



881182

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Appropriations (Braynon) recommended the following:

1 **Senate Substitute for Amendment (903516) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Subsections (4) and (5) of section 1001.10,
7 Florida Statutes, are amended to read:

8 1001.10 Commissioner of Education; general powers and
9 duties.—

10 (4) The Department of Education shall provide technical



881182

11 assistance to school districts, charter schools, the Florida
12 School for the Deaf and the Blind, and private schools that
13 accept scholarship students under s. 1002.385, s. 1002.39, or s.
14 1002.395, or another state scholarship program under chapter
15 1002 in the development of policies, procedures, and training
16 related to employment practices and standards of ethical conduct
17 for instructional personnel and school administrators, as
18 defined in s. 1012.01.

19 (5) The Department of Education shall provide authorized
20 staff of school districts, charter schools, the Florida School
21 for the Deaf and the Blind, and private schools that accept
22 scholarship students under s. 1002.385, s. 1002.39, or s.
23 1002.395, or another state scholarship program under chapter
24 1002, with access to electronic verification of information from
25 the following employment screening tools:

26 (a) The Professional Practices' Database of Disciplinary
27 Actions Against Educators; and

28 (b) The Department of Education's Teacher Certification
29 Database.

30
31 This subsection does not require the department to provide these
32 staff with unlimited access to the databases. However, the
33 department shall provide the staff with access to the data
34 necessary for performing employment history checks of the
35 instructional personnel and school administrators included in
36 the databases.

37 Section 2. Section 1001.4205, Florida Statutes, is amended
38 to read:

39 1001.4205 Visitation of schools ~~by an individual school~~



881182

40 ~~board or charter school governing board member.~~—An individual
41 member of a district school board may, on any day and at any
42 time at his or her pleasure, visit any district school in his or
43 her school district. An individual member of the State
44 Legislature may, on any day and at any time at his or her
45 pleasure, visit any district school, including any charter
46 school, in his or her legislative district. An individual member
47 of a charter school governing board member may, on any day and
48 at any time at his or her pleasure, visit any charter school
49 governed by the charter school's governing board.

50 (1) The visiting individual board member must sign in and
51 sign out at the school's main office and wear his or her board
52 or State Legislature identification badge, as applicable, at all
53 times while present on school premises.

54 (2) The board, the school, or any other person or entity,
55 including, but not limited to, the principal of the school, the
56 school superintendent, or any ~~other~~ board member, may not
57 require the visiting individual board member to provide notice
58 before visiting the school.

59 (3) The school may offer, but may not require, an escort to
60 accompany ~~the a~~ visiting individual board member during the
61 visit.

62 (4) A ~~Another~~ board member or a district employee,
63 including, but not limited to, the superintendent, the school
64 principal, or the superintendent's or the principal's ~~his or her~~
65 designee, may not limit the duration or scope of the visit or
66 direct ~~the a~~ visiting individual board member to leave the
67 premises.

68 (5) A board, district, or school administrative policy or



881182

69 practice may not prohibit or limit the authority granted to the
70 visiting individual ~~a board member~~ under this section.

71

72 Section 3. Paragraph (b) of subsection (6) of section
73 1002.33, Florida Statutes, is amended to read:

74 1002.33 Charter schools.—

75 (6) APPLICATION PROCESS AND REVIEW.—Charter school
76 applications are subject to the following requirements:

77 (b) A sponsor shall receive and review all applications for
78 a charter school using the evaluation instrument developed by
79 the Department of Education. A sponsor shall receive and
80 consider charter school applications received on or before
81 August 1 of each calendar year for charter schools to be opened
82 at the beginning of the school district's next school year, or
83 to be opened at a time agreed to by the applicant and the
84 sponsor. A sponsor may not refuse to receive a charter school
85 application submitted before August 1 and may receive an
86 application submitted later than August 1 if it chooses.

87 Beginning in 2018 and thereafter, a sponsor shall receive and
88 consider charter school applications received on or before
89 February 1 of each calendar year for charter schools to be
90 opened 18 months later at the beginning of the school district's
91 school year, or to be opened at a time agreed to by the
92 applicant and the sponsor. A sponsor may not refuse to receive a
93 charter school application submitted before February 1 and may
94 receive an application submitted later than February 1 if it
95 chooses. A sponsor may not charge an applicant for a charter any
96 fee for the processing or consideration of an application, and a
97 sponsor may not base its consideration or approval of a final



881182

98 application upon the promise of future payment of any kind.
99 Before approving or denying any application, the sponsor shall
100 allow the applicant, upon receipt of written notification, at
101 least 7 calendar days to make technical or nonsubstantive
102 corrections and clarifications, including, but not limited to,
103 corrections of grammatical, typographical, and like errors or
104 missing signatures, if such errors are identified by the sponsor
105 as cause to deny the final application.

106 1. In order to facilitate an accurate budget projection
107 process, a sponsor shall be held harmless for FTE students who
108 are not included in the FTE projection due to approval of
109 charter school applications after the FTE projection deadline.
110 In a further effort to facilitate an accurate budget projection,
111 within 15 calendar days after receipt of a charter school
112 application, a sponsor shall report to the Department of
113 Education the name of the applicant entity, the proposed charter
114 school location, and its projected FTE.

115 2. In order to ensure fiscal responsibility, an application
116 for a charter school shall include a full accounting of expected
117 assets, a projection of expected sources and amounts of income,
118 including income derived from projected student enrollments and
119 from community support, and an expense projection that includes
120 full accounting of the costs of operation, including start-up
121 costs.

122 3.a. A sponsor shall by a majority vote approve or deny an
123 application no later than 90 calendar days after the application
124 is received, unless the sponsor and the applicant mutually agree
125 in writing to temporarily postpone the vote to a specific date,
126 at which time the sponsor shall by a majority vote approve or



881182

127 deny the application. If the sponsor fails to act on the
128 application, an applicant may appeal to the State Board of
129 Education as provided in paragraph (c). If an application is
130 denied, the sponsor shall, within 10 calendar days after such
131 denial, articulate in writing the specific reasons, based upon
132 good cause, supporting its denial of the application and shall
133 provide the letter of denial and supporting documentation to the
134 applicant and to the Department of Education.

135 b. An application submitted by a high-performing charter
136 school identified pursuant to s. 1002.331 or a high-performing
137 charter school system identified pursuant to s. 1002.332 may be
138 denied by the sponsor only if the sponsor demonstrates by clear
139 and convincing evidence that:

140 (I) The application does not materially comply with the
141 requirements in paragraph (a);

142 (II) The charter school proposed in the application does
143 not materially comply with the requirements in paragraphs
144 (9) (a)-(f);

145 (III) The proposed charter school's educational program
146 does not substantially replicate that of the applicant or one of
147 the applicant's high-performing charter schools;

148 (IV) The applicant has made a material misrepresentation or
149 false statement or concealed an essential or material fact
150 during the application process; or

151 (V) The proposed charter school's educational program and
152 financial management practices do not materially comply with the
153 requirements of this section.

154
155 Material noncompliance is a failure to follow requirements or a



881182

156 violation of prohibitions applicable to charter school
157 applications, which failure is quantitatively or qualitatively
158 significant either individually or when aggregated with other
159 noncompliance. An applicant is considered to be replicating a
160 high-performing charter school if the proposed school is
161 substantially similar to at least one of the applicant's high-
162 performing charter schools and the organization or individuals
163 involved in the establishment and operation of the proposed
164 school are significantly involved in the operation of replicated
165 schools.

166 c. If the sponsor denies an application submitted by a
167 high-performing charter school or a high-performing charter
168 school system, the sponsor must, within 10 calendar days after
169 such denial, state in writing the specific reasons, based upon
170 the criteria in sub-subparagraph b., supporting its denial of
171 the application and must provide the letter of denial and
172 supporting documentation to the applicant and to the Department
173 of Education. The applicant may appeal the sponsor's denial of
174 the application in accordance with paragraph (c).

175 4. For budget projection purposes, the sponsor shall report
176 to the Department of Education the approval or denial of an
177 application within 10 calendar days after such approval or
178 denial. In the event of approval, the report to the Department
179 of Education shall include the final projected FTE for the
180 approved charter school.

181 5. Upon approval of an application, the initial startup
182 shall commence with the beginning of the public school calendar
183 for the district in which the charter is granted. A charter
184 school may defer the opening of the school's operations for up



881182

185 to 3 ~~2~~ years to provide time for adequate facility planning. The
186 charter school must provide written notice of such intent to the
187 sponsor and the parents of enrolled students at least 30
188 calendar days before the first day of school.

189 Section 4. Subsection (1) of section 1002.331, Florida
190 Statutes, is amended to read:

191 1002.331 High-performing charter schools.-

192 (1) A charter school is a high-performing charter school if
193 it:

194 (a) Received at least two school grades of "A" and no
195 school grade below "B," pursuant to s. 1008.34, during each of
196 the previous 3 school years or received at least two consecutive
197 school grades of "A" in the most recent 2 school years.

198 (b) Received an unqualified opinion on each annual
199 financial audit required under s. 218.39 in the most recent 3
200 fiscal years for which such audits are available.

201 (c) Did not receive a financial audit that revealed one or
202 more of the financial emergency conditions set forth in s.
203 218.503(1) in the most recent 3 fiscal years for which such
204 audits are available. However, this requirement is deemed met
205 for a charter school-in-the-workplace if there is a finding in
206 an audit that the school has the monetary resources available to
207 cover any reported deficiency or that the deficiency does not
208 result in a deteriorating financial condition pursuant to s.
209 1002.345(1) (a) 3.

210
211 For purposes of determining initial eligibility, the
212 requirements of paragraphs (b) and (c) only apply to the most
213 recent 2 fiscal years if the charter school earns two



881182

214 consecutive grades of "A." A virtual charter school established
215 under s. 1002.33 is not eligible for designation as a high-
216 performing charter school.

217 Section 5. Present subsections (11) and (12) of section
218 1002.333, Florida Statutes, are redesignated as subsections (12)
219 and (13), respectively, a new subsection (11) is added to that
220 section, and subsections (1) and (2), paragraph (a) of
221 subsection (4), paragraphs (b), (g), and (i) of subsection (5),
222 paragraph (a) of subsection (7), subsection (9), and paragraph
223 (b) of subsection (10) of that section are amended, to read:

224 1002.333 Persistently low-performing schools.—

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

226 (a) "Hope operator" means an entity identified by the
227 department pursuant to subsection (2).

228 (b) "Persistently low-performing school" means a school
229 that has completed 2 school years of a district-managed
230 turnaround plan required under s. 1008.33(4) (a) and has not
231 improved its school grade to a "C" or higher, earned three
232 consecutive grades lower than a "C," pursuant to s. 1008.34, and
233 a school that was closed pursuant to s. 1008.33(4) within 2
234 years after the submission of a notice of intent.

235 (c) "School of hope" means:

236 1. A charter school operated by a hope operator which
237 serves students from one or more persistently low-performing
238 schools, ~~is located in the attendance zone of a persistently~~
239 ~~low-performing school or within a 5-mile radius of such school,~~
240 ~~whichever is greater;~~ and is a Title I eligible school; or

241 2. A school operated by a hope operator pursuant to s.
242 1008.33(4) (b) 3.b. ~~s. 1008.33(4) (b) 3.~~



881182

243 (2) HOPE OPERATOR.—A hope operator is a nonprofit
244 organization with tax exempt status under s. 501(c)(3) of the
245 Internal Revenue Code which ~~that~~ operates three or more charter
246 schools that serve students in grades K-12 in Florida or other
247 states with a record of serving students from low-income
248 families and is designated by the State Board of Education as a
249 hope operator based on a determination that:

250 (a) The past performance of the hope operator meets or
251 exceeds the following criteria:

252 1. The achievement of enrolled students exceeds the
253 district and state averages of the states in which the
254 operator's schools operate;

255 2. The average college attendance rate at all schools
256 currently operated by the operator exceeds 80 percent, if such
257 data is available;

258 3. The percentage of students eligible for a free or
259 reduced price lunch under the National School Lunch Act enrolled
260 at all schools currently operated by the operator exceeds 70
261 percent;

262 4. The operator is in good standing with the authorizer in
263 each state in which it operates;

264 5. The audited financial statements of the operator are
265 free of material misstatements and going concern issues; and

266 6. Other outcome measures as determined by the State Board
267 of Education;

268 (b) The operator was awarded a United States Department of
269 Education Charter School Program Grant for Replication and
270 Expansion of High-Quality Charter Schools within the preceding 3
271 years before applying to be a hope operator;



881182

272 (c) The operator receives funding through the National Fund
273 of the Charter School Growth Fund to accelerate the growth of
274 the nation's best charter schools; or

275 (d) The operator is selected by a district school board in
276 accordance with s. 1008.33.

277
278 An entity that meets the requirements of paragraph (b),
279 paragraph (c), or paragraph (d) before the adoption by the state
280 board of measurable criteria pursuant to paragraph (a) shall be
281 designated as a hope operator. After the adoption of the
282 measurable criteria, an entity, including a governing board that
283 operates a school established pursuant to s. 1008.33(4)(b)3.b.
284 ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it
285 meets the criteria of paragraph (a).

286 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
287 seeking to open a school of hope must submit a notice of intent
288 to the school district in which a persistently low-performing
289 school has been identified by the State Board of Education
290 pursuant to subsection (10).

291 (a) The notice of intent must include all of the following:

- 292 1. An academic focus and plan.
- 293 2. A financial plan.
- 294 3. Goals and objectives for increasing student achievement
295 for the students from low-income families.
- 296 4. A completed or planned community outreach plan.
- 297 5. The organizational history of success in working with
298 students with similar demographics.
- 299 6. The grade levels to be served and enrollment
300 projections.



881182

301 7. The specific proposed location or geographic area
302 proposed for the school and its proximity to the persistently
303 low-performing school or the plan to use the district-owned
304 facilities of the persistently low-performing school.

305 8. A staffing plan.

306 9. An operations plan specifying the operator's intent to
307 undertake the operations of the persistently low-performing
308 school in its entirety or through limited components of the
309 operations.

310 (5) PERFORMANCE-BASED AGREEMENT.—The following shall
311 comprise the entirety of the performance-based agreement:

312 ~~(b) The location or geographic area proposed for the school~~
313 ~~of hope and its proximity to the persistently low-performing~~
314 ~~school.~~

315 (f)~~(g)~~ The grounds for termination, including failure to
316 meet the requirements for student performance established
317 pursuant to paragraph (d) ~~(e)~~, generally accepted standards of
318 fiscal management, or material violation of terms of the
319 agreement. The nonrenewal or termination of a performance-based
320 agreement must comply with the requirements of s. 1002.33(8).

321 (h)~~(i)~~ A provision establishing the initial term as 5
322 years. The agreement must ~~shall~~ be renewed, upon the request of
323 the hope operator, unless the school fails to meet the
324 requirements for student performance established pursuant to
325 paragraph (d) ~~(e)~~ or generally accepted standards of fiscal
326 management or the school of hope materially violates the law or
327 the terms of the agreement.

328 (7) FACILITIES.—

329 (a) 1. A school of hope that meets the definition under



881182

330 subparagraph (1)(c)1. shall use facilities that comply with the
331 Florida Building Code, except for the State Requirements for
332 Educational Facilities. ~~A school of hope that uses school~~
333 ~~district facilities must comply with the State Requirements for~~
334 ~~Educational Facilities only if the school district and the hope~~
335 ~~operator have entered into a mutual management plan for the~~
336 ~~reasonable maintenance of such facilities. The mutual management~~
337 ~~plan shall contain a provision by which the district school~~
338 ~~board agrees to maintain the school facilities in the same~~
339 ~~manner as its other public schools within the district.~~

340 2. A school of hope that meets the definition under
341 subparagraph (1)(c)2. and that receives funds from the hope
342 supplemental services allocation under s. 1011.62(16) shall use
343 the district-owned facilities of the persistently low-performing
344 school that the school of hope operates. A school of hope that
345 uses district-owned facilities must enter into a mutual
346 management plan with the school district for the reasonable
347 maintenance of the facilities. The mutual management plan must
348 contain a provision specifying that the district school board
349 agrees to maintain the school facilities in the same manner as
350 other public schools within the district.

351
352 The local governing authority shall not adopt or impose any
353 local building requirements or site-development restrictions,
354 such as parking and site-size criteria, student enrollment, and
355 occupant load, that are addressed by and more stringent than
356 those found in the State Requirements for Educational Facilities
357 of the Florida Building Code. A local governing authority must
358 treat schools of hope equitably in comparison to similar



881182

359 requirements, restrictions, and site planning processes imposed
360 upon public schools. The agency having jurisdiction for
361 inspection of a facility and issuance of a certificate of
362 occupancy or use shall be the local municipality or, if in an
363 unincorporated area, the county governing authority. If an
364 official or employee of the local governing authority refuses to
365 comply with this paragraph, the aggrieved school or entity has
366 an immediate right to bring an action in circuit court to
367 enforce its rights by injunction. An aggrieved party that
368 receives injunctive relief may be awarded reasonable attorney
369 fees and court costs.

370 (9) FUNDING.—

371 (a) Schools of hope shall be funded in accordance with s.
372 1002.33(17).

373 (b) Schools of hope shall receive priority in the
374 department's Public Charter School Grant Program competitions.

375 (c) Schools of hope shall be considered charter schools for
376 purposes of s. 1013.62, except charter capital outlay may not be
377 used to purchase real property or for the construction of school
378 facilities.

379 (d) Schools of hope that meet the definition under
380 subparagraph (1)(c)1. are eligible to receive funds from the
381 Schools of Hope Program.

382 (e) Schools of hope that meet the definition under
383 subparagraph (1)(c)2. are eligible to receive funds from the
384 hope supplemental services allocation established under s.
385 1011.62(16).

386 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
387 is created within the Department of Education.



881182

388 (b) A traditional public school that is required to submit
389 a plan for implementation pursuant to s. 1008.33(4) is eligible
390 to receive funding for services authorized up to ~~\$2,000 per~~
391 ~~full-time equivalent student~~ from the hope supplemental services
392 allocation established under s. 1011.62(16) ~~Schools of Hope~~
393 ~~Program based upon the strength of the school's plan for~~
394 ~~implementation and its focus on evidence-based interventions~~
395 ~~that lead to student success by providing wrap-around services~~
396 ~~that leverage community assets, improve school and community~~
397 ~~collaboration, and develop family and community partnerships.~~
398 ~~Wrap-around services include, but are not limited to, tutorial~~
399 ~~and after-school programs, student counseling, nutrition~~
400 ~~education, parental counseling, and adult education. Plans for~~
401 ~~implementation may also include models that develop a culture of~~
402 ~~attending college, high academic expectations, character~~
403 ~~development, dress codes, and an extended school day and school~~
404 ~~year. At a minimum, a plan for implementation must:~~

405 1. ~~Establish wrap-around services that develop family and~~
406 ~~community partnerships.~~

407 2. ~~Establish clearly defined and measurable high academic~~
408 ~~and character standards.~~

409 3. ~~Increase parental involvement and engagement in the~~
410 ~~child's education.~~

411 4. ~~Describe how the school district will identify, recruit,~~
412 ~~retain, and reward instructional personnel. The state board may~~
413 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
414 ~~requirements of s. 1012.34, to facilitate implementation of the~~
415 ~~plan.~~

416 5. ~~Identify a knowledge-rich curriculum that the school~~



881182

417 ~~will use that focuses on developing a student's background~~
418 ~~knowledge.~~

419 ~~6. Provide professional development that focuses on~~
420 ~~academic rigor, direct instruction, and creating high academic~~
421 ~~and character standards.~~

422 (11) SCHOOLS OF HOPE MANAGEMENT.—A hope operator or the
423 owner of a school of hope may not serve as the principal of any
424 school that he or she manages.

425 Section 6. Section 1002.334, Florida Statutes, is created
426 to read:

427 1002.334 Franchise model schools.—

428 (1) As used in this section, the term "franchise model
429 school" means a persistently low-performing school, as defined
430 in s. 1002.333(1)(b), which is led by a highly effective
431 principal in addition to the principal's currently assigned
432 school. If a franchise model school achieves a grade of "C" or
433 higher, the school may retain its status as a franchise model
434 school at the discretion of the school district.

435 (2) A school district that has one or more persistently
436 low-performing schools may use a franchise model school as a
437 school turnaround option pursuant to s. 1008.33(4)(b)4.

438 (3) A franchise model school principal:

439 (a) Must be rated as highly effective pursuant to s.
440 1012.34;

441 (b) May lead two or more schools, including a persistently
442 low-performing school or a school that was considered a
443 persistently low-performing school before becoming a franchise
444 model school;

445 (c) May allocate resources and personnel between the



881182

446 schools under his or her administration; however, he or she must
447 expend hope supplemental services allocation funds, authorized
448 under s. 1011.62(16), at the franchise model school; and

449 (d) Is eligible to receive a Best and Brightest Principal
450 award under s. 1012.732.

451 Section 7. Paragraph (d) of subsection (2) and subsection
452 (8), of section 1002.385, Florida Statutes, are amended to read:
453 1002.385 The Gardiner Scholarship.—

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

455 (d) "Disability" means, for a 3- or 4-year-old child or for
456 a student in kindergarten to grade 12, autism spectrum disorder,
457 as defined in the Diagnostic and Statistical Manual of Mental
458 Disorders, Fifth Edition, published by the American Psychiatric
459 Association; cerebral palsy, as defined in s. 393.063(6); Down
460 syndrome, as defined in s. 393.063(15); an intellectual
461 disability, as defined in s. 393.063(24); Phelan-McDermid
462 syndrome, as defined in s. 393.063(28); Prader-Willi syndrome,
463 as defined in s. 393.063(29); spina bifida, as defined in s.
464 393.063(40); being a high-risk child, as defined in s.
465 393.063(23)(a); muscular dystrophy; Williams syndrome; a rare
466 disease, a disorder that affects ~~diseases which affect~~ patient
467 populations of ~~fewer than~~ 200,000 individuals or fewer in the
468 United States, as defined by the Orphan Drug Act of 1983, Pub.
469 L. No. 97-414 ~~National Organization for Rare Disorders;~~
470 anaphylaxis; deaf; visually impaired; traumatic brain injured;
471 hospital or homebound; or identification as dual sensory
472 impaired, as defined by rules of the State Board of Education
473 and evidenced by reports from local school districts. The term
474 "hospital or homebound" includes a student who has a medically



881182

475 diagnosed physical or psychiatric condition or illness, as
476 defined by the state board in rule, and who is confined to the
477 home or hospital for more than 6 months.

478 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
479 private school may be sectarian or nonsectarian and shall:

480 (a) Comply with all requirements for private schools
481 participating in state school choice scholarship programs
482 pursuant to s. 1002.421.

483 (b) Provide to the organization, upon request, all
484 documentation required for the student's participation,
485 including the private school's and student's fee schedules.

486 (c) Be academically accountable to the parent for meeting
487 the educational needs of the student by:

488 1. At a minimum, annually providing to the parent a written
489 explanation of the student's progress.

490 2. Annually administering or making provision for students
491 participating in the program in grades 3 through 10 to take one
492 of the nationally norm-referenced tests identified by the
493 Department of Education or the statewide assessments pursuant to
494 s. 1008.22. Students with disabilities for whom standardized
495 testing is not appropriate are exempt from this requirement. A
496 participating private school shall report a student's scores to
497 the parent.

498 3. Cooperating with the scholarship student whose parent
499 chooses to have the student participate in the statewide
500 assessments pursuant to s. 1008.22 or, if a private school
501 chooses to offer the statewide assessments, administering the
502 assessments at the school.

503 a. A participating private school may choose to offer and



881182

504 administer the statewide assessments to all students who attend
505 the private school in grades 3 through 10.

506 b. A participating private school shall submit a request in
507 writing to the Department of Education by March 1 of each year
508 in order to administer the statewide assessments in the
509 subsequent school year.

510 (d) Employ or contract with teachers who have regular and
511 direct contact with each student receiving a scholarship under
512 this section at the school's physical location.

513 (e) Provide a report from an independent certified public
514 accountant who performs the agreed-upon procedures developed
515 under s. 1002.395(6)(o) if the private school receives more than
516 \$250,000 in funds from scholarships awarded under this chapter
517 ~~section~~ in a state fiscal year. A private school subject to this
518 paragraph must annually submit the report by September 15 to the
519 organization that awarded the majority of the school's
520 scholarship funds. The agreed-upon procedures must be conducted
521 in accordance with attestation standards established by the
522 American Institute of Certified Public Accountants.

523
524 If a private school fails or refuses ~~is unable~~ to meet the
525 requirements of this subsection or has consecutive years of
526 material exceptions listed in the report required under
527 paragraph (e), the commissioner may determine that the private
528 school is ineligible to participate in the program.

529 Section 8. Paragraph (f) of subsection (6) and subsection
530 (8) of section 1002.39, Florida Statutes, are amended to read:

531 1002.39 The John M. McKay Scholarships for Students with
532 Disabilities Program.—There is established a program that is



881182

533 separate and distinct from the Opportunity Scholarship Program
534 and is named the John M. McKay Scholarships for Students with
535 Disabilities Program.

536 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
537 shall:

538 (f)1. Conduct ~~random~~ site visits to private schools
539 participating in the John M. McKay Scholarships for Students
540 with Disabilities Program as authorized under s. 1002.421(7).
541 The purposes ~~purpose~~ of the site visits are ~~is solely~~ to verify
542 compliance with the provisions of subsection (7) aimed at
543 protecting the health, safety, and welfare of students and to
544 verify the information reported by the schools concerning the
545 enrollment and attendance of students, the credentials of
546 teachers, background screening of teachers, and teachers'
547 fingerprinting results, which information is required by rules
548 of the State Board of Education, subsection (8), and s.
549 1002.421. The Department of Education may ~~not~~ make followup more
550 than three ~~random~~ site visits at any time to any school that has
551 received a notice of noncompliance or a notice of proposed
552 action within the previous 2 years pursuant to subsection (7)
553 each year and may not make more than one random site visit each
554 year to the same private school.

555 2. Annually, by December 15, report to the Governor, the
556 President of the Senate, and the Speaker of the House of
557 Representatives the Department of Education's actions with
558 respect to implementing accountability in the scholarship
559 program under this section and s. 1002.421, any substantiated
560 allegations or violations of law or rule by an eligible private
561 school under this program concerning the enrollment and



881182

562 attendance of students, the credentials of teachers, background
563 screening of teachers, and teachers' fingerprinting results and
564 the corrective action taken by the Department of Education.

565 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be
566 eligible to participate in the John M. McKay Scholarships for
567 Students with Disabilities Program, a private school may be
568 sectarian or nonsectarian and must:

569 (a) Comply with all requirements for private schools
570 participating in state school choice scholarship programs
571 pursuant to s. 1002.421.

572 (b) Provide to the department all documentation required
573 for a student's participation, including the private school's
574 and student's fee schedules, at least 30 days before any
575 quarterly scholarship payment is made for the student pursuant
576 to paragraph (11)(e). A student is not eligible to receive a
577 quarterly scholarship payment if the private school fails to
578 meet this deadline.

579 (c) Be academically accountable to the parent for meeting
580 the educational needs of the student by:

581 1. At a minimum, annually providing to the parent a written
582 explanation of the student's progress.

583 2. Cooperating with the scholarship student whose parent
584 chooses to participate in the statewide assessments pursuant to
585 s. 1008.22.

586 (d) Maintain in this state a physical location where a
587 scholarship student regularly attends classes.

588 (e) If the private school that participates in a state
589 scholarship program under this chapter receives more than
590 \$250,000 in funds from scholarships awarded under chapter 1002



881182

591 in a state fiscal year, provide an annual report from an
592 independent certified public accountant who performs the agreed-
593 upon procedures developed under s. 1002.395(6) (o). Such a
594 private school must annually submit the required report by
595 September 15 to the organization that awarded the majority of
596 the school's scholarship funds. The agreed-upon procedures must
597 be conducted in accordance with attestation standards
598 established by the American Institute of Certified Public
599 Accountants.

600

601 The failure or refusal ~~inability~~ of a private school to meet the
602 requirements of this subsection shall constitute a basis for the
603 ineligibility of the private school to participate in the
604 scholarship program as determined by the department.

605 Section 9. Paragraph (o) of subsection (6), subsection (8),
606 and paragraph (n) of subsection (9) of section 1002.395, Florida
607 Statutes, are amended to read:

608 1002.395 Florida Tax Credit Scholarship Program.—

609 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
610 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
611 organization:

612 (o)1.a. Must participate in the joint development of
613 agreed-upon procedures to be performed by an independent
614 certified public accountant as required under paragraph (8) (e)
615 if the scholarship-funding organization provided more than
616 \$250,000 in scholarship funds to an eligible private school
617 under this chapter ~~section~~ during the ~~2009-2010~~ state fiscal
618 year. The agreed-upon procedures must uniformly apply to all
619 private schools and must determine, at a minimum, whether the



881182

620 private school has been verified as eligible by the Department
621 of Education under paragraph (9) (c); has an adequate accounting
622 system, system of financial controls, and process for deposit
623 and classification of scholarship funds; and has properly
624 expended scholarship funds for education-related expenses.
625 During the development of the procedures, the participating
626 scholarship-funding organizations shall specify guidelines
627 governing the materiality of exceptions that may be found during
628 the accountant's performance of the procedures. The procedures
629 and guidelines shall be provided to private schools and the
630 Commissioner of Education by March 15, 2011.

631 b. Must participate in a joint review of the agreed-upon
632 procedures and guidelines developed under sub-subparagraph a.,
633 by February 2013 and biennially thereafter, if the scholarship-
634 funding organization provided more than \$250,000 in scholarship
635 funds to an eligible private school under this chapter section
636 during the state fiscal year preceding the biennial review. If
637 the procedures and guidelines are revised, the revisions must be
638 provided to private schools and the Commissioner of Education by
639 March 15, 2013, and biennially thereafter.

640 c. Must monitor the compliance of a private school with
641 paragraph (8) (e) if the scholarship-funding organization
642 provided the majority of the scholarship funding to the school.
643 For each private school subject to paragraph (8) (e), the
644 appropriate scholarship-funding organization shall notify the
645 Commissioner of Education by October 30, 2011, and annually
646 thereafter of:

647 (I) A private school's failure to submit a report required
648 under paragraph (8) (e); or



881182

649 (II) Any material exceptions set forth in the report
650 required under paragraph (8) (e).

651 2. Must seek input from the accrediting associations that
652 are members of the Florida Association of Academic Nonpublic
653 Schools when jointly developing the agreed-upon procedures and
654 guidelines under sub-subparagraph 1.a. and conducting a review
655 of those procedures and guidelines under sub-subparagraph 1.b.

656
657 Information and documentation provided to the Department of
658 Education and the Auditor General relating to the identity of a
659 taxpayer that provides an eligible contribution under this
660 section shall remain confidential at all times in accordance
661 with s. 213.053.

662 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
663 private school may be sectarian or nonsectarian and must:

664 (a) Comply with all requirements for private schools
665 participating in state school choice scholarship programs
666 pursuant to s. 1002.421.

667 (b) Provide to the eligible nonprofit scholarship-funding
668 organization, upon request, all documentation required for the
669 student's participation, including the private school's and
670 student's fee schedules.

671 (c) Be academically accountable to the parent for meeting
672 the educational needs of the student by:

673 1. At a minimum, annually providing to the parent a written
674 explanation of the student's progress.

675 2. Annually administering or making provision for students
676 participating in the scholarship program in grades 3 through 10
677 to take one of the nationally norm-referenced tests identified



881182

678 by the Department of Education or the statewide assessments
679 pursuant to s. 1008.22. Students with disabilities for whom
680 standardized testing is not appropriate are exempt from this
681 requirement. A participating private school must report a
682 student's scores to the parent. A participating private school
683 must annually report by August 15 the scores of all
684 participating students to the Learning System Institute
685 described in paragraph (9)(j).

686 3. Cooperating with the scholarship student whose parent
687 chooses to have the student participate in the statewide
688 assessments pursuant to s. 1008.22 or, if a private school
689 chooses to offer the statewide assessments, administering the
690 assessments at the school.

691 a. A participating private school may choose to offer and
692 administer the statewide assessments to all students who attend
693 the private school in grades 3 through 10.

694 b. A participating private school must submit a request in
695 writing to the Department of Education by March 1 of each year
696 in order to administer the statewide assessments in the
697 subsequent school year.

698 (d) Employ or contract with teachers who have regular and
699 direct contact with each student receiving a scholarship under
700 this section at the school's physical location.

701 (e) Provide a report from an independent certified public
702 accountant who performs the agreed-upon procedures developed
703 under paragraph (6)(o) if the private school receives more than
704 \$250,000 in funds from scholarships awarded under this chapter
705 ~~section~~ in a state fiscal year. A private school subject to this
706 paragraph must annually submit the report by September 15 to the



881182

707 scholarship-funding organization that awarded the majority of
708 the school's scholarship funds. The agreed-upon procedures must
709 be conducted in accordance with attestation standards
710 established by the American Institute of Certified Public
711 Accountants.

712
713 If a private school fails or refuses ~~is unable~~ to meet the
714 requirements of this subsection or has consecutive years of
715 material exceptions listed in the report required under
716 paragraph (e), the commissioner may determine that the private
717 school is ineligible to participate in the scholarship program
718 as determined by the Department of Education.

719 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
720 Education shall:

721 (n)1. Conduct site visits to private schools participating
722 in the Florida Tax Credit Scholarship Program as authorized
723 under s. 1002.421(7). The purposes ~~purpose~~ of the site visits
724 are is solely to verify compliance with the provisions of
725 subsection (11) aimed at protecting the health, safety, and
726 welfare of students and to verify the information reported by
727 the schools concerning the enrollment and attendance of
728 students, the credentials of teachers, background screening of
729 teachers, and teachers' fingerprinting results. ~~The Department~~
730 ~~of Education may not make more than seven site visits each year;~~
731 ~~however,~~ The department may make followup ~~additional~~ site visits
732 at any time to any school that, pursuant to subsection (11), has
733 received a notice of noncompliance or a notice of proposed
734 action within the previous 2 years.

735 2. Annually, by December 15, report to the Governor, the



881182

736 President of the Senate, and the Speaker of the House of
737 Representatives the Department of Education's actions with
738 respect to implementing accountability in the scholarship
739 program under this section and s. 1002.421, any substantiated
740 allegations or violations of law or rule by an eligible private
741 school under this program concerning the enrollment and
742 attendance of students, the credentials of teachers, background
743 screening of teachers, and teachers' fingerprinting results and
744 the corrective action taken by the Department of Education.

745 Section 10. Present subsection (7) of section 1002.421,
746 Florida Statutes, is amended and redesignated as subsection
747 (11), a new subsection (7) and subsections (8), (9), and (10)
748 are added to that section, and subsection (1), paragraphs (h)
749 and (i) of subsection (2), and subsections (4) and (5) of that
750 section are amended, to read:

751 1002.421 Accountability of private schools participating in
752 state school choice scholarship programs.—

753 (1) (a) A Florida private school participating in the
754 Florida Tax Credit Scholarship Program established pursuant to
755 s. 1002.395 or an educational scholarship program established
756 pursuant to this chapter must comply with all requirements of
757 this section in addition to private school requirements outlined
758 in s. 1002.42, specific requirements identified within
759 respective scholarship program laws, and other provisions of
760 Florida law that apply to private schools.

761 (b) For purposes of this section, the term "owner or
762 operator" includes an owner, operator, superintendent, or
763 principal of an eligible private school or a person with
764 equivalent decisionmaking authority over an eligible private



881182

765 school.

766 (2) A private school participating in a scholarship program
767 must be a Florida private school as defined in s. 1002.01(2),
768 must be registered in accordance with s. 1002.42, and must:

769 (h) Employ or contract with teachers who:

770 1. Unless otherwise specified under this paragraph, hold
771 baccalaureate or higher degrees, have at least 3 years of
772 teaching experience in public or private schools, or have
773 objectively identified special skills, knowledge, or expertise
774 that qualifies them to provide instruction in subjects taught.

775 2. Hold baccalaureate or higher degrees from a regionally
776 or nationally accredited college or university in the United
777 States or from a recognized college or university in another
778 country. This subparagraph applies to full-time teachers hired
779 after July 1, 2018, who are teaching students in grade 2 or
780 above.

781
782 The private school must report to the department, in a format
783 developed by the department, the qualifications of each teacher
784 hired by the school, including, but not limited to, an
785 explanation of the objectively identified special skills or
786 expertise of such teachers, as applicable. Additionally, the
787 private school must provide to the parent of each scholarship
788 student, on the school's website or on a written form provided
789 by the school, the qualifications of each classroom teacher.

790 (i) Require each employee and contracted personnel with
791 direct student contact, upon employment or engagement to provide
792 services, to undergo a state and national background screening,
793 pursuant to s. 943.0542, by electronically filing with the



881182

794 Department of Law Enforcement a complete set of fingerprints
795 taken by an authorized law enforcement agency or an employee of
796 the private school, a school district, or a private company who
797 is trained to take fingerprints and deny employment to or
798 terminate an employee if he or she fails to meet the screening
799 standards under s. 435.04. Results of the screening shall be
800 provided to the participating private school. For purposes of
801 this paragraph:

802 1. An "employee or contracted personnel with direct student
803 contact" means any employee or contracted personnel who has
804 unsupervised access to a scholarship student for whom the
805 private school is responsible.

806 2. The costs of fingerprinting and the background check
807 shall not be borne by the state.

808 3. Continued employment of an employee or contracted
809 personnel after notification that he or she has failed the
810 background screening under this paragraph shall cause a private
811 school to be ineligible for participation in a scholarship
812 program.

813 4. An employee or contracted personnel holding a valid
814 Florida teaching certificate who has been fingerprinted pursuant
815 to s. 1012.32 and who is not ineligible for employment pursuant
816 to s. 1012.315 is not required to comply with the provisions of
817 this paragraph.

818 (4) A private school that accepts scholarship students
819 under this chapter ~~s. 1002.39~~ ~~or s. 1002.395~~ must:

820 (a) Disqualify instructional personnel and school
821 administrators, as defined in s. 1012.01, from employment in any
822 position that requires direct contact with students if the



881182

823 personnel or administrators are ineligible for such employment
824 under s. 1012.315.

825 (b) Adopt and faithfully implement policies establishing
826 standards of ethical conduct for instructional personnel and
827 school administrators. The policies must require all
828 instructional personnel and school administrators, as defined in
829 s. 1012.01, to complete training on the standards; establish the
830 duty of instructional personnel and school administrators to
831 report, and procedures for reporting, alleged misconduct by
832 other instructional personnel and school administrators which
833 affects the health, safety, or welfare of a student; and include
834 an explanation of the liability protections provided under ss.
835 39.203 and 768.095. A private school, or any of its employees,
836 may not enter into a confidentiality agreement regarding
837 terminated or dismissed instructional personnel or school
838 administrators, or personnel or administrators who resign in
839 lieu of termination, based in whole or in part on misconduct
840 that affects the health, safety, or welfare of a student, and
841 may not provide the instructional personnel or school
842 administrators with employment references or discuss the
843 personnel's or administrators' performance with prospective
844 employers in another educational setting, without disclosing the
845 personnel's or administrators' misconduct. Any part of an
846 agreement or contract that has the purpose or effect of
847 concealing misconduct by instructional personnel or school
848 administrators which affects the health, safety, or welfare of a
849 student is void, is contrary to public policy, and may not be
850 enforced.

851 (c) Before employing instructional personnel or school



881182

852 administrators in any position that requires direct contact with
853 students, conduct employment history checks of each of the
854 personnel's or administrators' previous employers, screen the
855 personnel or administrators through use of the educator
856 screening tools described in s. 1001.10(5), and document the
857 findings. If unable to contact a previous employer, the private
858 school must document efforts to contact the employer.

859

860 The department shall suspend the payment of funds under this
861 chapter ss. 1002.39 and 1002.395 to a private school that
862 ~~knowingly~~ fails or refuses to comply with this subsection, and
863 shall prohibit the school from enrolling new scholarship
864 students, for 1 fiscal year and until the school complies.

865 (5) The failure or refusal ~~inability~~ of a private school to
866 meet the requirements of this section shall constitute a basis
867 for the ineligibility of the private school to participate in a
868 scholarship program as determined by the department.

869 Additionally, a private school is ineligible to participate in a
870 state scholarship program under this chapter if the owner or
871 operator of the private school was a debtor in a voluntary or
872 involuntary bankruptcy petition within the most recent 5 years.

873 (7) (a) The department must annually visit at least 5
874 percent, and may annually visit up to 7 percent, of the private
875 schools that participate in the state scholarship programs under
876 this chapter. Site visits required under subsection (8) are not
877 included in the annual site visits authorized under this
878 paragraph.

879 (b) The purposes of the site visits are to verify
880 compliance with the provisions of this section aimed at



881182

881 protecting the health, safety, and welfare of students and to
882 verify the information reported by the schools concerning the
883 enrollment and attendance of students, the credentials of
884 teachers, background screening of teachers, and teachers'
885 fingerprinting results, as required by rules of the State Board
886 of Education and this section.

887 (c) The department may make followup site visits at any
888 time to any school that has received a notice of noncompliance
889 or a notice of proposed action within the previous 2 years, or
890 for a cause that affects the health, safety, and welfare of a
891 student.

892 (8) (a) The department shall visit each private school that
893 notifies the department of the school's intent to participate in
894 a state scholarship program under this chapter.

895 (b) The purpose of the site visit is to determine that the
896 school meets the applicable state and local health, safety, and
897 welfare codes and rules pursuant to this section.

898 (9) The Division of State Fire Marshal shall annually
899 provide to the department a fire safety inspection report,
900 prepared by the local fire departments or by entities with whom
901 they contract to perform fire safety inspections of private
902 schools, for each private school that participates in a state
903 scholarship program under this chapter.

904 (10) If a private school that participates in a state
905 scholarship program under this chapter receives more than
906 \$250,000 in funds from the scholarships awarded under this
907 chapter in a state fiscal year, the school must provide to the
908 department a report of the balance sheet and statement of income
909 expenditures in accordance with generally accepted accounting



881182

910 procedures from an independent certified public accountant who
911 performs the agreed-upon procedures.

912 (11)~~(7)~~ The State Board of Education shall adopt rules
913 pursuant to ss. 120.536(1) and 120.54 to administer and enforce
914 this section.

915 Section 11. Subsection (5) of section 1002.55, Florida
916 Statutes, is amended to read:

917 1002.55 School-year prekindergarten program delivered by
918 private prekindergarten providers.—

919 (5) (a) Notwithstanding paragraph (3) (b), a private
920 prekindergarten provider may not participate in the Voluntary
921 Prekindergarten Education Program if the provider has child
922 disciplinary policies that do not prohibit children from being
923 subjected to discipline that is severe, humiliating,
924 frightening, or associated with food, rest, toileting, spanking,
925 or any other form of physical punishment as provided in s.
926 402.305(12).

927 (b) Notwithstanding any other provision of law, if a
928 private prekindergarten provider has been cited for a class I
929 violation, as defined by rule, the coalition may refuse to
930 contract with the provider.

931 Section 12. Paragraph (d) of subsection (2) of section
932 1003.41, Florida Statutes, is amended and paragraph (f) is added
933 to that subsection, to read:

934 1003.41 Next Generation Sunshine State Standards.—

935 (2) Next Generation Sunshine State Standards must meet the
936 following requirements:

937 (d) Social Studies standards must establish specific
938 curricular content for, at a minimum, geography, United States



939 and world history, government, civics, humanities, and
940 economics, including financial literacy. Financial literacy
941 includes the knowledge, understanding, skills, behaviors,
942 attitudes, and values that will enable a student to make
943 responsible and effective financial decisions on a daily basis.
944 Financial literacy instruction shall be an integral part of
945 instruction throughout the entire economics course and include
946 information regarding earning income; buying goods and services;
947 saving and financial investing; taxes; the use of credit and
948 credit cards; budgeting and debt management, including student
949 loans and secured loans; banking and financial services;
950 planning for one's financial future, including higher education
951 and career planning; credit reports and scores; and fraud and
952 identity theft prevention. The requirements for financial
953 literacy specified under this paragraph do not apply to students
954 entering grade 9 in the 2018-2019 school year and thereafter.

955 (f) Effective for students entering grade 9 in the 2018-
956 2019 school year and thereafter, financial literacy standards
957 must establish specific curricular content for, at a minimum,
958 personal financial literacy and money management. Financial
959 literacy includes instruction in the areas specified in s.
960 1003.4282(3)(h).

961 Section 13. Paragraphs (d) and (g) of subsection (3) of
962 section 1003.4282, Florida Statutes, are amended, and paragraph
963 (h) is added to that subsection, to read:

964 1003.4282 Requirements for a standard high school diploma.—

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

967 (d) *Three credits in social studies.*—A student must earn



881182

968 one credit in United States History; one credit in World
969 History; one-half credit in economics, which must include
970 financial literacy; and one-half credit in United States
971 Government. The United States History EOC assessment constitutes
972 30 percent of the student's final course grade. However, for a
973 student entering grade 9 in the 2018-2019 school year or
974 thereafter, financial literacy is not a required component of
975 the one-half credit in economics.

976 (g) ~~Eight~~ *Credits in Electives.*—School districts must
977 develop and offer coordinated electives so that a student may
978 develop knowledge and skills in his or her area of interest,
979 such as electives with a STEM or liberal arts focus. Such
980 electives must include opportunities for students to earn
981 college credit, including industry-certified career education
982 programs or series of career-themed courses that result in
983 industry certification or articulate into the award of college
984 credit, or career education courses for which there is a
985 statewide or local articulation agreement and which lead to
986 college credit. A student entering grade 9 before the 2018-2019
987 school year must earn eight credits in electives. A student
988 entering grade 9 in the 2018-2019 school year or thereafter must
989 earn seven and one-half credits in electives.

990 (h) *One-half credit in personal financial literacy.*—
991 Beginning with students entering grade 9 in the 2018-2019 school
992 year, each student shall earn one-half credit in personal
993 financial literacy and money management. This instruction must
994 include discussion of or instruction in the following:

995 1. Types of bank accounts offered, opening and managing a
996 bank account, and assessing the quality of a depository



881182

997 institution's services.
998 2. Balancing a checkbook.
999 3. Basic principles of money management, such as spending,
1000 credit, credit scores, and managing debt, including retail and
1001 credit card debt.
1002 4. Completing a loan application.
1003 5. Receiving an inheritance and related implications.
1004 6. Basic principles of personal insurance policies.
1005 7. Computing federal income taxes.
1006 8. Local tax assessments.
1007 9. Computing interest rates by various mechanisms.
1008 10. Simple contracts.
1009 11. Contesting an incorrect billing statement.
1010 12. Types of savings and investments.
1011 13. State and federal laws concerning finance.
1012 Section 14. Section 1003.457, Florida Statutes, is created
1013 to read:
1014 1003.457 Instruction in cardiopulmonary resuscitation.—
1015 (1) Each school district shall provide instruction in
1016 cardiopulmonary resuscitation (CPR) and the use of an automated
1017 external defibrillator. Students shall study and practice the
1018 psychomotor skills associated with performing CPR at least once
1019 before graduating from high school. The instruction shall be a
1020 part of the physical education curriculum or another required
1021 curriculum selected by the school district.
1022 (2) The instruction shall be based on an instructional
1023 program established by:
1024 (a) The American Heart Association;
1025 (b) The American Red Cross; or



881182

1026 (c) Another nationally recognized program that uses the
1027 most current evidence-based emergency cardiovascular care
1028 guidelines.

1029 (3) A student with a disability, as defined in s. 1007.02,
1030 is exempt from the requirements of this section.

1031 Section 15. Subsection (3) of section 1003.453, Florida
1032 Statutes, is amended to read:

1033 1003.453 School wellness and physical education policies;
1034 nutrition guidelines.—

1035 (3) School districts are encouraged to provide basic
1036 training in first aid, ~~including cardiopulmonary resuscitation,~~
1037 for all students, beginning in grade 6 and every 2 years
1038 thereafter. Private and public partnerships for providing
1039 training or necessary funding are encouraged.

1040 Section 16. Section 1006.061, Florida Statutes, is amended
1041 to read:

1042 1006.061 Child abuse, abandonment, and neglect policy.—Each
1043 district school board, charter school, and private school that
1044 accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~
1045 s. 1002.395, or another state scholarship program under chapter
1046 1002 shall:

1047 (1) Post in a prominent place in each school a notice that,
1048 pursuant to chapter 39, all employees and agents of the district
1049 school board, charter school, or private school have an
1050 affirmative duty to report all actual or suspected cases of
1051 child abuse, abandonment, or neglect; have immunity from
1052 liability if they report such cases in good faith; and have a
1053 duty to comply with child protective investigations and all
1054 other provisions of law relating to child abuse, abandonment,



881182

1055 and neglect. The notice shall also include the statewide toll-
1056 free telephone number of the central abuse hotline.

1057 (2) Post in a prominent place at each school site and on
1058 each school's Internet website, if available, the policies and
1059 procedures for reporting alleged misconduct by instructional
1060 personnel or school administrators which affects the health,
1061 safety, or welfare of a student; the contact person to whom the
1062 report is made; and the penalties imposed on instructional
1063 personnel or school administrators who fail to report suspected
1064 or actual child abuse or alleged misconduct by other
1065 instructional personnel or school administrators.

1066 (3) Require the principal of the charter school or private
1067 school, or the district school superintendent, or the
1068 superintendent's designee, at the request of the Department of
1069 Children and Families, to act as a liaison to the Department of
1070 Children and Families and the child protection team, as defined
1071 in s. 39.01, when in a case of suspected child abuse,
1072 abandonment, or neglect or an unlawful sexual offense involving
1073 a child the case is referred to such a team; except that this
1074 does not relieve or restrict the Department of Children and
1075 Families from discharging its duty and responsibility under the
1076 law to investigate and report every suspected or actual case of
1077 child abuse, abandonment, or neglect or unlawful sexual offense
1078 involving a child.

1079 (4) (a) Post in a prominent place in a clearly visible
1080 location and public area of the school which is readily
1081 accessible to and widely used by students a sign in English and
1082 Spanish that contains:

1083 1. The statewide toll-free telephone number of the central



881182

1084 abuse hotline as provided in chapter 39;
1085 2. Instructions to call 911 for emergencies; and
1086 3. Directions for accessing the Department of Children and
1087 Families Internet website for more information on reporting
1088 abuse, neglect, and exploitation.

1089 (b) The information in paragraph (a) must be put on at
1090 least one poster in each school, on a sheet that measures at
1091 least 11 inches by 17 inches, produced in large print, and
1092 placed at student eye level for easy viewing.

1093
1094 The Department of Education shall develop, and publish on the
1095 department's Internet website, sample notices suitable for
1096 posting in accordance with subsections (1), (2), and (4).

1097 Section 17. Subsections (4) and (6) of section 1006.07,
1098 Florida Statutes, are amended, and subsection (7) is added to
1099 that section, to read:

1100 1006.07 District school board duties relating to student
1101 discipline and school safety.—The district school board shall
1102 provide for the proper accounting for all students, for the
1103 attendance and control of students at school, and for proper
1104 attention to health, safety, and other matters relating to the
1105 welfare of students, including:

1106 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

1107 (a) Formulate and prescribe policies and procedures for
1108 emergency drills and for actual emergencies, including, but not
1109 limited to, fires, natural disasters, hostage and active shooter
1110 situations, and bomb threats, for all the public schools of the
1111 district which comprise grades K-12. District school board
1112 policies shall include commonly used alarm system responses for



881182

1113 specific types of emergencies and verification by each school
1114 that drills have been provided as required by law and fire
1115 protection codes. The emergency response agency that is
1116 responsible for notifying the school district for each type of
1117 emergency must be listed in the district's emergency response
1118 policy.

1119 (b) Establish model emergency management and emergency
1120 preparedness procedures, including emergency notification
1121 procedures pursuant to paragraph (a), for the following life-
1122 threatening emergencies:

1123 1. Weapon-use, and hostage, and active shooter situations.
1124 The active shooter situation training for each school must be
1125 conducted by the law enforcement agency or agencies that are
1126 designated as first responders to the school's campus.

1127 2. Hazardous materials or toxic chemical spills.

1128 3. Weather emergencies, including hurricanes, tornadoes,
1129 and severe storms.

1130 4. Exposure as a result of a manmade emergency.

1131 (6) SAFETY AND SECURITY BEST PRACTICES.—Each school
1132 district shall: Use the Safety and Security Best Practices
1133 developed by the Office of Program Policy Analysis and
1134 Government Accountability to

1135 (a) Conduct security risk assessments at each public school
1136 and conduct a self-assessment of the school districts' current
1137 safety and security practices using a format prescribed by the
1138 department. Based on these ~~self-assessment~~ findings, the
1139 district school superintendent shall provide recommendations to
1140 the district school board which identify strategies and
1141 activities that the district school board should implement in



881182

1142 order to improve school safety and security. Annually each
1143 district school board must receive such findings and the
1144 superintendent's recommendations ~~the self-assessment results~~ at
1145 a publicly noticed district school board meeting to provide the
1146 public an opportunity to hear the district school board members
1147 discuss and take action on the ~~report~~ findings and
1148 recommendations. Each district school superintendent shall
1149 report such findings ~~the self-assessment results~~ and school
1150 board action to the commissioner within 30 days after the
1151 district school board meeting.

1152 (b) Using a format prescribed by the department, develop a
1153 plan that includes having a secure, single point of entry onto
1154 school grounds.

1155 (7) SAFETY IN CONSTRUCTION PLANNING.—A district school
1156 board or private school principal or governing board must allow
1157 the law enforcement agency or agencies that are designated as
1158 first responders to the school's or district's campus to tour
1159 such campus once every 3 years. Any changes related to school
1160 safety and emergency issues recommended by a law enforcement
1161 agency based on a campus tour must be documented by the district
1162 school board or private school principal or governing board.

1163 Section 18. Subsection (1) and paragraph (b) of subsection
1164 (2) section 1006.12, Florida Statutes, are amended to read:

1165 1006.12 School resource officers and school safety
1166 officers.—

1167 (1) District school boards shall ~~may~~ establish school
1168 resource officer programs, through a cooperative agreement with
1169 law enforcement agencies or in accordance with subsection (2).

1170 (a) School resource officers shall be certified law



881182

1171 enforcement officers, as defined in s. 943.10(1), who are
1172 employed by a law enforcement agency as defined in s. 943.10(4).
1173 The powers and duties of a law enforcement officer shall
1174 continue throughout the employee's tenure as a school resource
1175 officer.

1176 (b) School resource officers shall abide by district school
1177 board policies and shall consult with and coordinate activities
1178 through the school principal, but shall be responsible to the
1179 law enforcement agency in all matters relating to employment,
1180 subject to agreements between a district school board and a law
1181 enforcement agency. Activities conducted by the school resource
1182 officer which are part of the regular instructional program of
1183 the school shall be under the direction of the school principal.

1184 (2)

1185 (b) A district school board shall ~~may~~ commission one or
1186 more school safety officers for the protection and safety of
1187 school personnel, property, and students at each district school
1188 facility within the school district. The district school
1189 superintendent may recommend and the district school board may
1190 appoint one or more school safety officers.

1191 Section 19. Section 1007.273, Florida Statutes, is amended
1192 to read:

1193 1007.273 Structured high school acceleration programs
1194 ~~Collegiate high school program.~~

1195 ~~(1)~~ Each Florida College System institution shall work with
1196 each district school board in its designated service area to
1197 establish one or more structured programs, including, but not
1198 limited to, collegiate high school programs. As used in this
1199 section, the term "structured program" means a structured high



881182

1200 school acceleration program.

1201 (1)-(2) PURPOSE.—At a minimum, structured ~~collegiate high~~
1202 ~~school~~ programs must include an option for public school
1203 students in grade 11 or grade 12 participating in the structured
1204 program, for at least 1 full school year, to earn CAPE industry
1205 certifications pursuant to s. 1008.44, and to successfully
1206 complete at least 30 credit hours through the dual enrollment
1207 program under s. 1007.271. The structured program must
1208 prioritize dual enrollment courses that are applicable toward
1209 general education core courses or common prerequisite course
1210 requirements under s. 1007.25 over dual enrollment courses
1211 applicable as electives toward at least the first year of
1212 college for an associate degree or baccalaureate degree while
1213 enrolled in the structured program. A district school board may
1214 not limit the number of eligible public school students who may
1215 enroll in such structured programs.

1216 (2)-(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.—

1217 (a) Each district school board and its local Florida
1218 College System institution shall execute a contract to establish
1219 one or more structured ~~collegiate high school~~ programs at a
1220 mutually agreed upon location or locations. ~~Beginning with the~~
1221 ~~2015-2016 school year,~~ If the local Florida College System
1222 institution does not establish a structured program with a
1223 district school board in its designated service area, another
1224 Florida College System institution may execute a contract with
1225 that district school board to establish the structured program.
1226 The contract must be executed by January 1 of each school year
1227 for implementation of the structured program during the next
1228 school year. By August 1, 2018, a contract entered into before



881182

1229 January 1, 2018, for the 2018-2019 school year must be modified
1230 to include the provisions of paragraph (b).

1231 (b) The contract must:

1232 1.(a) Identify the grade levels to be included in the
1233 structured collegiate high school program; which must, at a
1234 minimum, include grade 12.

1235 2.(b) Describe the structured collegiate high school
1236 program, including a list of the meta-major academic pathways
1237 approved pursuant to s. 1008.30(4), which are available to
1238 participating students through the partner Florida College
1239 System institution or other eligible partner postsecondary
1240 institutions; the delineation of courses that must, at a
1241 minimum, include general education core courses and common
1242 prerequisite course requirements pursuant to s. 1007.25; and
1243 industry certifications offered, including online course
1244 availability; the high school and college credits earned for
1245 each postsecondary course completed and industry certification
1246 earned; student eligibility criteria; and the enrollment process
1247 and relevant deadlines;.

1248 3.(c) Describe the methods, medium, and process by which
1249 students and their parents are annually informed about the
1250 availability of the structured collegiate high school program,
1251 the return on investment associated with participation in the
1252 structured program, and the information described in
1253 subparagraphs 1. and 2.; paragraphs (a) and (b).

1254 4.(d) Identify the delivery methods for instruction and the
1255 instructors for all courses;.

1256 5.(e) Identify student advising services and progress
1257 monitoring mechanisms;.



881182

1258 6.~~(f)~~ Establish a program review and reporting mechanism
1259 regarding student performance outcomes; and~~;~~

1260 7.~~(g)~~ Describe the terms of funding arrangements to
1261 implement the structured ~~collegiate high school~~ program pursuant
1262 to paragraph (5) (a).

1263 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.—

1264 (a)~~(4)~~ Each student participating in a structured
1265 ~~collegiate high school~~ program must enter into a student
1266 performance contract which must be signed by the student, the
1267 parent, and a representative of the school district and the
1268 applicable Florida College System institution, state university,
1269 or other institution participating pursuant to subsection (4)
1270 ~~(5)~~. The performance contract must, at a minimum, specify
1271 ~~include~~ the schedule of courses, by semester, and industry
1272 certifications to be taken by the student, if any; student
1273 attendance requirements; ~~and~~ course grade requirements; and the
1274 applicability of such courses to an associate degree or a
1275 baccalaureate degree.

1276 (b) By September 1 of each school year, each district
1277 school board must notify each student enrolled in grades 9, 10,
1278 11, and 12 in a public school within the school district about
1279 the structured program, including, but not limited to:

1280 1. The method for earning college credit through
1281 participation in the structured program. The notification must
1282 include website links to the dual enrollment course equivalency
1283 list approved by the State Board of Education; the common degree
1284 program prerequisite requirements published by the Articulation
1285 Coordinating Committee pursuant to s. 1007.01(3)(f); the
1286 industry certification articulation agreements adopted by the



881182

1287 State Board of Education in rule; and the approved meta-major
1288 academic pathways of the partner Florida College System
1289 institution and other eligible partner postsecondary
1290 institutions participating pursuant to subsection (4); and

1291 2. The estimated cost savings to students and their
1292 families resulting from students successfully completing 30
1293 credit hours applicable toward general education core courses or
1294 common prerequisite course requirements before graduating from
1295 high school versus the cost of earning such credit hours after
1296 graduating from high school.

1297 (4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
1298 to executing a contract with the local Florida College System
1299 institution under this section, a district school board may
1300 execute a contract to establish a structured ~~collegiate high~~
1301 ~~school~~ program with a state university or an institution that is
1302 eligible to participate in the William L. Boyd, IV, Florida
1303 Resident Access Grant Program, that is a nonprofit independent
1304 college or university located and chartered in this state, and
1305 that is accredited by the Commission on Colleges of the Southern
1306 Association of Colleges and Schools to grant baccalaureate
1307 degrees. Such university or institution must meet the
1308 requirements specified under subsections (2) ~~(3)~~ and (3). A
1309 charter school may execute a contract directly with the local
1310 Florida College System institution or another institution as
1311 authorized under this section to establish a structured program
1312 at a mutually agreed upon location ~~(4)~~.

1313 (5) FUNDING.—

1314 (a) ~~(6)~~ The structured ~~collegiate high school~~ program shall
1315 be funded pursuant to ss. 1007.271 and 1011.62. The State Board



881182

1316 of Education shall enforce compliance with this section by
1317 withholding the transfer of funds for the school districts ~~and~~
1318 ~~the Florida College System institutions~~ in accordance with s.
1319 1008.32. Annually, by December 31, the State Board of Education
1320 shall enforce compliance with this section by withholding the
1321 transfer of funds for the Florida College System institutions in
1322 accordance with s. 1008.32.

1323 (b) A student who enrolls in the structured program and
1324 successfully completes at least 30 college credit hours during a
1325 school year through the dual enrollment program under s.
1326 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
1327 student who enrolls in the structured program and successfully
1328 completes an additional 30 college credit hours during a school
1329 year, resulting in at least 60 college credit hours through the
1330 dual enrollment program under s. 1007.271 applicable toward
1331 fulfilling the requirements for an associate in arts degree or
1332 an associate in science degree or a baccalaureate degree
1333 pursuant to the student performance contract under subsection
1334 (3), before graduating from high school, generates an additional
1335 0.5 FTE bonus. Each district school board that is a contractual
1336 partner with a Florida College System institution or other
1337 eligible postsecondary institution shall report to the
1338 commissioner the total FTE bonus for each structured program for
1339 the students from that school district. The total FTE bonus
1340 shall be added to each school district's total weighted FTE for
1341 funding in the subsequent fiscal year.

1342 (c) For any industry certification a student attains under
1343 this section, the FTE bonus shall be calculated and awarded in
1344 accordance with s. 1011.62(1)(o).



881182

1345 (6) REPORTING REQUIREMENTS.-

1346 (a) By September 1 of each school year, each district
1347 school superintendent shall report to the commissioner, at a
1348 minimum, the following information on each structured program
1349 administered during the prior school year:

1350 1. The number of students in public schools within the
1351 school district who enrolled in the structured program, and the
1352 partnering postsecondary institutions pursuant to subsections
1353 (2) and (4);

1354 2. The total and average number of dual enrollment courses
1355 completed, high school and college credits earned, standard high
1356 school diplomas and associate and baccalaureate degrees awarded,
1357 and the number of industry certifications attained, if any, by
1358 the students who enrolled in the structured program;

1359 3. The projected student enrollment in the structured
1360 program during the next school year; and

1361 4. Any barriers to executing contracts to establish one or
1362 more structured programs.

1363 (b) By November 30 of each school year, the commissioner
1364 must report to the Governor, the President of the Senate, and
1365 the Speaker of the House of Representatives the status of
1366 structured programs, including, at a minimum, a summary of
1367 student enrollment and completion information pursuant to this
1368 subsection; barriers, if any, to establishing such programs; and
1369 recommendations for expanding access to such programs statewide.

1370 Section 20. Paragraph (c) of subsection (3) and subsection
1371 (4) of section 1008.33, Florida Statutes, are amended to read:

1372 1008.33 Authority to enforce public school improvement.-

1373 (3)



881182

1374 (c) The state board shall adopt by rule a differentiated
1375 matrix of intervention and support strategies for assisting
1376 traditional public schools identified under this section and
1377 rules for implementing s. 1002.33(9)(n), relating to charter
1378 schools.

1379 1. The intervention and support strategies must address
1380 efforts to improve student performance through one or more of
1381 the following strategies: ~~and may include~~

1382 a. Improvement planning;

1383 b. Leadership quality improvement;

1384 c. Educator quality improvement;

1385 d. Professional development;

1386 e. Curriculum review, pacing, and alignment across grade
1387 levels to improve background knowledge in social studies,
1388 science, and the arts; and

1389 f. The use of continuous improvement and monitoring plans
1390 and processes.

1391 2. ~~In addition,~~ The state board may prescribe reporting
1392 requirements to review and monitor the progress of the schools.
1393 The rule must define the intervention and support strategies for
1394 school improvement for schools earning a grade of "D" or "F" and
1395 the roles for the district and department.

1396 (4)(a) The state board shall apply intensive intervention
1397 and support strategies tailored to the needs of schools earning
1398 two consecutive grades of "D" or a grade of "F." In the first
1399 full school year after a school initially earns two consecutive
1400 grades of "D" or a grade of "F," the school district must
1401 immediately implement intervention and support strategies
1402 prescribed in rule under paragraph (3)(c) and, by September 1,



1403 provide the department with the memorandum of understanding
1404 negotiated pursuant to s. 1001.42(21) and, by October 1, a
1405 district-managed turnaround plan for approval by the state
1406 board. The district-managed turnaround plan may include a
1407 proposal for the district to implement an extended school day, a
1408 summer program, or a combination of an extended school day and
1409 summer program. Upon approval by the state board, the school
1410 district must implement the plan for the remainder of the school
1411 year and continue the plan for 1 full school year. The state
1412 board may allow a school an additional year of implementation
1413 before the school must implement a turnaround option required
1414 under paragraph (b) if it determines that the school is likely
1415 to improve to a grade of "C" or higher after the first full
1416 school year of implementation.

1417 (b) Unless an additional year of implementation is provided
1418 pursuant to paragraph (a), a school that has completed 2 school
1419 years of a district-managed turnaround plan required under
1420 paragraph (a) and has not improved its school grade to a "C" or
1421 higher, pursuant to s. 1008.34, ~~earns three consecutive grades~~
1422 below a "C" must implement one of the following options:

1423 1. Reassign students to another school and monitor the
1424 progress of each reassigned student. ~~†~~

1425 2. Close the school and reopen the school as one or more
1426 charter schools, each with a governing board that has a
1427 demonstrated record of effectiveness. Such charter schools are
1428 eligible for funding from the hope supplemental services
1429 allocation established by s. 1011.62(16). ~~† or~~

1430 3. Contract with an outside entity that has a demonstrated
1431 record of effectiveness to operate the school. An outside entity



881182

1432 may include:

1433 a. A district-managed charter school in which all
1434 instructional personnel are not employees of the school
1435 district, but are employees of an independent governing board
1436 composed of members who did not participate in the review or
1437 approval of the charter. A district-managed charter school is
1438 eligible for funding from the hope supplemental services
1439 allocation established by s. 1011.62(16); or

1440 b. A hope operator that submits to a school district a
1441 notice of intent of a performance-based agreement pursuant to s.
1442 1002.333. A school of hope established pursuant to this sub-
1443 subparagraph is eligible for funding from the hope supplemental
1444 services allocation for up to 5 years, beginning in the school
1445 year in which the school of hope is established, if the school
1446 of hope:

1447 (I) Is established at the district-owned facilities of the
1448 persistently low-performing school;

1449 (II) Gives priority enrollment to students who are enrolled
1450 in, or are eligible to attend and are living in the attendance
1451 area of, the persistently low-performing school that the school
1452 of hope operates, consistent with the enrollment lottery
1453 exemption provided under s. 1002.333(5)(c); and

1454 (III) Meets the requirements of its performance-based
1455 agreement pursuant to s. 1002.333.

1456 4. Implement a franchise model school in which a highly
1457 effective principal, pursuant to s. 1012.34, leads the
1458 persistently low-performing school in addition to the
1459 principal's currently assigned school. The franchise model
1460 school principal may allocate resources and personnel between



881182

1461 the schools he or she leads. The persistently low-performing
1462 school is eligible for funding from the hope supplemental
1463 services allocation established under s. 1011.62(16).

1464 (c) Implementation of the turnaround option is no longer
1465 required if the school improves to a grade of "C" or higher.

1466 (d) If a school ~~earning two consecutive grades of "D" or a~~
1467 ~~grade of "F"~~ does not improve to a grade of "C" or higher after
1468 2 full school years of implementing the turnaround option
1469 selected by the school district under paragraph (b), the school
1470 district must implement another turnaround option.

1471 Implementation of the turnaround option must begin the school
1472 year following the implementation period of the existing
1473 turnaround option, unless the state board determines that the
1474 school is likely to improve to a grade of "C" or higher if
1475 additional time is provided to implement the existing turnaround
1476 option.

1477 Section 21. Present subsections (16) and (17) of section
1478 1011.62, Florida Statutes, are redesignated as subsections (19)
1479 and (20), respectively, new subsections (16) and (17) and
1480 subsection (18) are added to that section, and paragraph (a) of
1481 subsection (4) and subsection (14) of that section are amended,
1482 to read:

1483 1011.62 Funds for operation of schools.—If the annual
1484 allocation from the Florida Education Finance Program to each
1485 district for operation of schools is not determined in the
1486 annual appropriations act or the substantive bill implementing
1487 the annual appropriations act, it shall be determined as
1488 follows:

1489 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The



881182

1490 Legislature shall prescribe the aggregate required local effort
1491 for all school districts collectively as an item in the General
1492 Appropriations Act for each fiscal year. The amount that each
1493 district shall provide annually toward the cost of the Florida
1494 Education Finance Program for kindergarten through grade 12
1495 programs shall be calculated as follows:

1496 (a) *Estimated taxable value calculations.*—

1497 1.a. Not later than 2 working days before July 19, the
1498 Department of Revenue shall certify to the Commissioner of
1499 Education its most recent estimate of the taxable value for
1500 school purposes in each school district and the total for all
1501 school districts in the state for the current calendar year
1502 based on the latest available data obtained from the local
1503 property appraisers. The value certified shall be the taxable
1504 value for school purposes for that year, and no further
1505 adjustments shall be made, except those made pursuant to
1506 paragraphs (c) and (d), or an assessment roll change required by
1507 final judicial decisions as specified in paragraph (19) (b)
1508 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
1509 shall compute a millage rate, rounded to the next highest one
1510 one-thousandth of a mill, which, when applied to 96 percent of
1511 the estimated state total taxable value for school purposes,
1512 would generate the prescribed aggregate required local effort
1513 for that year for all districts. The Commissioner of Education
1514 shall certify to each district school board the millage rate,
1515 computed as prescribed in this subparagraph, as the minimum
1516 millage rate necessary to provide the district required local
1517 effort for that year.

1518 b. The General Appropriations Act shall direct the



1519 computation of the statewide adjusted aggregate amount for
1520 required local effort for all school districts collectively from
1521 ad valorem taxes to ensure that no school district's revenue
1522 from required local effort millage will produce more than 90
1523 percent of the district's total Florida Education Finance
1524 Program calculation as calculated and adopted by the
1525 Legislature, and the adjustment of the required local effort
1526 millage rate of each district that produces more than 90 percent
1527 of its total Florida Education Finance Program entitlement to a
1528 level that will produce only 90 percent of its total Florida
1529 Education Finance Program entitlement in the July calculation.

1530 2. On the same date as the certification in sub-
1531 subparagraph 1.a., the Department of Revenue shall certify to
1532 the Commissioner of Education for each district:

1533 a. Each year for which the property appraiser has certified
1534 the taxable value pursuant to s. 193.122(2) or (3), if
1535 applicable, since the prior certification under sub-subparagraph
1536 1.a.

1537 b. For each year identified in sub-subparagraph a., the
1538 taxable value certified by the appraiser pursuant to s.
1539 193.122(2) or (3), if applicable, since the prior certification
1540 under sub-subparagraph 1.a. This is the certification that
1541 reflects all final administrative actions of the value
1542 adjustment board.

1543 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
1544 annually in the General Appropriations Act determine a
1545 percentage increase in funds per K-12 unweighted FTE as a
1546 minimum guarantee to each school district. The guarantee shall
1547 be calculated from prior year base funding per unweighted FTE



881182

1548 student which shall include the adjusted FTE dollars as provided
1549 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
1550 nonvoted discretionary local effort from taxes. From the base
1551 funding per unweighted FTE, the increase shall be calculated for
1552 the current year. The current year funds from which the
1553 guarantee shall be determined shall include the adjusted FTE
1554 dollars as provided in subsection (19) ~~(16)~~ and potential
1555 nonvoted discretionary local effort from taxes. A comparison of
1556 current year funds per unweighted FTE to prior year funds per
1557 unweighted FTE shall be computed. For those school districts
1558 which have less than the legislatively assigned percentage
1559 increase, funds shall be provided to guarantee the assigned
1560 percentage increase in funds per unweighted FTE student. Should
1561 appropriated funds be less than the sum of this calculated
1562 amount for all districts, the commissioner shall prorate each
1563 district's allocation. This provision shall be implemented to
1564 the extent specifically funded.

1565 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope
1566 supplemental services allocation is created to provide district-
1567 managed turnaround schools, as required under s. 1008.33(4)(a),
1568 charter schools authorized under s. 1008.33(4)(b)2., district-
1569 managed charter schools authorized under s. 1008.33(4)(b)3.a.,
1570 schools of hope authorized under s. 1008.33(4)(b)3.b., and
1571 franchise model schools as authorized under s. 1008.33(4)(b)4.,
1572 with funds to offer services designed to improve the overall
1573 academic and community welfare of the schools' students and
1574 their families.

1575 (a) Services funded by the allocation may include, but are
1576 not limited to, tutorial and after-school programs, student



881182

1577 counseling, nutrition education, and parental counseling. In
1578 addition, services may also include models that develop a
1579 culture that encourages students to complete high school and to
1580 attend college or career training, set high academic
1581 expectations, inspire character development, and include an
1582 extended school day and school year.

1583 (b) Prior to distribution of the allocation, a school
1584 district, for a district turnaround school and persistently low-
1585 performing schools that use a franchise model; a hope operator,
1586 for a school of hope; or the charter school governing board for
1587 a charter school, as applicable, shall develop and submit a plan
1588 for implementation to its respective governing body for approval
1589 no later than August 1 of the fiscal year.

1590 (c) At a minimum, the plans required under paragraph (b)
1591 must:

1592 1. Establish comprehensive support services that develop
1593 family and community partnerships;

1594 2. Establish clearly defined and measurable high academic
1595 and character standards;

1596 3. Increase parental involvement and engagement in the
1597 child's education;

1598 4. Describe how instructional personnel will be identified,
1599 recruited, retained, and rewarded;

1600 5. Provide professional development that focuses on
1601 academic rigor, direct instruction, and creating high academic
1602 and character standards; and

1603 6. Provide focused instruction to improve student academic
1604 proficiency, which may include additional instruction time
1605 beyond the normal school day or school year.



881182

1606 (d) Each school district and hope operator shall submit
1607 approved plans to the commissioner by September 1 of each fiscal
1608 year.

1609 (e) For the 2018-2019 fiscal year, a school that is
1610 selected to receive funding in the 2017-2018 fiscal year
1611 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
1612 district-managed turnaround school required under s.
1613 1008.33(4)(a), charter school authorized under s.
1614 1008.33(4)(b)2., district-managed charter school authorized
1615 under s. 1008.33(4)(b)3.a., school of hope authorized under s.
1616 1008.33(4)(b)3.b., and franchise model school authorized under
1617 s. 1008.33(4)(b)4. are eligible for the remaining funds based on
1618 the school's unweighted FTE, up to \$2,000 per FTE or as provided
1619 in the General Appropriations Act.

1620 (f) For the 2019-2020 fiscal year and thereafter, each
1621 school district's allocation shall be based on the unweighted
1622 FTE student enrollment at the eligible schools and a per-FTE
1623 funding amount of up to \$2,000 per FTE or as provided in the
1624 General Appropriations Act. If the calculated funds for
1625 unweighted FTE student enrollment at the eligible schools exceed
1626 the per-FTE funds appropriated, the allocation of funds to each
1627 school district must be prorated based on each school district's
1628 share of the total unweighted FTE student enrollment for the
1629 eligible schools.

1630 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
1631 assistance allocation is created to provide supplemental funding
1632 to assist school districts in establishing or expanding
1633 comprehensive school-based mental health programs that increase
1634 awareness of mental health issues among children and school-age



881182

1635 youth; train educators and other school staff in detecting and
1636 responding to mental health issues; and connect children, youth,
1637 and families who may experience behavioral health issues with
1638 appropriate services. These funds may be allocated annually in
1639 the General Appropriations Act to each eligible school district
1640 and developmental research school based on each entity's
1641 proportionate share of Florida Education Finance Program base
1642 funding. The district funding allocation must include a minimum
1643 amount as specified in the General Appropriations Act. Upon
1644 submission and approval of a plan that includes the elements
1645 specified in paragraph (b), charter schools are also entitled to
1646 a proportionate share of district funding for this program. The
1647 allocated funds may not supplant funds that are provided for
1648 this purpose from other operating funds and may not be used to
1649 increase salaries or provide bonuses.

1650 (a) Prior to the distribution of the allocation:

1651 1. The district must annually develop and submit a detailed
1652 plan outlining the local program and planned expenditures to the
1653 district school board for approval.

1654 2. A charter school must annually develop and submit a
1655 detailed plan outlining the local program and planned
1656 expenditures of the funds in the plan to its governing body for
1657 approval. After the plan is approved by the governing body, it
1658 must be provided to its school district for submission to the
1659 commissioner.

1660 (b) The plans required under paragraph (a) must include, at
1661 a minimum, all of the following elements:

1662 1. A collaborative effort or partnership between the school
1663 district and at least one local community program or agency



881182

1664 involved in mental health to provide or to improve prevention,
1665 diagnosis, and treatment services for students;
1666 2. Programs to assist students in dealing with bullying,
1667 trauma, and violence;
1668 3. Strategies or programs to reduce the likelihood of at-
1669 risk students developing social, emotional, or behavioral health
1670 problems or substance use disorders;
1671 4. Strategies to improve the early identification of
1672 social, emotional, or behavioral problems or substance use
1673 disorders and to improve the provision of early intervention
1674 services;
1675 5. Strategies to enhance the availability of school-based
1676 crisis intervention services and appropriate referrals for
1677 students in need of mental health services; and
1678 6. Training opportunities for school personnel in the
1679 techniques and supports needed to identify students who have
1680 trauma histories and who have or are at risk of having a mental
1681 illness, and in the use of referral mechanisms that effectively
1682 link such students to appropriate treatment and intervention
1683 services in the school and in the community.
1684 (c) The districts shall submit approved plans to the
1685 commissioner by August 1 of each fiscal year.
1686 (d) Beginning September 30, 2019, and by each September 30
1687 thereafter, each entity that receives an allocation under this
1688 subsection shall submit to the commissioner, in a format
1689 prescribed by the department, a final report on its program
1690 outcomes and its expenditures for each element of the program.
1691 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
1692 provide an annual funding compression allocation in the General



881182

1693 Appropriations Act. The allocation is created to provide
1694 additional funding to school districts and developmental
1695 research schools whose total funds per FTE in the prior year
1696 were less than the statewide average. Using the most recent
1697 prior year FEFP calculation for each eligible school district,
1698 the total funds per FTE shall be subtracted from the state
1699 average funds per FTE, not including any adjustments made
1700 pursuant to paragraph (19) (b). The resulting funds per FTE
1701 difference, or a portion thereof, as designated in the General
1702 Appropriations Act, shall then be multiplied by the school
1703 district's total unweighted FTE to provide the allocation. If
1704 the calculated funds are greater than the amount included in the
1705 General Appropriations Act, they must be prorated to the
1706 appropriation amount based on each participating school
1707 district's share.

1708 Section 22. Subsection (5) of section 1011.69, Florida
1709 Statutes, is amended to read:

1710 1011.69 Equity in School-Level Funding Act.—

1711 (5) After providing Title I, Part A, Basic funds to schools
1712 above the 75 percent poverty threshold, which may include high
1713 schools above the 50 percent threshold as allowed by federal
1714 law, school districts shall provide any remaining Title I, Part
1715 A, Basic funds directly to all eligible schools as provided in
1716 this subsection. For purposes of this subsection, an eligible
1717 school is a school that is eligible to receive Title I funds,
1718 including a charter school. The threshold for identifying
1719 eligible schools may not exceed the threshold established by a
1720 school district for the 2016-2017 school year or the statewide
1721 percentage of economically disadvantaged students, as determined



881182

1722 annually.

1723 (a) Prior to the allocation of Title I funds to eligible
1724 schools, a school district may withhold funds only as follows:

1725 1. One percent for parent involvement, in addition to the
1726 one percent the district must reserve under federal law for
1727 allocations to eligible schools for parent involvement;

1728 2. A necessary and reasonable amount for administration;¹⁷

1729 3. which includes The district's approved indirect cost
1730 rate, ~~not to exceed a total of 8 percent; and~~

1731 4.3. A reasonable and necessary amount to provide:

1732 a. Homeless programs;

1733 b. Delinquent and neglected programs;

1734 c. Prekindergarten programs and activities;

1735 d. Private school equitable services; and

1736 e. Transportation for foster care children to their school
1737 of origin or choice programs; ~~and.~~

1738 5. A necessary and reasonable amount for eligible schools
1739 to provide:

1740 a. Extended learning opportunities, such as summer school,
1741 before-school and after-school programs, and additional class
1742 periods of instruction during the school day; and

1743 b. Supplemental academic and enrichment services, staff
1744 development, and planning and curriculum, as well as wrap-around
1745 services.

1746 (b) All remaining Title I funds shall be distributed to all
1747 eligible schools in accordance with federal law and regulation.

1748 To maximize the efficient use of resources, school districts may
1749 allow eligible schools, not including charter schools, to An
1750 eligible school may use funds under this subsection for



881182

1751 ~~district-level to participate in discretionary~~ educational
1752 services provided by the school district.

1753 Section 23. Subsection (5) of section 1011.71, Florida
1754 Statutes, is amended to read:

1755 1011.71 District school tax.—

1756 (5) ~~Effective July 1, 2008,~~ A school district may expend,
1757 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per
1758 unweighted full-time equivalent student from the revenue
1759 generated by the millage levy authorized by subsection (2) to
1760 fund, in addition to expenditures authorized in paragraphs
1761 (2) (a)-(j), expenses for the following:

1762 (a) The purchase, lease-purchase, or lease of driver's
1763 education vehicles; motor vehicles used for the maintenance or
1764 operation of plants and equipment; security vehicles; or
1765 vehicles used in storing or distributing materials and
1766 equipment.

1767 (b) Payment of the cost of premiums, as defined in s.
1768 627.403, for property and casualty insurance necessary to insure
1769 school district educational and ancillary plants. As used in
1770 this paragraph, casualty insurance has the same meaning as in s.
1771 624.605(1) (d), (f), (g), (h), and (m). Operating revenues that
1772 are made available through the payment of property and casualty
1773 insurance premiums from revenues generated under this subsection
1774 may be expended only for nonrecurring operational expenditures
1775 of the school district.

1776 Section 24. Section 1012.315, Florida Statutes, is amended
1777 to read:

1778 1012.315 Disqualification from employment.—A person is
1779 ineligible for educator certification, and instructional



881182

1780 personnel and school administrators, as defined in s. 1012.01,
1781 are ineligible for employment in any position that requires
1782 direct contact with students in a district school system,
1783 charter school, or private school that accepts scholarship
1784 students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or
1785 another state scholarship program under chapter 1002, if the
1786 person, instructional personnel, or school administrator has
1787 been convicted of:

1788 (1) Any felony offense prohibited under any of the
1789 following statutes:

1790 (a) Section 393.135, relating to sexual misconduct with
1791 certain developmentally disabled clients and reporting of such
1792 sexual misconduct.

1793 (b) Section 394.4593, relating to sexual misconduct with
1794 certain mental health patients and reporting of such sexual
1795 misconduct.

1796 (c) Section 415.111, relating to adult abuse, neglect, or
1797 exploitation of aged persons or disabled adults.

1798 (d) Section 782.04, relating to murder.

1799 (e) Section 782.07, relating to manslaughter, aggravated
1800 manslaughter of an elderly person or disabled adult, aggravated
1801 manslaughter of a child, or aggravated manslaughter of an
1802 officer, a firefighter, an emergency medical technician, or a
1803 paramedic.

1804 (f) Section 784.021, relating to aggravated assault.

1805 (g) Section 784.045, relating to aggravated battery.

1806 (h) Section 784.075, relating to battery on a detention or
1807 commitment facility staff member or a juvenile probation
1808 officer.



881182

- 1809 (i) Section 787.01, relating to kidnapping.
- 1810 (j) Section 787.02, relating to false imprisonment.
- 1811 (k) Section 787.025, relating to luring or enticing a
1812 child.
- 1813 (l) Section 787.04(2), relating to leading, taking,
1814 enticing, or removing a minor beyond the state limits, or
1815 concealing the location of a minor, with criminal intent pending
1816 custody proceedings.
- 1817 (m) Section 787.04(3), relating to leading, taking,
1818 enticing, or removing a minor beyond the state limits, or
1819 concealing the location of a minor, with criminal intent pending
1820 dependency proceedings or proceedings concerning alleged abuse
1821 or neglect of a minor.
- 1822 (n) Section 790.115(1), relating to exhibiting firearms or
1823 weapons at a school-sponsored event, on school property, or
1824 within 1,000 feet of a school.
- 1825 (o) Section 790.115(2)(b), relating to possessing an
1826 electric weapon or device, destructive device, or other weapon
1827 at a school-sponsored event or on school property.
- 1828 (p) Section 794.011, relating to sexual battery.
- 1829 (q) Former s. 794.041, relating to sexual activity with or
1830 solicitation of a child by a person in familial or custodial
1831 authority.
- 1832 (r) Section 794.05, relating to unlawful sexual activity
1833 with certain minors.
- 1834 (s) Section 794.08, relating to female genital mutilation.
- 1835 (t) Chapter 796, relating to prostitution.
- 1836 (u) Chapter 800, relating to lewdness and indecent
1837 exposure.



881182

- 1838 (v) Section 806.01, relating to arson.
- 1839 (w) Section 810.14, relating to voyeurism.
- 1840 (x) Section 810.145, relating to video voyeurism.
- 1841 (y) Section 812.014(6), relating to coordinating the
- 1842 commission of theft in excess of \$3,000.
- 1843 (z) Section 812.0145, relating to theft from persons 65
- 1844 years of age or older.
- 1845 (aa) Section 812.019, relating to dealing in stolen
- 1846 property.
- 1847 (bb) Section 812.13, relating to robbery.
- 1848 (cc) Section 812.131, relating to robbery by sudden
- 1849 snatching.
- 1850 (dd) Section 812.133, relating to carjacking.
- 1851 (ee) Section 812.135, relating to home-invasion robbery.
- 1852 (ff) Section 817.563, relating to fraudulent sale of
- 1853 controlled substances.
- 1854 (gg) Section 825.102, relating to abuse, aggravated abuse,
- 1855 or neglect of an elderly person or disabled adult.
- 1856 (hh) Section 825.103, relating to exploitation of an
- 1857 elderly person or disabled adult.
- 1858 (ii) Section 825.1025, relating to lewd or lascivious
- 1859 offenses committed upon or in the presence of an elderly person
- 1860 or disabled person.
- 1861 (jj) Section 826.04, relating to incest.
- 1862 (kk) Section 827.03, relating to child abuse, aggravated
- 1863 child abuse, or neglect of a child.
- 1864 (ll) Section 827.04, relating to contributing to the
- 1865 delinquency or dependency of a child.
- 1866 (mm) Section 827.071, relating to sexual performance by a



881182

1867 child.
1868 (nn) Section 843.01, relating to resisting arrest with
1869 violence.
1870 (oo) Chapter 847, relating to obscenity.
1871 (pp) Section 874.05, relating to causing, encouraging,
1872 soliciting, or recruiting another to join a criminal street
1873 gang.
1874 (qq) Chapter 893, relating to drug abuse prevention and
1875 control, if the offense was a felony of the second degree or
1876 greater severity.
1877 (rr) Section 916.1075, relating to sexual misconduct with
1878 certain forensic clients and reporting of such sexual
1879 misconduct.
1880 (ss) Section 944.47, relating to introduction, removal, or
1881 possession of contraband at a correctional facility.
1882 (tt) Section 985.701, relating to sexual misconduct in
1883 juvenile justice programs.
1884 (uu) Section 985.711, relating to introduction, removal, or
1885 possession of contraband at a juvenile detention facility or
1886 commitment program.
1887 (2) Any misdemeanor offense prohibited under any of the
1888 following statutes:
1889 (a) Section 784.03, relating to battery, if the victim of
1890 the offense was a minor.
1891 (b) Section 787.025, relating to luring or enticing a
1892 child.
1893 (3) Any criminal act committed in another state or under
1894 federal law which, if committed in this state, constitutes an
1895 offense prohibited under any statute listed in subsection (1) or



881182

1896 subsection (2).

1897 (4) Any delinquent act committed in this state or any
1898 delinquent or criminal act committed in another state or under
1899 federal law which, if committed in this state, qualifies an
1900 individual for inclusion on the Registered Juvenile Sex Offender
1901 List under s. 943.0435(1)(h)1.d.

1902 Section 25. Paragraphs (b) and (c) of subsection (3) of
1903 section 1012.731, Florida Statutes, are amended to read:

1904 1012.731 The Florida Best and Brightest Teacher Scholarship
1905 Program.—

1906 (3)

1907 (b)1. In order to demonstrate eligibility for an award, an
1908 eligible classroom teacher must submit to the school district,
1909 no later than November 1, an official record of his or her
1910 qualifying assessment score and, beginning with the 2020-2021
1911 school year, an official transcript demonstrating that he or she
1912 graduated cum laude or higher with a baccalaureate degree, if
1913 applicable. Once a classroom teacher is deemed eligible by the
1914 school district, the teacher shall remain eligible as long as he
1915 or she remains employed by the school district as a classroom
1916 teacher at the time of the award and receives an annual
1917 performance evaluation rating of highly effective pursuant to s.
1918 1012.34 or is evaluated as highly effective based on a
1919 commissioner-approved student learning growth formula pursuant
1920 to s. 1012.34(8) for the 2019-2020 school year or thereafter.

1921 2. A school district employee who, in the prior school
1922 year, was rated highly effective and met the eligibility
1923 requirements under this section as a classroom teacher, is
1924 eligible to receive a scholarship award during the current



881182

1925 school year if he or she maintains employment with the school
1926 district.

1927 ~~(c) Notwithstanding the requirements of this subsection,~~
1928 ~~for the 2017-2018, 2018-2019, and 2019-2020 school years, any~~
1929 ~~classroom teacher who:~~

1930 ~~1. Was evaluated as highly effective pursuant to s. 1012.34~~
1931 ~~in the school year immediately preceding the year in which the~~
1932 ~~scholarship will be awarded shall receive a scholarship of~~
1933 ~~\$1200, including a classroom teacher who received an award~~
1934 ~~pursuant to paragraph (a).~~

1935 ~~2. Was evaluated as effective pursuant to s. 1012.34 in the~~
1936 ~~school year immediately preceding the year in which the~~
1937 ~~scholarship will be awarded a scholarship of up to \$800. If the~~
1938 ~~number of eligible classroom teachers under this subparagraph~~
1939 ~~exceeds the total allocation, the department shall prorate the~~
1940 ~~per-teacher scholarship amount.~~

1941
1942 ~~This paragraph expires July 1, 2020.~~

1943 Section 26. Subsections (2), (3), and (4) of section
1944 1012.732, Florida Statutes, are amended to read:

1945 1012.732 The Florida Best and Brightest Principal
1946 Scholarship Program.—

1947 (2) There is created the Florida Best and Brightest
1948 Principal Scholarship Program to be administered by the
1949 Department of Education. The program shall provide categorical
1950 funding for scholarships to be awarded to school principals, as
1951 defined in s. 1012.01(3)(c)1., who are serving as a franchise
1952 model school principal or who have recruited and retained a high
1953 percentage of best and brightest teachers.



881182

1954 (3) (a) A school principal identified pursuant to s.
1955 1012.731(4)(c) is eligible to receive a scholarship under this
1956 section if he or she has served as school principal at his or
1957 her school for at least 2 consecutive school years including the
1958 current school year and his or her school has a ratio of best
1959 and brightest teachers to other classroom teachers that is at
1960 the 80th percentile or higher for schools within the same grade
1961 group, statewide, including elementary schools, middle schools,
1962 high schools, and schools with a combination of grade levels.

1963 (b) A principal of a franchise model school, as defined in
1964 s. 1002.334, is eligible to receive a scholarship under this
1965 section.

1966 (4) Annually, by February 1, the department shall identify
1967 eligible school principals and disburse funds to each school
1968 district for each eligible school principal to receive a
1969 scholarship.

1970 (a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each
1971 franchise model school principal who is ~~every~~ eligible under
1972 paragraph (3) (b).

1973 (b) A scholarship of \$5,000 must be awarded to each school
1974 principal assigned to a Title I school and a scholarship of
1975 \$4,000 to each ~~every~~ eligible school principal who is not
1976 assigned to a Title I school and who is eligible under paragraph
1977 (3) (a).

1978 Section 27. Paragraph (e) of subsection (1) of section
1979 1012.796, Florida Statutes, is amended to read:

1980 1012.796 Complaints against teachers and administrators;
1981 procedure; penalties.—

1982 (1)



881182

1983 (e) If allegations arise against an employee who is
1984 certified under s. 1012.56 and employed in an educator-
1985 certificated position in any public school, charter school or
1986 governing board thereof, or private school that accepts
1987 scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.
1988 1002.395, or another state scholarship program under chapter
1989 1002, the school shall file in writing with the department a
1990 legally sufficient complaint within 30 days after the date on
1991 which the subject matter of the complaint came to the attention
1992 of the school. A complaint is legally sufficient if it contains
1993 ultimate facts that show a violation has occurred as provided in
1994 s. 1012.795 and defined by rule of the State Board of Education.
1995 The school shall include all known information relating to the
1996 complaint with the filing of the complaint. This paragraph does
1997 not limit or restrict the power and duty of the department to
1998 investigate complaints, regardless of the school's untimely
1999 filing, or failure to file, complaints and followup reports.

2000 Section 28. Present paragraphs (a) through (d) of
2001 subsection (1) of section 1013.31, Florida Statutes, are
2002 redesignated as paragraphs (b) through (e), respectively, and a
2003 new paragraph (a) is added to that subsection, to read:

2004 1013.31 Educational plant survey; localized need
2005 assessment; PECO project funding.-

2006 (1) At least every 5 years, each board shall arrange for an
2007 educational plant survey, to aid in formulating plans for
2008 housing the educational program and student population, faculty,
2009 administrators, staff, and auxiliary and ancillary services of
2010 the district or campus, including consideration of the local
2011 comprehensive plan. The Department of Education shall document



881182

2012 the need for additional career and adult education programs and
2013 the continuation of existing programs before facility
2014 construction or renovation related to career or adult education
2015 may be included in the educational plant survey of a school
2016 district or Florida College System institution that delivers
2017 career or adult education programs. Information used by the
2018 Department of Education to establish facility needs must
2019 include, but need not be limited to, labor market data, needs
2020 analysis, and information submitted by the school district or
2021 Florida College System institution.

2022 (a) Educational plant survey and localized need assessment
2023 for capital outlay purposes.—A district may only use funds from
2024 the following sources for educational, auxiliary, and ancillary
2025 plant capital outlay purposes without needing a survey
2026 recommendation:

2027 1. The local capital outlay improvement fund, consisting of
2028 funds that come from and are a part of the district's basic
2029 operating budget;

2030 2. If a board decides to build an educational, auxiliary,
2031 or ancillary facility without a survey recommendation and the
2032 taxpayers approve a bond referendum, the voted bond referendum;

2033 3. One-half cent sales surtax revenue;

2034 4. One cent local governmental surtax revenue;

2035 5. Impact fees; and

2036 6. Private gifts or donations.

2037 Section 29. Paragraph (e) is added to subsection (2) of
2038 section 1013.385, Florida Statutes, to read:

2039 1013.385 School district construction flexibility.—

2040 (2) A resolution adopted under this section may propose



881182

2041 implementation of exceptions to requirements of the uniform
2042 statewide building code for the planning and construction of
2043 public educational and ancillary plants adopted pursuant to ss.
2044 553.73 and 1013.37 relating to:

2045 (e) Any other provisions that limit the ability of a school
2046 to operate in a facility on the same basis as a charter school
2047 pursuant to s. 1002.33(18) if the regional planning council
2048 determines that there is sufficient shelter capacity within the
2049 school district as documented in the Statewide Emergency Shelter
2050 Plan.

2051 Section 30. Subsection (3) of section 1013.62, Florida
2052 Statutes, is amended, and paragraph (c) is added to subsection
2053 (1) of that section, to read:

2054 1013.62 Charter schools capital outlay funding.—

2055 (1) Charter school capital outlay funding shall consist of
2056 revenue resulting from the discretionary millage authorized in
2057 s. 1011.71(2) and state funds when such funds are appropriated
2058 in the General Appropriations Act.

2059 (c) It is the intent of the Legislature that the public
2060 interest be protected by prohibiting personal financial
2061 enrichment by owners, operators, managers, real estate
2062 developers, and other affiliated parties of charter schools.
2063 Therefore, a charter school is not eligible for a funding
2064 allocation unless the chair of the governing board and the chief
2065 administrative officer of the charter school annually certify
2066 under oath that the funds will be used solely and exclusively
2067 for constructing, renovating, or improving charter school
2068 facilities that are:

2069 1. Owned by a school district, a political subdivision of



881182

2070 the state, a municipality, a Florida College System institution,
2071 or a state university;

2072 2. Owned by an organization that is qualified as an exempt
2073 organization under s. 501(c)(3) of the Internal Revenue Code
2074 whose articles of incorporation specify that, upon the
2075 organization's dissolution, the subject property will be
2076 transferred to a school district, a political subdivision of the
2077 state, a municipality, a Florida College System institution, or
2078 a state university; or

2079 3. Owned by and leased, at a fair market value in the
2080 school district in which the charter school is located, from a
2081 person or entity that is not an affiliated party of the charter
2082 school. For the purposes of this subparagraph, the term
2083 "affiliated party of the charter school" means the applicant for
2084 the charter school pursuant to s. 1002.33; the governing board
2085 of the charter school or a member of the governing board; the
2086 charter school owner; the charter school principal; an employee
2087 of the charter school; an independent contractor of the charter
2088 school or the governing board of the charter school; a relative,
2089 as defined in s. 1002.33(24)(a)2., of a charter school governing
2090 board member, a charter school owner, a charter school
2091 principal, a charter school employee, or an independent
2092 contractor of a charter school or charter school governing
2093 board; a subsidiary corporation, a service corporation, an
2094 affiliated corporation, a parent corporation, a limited
2095 liability company, a limited partnership, a trust, a
2096 partnership, or a related party that, individually or through
2097 one or more entities, shares common ownership or control and
2098 directly or indirectly manages, administers, controls, or



881182

2099 oversees the operation of the charter school; or any person or
2100 entity, individually or through one or more entities that share
2101 common ownership, which directly or indirectly manages,
2102 administers, controls, or oversees the operation of any of the
2103 foregoing.

2104 (3) If the school board levies the discretionary millage
2105 authorized in s. 1011.71(2), the department shall use the
2106 following calculation methodology to determine the amount of
2107 revenue that a school district must distribute to each eligible
2108 charter school:

2109 (a) Reduce the total discretionary millage revenue by the
2110 school district's annual debt service obligation incurred as of
2111 March 1, 2017, and any amount of participation requirement
2112 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
2113 revenues raised by the discretionary millage.

2114 (b) Divide the school district's adjusted discretionary
2115 millage revenue by the district's total capital outlay full-time
2116 equivalent membership and the total number of unweighted full-
2117 time equivalent students of each eligible charter school to
2118 determine a capital outlay allocation per full-time equivalent
2119 student.

2120 (c) Multiply the capital outlay allocation per full-time
2121 equivalent student by the total number of full-time equivalent
2122 students for all of each eligible charter schools within the
2123 district school to determine the total charter school capital
2124 outlay allocation for each district charter school.

2125 (d) If applicable, reduce the capital outlay allocation
2126 identified in paragraph (c) by the total amount of state funds
2127 allocated pursuant to subsection (2) to all each eligible



881182

2128 charter schools within a district school in subsection (2) to
2129 determine the net total ~~maximum~~ calculated capital outlay
2130 allocation from local funds. If state funds are not allocated
2131 pursuant to subsection (2), the amount determined in paragraph
2132 (c) is equal to the net total calculated capital outlay
2133 allocation from local funds for each district.

2134 (e) For each charter school within each district, the net
2135 capital outlay amount from local funds shall be calculated in
2136 the same manner as the state funds in paragraphs (2) (a)-(d),
2137 except that the base charter school per weighted FTE allocation
2138 amount shall be determined by dividing the net total capital
2139 outlay amount from local funds by the total weighted FTE for all
2140 eligible charter schools within the district. The per weighted
2141 FTE allocation amount from local funds shall be multiplied by
2142 the weighted FTE for each charter school to determine each
2143 charter school's capital outlay allocation from local funds.

2144 (f) ~~(e)~~ School districts shall distribute capital outlay
2145 funds to charter schools no later than February 1 of each year,
2146 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

2147 Section 31. For the 2018-2019 fiscal year, the sum of
2148 \$596,560 in recurring funds from the General Revenue Fund and
2149 the sum of \$392,134 in nonrecurring funds from the General
2150 Revenue Funds are appropriated to the Department of Education to
2151 implement this act as follows: the sum of \$596,560 in recurring
2152 funds and \$142,134 in nonrecurring funds shall be used to
2153 implement the additional oversight requirements pursuant to s.
2154 1002.421, Florida Statutes and the sum of \$250,000 in
2155 nonrecurring funds shall be used to issue a competitive grant
2156 award pursuant to s. 1002.395(9), Florida Statutes.



881182

2157 Section 32. This act shall take effect July 1, 2018.

2158

2159 ===== T I T L E A M E N D M E N T =====

2160 And the title is amended as follows:

2161 Delete everything before the enacting clause

2162 and insert:

2163 A bill to be entitled

2164 An act relating to education; amending s. 1001.10,

2165 F.S.; revising the private schools to which the

2166 Department of Education is required to provide

2167 technical assistance and authorized staff; amending s.

2168 1001.4205, F.S.; authorizing a member of the State

2169 Legislature to visit any district school, including

2170 any charter school, in his or her legislative

2171 district; amending s. 1002.33, F.S.; extending the

2172 period of time for which a charter school may defer

2173 its opening for specified reasons; amending s.

2174 1002.331, F.S.; revising the requirements for a

2175 charter school to be considered a high-performing

2176 charter school; amending s. 1002.333, F.S.; redefining

2177 the terms "persistently low-performing school" and

2178 "school of hope"; revising the required contents of a

2179 school of hope notice of intent and performance-based

2180 agreement; revising school of hope facility

2181 requirements; specifying that certain schools of hope

2182 are eligible to receive hope supplemental service

2183 allocation funds; requiring the State Board of

2184 Education to provide awards to all eligible schools

2185 that meet certain requirements; prohibiting a school



881182

2186 of hope operator or owner from serving as the
2187 principal of a school of hope that he or she manages;
2188 conforming cross-references; creating s. 1002.334,
2189 F.S.; defining the term "franchise model school";
2190 authorizing specified schools to use a franchise model
2191 school as a turnaround option; specifying requirements
2192 for a franchise model school principal; amending s.
2193 1002.385, F.S.; revising the meaning of a rare disease
2194 within the definition of a "disability" for purposes
2195 of the Gardiner Scholarship Program; specifying that
2196 the failure or refusal, rather than the inability of,
2197 a private school to meet certain requirements
2198 constitutes a basis for program ineligibility;
2199 conforming cross-references; amending s. 1002.39,
2200 F.S.; authorizing the department to make followup site
2201 visits at any time to certain private schools;
2202 requiring participating private schools to provide a
2203 specified report from an independent certified public
2204 accountant under certain circumstances; specifying
2205 that the failure or refusal, rather than the inability
2206 of, a private school to meet certain requirements
2207 constitutes a basis for program ineligibility;
2208 conforming provisions to changes made by the act;
2209 amending s. 1002.395, F.S.; revising obligations of
2210 eligible nonprofit scholarship-funding organizations
2211 participating in the Florida Tax Credit Scholarship
2212 Program; specifying that the failure or refusal,
2213 rather than the inability of, a private school to meet
2214 certain requirements constitutes a basis for program



881182

2215 ineligibility; revising the purposes of department
2216 site visits at private schools participating in the
2217 Florida Tax Credit Scholarship Program; authorizing
2218 the department to make followup site visits at any
2219 time to certain private schools; conforming provisions
2220 to changes made by the act; amending s. 1002.421,
2221 F.S.; defining the term "owner or operator"; requiring
2222 a private school to employ or contract with teachers
2223 who meet certain qualifications and provide
2224 information about such qualifications to the
2225 department and parents; revising the conditions under
2226 which a private school employee may be exempted from
2227 background screening requirements; specifying that a
2228 private school is ineligible to participate in certain
2229 scholarship programs under certain circumstances;
2230 requiring the department to annually visit a certain
2231 percentage of certain private schools; authorizing the
2232 department to make certain followup site visits at any
2233 time; requiring the Division of State Fire Marshal to
2234 annually provide the department with fire safety
2235 inspection reports for certain private schools;
2236 requiring that certain private schools provide the
2237 department with a report from an independent certified
2238 public accountant under certain circumstances;
2239 amending s. 1002.55, F.S.; authorizing an early
2240 learning coalition to refuse to contract with certain
2241 private prekindergarten providers; amending s.
2242 1003.41, F.S.; revising the requirements for the Next
2243 Generation Sunshine State Standards to include



2244 financial literacy; amending s. 1003.4282, F.S.;

2245 revising the required credits for a standard high

2246 school diploma to include one-half credit of

2247 instruction in personal financial literacy and money

2248 management and seven-and-one-half, rather than eight,

2249 credits in electives; creating s. 1003.457, F.S.;

2250 requiring school districts to provide instruction in

2251 cardiopulmonary resuscitation (CPR) and the use of an

2252 automated external defibrillator; requiring students

2253 to study and practice psychomotor skills associated

2254 with CPR at least once before graduating from high

2255 school; requiring the instruction to be a part of a

2256 required curriculum; providing instruction to be based

2257 on certain programs; providing an exemption; amending

2258 s. 1003.453, F.S.; conforming provisions to changes

2259 made by the act; amending s. 1006.061, F.S.; revising

2260 the applicability of certain child abuse, abandonment,

2261 and neglect provisions; amending s. 1006.07, F.S.;

2262 requiring district school boards to formulate and

2263 prescribe policies and procedures for active shooter

2264 situations; requiring that active shooter situation

2265 training for each school be conducted by the law

2266 enforcement agency or agencies that are designated as

2267 first responders to the school's campus; requiring

2268 each school district to conduct certain assessments in

2269 a specified format; requiring a district school

2270 superintendent to provide specified agencies with

2271 certain findings and certain strategy and activity

2272 recommendations to improve school safety and security;



881182

2273 requiring that district school boards and private
2274 school principals or governing boards allow campus
2275 tours by such law enforcement agency or agencies at
2276 specified times and for specified purposes; requiring
2277 that certain recommendations be documented by such
2278 board or principal; amending s. 1006.12, F.S.;

2279 requiring, rather than authorizing, district school
2280 boards to establish certain school resource officer
2281 programs; requiring a district school board to
2282 commission one or more school safety officers at each
2283 district school facility within the district; amending
2284 s. 1007.273, F.S.; defining the term "structured
2285 program"; providing additional options for students
2286 participating in a structured program; prohibiting a
2287 district school board from limiting the number of
2288 public school students who may participate in a
2289 structured program; revising contract requirements;

2290 requiring each district school board to annually
2291 notify students in certain grades of certain
2292 information about the structured program, by a
2293 specified date; revising provisions relating to
2294 funding; requiring the state board to enforce
2295 compliance with certain provisions by a specified date
2296 each year; providing reporting requirements; amending
2297 s. 1008.33, F.S.; revising the turnaround options
2298 available for certain schools; amending s. 1011.62,
2299 F.S.; creating the hope supplemental services
2300 allocation; providing the purpose of the allocation;
2301 specifying the services that may be funded by the



881182

2302 allocation; providing that implementation plans may
2303 include certain models; providing requirements for
2304 implementation plans; providing for the allocation of
2305 funds in specified fiscal years; creating the mental
2306 health assistance allocation; providing the purpose of
2307 the allocation; providing for the annual allocation of
2308 such funds on a specified basis; prohibiting the use
2309 of allocated funds to supplant funds provided from
2310 other operating funds, to increase salaries, or to
2311 provide bonuses; providing requirements for school
2312 districts and charter schools; providing that required
2313 plans must include certain elements; requiring school
2314 districts to annually submit approved plans to the
2315 Commissioner of Education by a specified date;
2316 requiring that entities that receive such allocations
2317 annually submit a final report on program outcomes and
2318 specific expenditures to the commissioner by a
2319 specified date; creating the funding compression
2320 allocation; providing the purpose of the allocation;
2321 authorizing funding for the annual allocation;
2322 providing the calculation for the allocation; amending
2323 s. 1011.69, F.S.; authorizing certain high schools to
2324 receive Title I funds; providing that a school
2325 district may withhold Title I funds for specified
2326 purposes; authorizing certain schools to use Title I
2327 funds for specified purposes; amending s. 1011.71,
2328 F.S.; increasing the amount that a school district may
2329 expend from a specified millage levy for certain
2330 expenses; amending s. 1012.315, F.S.; revising the



881182

2331 applicability of certain provisions related to
2332 disqualification from employment for the conviction of
2333 specified offenses; amending s. 1012.731, F.S.;
2334 extending eligibility for the Florida Best and
2335 Brightest Teacher Scholarship Program to school
2336 district employees who, in the immediately preceding
2337 school year, were classroom teachers and met
2338 eligibility requirements; deleting scholarship awards
2339 authorized for specific school years; amending s.
2340 1012.732, F.S.; specifying that a franchise model
2341 school principal is eligible to receive a Florida Best
2342 and Brightest Principal scholarship; requiring
2343 specified awards for eligible principals; amending s.
2344 1012.796, F.S.; revising the applicability of a
2345 requirement that certain private schools file
2346 specified reports with the department for certain
2347 allegations against its employees; amending s.
2348 1013.31, F.S.; authorizing a district to use certain
2349 sources of funds for educational, auxiliary, and
2350 ancillary plant capital outlay purposes without
2351 needing a survey recommendation; amending s. 1013.385,
2352 F.S.; providing additional exceptions to certain
2353 building code regulations for school districts;
2354 amending s. 1013.62, F.S.; providing legislative
2355 intent; prohibiting a charter school from being
2356 eligible for capital outlay funds unless the chair of
2357 the governing board and the chief administrative
2358 officer of the charter school annually certify certain
2359 information; defining the term "affiliated party of



881182

2360 the charter school"; revising the Department of
2361 Education's calculation methodology for a school
2362 district's distribution of discretionary millage to
2363 its eligible charter schools; providing
2364 appropriations; providing an effective date.