH

City

FL

State

32301

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

Seminole County Public Schools



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

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

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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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3-3-25
Meeting Date
Ed Pre K-12
Committee

1666
Bill Number or Topic

Amendment Barcode (if applicable)

Name Scott Howat Phone 407-317-3200

Address 445 W. Amelia St. Email scott.howat@ocps.net
Street
Orlando FL 32801
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Orange Co Public Schools

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

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

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S-001 (08/10/2021)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/3/25

Meeting Date

SB 166

Bill Number (if applicable)

Topic Administrative Efficiency in Public Schools

Amendment Barcode (if applicable)

Name Jessica Janasiewicz

Job Title Governmental Consultant

Address 119 South Monroe Street, Suite 202

Phone 850-567-7174

Street

Tallahassee

FL

32301

City

State

Zip

Email jessica@rutledge-ecenia.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Leon, Escambia and Santa Rosa School Districts

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

March 3, 2025

Meeting Date

Education Prek-12

Committee

Name **Bill Montford, CEO**

Name

The Florida Senate

APPEARANCE RECORD

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

SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Address **Florida Assoc. of District School Superintendents (FADSS)**

Address

Email

Street

Tallahassee

FL

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

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

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

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S-001 (08/10/2021)

03/03/2025

Meeting Date

Education PreK-12

Committee

The Florida Senate

APPEARANCE RECORD

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

SB 2024 1166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Kristina Houlihan

Phone (239) 823-0179

Address 2855 Colonial Blvd.
Street

Email Kristina.h@leeschools.net

Fort Myers
City

FL
State

33966
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Lee County School
District

☐ 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)

March 3 2025

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

166

Bill Number or Topic

Amendment Barcode (if applicable)

Name

John Cerra

Phone

850 222 4428

Address

206 South Monroe Street #104

Email

cerra@comcast.net

Street

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 Association of School Psychologists (FASP)

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

3/3/25

Meeting Date

Ed. PRE-K-12

Committee

SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Name

THOMAS CERRA

Phone

305 513 9995

Address

9737 NW 41st #359

Email

tomcerra@gmail.com

Street

DORAL FL 33178

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:

GREATER FL CONSORTIUM OF SCHOOL BOARDS

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

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S-001 (08/10/2021)

3/3/2025

Meeting Date

Senate Education PreK-12

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Geoff Willoughby-FI Assn of School Admins Phone 850-224-3626

Address 206 B South Monroe St Email gwilloughby@fasa.net

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:



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

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/3/25

Meeting Date

SB 166

Bill Number or Topic

Sen. Education PreK-12

Committee

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

Amendment Barcode (if applicable)

Name Michele White

Phone 850/224-3626

Address 206 B S. Monroe St.
Street

Email mwhite@fasa.net

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 Association of Student Councils

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

March 03 2025

Meeting Date

Education PreK-12

Committee

SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Marie-Claire Leman Phone 850-728-7514

Address 1911 Wahalaaw Ct Email marieclaireleman@gmail.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:

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

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

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S-001 (08/10/2021)

3.3.25

Meeting Date

SENATE ED

Committee

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Name WILLIAM MATTOX

Phone (850) 241-4422

Address JAMES MADISON INSTITUTE
Street

Email bmattox@jamesmadison.org

Tallahassee FL
City State Zip

Speaking: ☐ For ☐ Against ☒ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

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

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/3/25

SB166

Meeting Date

Education PreK-12

Deliver both copies of this form to

Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Ryan Kennedy

Phone

239-671-5733

Address

5572 Cobalto Way

Email

ryan@goflca.org

Street

Ave Maria

FL

34142

City

State

Zip

Speaking:

☐ For

☐ Against

☒ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without compensation or sponsorship.

☒

I am a registered lobbyist, representing:

Florida Citizens Alliance

☐

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

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

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S-001 (08/10/2021)

3-3-25

The Florida Senate
APPEARANCE RECORD

SB 166

Meeting Date
Senate PK-12 Education

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

Bill Number or Topic

Committee
Name Nathan Hoffman

Amendment Barcode (if applicable)
Phone 277-503-7368

Address 215 S Monroe
Street

Email Nathan@afloridapromise.org

Tallahassee FL 32301
City State Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

FDn for Florida's
Future

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

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

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

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: CS/SB 296

INTRODUCER: Education Pre-K - 12 Committee and Senator Bradley and others

SUBJECT: Middle School and High School Start Times

DATE: March 4, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sabitsch	Bouck	ED	Fav/CS
2.			AED	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 296 removes the requirement that by July 1, 2026, the instructional day at all district and charter middle schools may not start before 8 a.m. and high schools may not start before 8:30 a.m.

The bill takes effect on July 1, 2025.

II. Present Situation:

District School Boards

Each district school board is responsible for the establishment, organization, and operation of schools in the district's geographic area.¹ Each district school board is required to adopt policies for the opening and closing of schools within the district, however the opening date of schools may not be earlier than August 10th of each year.²

In 2023³ district school boards were required to set specified start times for middle and high schools, with implementation required by July 1, 2026. After that date, middle schools cannot

¹ Section 1001.42(4), F.S.

² Section 1001.42(4)(f), F.S.

³ Ch. 2023-78, Laws of Fla.

begin the instructional day before 8 a.m., and high schools cannot start before 8:30 a.m.⁴ Additionally, district school boards must inform their communities about the health, safety and academic impacts of sleep deprivation on middle and high school students. The law also requires district school boards to discuss local strategies for implementing the later school start times.⁵ State Board of Education (SBE) rule requires that district school board policy must ensure that no more than one and one-half hours will elapse between the time a student boards a district operated bus and the start of the school day.⁶

Charter Schools

Charter schools are tuition-free public schools established through an agreement or "charter" typically between the school and the local district school board. This agreement grants the charter school a degree of flexibility compared to traditional public schools in exchange for a commitment to higher standards of accountability.⁷ All charter schools in Florida are public schools and are part of the state's public education system. During the 2022-2023 school year, 382,367 students were enrolled in 726 charter schools across 46 districts.⁸ Charter schools are granted exemptions from certain operational requirements related to facilities, administration, and finance. However, charter schools must comply with statutory requirements specified in law, including the requirements for middle and high school start times.⁹

School Start Times in Florida

According to the Office of Program Policy Analysis and Government Accountability (OPPAGA), the average start time for all Florida high schools (541 schools) is 7:45 a.m. Forty-six percent of high schools start before 7:30 a.m., and 19 percent of high schools start between 7:30 a.m. and 8:00 a.m. There were 49 Florida school districts with at least one high school that started before 8:00 a.m. and of those, 22 districts had at least one high school that started before 7:30 a.m. For Florida middle schools (490 schools) the average start time is 9:03 a.m., with only eight percent of schools starting prior to 8:00 a.m.¹⁰

OPPAGA requested specific information from twelve districts that had either changed or were considering changing school start times to determine motivations and barriers. Eight of those school districts had recently changed some or all school start times while four school districts had considered changes to start time but did not make changes. Reported motivations among the respondents included:¹¹

- Transportation issues to improve on-time bus schedules, address driver shortages, reduce transit times, comply with Center for Disease Control (CDC) social distancing recommendations, and improve operational efficiencies.

⁴ Section 1001.42(4)(f), F.S.

⁵ *Id.*

⁶ Rule 6A-3.0171(6), F.A.C.

⁷ Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida's Charter Schools* (October 2023), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

⁸ Florida Department of Education, Fact Sheet Office of Independent Education & Parental Choice, *Florida's Charter Schools* (September 2023), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

⁹ Section 1002.33(16)(a), F.S.

¹⁰ Email, OPPAGA Report: *OPPAGA Research on School Start Times*, (Mar. 13, 2023).

¹¹ *Id.*

- Student health and safety issues to improve general student health and to address the health needs of high school students in particular.
- Student learning issues to promote student academic achievement, increase learning time lost due to weather-related closures, and increase the length of the elementary school day.

Reported barriers that were confronted when considering start time changes included:¹²

- Child care and student supervision issues concerning care for siblings, childcare arrangements, limited school staff and concerns about child safety in dawn/pre-dawn hours.
- After-school activities issues concerning afterschool employment for high school students, effects on extended day programs, and the ability to attend afterschool activities.
- Transportation issues concerning costs of adding bus routes and buses, rising bus driver wages and limited bus drivers, and capital funding issues.

Current Responses to Start Time Legislation

In response to the 2023 legislation that prescribed start times for middle schools and high schools, Florida school districts have already taken actionable steps to meeting the requirements. Additionally, \$5 million was appropriated to assist school districts and charter schools in implementing the requirements.¹³ Possible uses of funding included:

- Development of plans.
- Transportation.
- Instructional planning.
- Other school-related resources.

The DOE is required to provide a report to the Legislature before January 1, 2026, documenting the grant awards and their total expenditures as well as the effect of later start times on student and school performance, truancy, absenteeism, tardiness, drop-out rates, and mental and behavioral health.¹⁴

Information gathered from several informal surveys of Florida school districts revealed a mixture of:¹⁵

- Districts that have not begun the process of changing start times or are waiting to see if there are legislative changes.
- Districts that are at the beginning stages of planning and discussing the needed changes with their communities.
- Districts have taken active steps toward changing start times by conducting cost analyses, purchasing new software, and evaluating transportation needs.
- Districts that either were already in compliance with the new start times or have already made the adjustments and are now in compliance with the law regarding middle school and high school start times.

Specific comments provided through the surveys included:

¹² Email, OPPAGA Report: *OPPAGA Research on School Start Times*, (Mar. 13, 2023).

¹³ Specific Appropriation 96, Ch. 2023-239, L.O.F.

¹⁴ *Id.*

¹⁵ Emails, Small District Council Consortium and Florida Association of School District Superintendents, (Feb. 25, 2025).

“We have analyzed the impact of the change on our ability to serve students and have found that it would be cost prohibitive to do so in terms of both personnel and the number of school buses needed.”

“The district created a working group to help identify how internal and external stakeholders will be affected. The working group aimed to determine the operations changes and financial impacts. All board members have been briefed, and a work session has been scheduled to discuss the next steps.”

“The major obstacle for our district is school transportation and lack of supervision of students in the afternoon. As it stands now, our school start times would need to flip, meaning many of our youngest students who live in the most rural areas will be outside in the darkness waiting on the bus.”

“Disrupted Schedules for parents - Later start time can disrupt schedules for parents who work traditional hours.”

“Pushing back start times will either push back after school activity times, therefore causing students to go to bed later OR if after school activity times stay the same, students will miss additional class time due to being checked out early to participate in after school activities.”

“The new start times could force a two-tier transportation schedule which doubles the salary, wear and tear of the school buses and consumables such as fuel and DEF fluid”

“Currently, the same school bus driver completes a full middle and high school route and then completes a full elementary school route. With the proposed start time change, double the current number of bus drivers will be required to complete the routes at the same time. With the current challenges and severe shortage of school bus drivers, this presents a virtually insurmountable barrier from an operational standpoint.”

III. Effect of Proposed Changes:

CS/SB 296 repeals the provisions in s. 1001.42, F.S., that provided specific requirements related to middle school and high school start times.

The bill removes from the powers and duties of district school boards the requirement that, by July 1, 2026, the instructional day for middle schools may not begin earlier than 8 a.m. and the instructional day for high schools may not begin earlier than 8:30 a.m.

Additionally, the bill removes the requirement of district school boards to discuss local strategies to implement the specified later school start times.

The bill takes effect on July 1, 2025.

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially section 1001.42 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on March 3, 2025:

The committee substitute maintains from the bill the repeal of specific middle school and high school start times and the date by which those times must be implemented.

However, the amendment restores current law that requires each district school board and charter school to inform its community about issues related to sleep deprivation and school start times and consider the benefits of later start times when adopting middle and high school start times.

- B. **Amendments:**

None.



512394

LEGISLATIVE ACTION

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

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (f) of subsection (4) of section
1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The
district school board, acting as a board, shall exercise all
powers and perform all duties listed below:

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.—



512394

Adopt and provide for the execution of plans for the establishment, organization, and operation of the schools of the district, including, but not limited to, the following:

(f) *Opening and closing of schools; fixing uniform date; middle school and high school start times.*—Adopt policies for the opening and closing of schools, fix uniform dates, and middle school and high school start times.

1. The opening date for schools in the district may not be earlier than August 10 of each year.

~~2. By July 1, 2026, the instructional day for middle schools may not begin earlier than 8 a.m. and the instructional day for high schools may not begin earlier than 8:30 a.m.~~ Each district school board must inform its community, including parents, students, teachers, school administrators, athletic coaches, and other stakeholders, about the health, safety, and academic impacts of sleep deprivation on middle school and high school students and consider the benefits of a later school start time when adopting middle school and high ~~and discuss local strategies to successfully implement the later school~~ start times.

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

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

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled
An act relating to middle school and high school start times; amending s. 1001.42, F.S.; deleting a



512394

40 requirement that middle schools and high schools start
41 by specified times beginning in a certain year;
42 requiring district school boards to consider certain
43 benefits relating to school start times when adopting
44 middle school and high school start times; providing
45 an effective date.

By Senator Bradley

6-00925-25

2025296__

A bill to be entitled

An act relating to middle school and high school start times; amending s. 1001.42, F.S.; deleting the duty of district school boards to adopt policies for middle school and high school start times; deleting a requirement that instructional days for middle schools and high schools begin no earlier than specified times; deleting a requirement that district school boards inform the community of specified impacts of sleep deprivation on students and the benefits of later school start times and discuss related strategies; amending s. 1002.33, F.S.; deleting a requirement that certain charter schools comply with middle school and high school start times; providing an effective date.

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

Section 1. Paragraph (f) of subsection (4) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.—Adopt and provide for the execution of plans for the establishment, organization, and operation of the schools of the district, including, but not limited to, the following:

(f) *Opening and closing of schools; fixing uniform date; middle school and high school start times.*—Adopt policies for

Page 1 of 3

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

6-00925-25

2025296__

the opening and closing of schools and, fix uniform dates, ~~and middle school and high school start times.~~

~~1.~~ The opening date for schools in the district may not be earlier than August 10 of each year.

~~2. By July 1, 2026, the instructional day for middle schools may not begin earlier than 8 a.m. and the instructional day for high schools may not begin earlier than 8:30 a.m. Each district school board must inform its community, including parents, students, teachers, school administrators, athletic coaches, and other stakeholders, about the health, safety, and academic impacts of sleep deprivation on middle school and high school students and the benefits of a later school start time and discuss local strategies to successfully implement the later school start times.~~

Section 2. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

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

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

2. Chapter 119, relating to public records.

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

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

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

Page 2 of 3

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

6-00925-25

2025296__

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

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

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

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

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

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

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

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

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

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

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

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

March 3, 2025

Meeting Date

Education PreK-12

Committee

The Florida Senate

APPEARANCE RECORD

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SB 296

Bill Number or Topic

Amendment Barcode (if applicable)

Name Amanda Stewart

Phone (813) 345-4104

Address 21748 SR 54, Suite 101

Email amanda@johnstonstewart.com

Street

Lutz

City

FL

State

33549

Zip

Reset Form

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

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Consortium of Public
charter schools

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

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

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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296

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

3/3/25
Pre K-12

Committee

Name

Kimberly Adams

Phone

386-590-1907

Address

1349 SE Adams Rd.

Email

Kadams@lcsbmail.net

Street

Branford

State

FL

Zip

32008

Speaking:

☐

For

☐

Against

☐

Information

OR

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:

Lafayette Co. School Board Member D4

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 296

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

Chris Doolin

Phone

850-508-5492

Address

1018 Thomasville Rd 102B

Email

cdoolin@doolinlawassoc.com

Street

TALLA.

FL

32303

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

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

Small School District Council Consortium

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

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S-001 (08/10/2021)

3/3/25

Meeting Date

Education PreK-12

Committee

The Florida Senate

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SB 296

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

City

FL

State

32312

Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

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)

The Florida Senate

APPEARANCE RECORD

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3/3/25

Meeting Date

Pre-12 Ed

Committee

296

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Dr Danielle Thomas

Phone

850 414 2578

Address

203 S Monroe St

Email

thomas@fsba.org

Street

Tallahassee

State

FL

32301

City

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FSBA

☐

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

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S-001 (08/10/2021)

The Florida Senate

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Deliver both copies of this form to
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March 3 2025

Meeting Date

Prek-12 Education

Committee

SB 296

Bill Number or Topic

Amendment Barcode (if applicable)

Name Marie-Claire Leman Phone 850-728 7514

Address 1911 Wahalaaw Ct Email marieclaireleman@gmail.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:

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

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S-001 (08/10/2021)

March 3, 2025

Meeting Date

Education PreK-12

Committee

The Florida Senate
APPEARANCE RECORD

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

296

Bill Number or Topic

Amendment Barcode (if applicable)

Name Greg Black Phone 8505098022

Address 201 East Park Avenue, Suite 200B Email Greg@BlackConsultingLLC.com

Street

Tallahassee

FL

32312

City

State

Zip

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

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Martin County School District

☐

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

03/03/2025

Meeting Date

Education PreK-12

Committee

SB: 296

Bill Number or Topic

Amendment Barcode (if applicable)

Name Kristina Houlinan

Phone (239) 823-0179

Address 2855 Colonial Blvd.
Street

Email Kristinah@kcschools.net

Fort Myers
City

FL
State

339166
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:

Lee County School
District

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

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

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

3/3/25

Meeting Date

EDU PRE-K-12

Committee

SB 296

Bill Number or Topic

Amendment Barcode (if applicable)

Name

THOMAS CERRA

Phone

305 513 9995

Address

9737 NW 41st #359

Email

tomcerra@gmail.com

Street

DORAL

City

FL

State

33175

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:

GREATER FL. CONSORTIUM OF SCHOOL BOARDS

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

3/3/25
Meeting Date

Ed. Pk - 12
Committee

SB 296

Bill Number or Topic

Amendment Barcode (if applicable)

Name Dr. Rick Tempkin

Phone 850-224-6526

Address 135 S. Monroe
Street

Email _____

Tallahassee
City

FL
State

32308
Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida AFL-CIO

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

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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 356

INTRODUCER: Senator Berman and others

SUBJECT: Holocaust Remembrance Day

DATE: February 28, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sabitsch	Bouck	ED	Favorable
2. _____	_____	RC	_____

I. Summary:

SB 356 establishes Holocaust Remembrance Day. Specifically, the bill:

- Requires the Governor to annually proclaim January 27th as “Holocaust Remembrance Day.”
- Permits the day to be suitably observed in public schools, the Capitol, and elsewhere as designated by the Governor.
- Permits instruction to be delivered on the designated day on the harmful impacts of the Holocaust and anti-Semitism as well as the positive impacts of the Jewish community on humanity.

The bill takes effect on July 1, 2025.

II. Present Situation:

Legal Holidays and Observances

Chapter 683, F.S., provides designations for legal holidays and special observances. Special observances are also found in other parts of Florida law. Recognition of a legal holiday or special observance may apply statewide or may be limited to a particular region. For example, “Gasparilla Day”¹ is a legal holiday observed only in Hillsborough County, while “Bill of Rights Day,”² if issued by the Governor, is observed throughout the state. Depending on the holiday or special observance, certain actions may be required to be performed for the commemoration or observance of the date, day, or month. For example, Florida law recognizes the month of September as “American Founders’ Month,”³ urging, but not requiring, all civic, fraternal, and religious organizations and public and private educational institutions to recognize this occasion. In contrast, the last full week of classes in September is designated as “Celebrate Freedom

¹ Section 683.08, F.S.

² Section 683.25, F.S.

³ Section 683.1455, F.S.

Week,”⁴ in which public schools are required to include at least three hours of grade-appropriate instruction related to the meaning and importance of the Declaration of Independence in social studies classes.⁵

There are 27 legal holidays⁶ established in law and 35 special observances.⁷ The state recognizes nine paid holidays that are observed by all state branches and agencies.⁸

The Holocaust

The Holocaust (1933-1945) was the systematic, state-sponsored persecution and murder of 6 million European Jews and others by the Nazi German regime and its allies and collaborators. At the beginning of Nazi rule, Dictator Adolf Hitler used the government to target and exclude Jews from German society. Among other anti-Semitic measures, the Nazi German regime enacted discriminatory laws and organized violence targeting Germany’s Jews. The Holocaust is also sometimes referred to as “the Shoah,” the Hebrew word for “catastrophe”.⁹

The Nazis falsely accused Jews of causing Germany’s social, economic, political, and cultural problems. In particular, they blamed them for Germany’s defeat in World War I (1914–1918). Some Germans were receptive to these Nazi claims. Anger over the loss of the war and the economic and political crises that followed contributed to increasing antisemitism in German society. The instability of Germany under the Weimar Republic (1918–1933), the fear of communism, and the economic shocks of the Great Depression also made many Germans more open to Nazi ideas, including antisemitism.¹⁰

However, the Nazis did not invent antisemitism. Antisemitism is an old and widespread prejudice that has taken many forms throughout history. In Europe, it dates back to ancient times. In the Middle Ages (500–1400), prejudices against Jews were primarily based in early Christian belief and thought, particularly the myth that Jews were responsible for the death of Jesus. Suspicion and discrimination rooted in religious prejudices continued in early modern Europe (1400–1800). At that time, leaders in much of Christian Europe isolated Jews from most aspects of economic, social, and political life. This exclusion contributed to stereotypes of Jews as outsiders. As Europe became more secular, many places lifted most legal restrictions on Jews. This, however, did not mean the end of antisemitism. In addition to religious antisemitism, other types of antisemitism took hold in Europe in the 18th and 19th centuries. These new forms included economic, nationalist, and racial antisemitism. In the 19th century, antisemites falsely claimed that Jews were responsible for many social and political ills in modern industrial society. Theories of race, eugenics, and Social Darwinism falsely justified these hatreds. Nazi prejudice

⁴ Section 1003.421, F.S.

⁵ *Id.*

⁶ There are 21 state legal holidays, three judicial circuit court legal holidays, and three county legal holidays. Sections 683.01, 683.08, 683.09, 683.12, and 683.19, F.S.

⁷ Sections 683.04 - 683.336, F.S.

⁸ Section 110.117(1), F.S. Paid state holidays include: New Year’s Day, the Birthday of Martin Luther King, Jr., Memorial Day, Independence Day, Labor Day, Veterans’ Day, Thanksgiving Day, the Friday after Thanksgiving, and Christmas Day.

⁹ United States Holocaust Memorial Museum, *Introduction to the Holocaust*, <https://encyclopedia.ushmm.org/content/en/article/introduction-to-the-holocaust> (last visited Feb 20, 2025).

¹⁰ *Id.*

against Jews drew upon all of these elements, but especially racial antisemitism. Racial antisemitism is the discriminatory idea that Jews are a separate and inferior race.¹¹

The Nazi persecution of Jews became radicalized with the culminated plan known as the “Final Solution to the Jewish Question.” The “Final Solution” came to fruition during World War II, with mass shootings and gas poisoning killing centers in concentration camps. About 6 million Jews and some 5 million others, targeted for racial, political, ideological, and behavioral reasons, died in the Holocaust, more than 1 million of those who perished were children.¹²

Commemoration of the Holocaust

The United Nations (UN) General Assembly designated January 27, the anniversary of the liberation of Auschwitz-Birkenau, as International Holocaust Remembrance Day. On this annual day of commemoration, the UN urges every member state to honor the 6 million Jewish victims of the Holocaust and millions of other victims of Nazism and to develop education programs to help prevent future genocides.¹³

Holocaust Education in Florida

In 2020, the Legislature directed the Department of Education (DOE) to develop standards for Holocaust Education.¹⁴ The DOE worked closely with the Commissioner of Education’s Task Force on Holocaust Education and Florida teachers to develop content-rich and developmentally appropriate standards. In the process, DOE received and considered comments from state and nationally recognized Holocaust educational organizations, Florida educators, school administrators, representatives of the Florida College System and state universities, business and industry leaders, and the public.¹⁵

In July 2021, the State Board of Education (SBE) adopted the updated State Standards for Social Studies, incorporating revised civics and government standards¹⁶ and new standards for grades 5-12 for Holocaust education for which instruction began in 2023-2024.¹⁷

Required instruction on the Holocaust (1933-1945) must include the history of the systematic annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, and be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values

¹¹ United States Holocaust Memorial Museum, *Introduction to the Holocaust*, <https://encyclopedia.ushmm.org/content/en/article/introduction-to-the-holocaust> (last visited February 20, 2025).

¹² *Id.*

¹³ United Nations General Assembly Resolution 60/7. *See also*, United Nations, *Outreach Programme on the Holocaust*, <https://www.un.org/en/holocaustremembrance/observance/> (last visited February 20, 2025).

¹⁴ Chapter 2020-88, s. 5, Laws of Fla.

¹⁵ Florida Department of Education, *Commissioner of Education’s Task Force on Holocaust Education*, <https://www.fldoe.org/holocausteducation/> (last visited Feb 20, 2025).

¹⁶ Chapter 2019-150, s.1, Laws of Fla.

¹⁷ Florida Department of Education, *Next Generation Sunshine State Standards – Social Studies, 2021*, available at <https://www.fldoe.org/core/fileparse.php/19975/urlt/5-3.pdf>.

and institutions, including the policy, definition, and historical and current examples of anti-Semitism and the prevention of anti-Semitism.¹⁸

Each school district must annually certify and provide evidence to the DOE that it has met the instructional requirements on Holocaust education. In addition, the DOE may contract with any state or nationally-recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.¹⁹

Florida recognizes the second week in November as Holocaust Education Week, which coincided with the anniversary of Kristallnacht, November 9-10, 1938. Kristallnacht is widely recognized as a precipitating event that led to the Holocaust.²⁰ The DOE has created a portal dedicated to Holocaust Education Week, which offers commemoration resources, educational programs, and materials concerning the Holocaust, for school districts, teachers, parents, and the general public.²¹

III. Effect of Proposed Changes:

SB 356 creates s. 683.196, F.S., to require the Governor to annually proclaim January 27th to be “Holocaust Remembrance Day” and allows the day to be suitably observed in public schools and at the state capital and other locations designated by the Governor.

The bill specifies that if January 27th falls on a day that is not a school day, Holocaust Remembrance Day may be observed in schools on the following school day or on a school day designated by the local district school board.

The bill permits instruction about the harmful impacts on humanity of the Holocaust and anti-Semitism as well as the positive impacts of the Jewish community on humanity. The instruction may be delivered on Holocaust Remembrance Day. The bill does not specify if such instruction is to be based on state academic standards or required instruction under s. 1003.42, F.S., for Holocaust education.

This bill is effective July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁸ Section 1003.42(2)(g)1., F.S.

¹⁹ Section 1003.42(2)(g)1., F.S.

²⁰ Section 1003.42(2)(g)2., F.S.

²¹ Florida Department of Education, *Holocaust Education Week*, <https://www.fldoe.org/holocausteducation/holo-ed-week.shtml> (last visited Feb 20, 2025).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill creates section 683.196 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 Berman

26-00171B-25

2025356__

A bill to be entitled

An act relating to Holocaust Remembrance Day; creating s. 683.196, F.S.; requiring the Governor to proclaim a specified day annually as "Holocaust Remembrance Day"; authorizing "Holocaust Remembrance Day" to be observed in this state's public schools and be observed by public exercise as the Governor may designate; providing construction; authorizing specified instruction; providing an effective date.

WHEREAS, more than 79 years have passed since the Holocaust ended, yet anti-Semitism and unfounded hatred of Jews continues to spread throughout the world, and

WHEREAS, millions of Jews, Soviet civilians, and persons with disabilities were murdered during the Holocaust, as well as people targeted for their ethnicity, religion, political beliefs, and sexual orientation, and

WHEREAS, on November 1, 2005, the United Nations General Assembly designated January 27, the anniversary of the liberation of Auschwitz-Birkenau, as International Holocaust Remembrance Day, and

WHEREAS, the tragedy of the Holocaust and the ongoing effects of anti-Semitism continue to impact Jewish communities in this state, NOW, THEREFORE,

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

Section 1. Section 683.196, Florida Statutes, is created to read:

Page 1 of 2

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

26-00171B-25

2025356__

683.196 Holocaust Remembrance Day.—

(1) In honor of the millions of victims killed in the Holocaust, the Governor shall annually proclaim January 27 to be "Holocaust Remembrance Day," which may be observed in the public schools of this state and by public exercise at the State Capitol and elsewhere as the Governor may designate.

(2) If January 27 falls on a day that is not a school day, "Holocaust Remembrance Day" may be observed in the public schools on the following school day or as otherwise designated by the district school board having jurisdiction.

(3) Instruction on the harmful impacts of the Holocaust and anti-Semitism and the positive contributions of the Jewish community to humanity may be provided as part of the public school instruction on "Holocaust Remembrance Day."

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

Page 2 of 2

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



The Florida Senate

Committee Agenda Request

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

Subject: Committee Agenda Request

Date: February 4, 2025

I respectfully request that **Senate Bill #356**, relating to Holocaust Remembrance Day, be placed on the:

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

cc:
Senator Alexis Calatayud, Vice Chair
Matthew Bouck, Staff Director

A handwritten signature in cursive script, reading "Lori Berman", followed by a horizontal line.

Senator Lori Berman
Florida Senate, District 26

The Florida Senate

APPEARANCE RECORD

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

March 3, 2025
Meeting Date
Education PreK-12
Committee

SB0356
Bill Number or Topic

Amendment Barcode (if applicable)

Name Maxine Lewers

Phone 407 855-7604

Address 1947 Orlando Central PKwy
Street
Orlando FL 32809
City State Zip

Email President@FloridaPTA.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: Florida PTA

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S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Committee on Health and Human
Services, *Vice Chair*
Appropriations Committee on Higher Education
Commerce and Tourism
Education Pre-K - 12
Fiscal Policy
Health Policy
Transportation

JOINT COMMITTEE:

Joint Legislative Auditing Committee

SENATOR TRACIE DAVIS

Democratic Leader Pro Tempore
5th District

March 3, 2025

The Honorable Corey Simon
Education Pre-K - 12, Chair
415 Knott Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chair Simon,

I respectfully request an excused absence from the March 3, 2025, Education Pre-K – 12
Committee meeting.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tracie Davis", with a long horizontal flourish extending to the right.

Tracie Davis
State Senator
District 05

CourtSmart Tag Report

Room: KB 412 **Case No.:** -
Caption: Senate Committee on Education Pre K-12

Type:
Judge:

Started: 3/3/2025 3:32:20 PM
Ends: 3/3/2025 4:32:37 PM **Length:** 01:00:18

3:32:24 PM	Chair Calatayud calls meeting
3:32:28 PM	Roll Call
3:32:44 PM	Quorum
3:32:48 PM	Opening remarks by Chair Calatayud
3:33:15 PM	Tab 2: SB 296 Middle School and High School Start Times by Senator Bradley
3:33:27 PM	Amendment 512394 by Senator Bradley
3:33:34 PM	Senator Bradley explains amendment
3:36:29 PM	Public testimony
3:38:44 PM	Senator Bradley waives to close
3:38:53 PM	Chair Calatayud reports amendment
3:39:07 PM	Debate
3:39:08 PM	Senator Berman
3:40:30 PM	Senator Osgood
3:42:12 PM	Senator Burgess
3:43:48 PM	Senator Bradley closes on bill
3:45:09 PM	Roll Call
3:45:39 PM	Tab 3: SB 356 Holocaust Remembrance Day by Senator Berman
3:45:46 PM	Senator Berman explains bill
3:47:40 PM	Public testimony, Florida PTA waives in support
3:47:57 PM	Senator Berman waives close
3:48:02 PM	Roll Call
3:48:32 PM	Recording Paused
3:50:39 PM	Recording Resumed
3:50:44 PM	Tab 1: SB 166 Administrative Efficiency in Public Schools by Senator Simon
3:50:50 PM	Senator Simon explains bill
3:53:51 PM	Questions
3:53:52 PM	Senator Berman
3:54:33 PM	Senator Simon
3:54:58 PM	Senator Berman
3:55:13 PM	Senator Simon
3:56:18 PM	Senator Berman
3:56:30 PM	Senator Simon
3:57:15 PM	Senator Berman
3:57:31 PM	Senator Simon
3:57:55 PM	Senator Berman
3:58:25 PM	Senator Simon
3:58:27 PM	Senator Berman
3:58:31 PM	Senator Simon
3:58:36 PM	Senator Berman
3:58:49 PM	Senator Simon
3:59:11 PM	Senator Gaetz
4:00:16 PM	Senator Simon
4:00:30 PM	Senator Gaetz
4:00:54 PM	Senator Simon
4:01:23 PM	Senator Gaetz
4:01:45 PM	Senator Simon
4:01:50 PM	Senator Gaetz
4:02:08 PM	Senator Simon
4:02:19 PM	Senator Osgood
4:03:23 PM	Senator Simon
4:03:46 PM	Public testimony
4:03:56 PM	Nathan Hoffman, Foundation for Florida's Future

4:07:23 PM	Senator Osgood
4:08:09 PM	Nathan Hoffman
4:09:29 PM	Senator Osgood
4:09:52 PM	Nathan Hoffman
4:10:11 PM	Senator Osgood
4:10:44 PM	Ryan Kennedy, Florida Citizens Alliance
4:13:22 PM	William Mattox, James Madison Institute
4:14:21 PM	Marie Claire Leman
4:17:52 PM	Chair Calatayud reads appearance forms waiving
4:18:41 PM	Debate
4:18:43 PM	Senator Gaetz
4:21:56 PM	Senator Osgood
4:24:07 PM	Senator Berman
4:25:02 PM	Senator Simon closes on bill
4:31:33 PM	Roll Call
4:32:01 PM	Closing remarks by Chair Calatayud
4:32:09 PM	Senator Simon records previous votes
4:32:21 PM	Senator Simon moves to adjourn meeting
4:32:25 PM	Meeting adjourned