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1 A bill to be entitled
2 An act relating to education; amending s. 435.02,
3 F.S.; revising the definition of the term "specified
4 agency"; amending s. 435.12, F.S.; requiring certain
5 employees to submit to rescreening on a specified
6 schedule; amending s. 464.0195, F.S.; revising the
7 goals of the Florida Center for Nursing; amending s.
8 800.101, F.S.; providing criminal penalties for
9 certain actions relating to specified reports;
10 amending ss. 943.0585 and 943.059, F.S.; prohibiting
11 certain persons from denying criminal history records
12 that have been expunged or sealed; amending s.
13 1001.51, F.S.; requiring certain records and reports
14 to include certain determinations relating to
15 withholding certain information from a parent;
16 requiring such determinations to be annually reviewed
17 and redetermined; amending s. 1001.92, F.S.; revising
18 a certain performance-based metric for state
19 university performance funding; providing that a state
20 university is ineligible to receive performance
21 funding under certain circumstances; designating who
22 may provide a substantiated finding; amending s.
23 1002.31, F.S.; deleting obsolete language; revising
24 the requirements for school district and charter
25 school capacity determinations; providing requirements
26 for the determination of capacity for certain virtual
27 schools; revising requirements for a certain district
28 school board process required for controlled open
29 enrollment; amending s. 1002.33, F.S.; providing for a

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30 standard virtual charter contract and standard virtual
31 charter renewal contract; revising charter
32 requirements; requiring virtual charter schools to
33 comply with specified provisions; amending s.
34 1002.394, F.S.; revising Department of Education
35 duties under the Family Empowerment Scholarship
36 Program; revising requirements for a specified
37 calculation; revising the scholarship amount for
38 students enrolled in certain public schools or lab
39 schools; revising terminology; revising the number of
40 scholarships that may be awarded through the program;
41 amending s. 1002.395, F.S.; revising duties of the
42 department under the Florida Tax Credit Scholarship
43 Program; authorizing administrative expenses to
44 include certain contracts and strategies relating to
45 the transportation of students; revising the
46 scholarship amount for students enrolled in certain
47 public schools or lab schools; amending s. 1002.40,
48 F.S.; revising department duties under the Hope
49 Scholarship Program; amending s. 1002.411, F.S.;
50 renaming the "reading scholarship accounts" as the
51 "New Worlds Reading Scholarship Accounts"; revising
52 student eligibility requirements for reading
53 scholarship accounts; providing that a school district
54 may not prohibit instructional personnel from
55 providing services during specified time periods;
56 amending s. 1002.421, F.S.; revising background
57 screening requirements for certain private schools;
58 amending s. 1002.45, F.S.; revising and providing

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59 definitions; authorizing students who reside in the
60 school district, rather than students enrolled in the
61 school district, to participate in school district
62 virtual instruction programs; deleting the purpose of
63 specified programs; requiring each virtual instruction
64 program, rather than full-time programs, to operate
65 under its own Master School Identification Number;
66 authorizing certain service organizations to execute
67 specified contractual arrangements; revising school
68 district responsibilities; requiring the State Board
69 of Education to approve certain virtual instruction
70 program providers; revising the requirements for
71 approval of a virtual instruction program provider;
72 providing additional requirements for school district
73 contracts with approved virtual instruction program
74 providers; revising the requirements for calculating
75 student funding for students enrolled in certain
76 virtual education programs; requiring approved virtual
77 instruction program providers to receive a district
78 grade; providing requirements for such grade; revising
79 requirements for the automatic termination of an
80 approved virtual instruction provider's contract;
81 requiring the State Board of Education to adopt rules
82 for a specified standard contract; amending s.
83 1002.455, F.S.; revising the virtual instruction
84 options available to certain students; requiring
85 school districts enrolling certain students in virtual
86 education programs to comply with specified enrollment
87 requirements; amending s. 1002.81, F.S.; conforming a

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88 cross-reference; amending s. 1002.82, F.S.; requiring
89 the department to establish procedures for the annual
90 calculation of the prevailing market rate and the
91 collection of certain data; conforming cross-
92 references; amending s. 1002.84, F.S.; establishing
93 the distribution methodology that early learning
94 coalitions must use to distribute school readiness
95 program funds to eligible providers; providing
96 requirements for early learning coalitions; amending
97 s. 1002.85, F.S.; revising the requirements for the
98 school readiness program plan submitted to the
99 department by early learning coalitions; amending s.
100 1002.87, F.S.; conforming a cross-reference; amending
101 s. 1002.89, F.S.; providing for the determination of
102 school readiness program funding for early learning
103 coalitions; providing requirements for such funding
104 calculations; making technical changes; amending s.
105 1002.895, F.S.; providing for the determination of the
106 market rate schedule for the school readiness program;
107 requiring the department to establish procedures for
108 the annual collection of specified data; requiring the
109 department to provide certain data to the Early
110 Learning Programs Estimating Conference; creating s.
111 1002.90, F.S.; requiring the principals of the
112 conference to annually develop official cost-of-care
113 information; providing requirements for conference
114 principals; requiring the department to provide
115 conference principals with specified data; requiring
116 the conference to annually provide the official cost-

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117 of-care information to the Legislature by a specified
118 date; amending s. 1002.92, F.S.; requiring certain
119 child care facilities to annually provide specified
120 data to the statewide child care and resource and
121 referral network; amending s. 1002.995, F.S.;
122 requiring the department to provide incentives to
123 certain early learning personnel and instructors,
124 subject to appropriation; amending s. 1003.485, F.S.;
125 defining the term "micro-credential"; providing the
126 purpose and contents of the of the New Worlds Reading
127 Initiative; revising the responsibilities of the
128 administrator of the initiative; requiring that
129 students be provided with specified options upon
130 enrollment; conforming cross-references; amending s.
131 1003.498, F.S.; providing requirements for funding for
132 certain virtual courses; amending s. 1003.52, F.S.;
133 revising requirements for the funding of certain
134 students in juvenile justice education programs;
135 amending s. 1003.621, F.S.; conforming a cross-
136 reference; amending s. 1004.015, F.S.; revising Board
137 of Governors and State Board of Education duties in
138 support of the Florida Talent Development Council;
139 amending s. 1004.04, F.S.; revising teacher
140 preparation program core curricula requirements;
141 revising criteria for continued program approval;
142 authorizing the State Board of Education to adopt
143 rules that include certain criteria and authorize
144 continued program approval; requiring that the rules
145 establish certain continued program approval criteria;

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146 revising specified requirements relating to field
147 experiences; creating s. 1004.6496, F.S.; authorizing
148 the University of Florida Board of Trustees to use
149 specified funds to establish the Hamilton Center for
150 Classical and Civic Education within the university;
151 providing the purpose for the center; establishing
152 goals for the center; amending s. 1004.85, F.S.;

153 revising teacher preparation program core curricula
154 requirements; requiring certain program candidates to
155 complete a minimum period of field experience, as
156 determined by the State Board of Education; revising
157 criteria for continued program approval; authorizing
158 the State Board of Education to adopt rules that
159 include certain criteria and authorize continued
160 program approval; requiring the State Board of
161 Education to adopt rules that establish certain
162 continued program approval criteria; amending s.
163 1006.12, F.S.; conforming cross-references; amending
164 s. 1006.22, F.S.; revising the requirements for the
165 use of motor vehicles other than school buses for the
166 transportation of students; amending s. 1006.27, F.S.;

167 creating the Driving Choice Grant Program within the
168 department for specified purposes relating to the
169 transportation of certain students; providing
170 requirements for the program; requiring the department
171 to publish on its website an interim and final report
172 by specified dates; providing requirements for such
173 reports; amending s. 1006.73, F.S.; requiring the
174 Florida Postsecondary Academic Library Network to

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175 provide specified support for certain open education
176 resources; establishing the Student Open Access
177 Resource Repository and the Student Open Access
178 Resource Grant Program; defining the term "open access
179 resource"; requiring the chancellors of the State
180 University System and the Florida College System to
181 collaborate and take the lead in identifying and
182 developing processes to coordinate and support the
183 adaptation or development of open educational
184 resources; requiring the network to support the
185 adaptation or development of open educational
186 resources teams; providing requirements for such teams
187 and the network; providing requirements for the
188 Student Open Access Resources Repository; authorizing
189 the Florida Postsecondary Academic Library Network to
190 award certain grants, subject to appropriation;
191 providing requirements for the administration of and
192 participation in the Student Open Access Resource
193 Grant Program; requiring Florida College Systems and
194 state universities to post courses that utilize open
195 education resources and have zero textbook costs on
196 their course registration systems and websites within
197 a specified timeframe; providing requirements for
198 posting such courses; authorizing a certain Zero
199 Textbook Cost Indicator to be used for such purpose;
200 revising reporting requirements for the host entity of
201 the network; requiring the Board of Governors and the
202 department to include certain funding increases in
203 their annual legislative budget requests; amending s.

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204 1007.271, F.S.; requiring instructional materials to
205 be made available to all dual enrollment students free
206 of charge; creating s. 1007.36, F.S.; creating the
207 Inclusive Transition and Employment Management Program
208 within the department; providing the purpose of the
209 program; amending s. 1008.33, F.S.; making technical
210 changes; requiring a school district to take specified
211 actions for a school that earns an initial school
212 grade of "D"; revising the options available to a
213 school district that must implement a turnaround plan
214 for a school; authorizing a school district to submit
215 a turnaround plan for a school that has earned an
216 initial school grade of "D"; revising the options
217 available to a school district with a school that
218 implemented a turnaround plan and did not improve its
219 school grade; amending s. 1008.34, F.S.; requiring the
220 State Board of Education to annually review the
221 percentage of schools earning certain school grades
222 and determine if the school grading scale must be
223 adjusted; providing requirements for such adjustments;
224 requiring the state board to provide specified
225 information to the public; requiring the department to
226 annually, for certain years, collect certain data
227 relating to statewide and district-required
228 assessments and coordinated screening and progress
229 monitoring; providing reporting requirements relating
230 to the collection of such data; amending s. 1009.26,
231 F.S.; deleting obsolete language; requiring the Board
232 of Governors to establish two Programs of Strategic

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233 Emphasis in a specified category; amending s. 1009.30,
234 F.S.; revising the criteria for reimbursement of
235 eligible postsecondary institutions for tuition and
236 related instructional materials costs for dual
237 enrollment courses; revising participating institution
238 reporting requirements under the program; requiring
239 the department to reimburse each participating
240 institution within a specified timeframe; amending s.
241 1009.89, F.S.; requiring eligible institutions in the
242 William L. Boyd, IV, Effective Access to Student
243 Education Grant Program to post certain information on
244 their websites; amending s. 1009.895, F.S.; revising
245 the definition of the term "institution"; deleting the
246 eligibility requirement that students complete the
247 Free Application for Federal Student Aid; authorizing
248 institutions to cover certain costs for students in
249 the program; creating s. 1009.896, F.S.; providing a
250 short title; providing legislative intent;
251 establishing the Linking Industry to Nursing Education
252 (LINE) Fund for specified purposes; providing
253 definitions; requiring the fund to be administered by
254 the Board of Governors and the department; providing
255 for the matching of specified funds, subject to
256 available funds, for institutions with an approved
257 proposal; providing requirements for the use of
258 program funds, proposal requirements, for the review
259 of such proposal, and for participation in the
260 program; providing annual reporting requirements;
261 requiring the Board of Governors to adopt specified

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262 regulations and the State Board of Education to adopt
263 specified rules; creating s. 1009.897, F.S.; creating
264 a Prepping Institutions, Programs, Employers, and
265 Learners through Incentives for Nursing Education
266 (PIPELINE) Fund for specified purposes; defining the
267 term "institution"; providing for allocations of
268 performance-based funding to institutions, subject to
269 appropriation; providing metrics for the award of such
270 funding; requiring the Board of Governors to adopt
271 regulations and the State Board of Education to adopt
272 rules; amending s. 1010.20, F.S.; revising the
273 percentage of certain funds school districts must
274 spend on juvenile justice programs; amending s.
275 1011.48, F.S.; revising requirements for certain fees
276 charged by an educational research center for child
277 development; amending s. 1011.62, F.S.; revising the
278 calculation for the basic amount for current operation
279 for kindergarten through grade 12; authorizing certain
280 funds to be used to purchase certain computers and
281 device hardware; revising full-time equivalent student
282 membership amounts for purposes related to the
283 sparsity supplement under the Florida Education
284 Finance Program; providing that the evidence-based
285 reading instruction allocation may be used to provide
286 certain instruction to prekindergarten students;
287 providing priority for expenditures to certain
288 students; revising authorized expenditures; requiring
289 that school district comprehensive reading plans be
290 based on a root-cause analysis; establishing

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291 requirements for the analysis; revising requirements
292 for instructional personnel who provide intensive
293 reading interventions; deleting the comprehensive
294 reading plan approval process; conforming provisions
295 to changes made by the act; deleting the Florida
296 digital classrooms allocation; deleting the funding
297 compression and hold harmless allocation; amending s.
298 1011.68, F.S.; revising the requirements for specified
299 student transportation funds to be used to pay for
300 transportation in specified vehicles; amending s.
301 1011.71, F.S.; conforming cross-references; amending
302 s. 1012.22, F.S.; conforming cross-references;
303 requiring certain compensation to be included in
304 calculating certain salary adjustments; amending s.
305 1012.315, F.S.; revising screening standards for
306 specified individuals; providing applicability;
307 amending s. 1012.32, F.S.; revising the procedure for
308 background screenings; deleting the right to appeal
309 certain terminations; revising provisions specifying
310 financial responsibility and reimbursement for
311 background screenings; providing applicability;
312 amending s. 1012.34, F.S.; providing that certain
313 procedures relating to a school district's
314 instructional, administrative, and supervisory
315 personnel set the standards of service to be offered
316 to the public and are not subject to collective
317 bargaining; amending s. 1012.465, F.S.; conforming
318 provisions to changes made by the act; amending s.
319 1012.467, F.S.; repealing certain reciprocity

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320 provisions on a specified date; amending s. 1012.56,
321 F.S.; prohibiting certain persons from having
322 specified responsibilities before the results of a
323 background screening are available; conforming
324 provisions to changes made by the act; requiring
325 certain provisions to be implemented by a certain
326 date; amending s. 1012.584, F.S.; conforming cross-
327 references; creating s. 1003.4204, F.S.; establishing
328 the Safer, Smarter Schools Program in statute;
329 amending s. 1013.40, F.S.; modifying planning and
330 construction requirements for Florida College System
331 institution facilities; providing effective dates.

332
333 Be It Enacted by the Legislature of the State of Florida:
334

335 Section 1. Effective January 1, 2023, subsection (5) of
336 section 435.02, Florida Statutes, is amended to read:

337 435.02 Definitions.—For the purposes of this chapter, the
338 term:

339 (5) "Specified agency" means the Department of Health, the
340 Department of Children and Families, ~~the Division of Vocational~~
341 ~~Rehabilitation within the Department of Education,~~ the Agency
342 for Health Care Administration, the Department of Elderly
343 Affairs, the Department of Juvenile Justice, the Agency for
344 Persons with Disabilities, the Department of Education, each
345 district unit under s. 1001.30, special district units under s.
346 1011.24, the Florida School for the Deaf and the Blind under s.
347 1002.36, the Florida Virtual School under s. 1002.37, virtual
348 instruction programs under s. 1002.45, charter schools under s.

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349 1002.33, hope operators under s. 1002.333, private schools
350 participating in an educational scholarship program established
351 pursuant to chapter 1002, alternative schools under s. 1008.341,
352 regional workforce boards providing services as defined in s.
353 445.002(3), and local licensing agencies approved pursuant to s.
354 402.307, when these agencies are conducting state and national
355 criminal history background screening on persons who work with
356 children or persons who are elderly or disabled.

357 Section 2. Effective January 1, 2023, subsection (3) of
358 section 435.12, Florida Statutes, is amended to read:

359 435.12 Care Provider Background Screening Clearinghouse.—

360 (3) (a) Employees of each district unit under s. 1001.30,
361 special district units under s. 1011.24, the Florida School for
362 the Deaf and the Blind under s. 1002.36, the Florida Virtual
363 School under s. 1002.37, virtual instruction programs under s.
364 1002.45, charter schools under s. 1002.33, hope operators under
365 s. 1002.333, private schools participating in an educational
366 scholarship program established pursuant to chapter 1002, and
367 alternative schools under s. 1008.341 must be rescreened in
368 compliance with the following schedule:

369 1. Employees for whom the last screening was conducted on
370 or before June 30, 2019, must be rescreened by June 30, 2024.

371 2. Employees for whom the last screening was conducted
372 between July 1, 2019, and June 30, 2021, must be rescreened by
373 June 30, 2025.

374 3. Employees for whom the last screening was conducted
375 between July 1, 2021, and December 31, 2022, must be rescreened
376 by June 30, 2026.

377 (b) A person is not required to be rescreened before

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378 January 1, 2023, solely for the purpose of retention under this
 379 section if the person was screened before participation by the
 380 specified agencies named in paragraph (a) in the clearinghouse.
 381 ~~An employee who has undergone a fingerprint-based criminal~~
 382 ~~history check by a specified agency before the clearinghouse is~~
 383 ~~operational is not required to be checked again solely for the~~
 384 ~~purpose of entry in the clearinghouse. Every employee who is or~~
 385 ~~will become subject to fingerprint-based criminal history checks~~
 386 ~~to be eligible to be licensed, have their license renewed, or~~
 387 ~~meet screening or rescreening requirements by a specified agency~~
 388 ~~once the specified agency participates in the clearinghouse~~
 389 ~~shall be subject to the requirements of this section with~~
 390 ~~respect to entry of records in the clearinghouse and retention~~
 391 ~~of fingerprints for reporting the results of searching against~~
 392 ~~state incoming arrest fingerprint submissions.~~

393 Section 3. Subsection (2) of section 464.0195, Florida
 394 Statutes, is amended to read:

395 464.0195 Florida Center for Nursing; goals.—

396 (2) The primary goals for the center shall be to:

397 (a) Develop a strategic statewide plan for nursing manpower
 398 in this state by:

399 1. Conducting a statistically valid biennial data-driven
 400 gap analysis of the supply and demand of the health care
 401 workforce. Demand must align with the Labor Market Estimating
 402 Conference created in s. 216.136. The center shall:

403 a. Establish ~~Establishing~~ and maintain ~~maintaining~~ a
 404 database on nursing supply and demand in the state, to include
 405 current supply and demand. ~~†~~

406 ~~b.2. Analyze~~ Analyzing the current and future supply and

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407 demand in the state and ~~making future projections of such,~~
408 ~~including assessing~~ the impact of this state's participation in
409 the Nurse Licensure Compact under s. 464.0095.; ~~and~~

410 2.3. Developing recommendations to increase nurse faculty
411 and clinical preceptors, support nurse faculty development, and
412 promote advanced nurse education.

413 3. Developing best practices in the academic preparation
414 and continuing education needs of qualified nurse educators,
415 nurse faculty, and clinical preceptors ~~Selecting from the plan~~
416 ~~priorities to be addressed.~~

417 4. Collecting data on nurse faculty, employment,
418 distribution, and retention.

419 5. Piloting innovative projects to support the recruitment,
420 development, and retention of qualified nurse faculty and
421 clinical preceptors.

422 6. Encouraging and coordinating the development of
423 academic-practice partnerships to support nurse faculty
424 employment and advancement.

425 7. Developing distance learning infrastructure for nursing
426 education and advancing faculty competencies in the pedagogy of
427 teaching and the evidence-based use of technology, simulation,
428 and distance learning techniques.

429 ~~(b) Convene various groups representative of nurses, other~~
430 ~~health care providers, business and industry, consumers,~~
431 ~~legislators, and educators to:~~

432 ~~1. Review and comment on data analysis prepared for the~~
433 ~~center;~~

434 ~~2. Recommend systemic changes, including strategies for~~
435 ~~implementation of recommended changes; and~~

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436 ~~3. Evaluate and report the results of these efforts to the~~
437 ~~Legislature and others.~~

438 (b)~~(e)~~ Enhance and promote recognition, reward, and renewal
439 activities for nurses in the state by:

440 1. Promoting nursing excellence programs such as magnet
441 recognition by the American Nurses Credentialing Center;

442 2. Proposing and creating additional reward, recognition,
443 and renewal activities for nurses; and

444 3. Promoting media and positive image-building efforts for
445 nursing.

446 Section 4. Effective October 1, 2022, subsections (3) and
447 (4) of section 800.101, Florida Statutes, are amended, and
448 subsection (5) is added to that section, to read:

449 800.101 Offenses against students by authority figures.—

450 (3) A person who violates subsection (2) ~~this section~~
451 commits a felony of the second degree, punishable as provided in
452 s. 775.082, s. 775.083, or s. 775.084.

453 (4) Subsection (2) ~~This section~~ does not apply to conduct
454 constituting an offense that is subject to reclassification
455 under s. 775.0862.

456 (5) (a) A person who is required to report a violation of
457 subsection (2) and who knowingly or willfully fails to do so, or
458 who knowingly or willfully prevents another person from doing
459 so, commits a misdemeanor of the first degree, punishable as
460 provided in s. 775.082 or s. 775.083.

461 (b) A person who knowingly or willfully submits false,
462 inaccurate, or incomplete information while reporting a
463 violation of subsection (2) commits a misdemeanor of the first
464 degree, punishable as provided in s. 775.082 or s. 775.083.

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465 (c) A person who knowingly or willfully coerces or
466 threatens another person with the intent to alter his or her
467 testimony or written report regarding a violation of subsection
468 (2) commits a misdemeanor of the first degree, punishable as
469 provided in s. 775.082 or s. 775.083.

470 Section 5. Paragraph (b) of subsection (6) of section
471 943.0585, Florida Statutes, is amended to read:

472 943.0585 Court-ordered expunction of criminal history
473 records.—

474 (6) EFFECT OF EXPUNCTION ORDER.—

475 (b) The person who is the subject of a criminal history
476 record that is expunged under this section or under other
477 provisions of law, including former ss. 893.14, 901.33, and
478 943.058, may lawfully deny or fail to acknowledge the arrests
479 covered by the expunged record, except when the subject of the
480 record:

- 481 1. Is a candidate for employment with a criminal justice
482 agency;
- 483 2. Is a defendant in a criminal prosecution;
- 484 3. Concurrently or subsequently petitions for relief under
485 this section, s. 943.0583, or s. 943.059;
- 486 4. Is a candidate for admission to The Florida Bar;
- 487 5. Is seeking to be employed or licensed by or to contract
488 with the Department of Children and Families, the Division of
489 Vocational Rehabilitation within the Department of Education,
490 the Agency for Health Care Administration, the Agency for
491 Persons with Disabilities, the Department of Health, the
492 Department of Elderly Affairs, or the Department of Juvenile
493 Justice or to be employed or used by such contractor or licensee

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494 in a sensitive position having direct contact with children, the
495 disabled, or the elderly;

496 6.a. Is seeking to be employed or licensed by, or contract
497 with, the Department of Education, any district unit under s.
498 1001.30, any special district unit under s. 1011.24, the Florida
499 School for the Deaf and the Blind under s. 1002.36, the Florida
500 Virtual School under s. 1002.37, any virtual instruction program
501 under s. 1002.45 school board, any university laboratory school,
502 any charter school under s. 1002.33, any hope operator under s.
503 1002.333, any alternative school under s. 1008.341 school, any
504 private or parochial school, or any local governmental entity
505 that licenses child care facilities;

506 b. Is seeking to be employed or used by a contractor or
507 licensee under sub-subparagraph a.; or

508 c. Is a person screened under s. 1012.467;

509 7. Is seeking to be licensed by the Division of Insurance
510 Agent and Agency Services within the Department of Financial
511 Services; or

512 8. Is seeking to be appointed as a guardian pursuant to s.
513 744.3125.

514 Section 6. Paragraph (b) of subsection (6) of section
515 943.059, Florida Statutes, is amended to read:

516 943.059 Court-ordered sealing of criminal history records.—

517 (6) EFFECT OF ORDER.—

518 (b) The subject of the criminal history record sealed under
519 this section or under other provisions of law, including former
520 ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to
521 acknowledge the arrests covered by the sealed record, except
522 when the subject of the record:

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- 523 1. Is a candidate for employment with a criminal justice
524 agency;
- 525 2. Is a defendant in a criminal prosecution;
- 526 3. Concurrently or subsequently petitions for relief under
527 this section, s. 943.0583, or s. 943.0585;
- 528 4. Is a candidate for admission to The Florida Bar;
- 529 5. Is seeking to be employed or licensed by or to contract
530 with the Department of Children and Families, the Division of
531 Vocational Rehabilitation within the Department of Education,
532 the Agency for Health Care Administration, the Agency for
533 Persons with Disabilities, the Department of Health, the
534 Department of Elderly Affairs, or the Department of Juvenile
535 Justice or to be employed or used by such contractor or licensee
536 in a sensitive position having direct contact with children, the
537 disabled, or the elderly;
- 538 6.a. Is seeking to be employed or licensed by, or contract
539 with, the Department of Education, a district unit under s.
540 1001.30, a special district unit under s. 1011.24, the Florida
541 School for the Deaf and the Blind under s. 1002.36, the Florida
542 Virtual School under s. 1002.37, a virtual instruction program
543 under s. 1002.45 school board, a university laboratory school, a
544 charter school under s. 1002.33, a hope operator under s.
545 1002.333, an alternative school under s. 1008.341, a private or
546 parochial school, or a local governmental entity that licenses
547 child care facilities;
- 548 b. Is seeking to be employed or used by a contractor or
549 licensee under sub-subparagraph a.; or
- 550 c. Is a person screened under s. 1012.467;
- 551 7. Is attempting to purchase a firearm from a licensed

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552 importer, licensed manufacturer, or licensed dealer and is
553 subject to a criminal history check under state or federal law;

554 8. Is seeking to be licensed by the Division of Insurance
555 Agent and Agency Services within the Department of Financial
556 Services;

557 9. Is seeking to be appointed as a guardian pursuant to s.
558 744.3125; or

559 10. Is seeking to be licensed by the Bureau of License
560 Issuance of the Division of Licensing within the Department of
561 Agriculture and Consumer Services to carry a concealed weapon or
562 concealed firearm. This subparagraph applies only in the
563 determination of an applicant's eligibility under s. 790.06.

564 Section 7. Paragraph (a) of subsection (12) of section
565 1001.51, Florida Statutes, is amended to read:

566 1001.51 Duties and responsibilities of district school
567 superintendent.—The district school superintendent shall
568 exercise all powers and perform all duties listed below and
569 elsewhere in the law, provided that, in so doing, he or she
570 shall advise and counsel with the district school board. The
571 district school superintendent shall perform all tasks necessary
572 to make sound recommendations, nominations, proposals, and
573 reports required by law to be acted upon by the district school
574 board. All such recommendations, nominations, proposals, and
575 reports by the district school superintendent shall be either
576 recorded in the minutes or shall be made in writing, noted in
577 the minutes, and filed in the public records of the district
578 school board. It shall be presumed that, in the absence of the
579 record required in this section, the recommendations,
580 nominations, and proposals required of the district school

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581 superintendent were not contrary to the action taken by the
582 district school board in such matters.

583 (12) RECORDS AND REPORTS.—Recommend such records as should
584 be kept in addition to those prescribed by rules of the State
585 Board of Education; prepare forms for keeping such records as
586 are approved by the district school board; ensure that such
587 records are properly kept; and make all reports that are needed
588 or required, as follows:

589 (a) *Forms, blanks, and reports.*—Require that all employees
590 accurately keep all records and promptly make in proper form all
591 reports required by the education code or by rules of the State
592 Board of Education; recommend the keeping of such additional
593 records and the making of such additional reports as may be
594 deemed necessary to provide data essential for the operation of
595 the school system; and prepare such forms and blanks as may be
596 required and ensure that these records and reports are properly
597 prepared. Such records and reports shall include any
598 determination to withhold from a parent information regarding
599 the provision of any services to support the mental, physical,
600 or emotional well-being of the parent's minor child. Any such
601 determination must be based solely on child-specific information
602 personally known to the school personnel and documented and
603 approved by the school principal or his or her designee. Such
604 determination must be annually reviewed and redetermined.

605
606 Any district school superintendent who knowingly signs and
607 transmits to any state official a report that the superintendent
608 knows to be false or incorrect; who knowingly fails to complete
609 the investigation of any allegation of misconduct that affects

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610 the health, safety, or welfare of a student, that would be a
611 violation of s. 800.101, or that would be a disqualifying
612 offense under s. 1012.315, or any allegation of sexual
613 misconduct with a student; who knowingly fails to report the
614 alleged misconduct to the department as required in s. 1012.796;
615 or who knowingly fails to report misconduct to the law
616 enforcement agencies with jurisdiction over the conduct pursuant
617 to district school board policy under s. 1001.42(6), forfeits
618 his or her salary for 1 year following the date of such act or
619 failure to act.

620 Section 8. Subsection (1) of section 1001.92, Florida
621 Statutes, is amended to read:

622 1001.92 State University System Performance-Based
623 Incentive.—

624 (1) A State University System Performance-Based Incentive
625 shall be awarded to state universities using performance-based
626 metrics adopted by the Board of Governors of the State
627 University System. Beginning with the Board of Governors'
628 determination of each university's performance improvement and
629 achievement ratings, and the related distribution of annual
630 fiscal year appropriation, the performance-based metrics must
631 include:

632 (a) The 4-year graduation rate for first-time-in-college
633 students;

634 (b) Beginning in fiscal year 2022-2023 ~~2021-2022~~, the 3-
635 year ~~2-year~~ graduation rate for associate in arts transfer
636 students;

637 (c) Retention rates;

638 (d) Postgraduation education rates;

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639 (e) Degree production;

640 (f) Affordability;

641 (g) Postgraduation employment and salaries, including wage
642 thresholds that reflect the added value of a baccalaureate
643 degree;

644 (h) Access rate, based on the percentage of undergraduate
645 students enrolled during the fall term who received a Pell Grant
646 during the fall term; and

647 (i) Beginning in fiscal year 2021-2022, the 6-year
648 graduation rate for students who are awarded a Pell Grant in
649 their first year.

650

651 The Board of Governors may approve other metrics in a publicly
652 noticed meeting. The board shall adopt benchmarks to evaluate
653 each state university's performance on the metrics to measure
654 the state university's achievement of institutional excellence
655 or need for improvement and minimum requirements for eligibility
656 to receive performance funding. Benchmarks and metrics may not
657 be adjusted after university performance data has been received
658 by the Board of Governors.

659 Section 9. Contingent upon HB 7 or similar legislation in
660 the 2022 Regular Session or an extension thereof becoming a law,
661 subsections (5) and (6) of section 1001.92, Florida Statutes,
662 are redesignated as subsections (6) and (7), respectively, and a
663 new subsection (5) is added to that section, to read:

664 1001.92 State University System Performance-Based
665 Incentive.—

666 (5) Notwithstanding any other provision of this section, if
667 any institution is found to have a substantiated violation of s.

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668 1000.05(4)(a), the institution shall be ineligible to receive
669 performance funding during the next fiscal year following the
670 year in which the violation is substantiated. Substantiated
671 findings are those as determined by a court of law, a standing
672 committee of the Legislature, or the Board of Governors.

673 Section 10. Paragraphs (a) and (b) of subsection (2) and
674 paragraph (f) of subsection (3) of section 1002.31, Florida
675 Statutes, are amended, and paragraphs (j) and (k) are added to
676 subsection (3) of that section, to read:

677 1002.31 Controlled open enrollment; Public school parental
678 choice.—

679 (2) (a) ~~Beginning by the 2017-2018 school year,~~ As part of a
680 school district's or charter school's controlled open enrollment
681 process, and in addition to the existing public school choice
682 programs provided in s. 1002.20(6)(a), each district school
683 board or charter school shall allow a parent from any school
684 district in the state whose child is not subject to a current
685 expulsion or suspension to enroll his or her child in and
686 transport his or her child to any public school, including
687 charter schools, that has not reached capacity in the district,
688 subject to the maximum class size pursuant to s. 1003.03 and s.
689 1, Art. IX of the State Constitution. The school district or
690 charter school shall accept the student, pursuant to that school
691 district's or charter school's controlled open enrollment
692 process, and report the student for purposes of the school
693 district's or charter school's funding pursuant to the Florida
694 Education Finance Program. A school district or charter school
695 may provide transportation to students described under this
696 section.

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697 (b) Each school district and charter school capacity
698 determinations for its schools, by grade level, must be updated
699 every 12 weeks ~~current~~ and ~~must~~ be identified on the school
700 district and charter school's websites. In determining the
701 capacity of each district school, the district school board
702 shall incorporate the specifications, plans, elements, and
703 commitments contained in the school district educational
704 facilities plan and the long-term work programs required under
705 s. 1013.35. Each charter school governing board shall determine
706 capacity based upon its charter school contract. Each virtual
707 charter school and each school district with a contract with an
708 approved virtual instruction program provider shall determine
709 capacity based upon the enrollment requirements established
710 under s. 1002.45(1)(e)4.

711 (3) Each district school board shall adopt by rule and post
712 on its website the process required to participate in controlled
713 open enrollment. The process must:

714 (f) Require school districts to provide information on
715 Address the availability of transportation options, such as:

716 1. The responsibility of school districts to provide
717 transportation to another public school pursuant to ss. 1002.38,
718 1002.39, and 1002.394.

719 2. The availability of funds for transportation under ss.
720 1002.394, 1002.395, and 1011.68.

721 3. Any other transportation the school district may
722 provide.

723 4. Any transportation options available in the community.

724 (j) Require school districts to maintain a wait list of
725 students who are denied access due to capacity and notify

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726 parents when space becomes available.

727 (k) Require schools to accept students throughout the
728 school year as capacity becomes available.

729 Section 11. Subsections (1) and (7), paragraph (a) of
730 subsection (10), paragraphs (b) and (f) of subsection (17), and
731 paragraph (a) of subsection (21) of section 1002.33, Florida
732 Statutes, are amended to read:

733 1002.33 Charter schools.—

734 (1) AUTHORIZATION.—All charter schools in Florida are
735 public schools and shall be part of the state's program of
736 public education. A charter school may be formed by creating a
737 new school or converting an existing public school to charter
738 status. A charter school may operate a virtual charter school
739 pursuant to s. 1002.45(1)(d) to provide online instruction to
740 students, pursuant to s. 1002.455, in kindergarten through grade
741 12. The school district in which the student enrolls in the
742 virtual charter school shall report the student for funding
743 pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school
744 district shall not report the student for funding. An existing
745 charter school that is seeking to become a virtual charter
746 school must amend its charter or submit a new application
747 pursuant to subsection (6) to become a virtual charter school. A
748 virtual charter school is subject to the requirements of this
749 section; however, a virtual charter school is exempt from
750 subparagraph (7)(a)13., subsections (18) and (19), paragraph
751 (20)(c), and s. 1003.03. A public school may not use the term
752 charter in its name unless it has been approved under this
753 section.

754 (7) CHARTER.—The terms and conditions for the operation of

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755 a charter school, including a virtual charter school, shall be
756 set forth by the sponsor and the applicant in a written
757 contractual agreement, called a charter. The sponsor and the
758 governing board of the charter school or virtual charter school
759 shall use the standard charter contract or standard virtual
760 charter contract, respectively, pursuant to subsection (21),
761 which shall incorporate the approved application and any addenda
762 approved with the application. Any term or condition of a
763 proposed charter contract or proposed virtual charter contract
764 that differs from the standard charter or virtual charter
765 contract adopted by rule of the State Board of Education shall
766 be presumed a limitation on charter school flexibility. The
767 sponsor may not impose unreasonable rules or regulations that
768 violate the intent of giving charter schools greater flexibility
769 to meet educational goals. The charter shall be signed by the
770 governing board of the charter school and the sponsor, following
771 a public hearing to ensure community input.

772 (a) The charter shall address and criteria for approval of
773 the charter shall be based on:

774 1. The school's mission, the types of students to be
775 served, and, for a virtual charter school, the types of students
776 the school intends to serve who reside outside of the sponsoring
777 school district, and the ages and grades to be included.

778 2. The focus of the curriculum, the instructional methods
779 to be used, any distinctive instructional techniques to be
780 employed, and identification and acquisition of appropriate
781 technologies needed to improve educational and administrative
782 performance which include a means for promoting safe, ethical,
783 and appropriate uses of technology which comply with legal and

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784 professional standards.

785 a. The charter shall ensure that reading is a primary focus
786 of the curriculum and that resources are provided to identify
787 and provide specialized instruction for students who are reading
788 below grade level. The curriculum and instructional strategies
789 for reading must be consistent with the Next Generation Sunshine
790 State Standards and grounded in scientifically based reading
791 research.

792 b. In order to provide students with access to diverse
793 instructional delivery models, to facilitate the integration of
794 technology within traditional classroom instruction, and to
795 provide students with the skills they need to compete in the
796 21st century economy, the Legislature encourages instructional
797 methods for blended learning courses consisting of both
798 traditional classroom and online instructional techniques.
799 Charter schools may implement blended learning courses which
800 combine traditional classroom instruction and virtual
801 instruction. Students in a blended learning course must be full-
802 time students of the charter school pursuant to s.
803 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
804 1012.55 who provide virtual instruction for blended learning
805 courses may be employees of the charter school or may be under
806 contract to provide instructional services to charter school
807 students. At a minimum, such instructional personnel must hold
808 an active state or school district adjunct certification under
809 s. 1012.57 for the subject area of the blended learning course.
810 The funding and performance accountability requirements for
811 blended learning courses are the same as those for traditional
812 courses.

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813 3. The current incoming baseline standard of student
814 academic achievement, the outcomes to be achieved, and the
815 method of measurement that will be used. The criteria listed in
816 this subparagraph shall include a detailed description of:

817 a. How the baseline student academic achievement levels and
818 prior rates of academic progress will be established.

819 b. How these baseline rates will be compared to rates of
820 academic progress achieved by these same students while
821 attending the charter school.

822 c. To the extent possible, how these rates of progress will
823 be evaluated and compared with rates of progress of other
824 closely comparable student populations.

825
826 A district school board is required to provide academic student
827 performance data to charter schools for each of their students
828 coming from the district school system, as well as rates of
829 academic progress of comparable student populations in the
830 district school system.

831 4. The methods used to identify the educational strengths
832 and needs of students and how well educational goals and
833 performance standards are met by students attending the charter
834 school. The methods shall provide a means for the charter school
835 to ensure accountability to its constituents by analyzing
836 student performance data and by evaluating the effectiveness and
837 efficiency of its major educational programs. Students in
838 charter schools shall, at a minimum, participate in the
839 statewide assessment program created under s. 1008.22.

840 5. In secondary charter schools, a method for determining
841 that a student has satisfied the requirements for graduation in

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842 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

843 6. A method for resolving conflicts between the governing
844 board of the charter school and the sponsor.

845 7. The admissions procedures and dismissal procedures,
846 including the school's code of student conduct. Admission or
847 dismissal must not be based on a student's academic performance.

848 8. The ways by which the school will achieve a
849 racial/ethnic balance reflective of the community it serves or
850 within the racial/ethnic range of other nearby public schools or
851 school districts.

852 9. The financial and administrative management of the
853 school, including a reasonable demonstration of the professional
854 experience or competence of those individuals or organizations
855 applying to operate the charter school or those hired or
856 retained to perform such professional services and the
857 description of clearly delineated responsibilities and the
858 policies and practices needed to effectively manage the charter
859 school. A description of internal audit procedures and
860 establishment of controls to ensure that financial resources are
861 properly managed must be included. Both public sector and
862 private sector professional experience shall be equally valid in
863 such a consideration.

864 10. The asset and liability projections required in the
865 application which are incorporated into the charter and shall be
866 compared with information provided in the annual report of the
867 charter school.

868 11. A description of procedures that identify various risks
869 and provide for a comprehensive approach to reduce the impact of
870 losses; plans to ensure the safety and security of students and

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871 staff; plans to identify, minimize, and protect others from
872 violent or disruptive student behavior; and the manner in which
873 the school will be insured, including whether or not the school
874 will be required to have liability insurance, and, if so, the
875 terms and conditions thereof and the amounts of coverage.

876 12. The term of the charter which shall provide for
877 cancellation of the charter if insufficient progress has been
878 made in attaining the student achievement objectives of the
879 charter and if it is not likely that such objectives can be
880 achieved before expiration of the charter. The initial term of a
881 charter shall be for 5 years, excluding 2 planning years. In
882 order to facilitate access to long-term financial resources for
883 charter school construction, charter schools that are operated
884 by a municipality or other public entity as provided by law are
885 eligible for up to a 15-year charter, subject to approval by the
886 sponsor. A charter lab school is eligible for a charter for a
887 term of up to 15 years. In addition, to facilitate access to
888 long-term financial resources for charter school construction,
889 charter schools that are operated by a private, not-for-profit,
890 s. 501(c)(3) status corporation are eligible for up to a 15-year
891 charter, subject to approval by the sponsor. Such long-term
892 charters remain subject to annual review and may be terminated
893 during the term of the charter, but only according to the
894 provisions set forth in subsection (8).

895 13. The facilities to be used and their location. The
896 sponsor may not require a charter school to have a certificate
897 of occupancy or a temporary certificate of occupancy for such a
898 facility earlier than 15 calendar days before the first day of
899 school.

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900 14. The qualifications to be required of the teachers and
901 the potential strategies used to recruit, hire, train, and
902 retain qualified staff to achieve best value.

903 15. The governance structure of the school, including the
904 status of the charter school as a public or private employer as
905 required in paragraph (12) (i).

906 16. A timetable for implementing the charter which
907 addresses the implementation of each element thereof and the
908 date by which the charter shall be awarded in order to meet this
909 timetable.

910 17. In the case of an existing public school that is being
911 converted to charter status, alternative arrangements for
912 current students who choose not to attend the charter school and
913 for current teachers who choose not to teach in the charter
914 school after conversion in accordance with the existing
915 collective bargaining agreement or district school board rule in
916 the absence of a collective bargaining agreement. However,
917 alternative arrangements shall not be required for current
918 teachers who choose not to teach in a charter lab school, except
919 as authorized by the employment policies of the state university
920 which grants the charter to the lab school.

921 18. Full disclosure of the identity of all relatives
922 employed by the charter school who are related to the charter
923 school owner, president, chairperson of the governing board of
924 directors, superintendent, governing board member, principal,
925 assistant principal, or any other person employed by the charter
926 school who has equivalent decisionmaking authority. For the
927 purpose of this subparagraph, the term "relative" means father,
928 mother, son, daughter, brother, sister, uncle, aunt, first

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929 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
930 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
931 stepfather, stepmother, stepson, stepdaughter, stepbrother,
932 stepsister, half brother, or half sister.

933 19. Implementation of the activities authorized under s.
934 1002.331 by the charter school when it satisfies the eligibility
935 requirements for a high-performing charter school. A high-
936 performing charter school shall notify its sponsor in writing by
937 March 1 if it intends to increase enrollment or expand grade
938 levels the following school year. The written notice shall
939 specify the amount of the enrollment increase and the grade
940 levels that will be added, as applicable.

941 (b) The sponsor has 30 days after approval of the
942 application to provide an initial proposed charter contract to
943 the charter school. The applicant and the sponsor have 40 days
944 thereafter to negotiate and notice the charter contract for
945 final approval by the sponsor unless both parties agree to an
946 extension. The proposed charter contract shall be provided to
947 the charter school at least 7 calendar days before the date of
948 the meeting at which the charter is scheduled to be voted upon
949 by the sponsor. The Department of Education shall provide
950 mediation services for any dispute regarding this section
951 subsequent to the approval of a charter application and for any
952 dispute relating to the approved charter, except a dispute
953 regarding a charter school application denial. If either the
954 charter school or the sponsor indicates in writing that the
955 party does not desire to settle any dispute arising under this
956 section through mediation procedures offered by the Department
957 of Education, a charter school may immediately appeal any formal

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958 or informal decision by the sponsor to an administrative law
959 judge appointed by the Division of Administrative Hearings. If
960 the Commissioner of Education determines that the dispute cannot
961 be settled through mediation, the dispute may also be appealed
962 to an administrative law judge appointed by the Division of
963 Administrative Hearings. The administrative law judge has final
964 order authority to rule on issues of equitable treatment of the
965 charter school as a public school, whether proposed provisions
966 of the charter violate the intended flexibility granted charter
967 schools by statute, or any other matter regarding this section,
968 except a dispute regarding charter school application denial, a
969 charter termination, or a charter nonrenewal. The administrative
970 law judge shall award the prevailing party reasonable attorney
971 fees and costs incurred during the mediation process,
972 administrative proceeding, and any appeals, to be paid by the
973 party against whom the administrative law judge rules.

974 (c)1. A charter may be renewed provided that a program
975 review demonstrates that the criteria in paragraph (a) have been
976 successfully accomplished and that none of the grounds for
977 nonrenewal established by paragraph (8) (a) has been documented.
978 In order to facilitate long-term financing for charter school
979 construction, charter schools operating for a minimum of 3 years
980 and demonstrating exemplary academic programming and fiscal
981 management are eligible for a 15-year charter renewal. Such
982 long-term charter is subject to annual review and may be
983 terminated during the term of the charter.

984 2. The 15-year charter renewal that may be granted pursuant
985 to subparagraph 1. shall be granted to a charter school that has
986 received a school grade of "A" or "B" pursuant to s. 1008.34 in

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987 3 of the past 4 years and is not in a state of financial
988 emergency or deficit position as defined by this section. Such
989 long-term charter is subject to annual review and may be
990 terminated during the term of the charter pursuant to subsection
991 (8).

992 (d) A charter may be modified during its initial term or
993 any renewal term upon the recommendation of the sponsor or the
994 charter school's governing board and the approval of both
995 parties to the agreement. Changes to curriculum which are
996 consistent with state standards shall be deemed approved unless
997 the sponsor and the Department of Education determine in writing
998 that the curriculum is inconsistent with state standards.
999 Modification during any term may include, but is not limited to,
1000 consolidation of multiple charters into a single charter if the
1001 charters are operated under the same governing board, regardless
1002 of the renewal cycle. A charter school that is not subject to a
1003 school improvement plan and that closes as part of a
1004 consolidation shall be reported by the sponsor as a
1005 consolidation.

1006 (e) A charter may be terminated by a charter school's
1007 governing board through voluntary closure. The decision to cease
1008 operations must be determined at a public meeting. The governing
1009 board shall notify the parents and sponsor of the public meeting
1010 in writing before the public meeting. The governing board must
1011 notify the sponsor, parents of enrolled students, and the
1012 department in writing within 24 hours after the public meeting
1013 of its determination. The notice shall state the charter
1014 school's intent to continue operations or the reason for the
1015 closure and acknowledge that the governing board agrees to

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1016 follow the procedures for dissolution and reversion of public
1017 funds pursuant to paragraphs (8)(d)-(f) and (9)(o).

1018 (f) A charter may include a provision requiring the charter
1019 school to be held responsible for all costs associated with, but
1020 not limited to, mediation, damages, and attorney fees incurred
1021 by the district in connection with complaints to the Office of
1022 Civil Rights or the Equal Employment Opportunity Commission.

1023 (10) ELIGIBLE STUDENTS.—

1024 (a)1. A charter school may be exempt from the requirements
1025 of s. 1002.31 if the school is open to any student covered in an
1026 interdistrict agreement and any student residing in the school
1027 district in which the charter school is located.

1028 2. A virtual charter school when enrolling students shall
1029 comply with the applicable requirements of s. 1002.31 and with
1030 the enrollment requirements established under s. 1002.45(1)(e)4.

1031 3. A ~~However, in the case of a charter lab school, the~~
1032 charter lab school shall be open to any student eligible to
1033 attend the lab school as provided in s. 1002.32 or who resides
1034 in the school district in which the charter lab school is
1035 located.

1036 4. Any eligible student shall be allowed interdistrict
1037 transfer to attend a charter school when based on good cause.
1038 Good cause shall include, but is not limited to, geographic
1039 proximity to a charter school in a neighboring school district.

1040 (17) FUNDING.—Students enrolled in a charter school,
1041 regardless of the sponsorship, shall be funded as if they are in
1042 a basic program or a special program, the same as students
1043 enrolled in other public schools in a school district. Funding
1044 for a charter lab school shall be as provided in s. 1002.32.

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1045 (b)1. The basis for the agreement for funding students
1046 enrolled in a charter school shall be the sum of the school
1047 district's operating funds from the Florida Education Finance
1048 Program as provided in s. 1011.62 and the General Appropriations
1049 Act, including gross state and local funds, discretionary
1050 lottery funds, and funds from the school district's current
1051 operating discretionary millage levy; divided by total funded
1052 weighted full-time equivalent students in the school district;
1053 and multiplied by the weighted full-time equivalent students for
1054 the charter school. Charter schools whose students or programs
1055 meet the eligibility criteria in law are entitled to their
1056 proportionate share of categorical program funds included in the
1057 total funds available in the Florida Education Finance Program
1058 by the Legislature, including transportation, and the evidence-
1059 based reading allocation, ~~and the Florida digital classrooms~~
1060 ~~allocation~~. Total funding for each charter school shall be
1061 recalculated during the year to reflect the revised calculations
1062 under the Florida Education Finance Program by the state and the
1063 actual weighted full-time equivalent students reported by the
1064 charter school during the full-time equivalent student survey
1065 periods designated by the Commissioner of Education. For charter
1066 schools operated by a not-for-profit or municipal entity, any
1067 unrestricted current and capital assets identified in the
1068 charter school's annual financial audit may be used for other
1069 charter schools operated by the not-for-profit or municipal
1070 entity within the school district. Unrestricted current assets
1071 shall be used in accordance with s. 1011.62, and any
1072 unrestricted capital assets shall be used in accordance with s.
1073 1013.62(2).

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1074 2.a. Students enrolled in a charter school sponsored by a
1075 state university or Florida College System institution pursuant
1076 to paragraph (5) (a) shall be funded as if they are in a basic
1077 program or a special program in the school district. The basis
1078 for funding these students is the sum of the total operating
1079 funds from the Florida Education Finance Program for the school
1080 district in which the school is located as provided in s.
1081 1011.62 and the General Appropriations Act, including gross
1082 state and local funds, discretionary lottery funds, and funds
1083 from each school district's current operating discretionary
1084 millage levy, divided by total funded weighted full-time
1085 equivalent students in the district, and multiplied by the full-
1086 time equivalent membership of the charter school. The Department
1087 of Education shall develop a tool that each state university or
1088 Florida College System institution sponsoring a charter school
1089 shall use for purposes of calculating the funding amount for
1090 each eligible charter school student. The total amount obtained
1091 from the calculation must be appropriated from state funds in
1092 the General Appropriations Act to the charter school.

1093 b. Capital outlay funding for a charter school sponsored by
1094 a state university or Florida College System institution
1095 pursuant to paragraph (5) (a) is determined pursuant to s.
1096 1013.62 and the General Appropriations Act.

1097 (f) Funding for a virtual charter school shall be as
1098 provided in s. 1002.45 (6) ~~s. 1002.45 (7)~~.

1099 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1100 (a) The Department of Education shall provide information
1101 to the public, directly and through sponsors, on how to form and
1102 operate a charter school and how to enroll in a charter school

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1103 once it is created. This information shall include the standard
1104 application form, standard charter and virtual charter contracts
1105 ~~contract~~, standard evaluation instrument, and standard charter
1106 and virtual charter renewal contracts ~~contract~~, which shall
1107 include the information specified in subsection (7) and shall be
1108 developed by consulting and negotiating with both sponsors and
1109 charter schools before implementation. The charter and virtual
1110 charter contracts and charter renewal and virtual charter
1111 contracts shall be used by charter school sponsors.

1112 Section 12. Paragraph (a) of subsection (8) and subsection
1113 (12) of section 1002.394, Florida Statutes, are amended to read:

1114 1002.394 The Family Empowerment Scholarship Program.—

1115 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

1116 (a) The department shall:

1117 1. Publish and update, as necessary, information on the
1118 department website about the Family Empowerment Scholarship
1119 Program, including, but not limited to, student eligibility
1120 criteria, parental responsibilities, and relevant data.

1121 2. Cross-check ~~before each distribution of funds~~ the list
1122 of participating scholarship students with the public school
1123 enrollment lists ~~before each scholarship payment~~ to avoid
1124 duplication.

1125 3. Maintain and publish a list of nationally norm-
1126 referenced tests identified for purposes of satisfying the
1127 testing requirement in subparagraph (9)(c)1. The tests must meet
1128 industry standards of quality in accordance with state board
1129 rule.

1130 4. Notify eligible nonprofit scholarship-funding
1131 organizations of the deadlines for submitting the verified list

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1132 of students determined to be eligible for a scholarship.

1133 5. Notify each school district of a parent's participation
1134 in the scholarship program for purposes of paragraph (7)(f).

1135 6. Deny or terminate program participation upon a parent's
1136 failure to comply with subsection (10).

1137 7. Notify the parent and the organization when a
1138 scholarship account is closed and program funds revert to the
1139 state.

1140 8. Notify an eligible nonprofit scholarship-funding
1141 organization of any of the organization's or other
1142 organization's identified students who are receiving
1143 scholarships under this chapter.

1144 9. Maintain on its website a list of approved providers as
1145 required by s. 1002.66, eligible postsecondary educational
1146 institutions, eligible private schools, and eligible
1147 organizations and may identify or provide links to lists of
1148 other approved providers.

1149 10. Require each organization to verify eligible
1150 expenditures before the distribution of funds for any
1151 expenditures made pursuant to subparagraphs (4)(b)1. and 2.
1152 Review of expenditures made for services specified in
1153 subparagraphs (4)(b)3.-15. may be completed after the purchase
1154 is made.

1155 11. Investigate any written complaint of a violation of
1156 this section by a parent, a student, a private school, a public
1157 school, a school district, an organization, a provider, or
1158 another appropriate party in accordance with the process
1159 established under s. 1002.421.

1160 12. Require quarterly reports by an organization, which

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1161 must include, at a minimum, the number of students participating
1162 in the program; the demographics of program participants; the
1163 disability category of program participants; the matrix level of
1164 services, if known; the program award amount per student; the
1165 total expenditures for the purposes specified in paragraph
1166 (4) (b); the types of providers of services to students; and any
1167 other information deemed necessary by the department.

1168 13. Notify eligible nonprofit scholarship funding
1169 organizations that scholarships may not be awarded in a school
1170 district in which the award will exceed 99 percent of the school
1171 district's share of state funding through the Florida Education
1172 Finance Program as calculated by the department.

1173 14. Adjust payments to eligible nonprofit scholarship-
1174 funding organizations and, when the Florida Education Finance
1175 Program is recalculated, adjust the amount of state funds
1176 allocated to school districts through the Florida Education
1177 Finance Program based upon the results of the cross-check
1178 completed pursuant to subparagraph 2.

1179 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

1180 (a)1. Scholarships for students determined eligible
1181 pursuant to paragraph (3) (a) are established for up to 18,000
1182 students annually beginning in the 2019-2020 school year.
1183 Beginning in the 2020-2021 school year, the maximum number of
1184 students participating in the scholarship program under this
1185 section shall annually increase by 1.0 percent of the state's
1186 total full-time equivalent student membership ~~public school~~
1187 ~~student enrollment~~. An eligible student who meets any of the
1188 following requirements shall be excluded from the maximum number
1189 of students if the student:

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1190 ~~a. Received a scholarship pursuant to s. 1002.395 during~~
1191 ~~the previous school year but did not receive a renewal~~
1192 ~~scholarship based solely on the eligible nonprofit scholarship-~~
1193 ~~funding organization's lack of available funds after the~~
1194 ~~organization fully exhausted its efforts to use funds available~~
1195 ~~for awards under ss. 1002.395 and 1002.40(11)(i). Eligible~~
1196 ~~nonprofit scholarship-funding organizations with students who~~
1197 ~~meet the criterion in this subparagraph must annually notify the~~
1198 ~~department in a format and by a date established by the~~
1199 ~~department. The maximum number of scholarships awarded pursuant~~
1200 ~~to this subparagraph shall not exceed 15,000 per school year;~~

1201 ~~a.b.~~ Is a dependent child of a member of the United States
1202 Armed Forces, a foster child, or an adopted child; or

1203 ~~b.e.~~ Is determined eligible pursuant to subparagraph
1204 (3) (a)1. or subparagraph (3) (a)2. and either spent the prior
1205 school year in attendance at a Florida public school or,
1206 beginning in the 2022-2023 school year, is eligible to enroll in
1207 kindergarten. For purposes of this subparagraph, the term "prior
1208 school year in attendance" means that the student was enrolled
1209 and reported by a school district for funding during either the
1210 preceding October or February full-time equivalent student
1211 membership Florida Education Finance Program surveys in
1212 kindergarten through grade 12, which includes time spent in a
1213 Department of Juvenile Justice commitment program if funded
1214 under the Florida Education Finance Program.

1215 2. The scholarship amount provided to a student for any
1216 single school year shall be for tuition and fees for an eligible
1217 private school, not to exceed annual limits, which shall be
1218 determined in accordance with this subparagraph. The calculated

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1219 scholarship amount for a participating student shall be based
1220 upon the grade level and school district in which the student
1221 was assigned as 100 percent of the funds per unweighted full-
1222 time equivalent in the Florida Education Finance Program for a
1223 student in the basic program established pursuant to s.
1224 1011.62(1)(c)1., plus a per-full-time equivalent share of funds
1225 for all categorical programs, except for the exceptional student
1226 education guaranteed allocation established pursuant to s.
1227 1011.62(1)(e).

1228 3. The amount of the scholarship shall be the calculated
1229 amount or the amount of the private school's tuition and fees,
1230 whichever is less. The amount of any assessment fee required by
1231 the participating private school and any costs to provide a
1232 digital device, including Internet access, if necessary, to the
1233 student may be paid from the total amount of the scholarship.

1234 4. A scholarship of \$750 or an amount equal to the school
1235 district expenditure per student riding a school bus, as
1236 determined by the department, whichever is greater, may be
1237 awarded to a student who is determined eligible pursuant to
1238 subparagraph (3)(a)1. or subparagraph (3)(a)2. and enrolled in a
1239 Florida public school that is different from the school to which
1240 the student was assigned or in a lab school as defined in s.
1241 1002.32 if the school district does not provide the student with
1242 transportation to the school.

1243 ~~5. Upon notification from the organization on July 1,~~
1244 ~~September 1, December 1, and February 1 that an application has~~
1245 ~~been approved for the program, the department shall verify that~~
1246 ~~the student is not prohibited from receiving a scholarship~~
1247 ~~pursuant to subsection (6).~~ The organization must provide the

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1248 department with the documentation necessary to verify the
1249 student's participation. Upon receiving the documentation
1250 ~~verification~~, the department shall transfer, from state funds
1251 only, the amount calculated pursuant to subparagraph 2. to the
1252 organization for quarterly disbursement to parents of
1253 participating students each school year in which the scholarship
1254 is in force. For a student exiting a Department of Juvenile
1255 Justice commitment program who chooses to participate in the
1256 scholarship program, the amount of the Family Empowerment
1257 Scholarship calculated pursuant to subparagraph 2. must be
1258 transferred from the school district in which the student last
1259 attended a public school before commitment to the Department of
1260 Juvenile Justice. When a student enters the scholarship program,
1261 the organization must receive all documentation required for the
1262 student's participation, including the private school's and the
1263 student's fee schedules, at least 30 days before the first
1264 quarterly scholarship payment is made for the student.

1265 6. The initial payment shall be made after the
1266 organization's verification of admission acceptance, and
1267 subsequent payments shall be made upon verification of continued
1268 enrollment and attendance at the private school. Payment must be
1269 by individual warrant made payable to the student's parent or by
1270 funds transfer or any other means of payment that the department
1271 deems to be commercially viable or cost-effective. If the
1272 payment is made by warrant, the warrant must be delivered by the
1273 organization to the private school of the parent's choice, and
1274 the parent shall restrictively endorse the warrant to the
1275 private school. An organization shall ensure that the parent to
1276 whom the warrant is made has restrictively endorsed the warrant

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1277 to the private school for deposit into the account of the
1278 private school or that the parent has approved a funds transfer
1279 before any scholarship funds are deposited.

1280 (b)1. Scholarships for students determined eligible
1281 pursuant to paragraph (3) (b) are established for up to 26,500
1282 ~~20,000~~ students annually beginning in the 2022-2023 ~~2021-2022~~
1283 school year. Beginning in the 2023-2024 ~~2022-2023~~ school year,
1284 the maximum number of students participating in the scholarship
1285 program under this section shall annually increase by 1.0
1286 percent of the state's total exceptional student education full-
1287 time equivalent student membership enrollment, not including
1288 gifted students. An eligible student who meets any of the
1289 following requirements shall be excluded from the maximum number
1290 of students if the student:

1291 a. Received specialized instructional services under the
1292 Voluntary Prekindergarten Education Program pursuant to s.
1293 1002.66 during the previous school year and the student has a
1294 current IEP developed by the district local ~~local~~ school board in
1295 accordance with rules of the State Board of Education;

1296 b. Is a dependent child of a member of the United States
1297 Armed Forces, a foster child, or an adopted child;

1298 c. Spent the prior school year in attendance at a Florida
1299 public school or the Florida School for the Deaf and the Blind.
1300 For purposes of this subparagraph, the term "prior school year
1301 in attendance" means that the student was enrolled and reported
1302 by:

1303 (I) A school district for funding during either the
1304 preceding October or February full-time equivalent student
1305 membership ~~Florida Education Finance Program~~ surveys in

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1306 kindergarten through grade 12, which includes time spent in a
1307 Department of Juvenile Justice commitment program if funded
1308 under the Florida Education Finance Program;

1309 (II) The Florida School for the Deaf and the Blind during
1310 the preceding October or February full-time equivalent student
1311 membership surveys in kindergarten through grade 12;

1312 (III) A school district for funding during the preceding
1313 October or February full-time equivalent student membership
1314 ~~Florida Education Finance Program~~ surveys, was at least 4 years
1315 of age when enrolled and reported, and was eligible for services
1316 under s. 1003.21(1)(e); or

1317 (IV) Received a John M. McKay Scholarship for Students with
1318 Disabilities in the 2021-2022 school year.

1319 2. For a student who has a Level I to Level III matrix of
1320 services or a diagnosis by a physician or psychologist, the
1321 calculated scholarship amount for a student participating in the
1322 program must be based upon the grade level and school district
1323 in which the student would have been enrolled as the total funds
1324 per unweighted full-time equivalent in the Florida Education
1325 Finance Program for a student in the basic exceptional student
1326 education program pursuant to s. 1011.62(1)(c)1. and (e)1.c.,
1327 plus a per full-time equivalent share of funds for all
1328 categorical programs, as funded in the General Appropriations
1329 Act, except that for the exceptional student education
1330 guaranteed allocation, as provided in s. 1011.62(1)(e)1.c. and
1331 2., the funds must be allocated based on the school district's
1332 average exceptional student education guaranteed allocation
1333 funds per exceptional student education full-time equivalent
1334 student.

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1335 3. For a student with a Level IV or Level V matrix of
1336 services, the calculated scholarship amount must be based upon
1337 the school district to which the student would have been
1338 assigned as the total funds per full-time equivalent for the
1339 Level IV or Level V exceptional student education program
1340 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
1341 equivalent share of funds for all categorical programs, as
1342 funded in the General Appropriations Act.

1343 4. For a student who received a Gardiner Scholarship
1344 pursuant to s. 1002.385 in the 2020-2021 school year, the amount
1345 shall be the greater of the amount calculated pursuant to
1346 subparagraph 2. or the amount the student received for the 2020-
1347 2021 school year.

1348 5. For a student who received a John M. McKay Scholarship
1349 pursuant to s. 1002.39 in the 2020-2021 school year, the amount
1350 shall be the greater of the amount calculated pursuant to
1351 subparagraph 2. or the amount the student received for the 2020-
1352 2021 school year.

1353 6. ~~Upon notification from an organization on July 1,~~
1354 ~~September 1, December 1, and February 1 that an application has~~
1355 ~~been approved for the program, the department shall verify that~~
1356 ~~the student is not prohibited from receiving a scholarship~~
1357 ~~pursuant to subsection (6).~~ The organization must provide the
1358 department with the documentation necessary to verify the
1359 student's participation.

1360 7. Upon receiving the documentation verification, the
1361 department shall release, from state funds only, the student's
1362 scholarship funds to the organization, to be deposited into the
1363 student's account in four equal amounts no later than September

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1364 1, November 1, February 1, and April 1 of each school year in
1365 which the scholarship is in force.

1366 8. Accrued interest in the student's account is in addition
1367 to, and not part of, the awarded funds. Program funds include
1368 both the awarded funds and accrued interest.

1369 9. The organization may develop a system for payment of
1370 benefits by funds transfer, including, but not limited to, debit
1371 cards, electronic payment cards, or any other means of payment
1372 which the department deems to be commercially viable or cost-
1373 effective. A student's scholarship award may not be reduced for
1374 debit card or electronic payment fees. Commodities or services
1375 related to the development of such a system must be procured by
1376 competitive solicitation unless they are purchased from a state
1377 term contract pursuant to s. 287.056.

1378 10. Moneys received pursuant to this section do not
1379 constitute taxable income to the qualified student or the parent
1380 of the qualified student.

1381 Section 13. Paragraph (j) of subsection (6), paragraph (d)
1382 of subsection (9), and paragraph (a) of subsection (11) of
1383 section 1002.395, Florida Statutes, are amended to read:

1384 1002.395 Florida Tax Credit Scholarship Program.—

1385 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1386 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
1387 organization:

1388 (j)1. May use eligible contributions received pursuant to
1389 this section and ss. 212.099, 212.1832, and 1002.40 during the
1390 state fiscal year in which such contributions are collected for
1391 administrative expenses if the organization has operated as an
1392 eligible nonprofit scholarship-funding organization for at least

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1393 the preceding 3 fiscal years and did not have any findings of
1394 material weakness or material noncompliance in its most recent
1395 audit under paragraph (m). Administrative expenses from eligible
1396 contributions may not exceed 3 percent of the total amount of
1397 all scholarships funded by an eligible scholarship-funding
1398 organization under this chapter. Such administrative expenses
1399 must be reasonable and necessary for the organization's
1400 management and distribution of scholarships funded under this
1401 chapter. Administrative expenses may include developing or
1402 contracting with rideshare programs or facilitating carpool
1403 strategies for recipients of a transportation scholarship. No
1404 funds authorized under this subparagraph shall be used for
1405 lobbying or political activity or expenses related to lobbying
1406 or political activity. Up to one-third of the funds authorized
1407 for administrative expenses under this subparagraph may be used
1408 for expenses related to the recruitment of contributions from
1409 taxpayers. An eligible nonprofit scholarship-funding
1410 organization may not charge an application fee.

1411 2. Must expend for annual or partial-year scholarships an
1412 amount equal to or greater than 75 percent of the net eligible
1413 contributions remaining after administrative expenses during the
1414 state fiscal year in which such contributions are collected. No
1415 more than 25 percent of such net eligible contributions may be
1416 carried forward to the following state fiscal year. All amounts
1417 carried forward, for audit purposes, must be specifically
1418 identified for particular students, by student name and the name
1419 of the school to which the student is admitted, subject to the
1420 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,
1421 and the applicable rules and regulations issued pursuant

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1422 thereto. Any amounts carried forward shall be expended for
1423 annual or partial-year scholarships in the following state
1424 fiscal year. No later than September 30 of each year, net
1425 eligible contributions remaining on June 30 of each year that
1426 are in excess of the 25 percent that may be carried forward
1427 shall be used to provide scholarships to eligible students or
1428 transferred to other eligible nonprofit scholarship-funding
1429 organizations to provide scholarships for eligible students. All
1430 transferred funds must be deposited by each eligible nonprofit
1431 scholarship-funding organization receiving such funds into its
1432 scholarship account. All transferred amounts received by any
1433 eligible nonprofit scholarship-funding organization must be
1434 separately disclosed in the annual financial audit required
1435 under paragraph (m).

1436 3. Must, before granting a scholarship for an academic
1437 year, document each scholarship student's eligibility for that
1438 academic year. A scholarship-funding organization may not grant
1439 multiyear scholarships in one approval process.

1440
1441 Information and documentation provided to the Department of
1442 Education and the Auditor General relating to the identity of a
1443 taxpayer that provides an eligible contribution under this
1444 section shall remain confidential at all times in accordance
1445 with s. 213.053.

1446 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
1447 Education shall:

1448 (d) Cross-check the list of participating scholarship
1449 students with the public school enrollment lists to avoid
1450 duplication and, when the Florida Education Finance Program is

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1451 recalculated, adjust the amount of state funds allocated to
1452 school districts through the Florida Education Finance Program
1453 based upon the results of the cross-check.

1454 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1455 (a) The scholarship amount provided to any student for any
1456 single school year by an eligible nonprofit scholarship-funding
1457 organization from eligible contributions shall be for total
1458 costs authorized under paragraph (6) (d), not to exceed annual
1459 limits, which shall be determined as follows:

1460 1. For a student who received a scholarship in the 2018-
1461 2019 school year, who remains eligible, and who is enrolled in
1462 an eligible private school, the amount shall be the greater
1463 amount calculated pursuant to subparagraph 2. or a percentage of
1464 the unweighted FTE funding amount for the 2018-2019 state fiscal
1465 year and thereafter as follows:

1466 a. Eighty-eight percent for a student enrolled in
1467 kindergarten through grade 5.

1468 b. Ninety-two percent for a student enrolled in grade 6
1469 through grade 8.

1470 c. Ninety-six percent for a student enrolled in grade 9
1471 through grade 12.

1472 2. For students initially eligible in the 2019-2020 school
1473 year or thereafter, the calculated amount for a student to
1474 attend an eligible private school shall be calculated in
1475 accordance with s. 1002.394(12) (a).

1476 3. The scholarship amount awarded to a student enrolled in
1477 a Florida public school ~~in which a student is enrolled and that~~
1478 is different from the school to which the student was assigned
1479 or in a lab school as defined in s. 1002.32, must be an amount

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1480 equal to the school district expenditure per student riding a
1481 school bus, as determined by the department, or is limited to
1482 \$750, whichever is greater.

1483 Section 14. Paragraph (a) of subsection (8) of section
1484 1002.40, Florida Statutes, is amended to read:

1485 1002.40 The Hope Scholarship Program.—

1486 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
1487 shall:

1488 (a) Cross-check the list of participating scholarship
1489 students with the public school enrollment lists to avoid
1490 duplication and, when the Florida Education Finance Program is
1491 recalculated, adjust the amount of state funds allocated to
1492 school districts through the Florida Education Finance Program
1493 based upon the results of the cross-check.

1494 Section 15. Subsections (1), (2), and (6) of section
1495 1002.411, Florida Statutes, are amended to read:

1496 1002.411 New Worlds Reading Scholarship Accounts.—

1497 (1) NEW WORLDS READING SCHOLARSHIP ACCOUNTS.—New Worlds
1498 Reading Scholarship Accounts are established to provide
1499 educational options for students.

1500 (2) ELIGIBILITY.—Contingent upon available funds, and on a
1501 first-come, first-served basis, each student ~~in grades 3 through~~
1502 ~~5~~ who is enrolled in a Florida public school in kindergarten
1503 through grade 5 is eligible for a reading scholarship account if
1504 the student has a substantial reading deficiency identified
1505 under s. 1008.25(5) (a) or scored below a Level 3 on the ~~grade 3~~
1506 ~~or grade 4~~ statewide, standardized English Language Arts (ELA)
1507 assessment in the prior school year. An eligible student who is
1508 classified as an English Language Learner and is enrolled in a

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1509 program or receiving services that are specifically designed to
1510 meet the instructional needs of English Language Learner
1511 students shall receive priority.

1512 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

1513 (a) By September 30, the school district shall notify the
1514 parent of each student in kindergarten ~~grades 3~~ through grade 5
1515 who has a substantial reading deficiency identified under s.
1516 1008.25(5) (a) or scored below a level 3 on the statewide,
1517 standardized ELA assessment in the prior school year of the
1518 process to request and receive a reading scholarship, subject to
1519 available funds.

1520 (b) A school district may not prohibit instructional
1521 personnel from providing services pursuant to this section on
1522 the instructional personnel's school campus outside regular work
1523 hours, subject to school district policies for safety and
1524 security operations to protect students, instructional
1525 personnel, and educational facilities.

1526 Section 16. Effective January 1, 2023, paragraph (e) of
1527 subsection (1) of section 1002.421, Florida Statutes, is amended
1528 to read:

1529 1002.421 State school choice scholarship program
1530 accountability and oversight.—

1531 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private
1532 school participating in an educational scholarship program
1533 established pursuant to this chapter must be a private school as
1534 defined in s. 1002.01(2) in this state, be registered, and be in
1535 compliance with all requirements of this section in addition to
1536 private school requirements outlined in s. 1002.42, specific
1537 requirements identified within respective scholarship program

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1538 laws, and other provisions of Florida law that apply to private
1539 schools, and must:

1540 (e) Annually complete and submit to the department a
1541 notarized scholarship compliance statement certifying that all
1542 school employees and contracted personnel with direct student
1543 contact have undergone background screening pursuant to s.
1544 435.12 ~~s. 943.0542~~ and have met the screening standards as
1545 provided in s. 435.04.

1546

1547 The department shall suspend the payment of funds to a private
1548 school that knowingly fails to comply with this subsection, and
1549 shall prohibit the school from enrolling new scholarship
1550 students, for 1 fiscal year and until the school complies. If a
1551 private school fails to meet the requirements of this subsection
1552 or has consecutive years of material exceptions listed in the
1553 report required under paragraph (q), the commissioner may
1554 determine that the private school is ineligible to participate
1555 in a scholarship program.

1556 Section 17. Subsections (6) through (11) of section
1557 1002.45, Florida Statutes, are renumbered as subsections (5)
1558 through (10), respectively, and subsections (1) and (2),
1559 paragraphs (b), (c), and (d) of subsection (3), subsections (4)
1560 and (5), and present subsections (6), (7), (8), and (11) of
1561 section 1002.45, Florida Statutes, are amended, to read:

1562 1002.45 Virtual instruction programs.—

1563 (1) PROGRAM.—

1564 (a) For purposes of this section, the term:

1565 1. "Approved virtual instruction program provider" means a
1566 provider that is approved by the State Board ~~Department~~ of

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1567 Education under subsection (2), the Florida Virtual School, a
1568 franchise of the Florida Virtual School, or a Florida College
1569 System institution.

1570 2. "Department" means the Department of Education.

1571 ~~3.2.~~ "Virtual instruction program" means a program of
1572 instruction provided in an interactive learning environment
1573 created through technology in which students are separated from
1574 their teachers by time or space, or both.

1575 (b)1. Each school district shall provide at least one
1576 option for part-time and full-time virtual instruction for
1577 students residing within the school district. All school
1578 districts must provide parents with timely written notification
1579 of at least one open enrollment period for full-time students of
1580 90 days or more which ends 30 days before the first day of the
1581 school year. ~~The purpose of the program is to make quality~~
1582 ~~virtual instruction available to students using online and~~
1583 ~~distance learning technology in the nontraditional classroom.~~ A
1584 school district virtual instruction program shall consist of the
1585 following:

1586 ~~a.1.~~ Full-time and part-time virtual instruction for
1587 students enrolled in kindergarten through grade 12.

1588 ~~b.2.~~ Full-time or part-time virtual instruction for
1589 students enrolled in dropout prevention and academic
1590 intervention programs under s. 1003.53, Department of Juvenile
1591 Justice education programs under s. 1003.52, core-curricula
1592 courses to meet class size requirements under s. 1003.03, or
1593 Florida College System institutions under this section.

1594 2. Each virtual instruction program established under
1595 paragraph (c) by a school district either directly or through a

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1596 contract with an approved virtual instruction program provider
1597 shall operate under its own Master School Identification Number
1598 as prescribed by the department.

1599 (c) To provide students residing within the school district
1600 ~~with~~ the option of participating in virtual instruction programs
1601 as required by paragraph (b), a school district may:

1602 1. Contract with the Florida Virtual School or establish a
1603 franchise of the Florida Virtual School pursuant to s.
1604 1002.37(2) for the provision of a program under paragraph (b).
1605 ~~Using this option is subject to the requirements of this section~~
1606 ~~and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). A district may~~
1607 ~~report full-time equivalent student membership for credit earned~~
1608 ~~by a student who is enrolled in a virtual education course~~
1609 ~~provided by the district which was completed after the end of~~
1610 ~~the regular school year if the FTE is reported no later than the~~
1611 ~~deadline for amending the final student membership report for~~
1612 ~~that year.~~

1613 2. Contract with an approved virtual instruction program
1614 provider under subsection (2) for the provision of a full-time
1615 or part-time program under paragraph (b).

1616 3. Enter into an agreement with other school districts to
1617 allow the participation of its students in an approved virtual
1618 instruction program provided by the other school district. The
1619 agreement must indicate a process for the transfer of funds
1620 required by paragraph (6)(b) ~~(7)(a)~~.

1621 4. Establish school district operated part-time or full-
1622 time kindergarten through grade 12 virtual instruction programs
1623 ~~under paragraph (b) for students enrolled in the school~~
1624 ~~district. A full-time program shall operate under its own Master~~

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1625 ~~School Identification Number.~~

1626 5. Enter into an agreement with a virtual charter school
1627 authorized by the school district under s. 1002.33.

1628
1629 Contracts under subparagraph 1. or subparagraph 2. may include
1630 multidistrict contractual arrangements ~~that may be~~ executed by a
1631 regional consortium service organization established pursuant to
1632 s. 1001.451 for its member districts. A multidistrict
1633 contractual arrangement or an agreement under subparagraph 3. is
1634 not subject to s. 1001.42(4)(d) and does not require the
1635 participating school districts to be contiguous. These
1636 arrangements may be used to fulfill the requirements of
1637 paragraph (b).

1638 (d) A virtual charter school may provide full-time or part-
1639 time virtual instruction for students in kindergarten through
1640 grade 12 residing within the school district sponsoring the
1641 virtual charter school if the virtual charter school has a
1642 charter approved pursuant to s. 1002.33. A virtual charter
1643 school may:

1644 1. Contract with the Florida Virtual School.

1645 2. Contract with an approved virtual instruction program
1646 provider under subsection (2).

1647 3. Enter into an agreement with a school district to allow
1648 the participation of the virtual charter school's students in
1649 the school district's virtual instruction program. The agreement
1650 must indicate a process for reporting of student enrollment and
1651 the transfer of funds required by paragraph (6)(b) ~~(7)(a)~~.

1652 (e) Each school district shall:

1653 1. Provide to the department by each October 1, a copy of

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1654 each contract and the amount ~~amounts~~ paid per unweighted full-
1655 time equivalent virtual student for services procured pursuant
1656 to subparagraphs (c)1. and 2.

1657 2. Expend any the difference in the amount of funds per
1658 unweighted full-time equivalent virtual student allocated to
1659 ~~provided for a student participating in~~ the school district
1660 ~~virtual instruction program~~ pursuant to subsection ~~(6)(7)~~ and
1661 the amount price paid per unweighted full-time equivalent
1662 virtual student by the school district for a contract executed
1663 pursuant to subparagraph (c)1. or subparagraph (c)2. on for
1664 acquiring computer and device hardware and associated operating
1665 system software that comply with the requirements of s.
1666 1001.20(4)(a)1.b.

1667 3. Provide to the department ~~and~~ by September 1 of each
1668 year ~~report to the department~~ an itemized list of items acquired
1669 in subparagraph 2 ~~with these funds~~.

1670 ~~4.3.~~ Limit the enrollment of ~~virtual~~ full-time equivalent
1671 virtual students residing outside of the school district
1672 providing the virtual instruction pursuant to paragraph (c) to
1673 no more than 50 percent of the total enrolled ~~virtual~~ full-time
1674 equivalent virtual students residing inside the school district
1675 providing the virtual instruction. This subparagraph applies to
1676 any virtual instruction contract or agreement that is entered
1677 into for the first time after June 30, 2021. However, a school
1678 district may not enroll more ~~virtual~~ full-time equivalent
1679 virtual students residing outside of the school district than
1680 the total number of reported full-time equivalent students
1681 residing inside the school district.

1682 (2) PROVIDER QUALIFICATIONS.—

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1683 (a) The department shall annually publish on its website
1684 ~~online~~ a list of providers approved by the State Board of
1685 Education to offer virtual instruction programs. To be approved
1686 ~~by the department~~, a virtual instruction program provider must
1687 document that it:

1688 1. Is nonsectarian in its programs, admission policies,
1689 employment practices, and operations;

1690 2. Complies with the antidiscrimination provisions of s.
1691 1000.05;

1692 3. Locates an administrative office or offices in this
1693 state, requires its administrative staff to be state residents,
1694 requires all instructional staff to be Florida-certified
1695 teachers under chapter 1012 and conducts background screenings
1696 for all employees or contracted personnel, as required by s.
1697 1012.32, using state and national criminal history records;

1698 4. Electronically provides to parents and students specific
1699 information ~~posted and accessible online~~ that includes, but is
1700 not limited to, the following teacher-parent and teacher-student
1701 contact information for each course:

1702 a. How to contact the instructor via phone, e-mail, or
1703 online messaging tools.

1704 b. How to contact technical support via phone, e-mail, or
1705 online messaging tools.

1706 c. How to contact the administration office via phone, e-
1707 mail, or online messaging tools.

1708 d. Any requirement for regular contact with the instructor
1709 for the course and clear expectations for meeting the
1710 requirement.

1711 e. The requirement that the instructor in each course must,

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1712 at a minimum, conduct one contact with the parent and the
1713 student each month;

1714 5. Possesses prior, successful experience offering virtual
1715 instruction ~~online~~ courses to elementary, middle, or high school
1716 students as demonstrated by quantified student learning gains in
1717 each subject area and grade level provided for consideration as
1718 an instructional program option. However, for a virtual
1719 instruction program provider without sufficient prior,
1720 successful experience offering online courses, the State Board
1721 of Education ~~department~~ may conditionally approve the virtual
1722 instruction program provider to offer courses measured pursuant
1723 to subparagraph (7) (a)2. ~~(8) (a)2.~~ Conditional approval shall be
1724 valid for 1 school year only and, based on the virtual
1725 instruction program provider's experience in offering the
1726 courses, the State Board of Education may ~~department shall~~
1727 ~~determine whether to~~ grant approval to offer a virtual
1728 instruction program;

1729 6. Is accredited by a regional accrediting association as
1730 defined by State Board of Education rule;

1731 7. Ensures instructional and curricular quality through a
1732 detailed curriculum and student performance accountability plan
1733 that addresses every subject and grade level it intends to
1734 provide through contract with the school district, including:

1735 a. Courses and programs that meet the standards of the
1736 International Association for K-12 Online Learning and the
1737 Southern Regional Education Board.

1738 b. Instructional content and services that align with, and
1739 measure student attainment of, student proficiency in the Next
1740 Generation Sunshine State Standards.

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1741 c. Mechanisms that determine and ensure that a student has
1742 satisfied requirements for grade level promotion and high school
1743 graduation with a standard diploma, as appropriate;

1744 8. Publishes ~~for the general public~~, in accordance with
1745 disclosure requirements adopted in rule by the State Board of
1746 Education, as part of its application as an approved virtual
1747 instruction program ~~a~~ provider and in all contracts negotiated
1748 pursuant to this section:

1749 a. Information and data about the curriculum of each full-
1750 time and part-time virtual instruction program.

1751 b. School policies and procedures.

1752 c. Certification status and physical location of all
1753 administrative and instructional personnel.

1754 d. Hours and times of availability of instructional
1755 personnel.

1756 e. Student-teacher ratios.

1757 f. Student completion and promotion rates.

1758 g. Student, educator, and school performance accountability
1759 outcomes;

1760 9. If the approved virtual instruction program provider is
1761 a Florida College System institution, employs instructors who
1762 meet the certification requirements for instructional staff
1763 under chapter 1012; and

1764 10. Performs an annual financial audit of its accounts and
1765 records conducted by an independent auditor who is a certified
1766 public accountant licensed under chapter 473. The independent
1767 auditor shall conduct the audit ~~which is~~ in accordance with
1768 rules adopted by the Auditor General and, ~~is conducted~~ in
1769 compliance with generally accepted auditing standards, and

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1770 include ~~includes~~ a report on financial statements presented in
1771 accordance with generally accepted accounting principles. The
1772 audit report shall be accompanied by a written statement from
1773 the approved virtual instruction program provider in response to
1774 any deficiencies identified within the audit report and shall be
1775 submitted by the approved virtual instruction program provider
1776 to the State Board of Education and the Auditor General no later
1777 than 9 months after the end of the preceding fiscal year.

1778 (b) An approved virtual instruction program provider that
1779 maintains compliance with all requirements of this section shall
1780 retain its approved status for a period of ~~during the~~ 3 school
1781 years after the date of ~~the department's~~ approval by the State
1782 Board of Education under paragraph (a) as long as the provider
1783 ~~continues to comply with all requirements of this section.~~
1784 ~~However, each provider approved by the department for the 2011-~~
1785 ~~2012 school year must reapply for approval to provide a part-~~
1786 ~~time program for students in grades 9 through 12.~~

1787 (3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual
1788 instruction program under this section must:

1789 (b) Offer instruction that is designed to enable a student
1790 to gain proficiency in each virtual instruction ~~virtually~~
1791 ~~delivered~~ course of study.

1792 (c) Provide each student enrolled in the virtual
1793 instruction program with all the necessary instructional
1794 materials.

1795 (d) Provide each full-time student enrolled in the virtual
1796 instruction program who qualifies for free or reduced-price
1797 school lunches under the National School Lunch Act, or who is on
1798 the direct certification list, and who does not have a computer

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1799 or Internet access in his or her home with:

1800 1. All equipment necessary for participants in the virtual
1801 instruction program, including, but not limited to, a computer,
1802 computer monitor, and printer, if a printer is necessary to
1803 participate in the virtual instruction program; and

1804 2. Access to or reimbursement for all Internet services
1805 necessary for online delivery of instruction.

1806 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
1807 virtual instruction program provider must, at minimum:

1808 (a) Set forth a detailed curriculum plan that illustrates
1809 how students will be provided services and be measured for
1810 attainment of proficiency in the Next Generation Sunshine State
1811 Standards for each grade level and subject.

1812 (b) Provide a method for determining that a student has
1813 satisfied the requirements for graduation in s. 1002.3105(5), s.
1814 1003.4281, or s. 1003.4282 if the contract is for the provision
1815 of a full-time virtual instruction program to students in grades
1816 9 through 12.

1817 (c) Specify a method for resolving conflicts among the
1818 parties.

1819 (d) Specify authorized reasons for termination of the
1820 contract.

1821 (e) Require the approved virtual instruction program
1822 provider to be responsible for all debts of the virtual
1823 instruction program if the contract is not renewed or is
1824 terminated.

1825 (f) Require the approved virtual instruction program
1826 provider to comply with all requirements of this section.

1827 (g) Require the approved virtual instruction program

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1828 provider to submit a concise, uniform, monthly financial
1829 statement summary sheet in a form prescribed by the department.

1830 (h) Provide the current incoming baseline standard of
1831 student academic achievement, the outcomes to be achieved, the
1832 method of measurement that will be used, and a detailed
1833 description of:

1834 1. How the baseline student academic achievement levels and
1835 prior rates of academic progress will be established.

1836 2. How these baseline rates will be compared to rates of
1837 academic progress achieved by the same students while enrolled
1838 in the virtual instruction program.

1839 3. To the extent possible, how the rates of progress will
1840 be evaluated and compared with rates of progress of other
1841 closely comparable student populations.

1842 (i) Require the approved virtual instruction program
1843 provider to annually submit an accountability report that
1844 contains demographic information and student achievement
1845 performance data, that links baseline student data to the
1846 provider performance projections identified in the contract.

1847
1848 A contracting school district shall facilitate compliance with
1849 the requirements of paragraphs (h) and (i).

1850 ~~(5) STUDENT ELIGIBILITY. A student may enroll in a virtual~~
1851 ~~instruction program provided by the school district or by a~~
1852 ~~virtual charter school pursuant to s. 1002.455.~~

1853 (5) ~~(6)~~ STUDENT PARTICIPATION REQUIREMENTS.—Each student
1854 enrolled in the school district's a virtual instruction program
1855 authorized pursuant to paragraph (1)(c) ~~or virtual charter~~
1856 school must:

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1857 (a) Comply with the compulsory attendance requirements of
1858 s. 1003.21. Student attendance must be verified by the school
1859 district.

1860 (b) Take statewide assessments pursuant to s. 1008.22.
1861 Statewide assessments may be administered within the school
1862 district in which such student resides, or as specified in the
1863 contract in accordance with s. 1008.24(3). If requested by the
1864 approved virtual instruction program provider or virtual charter
1865 school, the district of residence must provide the student with
1866 access to the district's testing facilities.

1867 ~~(6)-(7)~~ VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER
1868 SCHOOL FUNDING.—

1869 (a) All virtual instruction programs established pursuant
1870 to paragraph (1)(c) are subject to the requirements of s.
1871 1011.61(1)(c)1.b.(III), (IV), (VI) and (4) and the school
1872 district providing the virtual instruction program shall report
1873 the full-time equivalent students, in a manner prescribed by the
1874 department. A school district may report a full-time equivalent
1875 student for credit earned by a student who is enrolled in a
1876 virtual instruction course provided by the district which was
1877 completed after the end of the regular school year if the full-
1878 time equivalent student is reported no later than the deadline
1879 for amending the final full-time equivalent student membership
1880 report for that year ~~Students enrolled in a virtual instruction~~
1881 ~~program or a virtual charter school shall be funded through the~~
1882 ~~Florida Education Finance Program as provided in the General~~
1883 ~~Appropriations Act. However, such funds may not be provided for~~
1884 ~~the purpose of fulfilling the class size requirements in ss.~~
1885 ~~1003.03 and 1011.685. The school district providing the virtual~~

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1886 ~~instruction shall report the full-time equivalent students for a~~
1887 ~~virtual instruction program or a virtual charter school to the~~
1888 ~~department in a manner prescribed by the department.~~

1889 (b) Students enrolled in a virtual instruction program
1890 shall be funded in the Florida Education Finance Program as
1891 provided in the General Appropriations Act. The calculation to
1892 determine the amount of funds for each student through the
1893 Florida Education Finance Program shall include the sum of the
1894 base Florida Education Finance Program pursuant to s.
1895 1011.62(1)(s) and all categorical programs except for the
1896 categorical programs established pursuant to ss. 1011.62(1)(f),
1897 1011.62(7), 1011.62(13), 1011.68, 1011.685, and 1012.71.
1898 Students residing outside of the school district reporting the
1899 full-time equivalent virtual student shall be funded from state
1900 funds only.

1901 ~~(b) For purposes of a virtual instruction program or a~~
1902 ~~virtual charter school, "full-time equivalent student" has the~~
1903 ~~same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).~~

1904 ~~(c) For a student enrolled in a kindergarten through grade~~
1905 ~~12 virtual instruction program, a "full-time equivalent student"~~
1906 ~~has the same meaning as provided in s. 1011.61(1)(c)1.b.(III)~~
1907 ~~and (IV).~~

1908 ~~(d) The full-time equivalent student membership calculated~~
1909 ~~under this subsection is subject to the requirements in s.~~
1910 ~~1011.61(4).~~

1911 (c)(e) A Florida College System institution provider may
1912 not report students who are served in a virtual instruction
1913 program for funding under the Florida College System Program
1914 Fund.

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1915 (7)~~(8)~~ ASSESSMENT AND ACCOUNTABILITY.—

1916 (a) Each approved virtual instruction program provider
1917 contracted pursuant to ~~under~~ this section must:

1918 1. Participate in the statewide assessment program under s.
1919 1008.22 and in the state's education performance accountability
1920 system under s. 1008.31.

1921 2. Receive a school grade under s. 1008.34 or a school
1922 improvement rating under s. 1008.341, as applicable. The ~~school~~
1923 ~~grade or~~ school improvement rating received by each approved
1924 virtual instruction program provider shall be based upon the
1925 aggregated assessment scores of all students served by the
1926 provider statewide. Each approved virtual instruction program
1927 provider shall receive a district grade pursuant to s. 1008.34
1928 based upon the aggregated assessment scores of all students
1929 served by the provider statewide and a separate school grade for
1930 each school district with which it contracts based upon the
1931 assessment scores of all students served within the school
1932 district. The department shall publish the school grade or
1933 school improvement rating received by each approved virtual
1934 instruction program provider on its Internet website. The
1935 department shall develop an evaluation method for providers of
1936 part-time programs which includes the percentage of students
1937 making learning gains, the percentage of students successfully
1938 passing any required end-of-course assessment, the percentage of
1939 students taking Advanced Placement examinations, and the
1940 percentage of students scoring 3 or higher on an Advanced
1941 Placement examination.

1942 (b) The performance of part-time students in grades 9
1943 through 12 shall not be included for purposes of school grades

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1944 or school improvement ratings under subparagraph (a)2.; however,
 1945 their performance shall be included for school grading or school
 1946 improvement rating purposes by the district nonvirtual school
 1947 providing the student's primary instruction.

1948 (c) An approved virtual instruction program provider that
 1949 receives a school grade of "D" or "F" pursuant to ~~under~~ s.
 1950 1008.34 or a school improvement rating of "Unsatisfactory"
 1951 pursuant to ~~under~~ s. 1008.341 must file a school improvement
 1952 plan with the department for consultation to determine the
 1953 causes for low performance and corrective actions necessary to
 1954 improve performance ~~to develop a plan for correction and~~
 1955 ~~improvement.~~

1956 (d) An approved virtual instruction program provider's
 1957 contract is automatically ~~must be~~ terminated if the provider
 1958 earns two consecutive ~~receives a school grades~~ grade of "D" ~~or~~
 1959 "F" pursuant to ~~under~~ s. 1008.34 after all school grade appeals
 1960 are final or earns two consecutive a school improvement ratings
 1961 rating of "Unsatisfactory" pursuant to ~~under~~ s. 1008.341 ~~for 2~~
 1962 ~~years during any consecutive 4-year period~~ or has violated any
 1963 qualification requirement pursuant to subsection (2). An
 1964 approved virtual instruction program A provider that has a
 1965 contract terminated under this paragraph may not be considered
 1966 an approved virtual instruction program provider for ~~a period of~~
 1967 at least 1 year after the date upon which the contract was
 1968 terminated and until the State Board of Education ~~department~~
 1969 determines that the virtual instruction program provider is in
 1970 compliance with subsection (2) and has corrected each cause of
 1971 the provider's low performance.

1972 (10) ~~(11)~~ RULES.—The State Board of Education shall adopt

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1973 rules necessary to administer this section, including rules that
1974 prescribe disclosure requirements under subsection (2), a
1975 standard contract that meets the requirements under subsection
1976 (4), and school district reporting requirements under subsection
1977 (6) ~~(7)~~.

1978 Section 18. Section 1002.455, Florida Statutes, is amended
1979 to read:

1980 1002.455 Student eligibility for K-12 virtual instruction.—
1981 All students, including home education and private school
1982 students, are eligible to participate in any of the following
1983 virtual instruction options:

1984 (1) School district operated part-time or full-time
1985 kindergarten through grade 12 virtual instruction programs
1986 pursuant to s. 1002.45(1)(c)4. to students within the school
1987 district ~~under s. 1002.45(1)(b)~~.

1988 (2) Part-time or full-time virtual charter school
1989 instruction authorized pursuant to s. 1002.45(1)(c)5. ~~under s.~~
1990 ~~1002.33~~ to students within the school district or to students in
1991 other school districts throughout the state pursuant to s.
1992 1002.31; however, the school district enrolling the full-time
1993 equivalent virtual student shall comply with the enrollment
1994 requirements established under to s. 1002.45(1)(e)4.

1995 (3) Virtual courses offered in the course code directory to
1996 students within the school district or to students in other
1997 school districts throughout the state pursuant to s. 1003.498.

1998 (4) Florida Virtual School instructional services
1999 authorized pursuant to ~~under~~ s. 1002.37.

2000 (5) Virtual instruction provided by a school district
2001 through a contract with an approved virtual instruction program

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2002 provider pursuant to s. 1002.45(1)(c)2. to students within the
2003 school district or to students in other school districts
2004 throughout the state pursuant to s. 1002.31; however the school
2005 district enrolling the full-time equivalent virtual student
2006 shall comply with the enrollment requirements established under
2007 s. 1002.45(1)(e)4.

2008 Section 19. Subsection (4) of section 1002.81, Florida
2009 Statutes, is amended to read:

2010 1002.81 Definitions.—Consistent with the requirements of 45
2011 C.F.R. parts 98 and 99 and as used in this part, the term:

2012 (4) "Direct enhancement services" means services for
2013 families and children that are in addition to payments for the
2014 placement of children in the school readiness program. Direct
2015 enhancement services for families and children may include
2016 supports for providers, parent training and involvement
2017 activities, and strategies to meet the needs of unique
2018 populations and local eligibility priorities. Direct enhancement
2019 services offered by an early learning coalition shall be
2020 consistent with the activities prescribed in s. 1002.89(4)(b) ~~s.~~
2021 ~~1002.89(5)(b).~~

2022 Section 20. Paragraphs (d), (m), and (p) of subsection (2)
2023 and paragraph (a) of subsection (7) of section 1002.82, Florida
2024 Statutes, are amended to read:

2025 1002.82 Department of Education; powers and duties.—

2026 (2) The department shall:

2027 (d) Establish procedures for the annual ~~biennial~~
2028 calculation of the prevailing market rate and procedures for the
2029 collection of data to support the calculation of the cost of
2030 care pursuant to s. 1002.90 ~~or an alternative model that has~~

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2031 ~~been approved by the Administration for Children and Families~~
2032 ~~pursuant to 45 C.F.R. s. 98.45(e).~~

2033 (m) Provide technical support to an early learning
2034 coalition to facilitate the use of a standard statewide provider
2035 contract adopted by the department to be used with each school
2036 readiness program provider, with standardized attachments by
2037 provider type. The department shall publish a copy of the
2038 standard statewide provider contract on its website. The
2039 standard statewide contract shall include, at a minimum,
2040 contracted slots, if applicable, in accordance with the Child
2041 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98
2042 and 99; quality improvement strategies, if applicable; program
2043 assessment requirements; and provisions for provider probation,
2044 termination for cause, and emergency termination for those
2045 actions or inactions of a provider that pose an immediate and
2046 serious danger to the health, safety, or welfare of the
2047 children. The standard statewide provider contract shall also
2048 include appropriate due process procedures. During the pendency
2049 of an appeal of a termination, the provider may not continue to
2050 offer its services. Any provision imposed upon a provider that
2051 is inconsistent with, or prohibited by, law is void and
2052 unenforceable. Provisions for termination for cause must also
2053 include failure to meet the minimum quality measures established
2054 under paragraph (n) for a period of up to 5 years, unless the
2055 coalition determines that the provider is essential to meeting
2056 capacity needs based on the assessment under s. 1002.85(2)(i) ~~s.~~
2057 ~~1002.85(2)(j)~~ and the provider has an active improvement plan
2058 pursuant to paragraph (n).

2059 (p) No later than July 1, 2022, develop and adopt

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2060 requirements for the implementation of a program designed to
2061 make available contracted slots to serve children at the
2062 greatest risk of school failure as determined by such children
2063 being located in an area that has been designated as a poverty
2064 area tract according to the latest census data. The contracted
2065 slot program may also be used to increase the availability of
2066 child care capacity based on the assessment under s.
2067 1002.85(2)(i) ~~s. 1002.85(2)(j)~~.

2068 (7) By January 1 of each year, the department shall
2069 annually publish on its website a report of its activities
2070 conducted under this section. The report must include a summary
2071 of the coalitions' annual reports, a statewide summary, and the
2072 following:

2073 (a) An analysis of early learning activities throughout the
2074 state, including the school readiness program and the Voluntary
2075 Prekindergarten Education Program.

2076 1. The total and average number of children served in the
2077 school readiness program, enumerated by age, eligibility
2078 priority category, and coalition, and the total number of
2079 children served in the Voluntary Prekindergarten Education
2080 Program.

2081 2. A summary of expenditures by coalition, by fund source,
2082 including a breakdown by coalition of the percentage of
2083 expenditures for administrative activities, quality activities,
2084 nondirect services, and direct services for children.

2085 3. A description of the department's and each coalition's
2086 expenditures by fund source for the quality and enhancement
2087 activities described in s. 1002.89(4)(b) ~~s. 1002.89(5)(b)~~.

2088 4. A summary of annual findings and collections related to

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2089 provider fraud and parent fraud.

2090 5. Data regarding the coalitions' delivery of early
2091 learning programs.

2092 6. The total number of children disenrolled statewide and
2093 the reason for disenrollment.

2094 7. The total number of providers by provider type.

2095 8. The number of school readiness program providers who
2096 have completed the program assessment required under paragraph
2097 (2) (n); the number of providers who have not met the minimum
2098 program assessment composite score for contracting established
2099 under paragraph (2) (n); and the number of providers that have an
2100 active improvement plan based on the results of the program
2101 assessment under paragraph (2) (n).

2102 9. The total number of provider contracts revoked and the
2103 reasons for revocation.

2104 Section 21. Subsection (17) of section 1002.84, Florida
2105 Statutes, is amended to read:

2106 1002.84 Early learning coalitions; school readiness powers
2107 and duties.—Each early learning coalition shall:

2108 (17) (a) Distribute the school readiness program funds as
2109 allocated in the General Appropriations Act to the eligible
2110 providers using the following methodology:

2111 1. For each county in the early learning coalition,
2112 multiply the cost of care by care level as provided in s.
2113 1002.90 by the county's district cost differential provided in
2114 s. 1011.62(2).

2115 2. If a county enacted a local ordinance before
2116 January 1, 2022, that establishes the county's staff-to-children
2117 ratio for licensed child care facilities below the ratio

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2118 established in s. 402.305(4), multiply the provider
2119 reimbursement rates for that county by the adjustment factor
2120 specified in the General Appropriations Act.

2121 3. Apply the weight established pursuant to s. 1002.90 for
2122 each provider type to calculate the minimum provider
2123 reimbursement rates by care level.

2124 4. Multiply the weighted provider reimbursement rates by 22
2125 percent to determine the amount of the school readiness
2126 allocation an early learning coalition is eligible to retain
2127 pursuant to s. 1002.89(4).

2128 (b) Distribute to each eligible provider the minimum
2129 provider reimbursement rate, by provider type and care level,
2130 regardless of the provider's private pay rate. All minimum
2131 provider reimbursement rates shall be charged as direct services
2132 pursuant to s. 1002.89.

2133
2134 Each early learning coalition with approved minimum provider
2135 reimbursement rates for the infant to age 5 care levels that are
2136 higher than the minimum provider reimbursement rates established
2137 in this subsection may continue to implement its approved
2138 minimum provider reimbursement rates until the rates established
2139 in this subsection exceed its approved rates ~~Adopt a payment~~
2140 ~~schedule that encompasses all programs funded under this part~~
2141 ~~and part V of this chapter. The payment schedule must take into~~
2142 ~~consideration the prevailing market rate or an alternative model~~
2143 ~~that has been approved by the Administration for Children and~~
2144 ~~Families pursuant to 45 C.F.R. s. 98.45(e), include the~~
2145 ~~projected number of children to be served, and be submitted for~~
2146 ~~approval by the department. Informal child care arrangements~~

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2147 shall be reimbursed at not more than 50 percent of the rate
2148 adopted for a family day care home.

2149 Section 22. Paragraphs (c) through (j) of subsection (2) of
2150 section 1002.85, Florida Statutes, are redesignated as
2151 paragraphs (b) through (i), respectively, and present paragraphs
2152 (b) and (c) of that subsection are amended to read:

2153 1002.85 Early learning coalition plans.—

2154 (2) Each early learning coalition must biennially submit a
2155 school readiness program plan to the department before the
2156 expenditure of funds. A coalition may not implement its school
2157 readiness program plan until it receives approval from the
2158 department. A coalition may not implement any revision to its
2159 school readiness program plan until the coalition submits the
2160 revised plan to and receives approval from the department. If
2161 the department rejects a plan or revision, the coalition must
2162 continue to operate under its previously approved plan. The plan
2163 must include, but is not limited to:

2164 ~~(b) The minimum number of children to be served by care~~
2165 ~~level.~~

2166 (b)(e) The coalition's procedures for implementing the
2167 requirements of this part, including:

2168 1. Single point of entry.

2169 2. Uniform waiting list.

2170 3. Eligibility and enrollment processes and local
2171 eligibility priorities for children pursuant to s. 1002.87.

2172 4. Parent access and choice.

2173 5. Sliding fee scale and policies on applying the waiver or
2174 reduction of fees in accordance with s. 1002.84(9).

2175 6. Use of preassessments and postassessments, as

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2176 applicable.

2177 ~~7. Payment rate schedule.~~

2178 ~~7.8.~~ Use of contracted slots, as applicable, based on the
2179 results of the assessment required under paragraph (i) ~~(j)~~.

2180 Section 23. Paragraph (c) of subsection (1) of section
2181 1002.87, Florida Statutes, is amended to read:

2182 1002.87 School readiness program; eligibility and
2183 enrollment.—

2184 (1) Each early learning coalition shall give priority for
2185 participation in the school readiness program as follows:

2186 (c) Subsequent priority shall be given, based on the early
2187 learning coalition's local priorities identified under s.
2188 1002.85(2)(i) ~~s. 1002.85(2)(j)~~, to children who meet the
2189 following criteria:

2190 1. A child from birth to the beginning of the school year
2191 for which the child is eligible for admission to kindergarten in
2192 a public school under s. 1003.21(1)(a)2. who is from a working
2193 family that is economically disadvantaged, and may include such
2194 child's eligible siblings, beginning with the school year in
2195 which the sibling is eligible for admission to kindergarten in a
2196 public school under s. 1003.21(1)(a)2. until the beginning of
2197 the school year in which the sibling is eligible to begin 6th
2198 grade, provided that the first priority for funding an eligible
2199 sibling is local revenues available to the coalition for funding
2200 direct services.

2201 2. A child of a parent who transitions from the work
2202 program into employment as described in s. 445.032 from birth to
2203 the beginning of the school year for which the child is eligible
2204 for admission to kindergarten in a public school under s.

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2205 1003.21(1)(a)2.

2206 3. An at-risk child who is at least 9 years of age but
2207 younger than 13 years of age. An at-risk child whose sibling is
2208 enrolled in the school readiness program within an eligibility
2209 priority category listed in paragraphs (a) and (b) and
2210 subparagraph 1. shall be given priority over other children who
2211 are eligible under this paragraph.

2212 4. A child who is younger than 13 years of age from a
2213 working family that is economically disadvantaged.

2214 5. A child of a parent who transitions from the work
2215 program into employment as described in s. 445.032 who is
2216 younger than 13 years of age.

2217 6. A child who has special needs, has been determined
2218 eligible as a student with a disability, has a current
2219 individual education plan with a Florida school district, and is
2220 not younger than 3 years of age. A special needs child eligible
2221 under this paragraph remains eligible until the child is
2222 eligible for admission to kindergarten in a public school under
2223 s. 1003.21(1)(a)2.

2224 7. A child who otherwise meets one of the eligibility
2225 criteria in paragraphs (a) and (b) and subparagraphs 1. and 2.
2226 but who is also enrolled concurrently in the federal Head Start
2227 Program and the Voluntary Prekindergarten Education Program.

2228 Section 24. Section 1002.89, Florida Statutes, is amended
2229 to read:

2230 1002.89 School readiness program; funding.—

2231 (1) DETERMINATION OF EARLY LEARNING COALITION SCHOOL
2232 READINESS PROGRAM FUNDING.—Funding for the school readiness
2233 program shall be used by ~~allocated among~~ the early learning

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2234 coalitions in accordance with this part ~~section~~ and the General
2235 Appropriations Act.

2236 (a) School readiness program allocation.—If the annual
2237 allocation for the school readiness program is not determined in
2238 the General Appropriations Act or the substantive bill
2239 implementing the General Appropriations Act, it shall be
2240 determined as follows:

2241 1. For each county in the early learning coalition, the
2242 total school readiness eligible population, as adopted by the
2243 Early Learning Programs Estimating Conference pursuant to s.
2244 216.136(8), shall be multiplied by the county's district cost
2245 differential provided in s. 1011.62(2).

2246 2. If a county passed a local ordinance before January 1,
2247 2022, that establishes the county's staff-to-children ratio for
2248 licensed child care facilities below the ratio established in s.
2249 402.305(4), multiply the product calculated in subparagraph 1.
2250 by the adjustment factor specified in the General Appropriations
2251 Act.

2252 3. Each county's school readiness allocation shall be based
2253 on the county's proportionate share of the total adjusted
2254 eligible school readiness population.

2255 (b) Gold Seal Quality Care Program allocation.—There is
2256 created the Gold Seal Quality Care Program allocation to provide
2257 eligible school readiness program providers the rate
2258 differential established pursuant to s. 1002.945(6). Subject to
2259 legislative appropriation, all expenditures from the Gold Seal
2260 Quality Care Program allocation shall be used by the department
2261 to help meet federal targeted requirements for improving quality
2262 to the extent allowable in the state's approved Child Care and

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2263 Development Fund Plan.

2264 (c) Differential payment program allocation.—There is
2265 created the differential payment program allocation to provide
2266 eligible school readiness program providers the differential pay
2267 established pursuant to s. 1002.82(2) (o). Subject to legislative
2268 appropriation, all expenditures from the differential payment
2269 program allocation shall be used by the department to help meet
2270 federal targeted requirements for improving quality to the
2271 extent allowable in the state’s approved Child Care and
2272 Development Fund Plan.

2273 (d) Special needs differential allocation.—There is created
2274 the special needs differential allocation to assist eligible
2275 school readiness program providers to implement the special
2276 needs rate provisions defined in the state’s approved Child Care
2277 and Development Fund Plan. Subject to legislative appropriation,
2278 each early learning coalition shall be reimbursed based on
2279 actual expenditures. All expenditures from the special needs
2280 differential allocation shall be used by the department to help
2281 meet federal targeted requirements for improving quality to the
2282 extent allowable in the state’s approved plan.

2283 (2) INSTRUCTION REQUIREMENTS.—All instructions to early
2284 learning coalitions for administering this section shall emanate
2285 from the department in accordance with the policies of the
2286 Legislature.

2287 ~~(3) All cost savings and all revenues received through a~~
2288 ~~mandatory sliding fee scale shall be used to increase the number~~
2289 ~~of children served.~~

2290 (3)~~(4)~~ MATCHING FUND REQUIREMENTS.—All state, federal, and
2291 local matching funds provided to an early learning coalition for

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2292 purposes of this section shall be used for implementation of its
2293 approved school readiness program plan, including the hiring of
2294 staff to effectively operate the school readiness program.

2295 (4)-(5) COST REQUIREMENTS.—Costs shall be kept to the
2296 minimum necessary for the efficient and effective administration
2297 of the school readiness program with the highest priority of
2298 expenditure being direct services for eligible children.

2299 However, no more than 5 percent of the funds allocated in
2300 paragraph (1) (a) ~~described in subsection (4)~~ may be used for
2301 administrative costs and no more than 22 percent of the funds
2302 allocated in paragraph (1) (a) ~~described in subsection (4)~~ may be
2303 used in any fiscal year for any combination of administrative
2304 costs, quality activities, and nondirect services as follows:

2305 (a) Administrative costs as described in 45 C.F.R. s.
2306 98.54, which shall include monitoring providers using the
2307 standard methodology adopted under s. 1002.82 to improve
2308 compliance with state and federal regulations and law pursuant
2309 to the requirements of the statewide provider contract adopted
2310 under s. 1002.82(2) (m).

2311 (b) Activities to improve the quality of child care as
2312 described in 45 C.F.R. s. 98.53, which shall be limited to the
2313 following:

2314 1. Developing, establishing, expanding, operating, and
2315 coordinating resource and referral programs specifically related
2316 to the provision of comprehensive consumer education to parents
2317 and the public to promote informed child care choices specified
2318 in 45 C.F.R. s. 98.33.

2319 2. Awarding grants and providing financial support to
2320 school readiness program providers and their staff to assist

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2321 them in meeting applicable state requirements for the program
2322 assessment required under s. 1002.82(2)(n), child care
2323 performance standards, implementing developmentally appropriate
2324 curricula and related classroom resources that support
2325 curricula, providing literacy supports, and providing continued
2326 professional development and training. Any grants awarded
2327 pursuant to this subparagraph shall comply with ss. 215.971 and
2328 287.058.

2329 3. Providing training, technical assistance, and financial
2330 support to school readiness program providers, staff, and
2331 parents on standards, child screenings, child assessments, child
2332 development research and best practices, developmentally
2333 appropriate curricula, character development, teacher-child
2334 interactions, age-appropriate discipline practices, health and
2335 safety, nutrition, first aid, cardiopulmonary resuscitation, the
2336 recognition of communicable diseases, and child abuse detection,
2337 prevention, and reporting.

2338 4. Providing, from among the funds provided for the
2339 activities described in subparagraphs 1.-3., adequate funding
2340 for infants and toddlers as necessary to meet federal
2341 requirements related to expenditures for quality activities for
2342 infant and toddler care.

2343 5. Improving the monitoring of compliance with, and
2344 enforcement of, applicable state and local requirements as
2345 described in and limited by 45 C.F.R. s. 98.40.

2346 6. Responding to Warm-Line requests by providers and
2347 parents, including providing developmental and health screenings
2348 to school readiness program children.

2349 (c) Nondirect services as described in applicable Office of

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2350 Management and Budget instructions are those services not
2351 defined as administrative, direct, or quality services that are
2352 required to administer the school readiness program. Such
2353 services include, but are not limited to:

- 2354 1. Assisting families to complete the required application
2355 and eligibility documentation.
- 2356 2. Determining child and family eligibility.
- 2357 3. Recruiting eligible child care providers.
- 2358 4. Processing and tracking attendance records.
- 2359 5. Developing and maintaining a statewide child care
2360 information system.

2361
2362 As used in this paragraph, the term "nondirect services" does
2363 not include payments to school readiness program providers for
2364 direct services provided to children who are eligible under s.
2365 1002.87, administrative costs as described in paragraph (a), or
2366 quality activities as described in paragraph (b).

2367 (5)~~(6)~~ LIMITATION ON THE USE OF PROGRAM FUNDS.—Funds
2368 appropriated for the school readiness program may not be
2369 expended for the purchase or improvement of land; for the
2370 purchase, construction, or permanent improvement of any building
2371 or facility; or for the purchase of buses. However, funds may be
2372 expended for minor remodeling and upgrading of child care
2373 facilities which is necessary for the administration of the
2374 program and to ensure that providers meet state and local child
2375 care standards, including applicable health and safety
2376 requirements.

2377 Section 25. Effective upon this act becoming a law, section
2378 1002.895, Florida Statutes, is amended to read:

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2379 1002.895 Market rate schedule.—The school readiness program
2380 market rate schedule shall be implemented as follows:

2381 (1) The department shall establish procedures for the
2382 adoption of a market rate schedule ~~until an alternative model~~
2383 ~~that has been approved by the Administration for Children and~~
2384 ~~Families pursuant to 45 C.F.R. s. 98.45(c) is available for~~
2385 ~~adoption.~~ The schedule must include, at a minimum, county-by-
2386 county rates:

2387 (a) The market rate, including the minimum and the maximum
2388 rates for child care providers that hold a Gold Seal Quality
2389 Care designation under s. 1002.945 and adhere to its accrediting
2390 association's teacher-to-child ratios and group size
2391 requirements.

2392 (b) The market rate for child care providers that do not
2393 hold a Gold Seal Quality Care designation.

2394 (2) The market rate schedule, ~~at a minimum,~~ must
2395 differentiate rates by provider type, including, but not limited
2396 to:

2397 (a) ~~Differentiate rates by type, including, but not limited~~
2398 ~~to, a~~ Child care providers ~~provider~~ that hold ~~holds~~ a Gold Seal
2399 Quality Care designation under s. 1002.945 and adhere ~~adheres~~ to
2400 their ~~its~~ accrediting association's teacher-to-child ratios and
2401 group size requirements. ~~a~~

2402 (b) Child care providers ~~facility~~ licensed under s.
2403 402.305, ~~a public or nonpublic school exempt from licensure~~
2404 ~~under s. 402.3025,~~ a faith-based child care providers ~~facility~~
2405 exempt from licensure under s. 402.316 that do ~~does~~ not hold a
2406 Gold Seal Quality Care designation, and ~~a~~ large family child
2407 care homes ~~home~~ licensed under s. 402.3131 that do not hold a

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2408 Gold Seal Quality Care designation.

2409 (c) Public or nonpublic schools exempt from licensure under
2410 s. 402.3025.

2411 (d) ~~or a~~ Family day care homes ~~home~~ licensed or registered
2412 under s. 402.313.

2413 (e) Large family child care homes licensed under s.
2414 402.3131.

2415 (3) ~~(b)~~ The market rate schedule must differentiate rates by
2416 the type of child care services provided for children with
2417 special needs or risk categories, infants, toddlers, 2-year-old
2418 children, 3-year-old children, 4-year-old children, 5-year-old
2419 ~~preschool-age~~ children, and school-age children.

2420 (4) ~~(c)~~ The market rate schedule must differentiate rates
2421 between full-time and part-time child care services and consider
2422 discounted rates for child care services for multiple children
2423 in a single family.

2424 ~~(d) Consider discounted rates for child care services for~~
2425 ~~multiple children in a single family.~~

2426 (5) ~~(3)~~ The market rate schedule must be based exclusively
2427 on the prices charged for child care services.

2428 (6) The department shall establish procedures to annually
2429 collect data regarding the cost of care to include, but not be
2430 limited to:

2431 (a) Data from the Department of Economic Opportunity's
2432 Bureau of Workforce Statistics and Economic Research on the
2433 average salary for child care personnel to include, at a
2434 minimum, child care instructors and child care directors.

2435 (b) Data from child care providers as part of data
2436 collected under s. 1002.92(4) to include, at a minimum, the

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2437 average annual cost of materials and curriculum, the average
 2438 annual cost of food and maintenance costs, and the average
 2439 annual cost of any regulatory fees or operational costs per
 2440 child.

2441 (7) The department shall provide all applicable data
 2442 collected in this section to the Early Learning Programs
 2443 Estimating Conference established pursuant to s. 216.136(8).

2444 ~~(4) The market rate schedule shall be considered by an~~
 2445 ~~early learning coalition in the adoption of a payment schedule.~~
 2446 ~~The payment schedule must take into consideration the prevailing~~
 2447 ~~market rate and include the projected number of children to be~~
 2448 ~~served by each county and be submitted for approval by the~~
 2449 ~~department. Informal child care arrangements shall be reimbursed~~
 2450 ~~at not more than 50 percent of the rate adopted for a family day~~
 2451 ~~care home.~~

2452 (8)~~(5)~~ The department may contract with one or more
 2453 qualified entities to administer this section and provide
 2454 support and technical assistance for child care providers.

2455 (9)~~(6)~~ The department may adopt rules for establishing
 2456 procedures for the collection of child care providers' market
 2457 rate, the calculation of the prevailing market rate by program
 2458 care level and provider type in a predetermined geographic
 2459 market, and the publication of the market rate schedule.

2460 Section 26. Effective upon this act becoming a law, section
 2461 1002.90, Florida Statutes, is created to read:

2462 1002.90 School readiness cost-of-care information.—
 2463 Annually, the principals of the Early Learning Programs
 2464 Estimating Conference established in s. 216.136(8) shall develop
 2465 official cost-of-care information based on actual school

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2466 readiness direct services program expenditures and information
2467 provided pursuant to s. 1002.895. Conference principals shall
2468 agree on the cost of child care by care level and provider type,
2469 the provider type weights, and the methods of computation. The
2470 department shall provide the conference principals with all
2471 requested and necessary data to develop such information. The
2472 data may include a matrix by early learning coalition of any
2473 full-time equivalent changes made by the Division of Early
2474 Learning as part of its administration of the school readiness
2475 program. The Early Learning Programs Estimating Conference shall
2476 provide the official cost-of-care information to the Legislature
2477 at least 90 days before the scheduled annual legislative
2478 session.

2479 Section 27. Subsection (4) of section 1002.92, Florida
2480 Statutes, is amended to read:

2481 1002.92 Child care and early childhood resource and
2482 referral.—

2483 (4) A child care facility licensed under s. 402.305 and
2484 licensed and registered family day care homes must provide the
2485 statewide child care and resource and referral network with the
2486 following information annually:

- 2487 (a) Type of program.
- 2488 (b) Hours of service.
- 2489 (c) Ages of children served.
- 2490 (d) Fees and eligibility for services.
- 2491 (e) Data required under s. 1002.895.

2492 Section 28. Paragraph (c) is added to subsection (1) of
2493 section 1002.995, Florida Statutes, to read:

2494 1002.995 Early learning professional development standards

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2495 and career pathways.—

2496 (1) The department shall:

2497 (c) Subject to the appropriation of funds by the
 2498 Legislature, provide incentives to school readiness personnel
 2499 who meet the requirements of s. 1002.88(1)(e) and
 2500 prekindergarten instructors who meet the requirements specified
 2501 in s. 1002.55, s. 1002.61, or s. 1002.63 and who possess a
 2502 reading certification or endorsement or a literacy micro-
 2503 credential as specified in s. 1003.485 and teach students in the
 2504 school readiness program or the voluntary prekindergarten
 2505 education program.

2506 Section 29. Subsections (3) through (5) of section
 2507 1003.485, Florida Statutes, are renumbered as subsections (5)
 2508 through (7), respectively, paragraphs (a) and (b) of subsection
 2509 (1), subsection (2), paragraphs (d) and (h) of present
 2510 subsection (4), and paragraph (b) of present subsection (5) are
 2511 amended, and paragraph (g) is added to subsection (1) of that
 2512 section, to read:

2513 1003.485 The New Worlds Reading Initiative.—

2514 (1) DEFINITIONS.—As used in this section, the term:

2515 (a) "Administrator" means a state university registered
 2516 with the department under s. 1002.395(15)(i) and designated to
 2517 administer the initiative under paragraph (3)(a) ~~(2)(a)~~.

2518 (b) "Annual tax credit amount" means, for any state fiscal
 2519 year, the sum of the amount of tax credits approved under
 2520 paragraph (5)(b) ~~(3)(b)~~, including tax credits to be taken under
 2521 s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s.
 2522 624.51056, which are approved for taxpayers whose taxable years
 2523 begin on or after January 1 of the calendar year preceding the

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2524 start of the applicable state fiscal year.

2525 (g) "Micro-credential" means evidence-based professional
2526 development activities that are competency-based, personalized,
2527 and on-demand. Educators must demonstrate their competence via
2528 evidence submitted and reviewed by trained evaluators.

2529 (2) NEW WORLDS READING INITIATIVE; PURPOSE ADMINISTRATION.—
2530 The purpose of the New Worlds Reading Initiative ~~is~~ established
2531 under the department is to ~~improve literacy skills and~~ instill a
2532 love of reading by providing high-quality, free books to
2533 students in kindergarten through grade 5 who are reading below
2534 grade level and to improve the literacy skills of students in
2535 kindergarten through grade 12. The New Worlds Reading Initiative
2536 shall consist of:

2537 (a) The program established under this section to provide
2538 high-quality, free books to students.

2539 (b) The New Worlds Reading Scholarship Program under s.
2540 1002.411.

2541 (c) The New Worlds Scholar program under s. 1008.365, which
2542 rewards high school students who instill a love of reading and
2543 improve the literacy skills of students in kindergarten through
2544 grade 3.

2545 (d) The micro-credential program established under this
2546 section which emphasizes strong core instruction and a tiered
2547 model of reading interventions for struggling readers.

2548 (3) ~~(a)~~ DEPARTMENT RESPONSIBILITIES.—The department shall:

2549 (a) ~~1.~~ Designate an administrator to implement the
2550 initiative and to receive funding as provided in this section.
2551 The administrator must have an academic innovation institution
2552 with extensive experience in:

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2553 1.a. Conducting academic research in early literacy
2554 instruction.

2555 2.b. Implementing online delivery of early learning and
2556 literacy training for educators nationally.

2557 3.e. Developing online support materials that assist
2558 parents and caregivers in developing early literacy skills.

2559 4.d. Conducting fundraising and public awareness campaigns
2560 to support the development and growth of evidence-based
2561 educational initiatives that support learning at home and in
2562 schools.

2563 (b)2. Publish information about the initiative and tax
2564 credits under subsection (5) ~~(3)~~ on its website, including the
2565 process for a taxpayer to select the administrator as the
2566 recipient of funding through a tax credit.

2567 (c)3. Beginning September 30, 2022, and annually
2568 thereafter, report on its website the number of students
2569 participating in the initiative in each school district,
2570 information from the annual financial report under paragraph
2571 (4) (i) subparagraph (b)6., and the academic achievement and
2572 learning gains, as applicable, of participating students based
2573 on data provided by school districts as permitted under s.
2574 1002.22. The department shall establish a date by which the
2575 administrator and each school district must annually provide the
2576 data necessary to complete the report.

2577 (4) (b) ADMINISTRATOR RESPONSIBILITIES.—The administrator
2578 shall:

2579 (a)1. Develop, in consultation with the Just Read, Florida!
2580 Office under s. 1001.215, a selection of high-quality books
2581 encompassing diverse subjects and genres for each grade level to

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2582 be mailed to students in the initiative.

2583 (b)2. Distribute books at no cost to students as provided
2584 in paragraph (6) (c) ~~(4) (e)~~ either directly or through an
2585 agreement with a book distribution company.

2586 (c)3. Assist local implementation of the initiative by
2587 providing marketing materials to school districts and any
2588 partnering nonprofit organizations to assist with public
2589 awareness campaigns and other activities designed to increase
2590 family engagement and instill a love of reading in students.

2591 (d)4. Maintain a clearinghouse for information on national,
2592 state, and local nonprofit organizations that support efforts to
2593 improve literacy and provide books to children.

2594 (e)5. Develop for parents of students in the initiative
2595 resources and training materials for parents of students in the
2596 initiative, that engage families in reading and support the
2597 reading achievement of their students ~~including brief video~~
2598 ~~training modules, which engage families in reading and assist~~
2599 ~~with improving student literacy skills.~~ The administrator shall
2600 periodically send to parents hyperlinks to these resources and
2601 materials, including video modules, via text message and e-mail,
2602 ~~tips for facilitating reading at home and hyperlinks to the~~
2603 ~~video training modules.~~

2604 (f) Provide professional development and resources to
2605 teachers that correlate with the books provided through the
2606 initiative.

2607 (g) Develop a micro-credential that requires teachers to
2608 demonstrate competency to:

2609 1. Diagnose literacy difficulties and determine the
2610 appropriate range of literacy interventions based upon the age

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2611 and literacy deficiency of the student;

2612 2. Use evidence-based instructional and intervention
2613 practices, including strategies identified by the Just Read,
2614 Florida! Office pursuant to s. 1001.215(8); and

2615 3. Effectively use progress monitoring and intervention
2616 materials.

2617 (h) Administer the early literacy micro-credential program
2618 established under this section, which must include components on
2619 content, student learning, pedagogy, and professional
2620 development and must build on a strong foundation of
2621 scientifically researched and evidence-based reading
2622 instructional and intervention programs that incorporate
2623 explicit, systematic, and sequential approaches to teaching
2624 phonemic awareness, phonics, vocabulary, fluency, and text
2625 comprehension and incorporate decodable or phonetic text
2626 instructional strategies, as identified by the Just Read,
2627 Florida! Office, pursuant to s. 1001.215(8).

2628 1. At a minimum, the micro-credential curriculum must be
2629 designed specifically for instructional personnel in
2630 prekindergarten through grade 3 based upon the strategies and
2631 techniques identified in s. 1002.59 and address foundational
2632 literacy skills of students in grades 4 through 12.

2633 2. The micro-credential must be competency based and
2634 designed for eligible instructional personnel to complete the
2635 credentialing process in no more than 60 hours, in an online
2636 format. The micro-credential may be delivered in an in-person
2637 format. Eligible instructional personnel may receive the micro-
2638 credential once competency is demonstrated even if it is prior
2639 to the completion of 60 hours.

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2640 3. The micro-credential must be available by December 31,
2641 2022, at no cost, to instructional personnel as defined in s.
2642 1012.01(2); prekindergarten instructors as specified in ss.
2643 1002.55, 1002.61, and 1002.63; and child care personnel as
2644 defined in ss. 1002.88(1)(e) and 402.302(3).

2645 (i)6. Annually submit to the department an annual financial
2646 report that includes, at a minimum, the amount of eligible
2647 contributions received by the administrator; the amount spent on
2648 each activity required by this subsection ~~paragraph~~, including
2649 administrative expenses; and the number of students and
2650 households served under the initiative.

2651 (j)7. Maintain separate accounts for operating funds and
2652 funds for the purchase and delivery of books.

2653 (k)8. Expend eligible contributions received only for the
2654 purchase and delivery of books and to implement the requirements
2655 of this section, as well as for administrative expenses not to
2656 exceed 2 percent of total eligible contributions.

2657 Notwithstanding s. 1002.395(6)(j)2., the administrator may carry
2658 forward up to 25 percent of eligible contributions to the
2659 following state fiscal year for purposes authorized by this
2660 subsection. Any eligible contributions in excess of the 25
2661 percent carry forward not used to provide additional books
2662 throughout the year to eligible students shall revert to the
2663 state treasury.

2664 (l)9. Upon receipt of a contribution, provide the taxpayer
2665 that made the contribution with a certificate of contribution. A
2666 certificate of contribution must include the taxpayer's name
2667 and, if available, its federal employer identification number;
2668 the amount contributed; the date of contribution; and the name

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2669 of the administrator.

2670 (6)~~(4)~~ ELIGIBILITY; NOTIFICATION; SCHOOL DISTRICT
2671 OBLIGATIONS.—

2672 (d) Upon enrollment and at the beginning of each school
2673 year, students must be provided options for specific book topics
2674 or genres in order to maximize student interest in reading.

2675 (h) School districts and partnering nonprofit organizations
2676 shall raise awareness of the initiative, including information
2677 on eligibility and video training modules under paragraph (4) (e)
2678 ~~subparagraph (2) (b) 5.~~, through, at least, the following:

2679 1. The student handbook and the read-at-home plan under s.
2680 1008.25(5) (c).

2681 2. A parent or curriculum night or separate initiative
2682 awareness event at each elementary school.

2683 3. Partnering with the county library to host awareness
2684 events, which should coincide with other initiatives such as
2685 library card drives, family library nights, summer access
2686 events, and other family engagement programming.

2687 (7)~~(5)~~ ADMINISTRATION; RULES.—

2688 (b) The Department of Revenue may adopt rules necessary to
2689 administer this section and ss. 211.0252, 212.1833, 220.1876,
2690 561.1212, and 624.51056, including rules establishing
2691 application forms, procedures governing the approval of tax
2692 credits and carryforward tax credits under subsection (5) ~~(3)~~,
2693 and procedures to be followed by taxpayers when claiming
2694 approved tax credits on their returns.

2695 Section 30. Paragraph (b) of subsection (2) of section
2696 1003.498, Florida Statutes, is amended to read:

2697 1003.498 School district virtual course offerings.—

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2698 (2) School districts may offer virtual courses for students
2699 enrolled in the school district. These courses must be
2700 identified in the course code directory. Students may
2701 participate in these virtual course offerings pursuant to s.
2702 1002.455.

2703 (b)1. Any student who is enrolled in a school district may
2704 register and enroll in an online course offered by any other
2705 school district in the state. The school district in which the
2706 student completes the course shall report the student's
2707 completion of that course for funding pursuant to s.
2708 1011.61(1)(c)1.b.(VI), and the home school district shall not
2709 report the student for funding for that course.

2710 2. The full-time equivalent student membership calculated
2711 under this subsection is subject to the requirements in s.
2712 1011.61(4). The Department of Education shall establish
2713 procedures to enable interdistrict coordination for the delivery
2714 and funding of this online option.

2715 3. Funding for virtual courses shall be as provided in s.
2716 1002.45(6).

2717 Section 31. Paragraph (a) of subsection (13) of section
2718 1003.52, Florida Statutes, is amended to read:

2719 1003.52 Educational services in Department of Juvenile
2720 Justice programs.—

2721 (13) (a) ~~Funding for~~ Eligible students enrolled in juvenile
2722 justice education programs shall be funded the same as students
2723 enrolled in traditional public schools funded in provided
2724 ~~through~~ the Florida Education Finance Program and as specified
2725 ~~provided~~ in s. 1011.62 and the General Appropriations Act.
2726 ~~Funding shall include, at a minimum:~~

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2727 ~~1. Weighted program funding or the basic amount for current~~
2728 ~~operation multiplied by the district cost differential as~~
2729 ~~provided in s. 1011.62(2);~~

2730 ~~2. The supplemental allocation for juvenile justice~~
2731 ~~education as provided in s. 1011.62(9);~~

2732 ~~3. A proportionate share of the district's exceptional~~
2733 ~~student education guaranteed allocation, the supplemental~~
2734 ~~academic instruction allocation, and the instructional materials~~
2735 ~~allocation;~~

2736 ~~4. An amount equivalent to the proportionate share of the~~
2737 ~~state average potential discretionary local effort for~~
2738 ~~operations, which shall be determined as follows:~~

2739 ~~a. If the district levies the maximum discretionary local~~
2740 ~~effort and the district's discretionary local effort per FTE is~~
2741 ~~less than the state average potential discretionary local effort~~
2742 ~~per FTE, the proportionate share shall include both the~~
2743 ~~discretionary local effort and the compression supplement per~~
2744 ~~FTE. If the district's discretionary local effort per FTE is~~
2745 ~~greater than the state average per FTE, the proportionate share~~
2746 ~~shall be equal to the state average; or~~

2747 ~~b. If the district does not levy the maximum discretionary~~
2748 ~~local effort and the district's actual discretionary local~~
2749 ~~effort per FTE is less than the state average potential~~
2750 ~~discretionary local effort per FTE, the proportionate share~~
2751 ~~shall be equal to the district's actual discretionary local~~
2752 ~~effort per FTE. If the district's actual discretionary local~~
2753 ~~effort per FTE is greater than the state average per FTE, the~~
2754 ~~proportionate share shall be equal to the state average~~
2755 ~~potential local effort per FTE; and~~

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2756 ~~5. A proportionate share of the district's proration to~~
2757 ~~funds available, if necessary.~~

2758 Section 32. Paragraph (g) of subsection (2) of section
2759 1003.621, Florida Statutes, is amended to read:

2760 1003.621 Academically high-performing school districts.—It
2761 is the intent of the Legislature to recognize and reward school
2762 districts that demonstrate the ability to consistently maintain
2763 or improve their high-performing status. The purpose of this
2764 section is to provide high-performing school districts with
2765 flexibility in meeting the specific requirements in statute and
2766 rules of the State Board of Education.

2767 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
2768 high-performing school district shall comply with all of the
2769 provisions in chapters 1000-1013, and rules of the State Board
2770 of Education which implement these provisions, pertaining to the
2771 following:

2772 (g) Those statutes pertaining to planning and budgeting,
2773 including chapter 1011, except s. 1011.62(8)(e) ~~s.~~
2774 ~~1011.62(8)(d)~~, relating to the requirement for a comprehensive
2775 reading plan. A district that is exempt from submitting a
2776 comprehensive reading plan shall be deemed approved to receive
2777 the evidence-based reading instruction allocation. Each
2778 academically high-performing school district may provide up to 2
2779 days of virtual instruction as part of the required 180 actual
2780 teaching days or the equivalent on an hourly basis each school
2781 year, as specified by rules of the State Board of Education.
2782 Virtual instruction that is conducted in accordance with the
2783 plan approved by the department, is teacher-developed, and is
2784 aligned with the standards for enrolled courses complies with s.

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2785 1011.60(2). The day or days must be indicated on the calendar
2786 approved by the school board. The district shall submit a plan
2787 for each day of virtual instruction to the department for
2788 approval, in a format prescribed by the department, with
2789 assurances of alignment to statewide student standards as
2790 described in s. 1003.41 before the start of each school year.

2791 Section 33. Subsection (6) of section 1004.015, Florida
2792 Statutes, is amended to read:

2793 1004.015 Florida Talent Development Council.—

2794 (6) The council shall coordinate, facilitate, and
2795 communicate statewide efforts to meet supply and demand needs
2796 for the state's health care workforce. Annually, by beginning
2797 ~~December 1, 2021,~~ the council shall report on the implementation
2798 of this subsection and any other relevant information on the
2799 Florida Talent Development Council's web page located on the
2800 Department of Economic Opportunity's website. To support the
2801 efforts of the council, the Board of Governors and the State
2802 Board of Education shall:

2803 ~~(a) Conduct a statistically valid biennial data-driven gap~~
2804 ~~analysis of the supply and demand of the health care workforce.~~
2805 ~~Demand must align with the Labor Market Estimating Conference~~
2806 ~~created in s. 216.136.~~

2807 (a) ~~(b)~~ Provide 10-year trend information on nursing
2808 education programs subject to the requirements of s. 464.019.
2809 The Department of Health, the Board of Governors, the State
2810 Board of Education, the Commission for Independent Education,
2811 the Independent Colleges and Universities of Florida, the
2812 Florida Center for Nursing, and postsecondary institutions
2813 participating in a state grant, fund, or performance-based

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2814 incentive program under s. 1009.89, s. 1009.896, or s. 1009.897
2815 ~~or s. 1009.891~~, shall provide data, by institution and program,
2816 on:

2817 1. The number ~~and type~~ of ~~programs~~ and student slots
2818 available.

2819 2. The number of student applications submitted, the number
2820 of qualified student applicants, ~~and~~ the number of students
2821 accepted, and the number of students enrolled.

2822 3. The number of program graduates.

2823 4. Program retention rates of students tracked from program
2824 entry to graduation.

2825 5. Graduate passage rates, as defined in s. 464.003, on and
2826 the number of times each graduate took the National Council of
2827 State Boards of Nursing Licensing Examination.

2828 6. The number of graduates who become employed as practical
2829 or professional nurses in the state.

2830 7. The educational advancement of nurses through career
2831 pathways by comparing their initial degree to the highest degree
2832 they obtained for the preceding 10 years.

2833 8. The outcomes of students enrolled at institutions
2834 participating in the Linking Industry to Nursing Education
2835 (LINE) Fund under s. 1009.896 or the Prepping Institutions,
2836 Programs, Employers, and Learners through Incentives for Nursing
2837 Education (PIPELINE) Fund under s. 1009.897.

2838 9. The outcomes of graduates who have received a nursing
2839 student loan forgiveness repayment under s. 1009.66. Such data
2840 must include, for the previous 4 fiscal years, the number of
2841 graduates who have received a repayment, the amount repaid on
2842 behalf of each graduate, each graduate's employer of record for

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2843 each repayment and the length of employment at each employer,
2844 and the level or levels of nursing licensure earned by each
2845 graduate.

2846 (b)(e) Develop definitions for data elements and a uniform
2847 ~~a~~ survey for use by the Department of Health, the Commission for
2848 Independent Education, the Independent Colleges and Universities
2849 of Florida, and postsecondary institutions participating in a
2850 state loan forgiveness program, grant, fund, or performance-
2851 based incentive program under s. 1009.66, s. 1009.89, s.
2852 1009.896, or s. 1009.897 ~~or s. 1009.891,~~ to collect data
2853 required under paragraph (a) ~~(b)~~. The survey must include, but
2854 is not limited to, a student's age, gender, race, ethnicity,
2855 veteran status, wage, employer information, loan debt, and
2856 retirement expectations.

2857 Section 34. Paragraph (b) of subsection (2), paragraphs (a)
2858 and (b) of subsection (4), and paragraph (c) of subsection (5)
2859 of section 1004.04, Florida Statutes, are amended to read:

2860 1004.04 Public accountability and state approval for
2861 teacher preparation programs.—

2862 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

2863 (b) The rules to establish uniform core curricula for each
2864 state-approved teacher preparation program must include, but are
2865 not limited to, the following:

2866 1. Candidate instruction and assessment in the Florida
2867 Educator Accomplished Practices across content areas.

2868 2. The use of state-adopted content standards to guide
2869 curricula and instruction.

2870 3. Scientifically researched and evidence-based reading
2871 instructional strategies that improve reading performance for

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- 2872 all students, including explicit, systematic, and sequential
2873 approaches to teaching phonemic awareness, phonics, vocabulary,
2874 fluency, and text comprehension and multisensory intervention
2875 strategies.
- 2876 4. Content literacy and mathematics practices.
- 2877 5. Strategies appropriate for the instruction of English
2878 language learners.
- 2879 6. Strategies appropriate for the instruction of students
2880 with disabilities.
- 2881 7. Strategies to differentiate instruction based on student
2882 needs.
- 2883 8. Strategies and practices to support evidence-based
2884 content aligned to state standards and grading practices ~~The use~~
2885 ~~of character-based classroom management.~~
- 2886 9. Strategies appropriate for the early identification of a
2887 student in crisis or experiencing a mental health challenge and
2888 the referral of such student to a mental health professional for
2889 support.
- 2890 10. Strategies to support the use of technology in
2891 education and distance learning.
- 2892 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2893 teacher preparation program shall be based upon evidence that
2894 the program continues to implement the requirements for initial
2895 approval and upon significant, objective, and quantifiable
2896 measures of the program and the performance of the program
2897 completers.
- 2898 (a) The criteria for continued approval must include each
2899 of the following:
- 2900 1. Candidate readiness based on passage rates on educator

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2901 certification examinations under s. 1012.56, as applicable
2902 ~~Documentation from the program that each program candidate met~~
2903 ~~the admission requirements provided in subsection (3).~~

2904 ~~2. Documentation from the program that the program and each~~
2905 ~~program completer have met the requirements provided in~~
2906 ~~subsection (2).~~

2907 ~~2.3.~~ Evidence of performance in each of the following
2908 areas:

2909 ~~a. Placement rate of program completers into instructional~~
2910 ~~positions in Florida public schools and private schools, if~~
2911 ~~available.~~

2912 ~~b. Rate of retention for employed program completers in~~
2913 ~~instructional positions in Florida public schools.~~

2914 ~~a.e.~~ Performance of students in prekindergarten through
2915 grade 12 who are assigned to in-field program completers on
2916 statewide assessments using the results of the student learning
2917 growth formula adopted under s. 1012.34.

2918 ~~d. Performance of students in prekindergarten through grade~~
2919 ~~12 who are assigned to in-field program completers aggregated by~~
2920 ~~student subgroup, as defined in the federal Elementary and~~
2921 ~~Secondary Education Act (ESEA), 20 U.S.C. s.~~
2922 ~~6311(b) (2) (C) (v) (II), as a measure of how well the program~~
2923 ~~prepares teachers to work with a diverse population of students~~
2924 ~~in a variety of settings in Florida public schools.~~

2925 ~~b.e.~~ Results of program completers' annual evaluations in
2926 accordance with the timeline as set forth in s. 1012.34.

2927 ~~c.f.~~ Workforce contributions, including placement of
2928 program completers in instructional positions in Florida public
2929 and private schools, with additional weight given to production

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2930 of program completers in statewide critical teacher shortage
2931 areas as identified in s. 1012.07.

2932 ~~3.4.~~ Results of the program completers' survey measuring
2933 their satisfaction with preparation for the realities of the
2934 classroom.

2935 ~~4.5.~~ Results of the employers' survey measuring
2936 satisfaction with the program and the program's responsiveness
2937 to local school districts.

2938 (b) The State Board of Education shall adopt rules for
2939 continued approval of teacher preparation programs which include
2940 the program review process, the continued approval timelines,
2941 and the performance level targets for each of the continued
2942 approval criteria in paragraph (a). Additional criteria may be
2943 approved by the State Board of Education. The Commissioner of
2944 Education shall determine the continued approval of each program
2945 based on the data collected pursuant to this section and the
2946 rules of the State Board of Education, which may include
2947 weighted criteria and may authorize continued program approval
2948 based on a review conducted by a nationally recognized
2949 accrediting entity. The rules must establish criteria, based on
2950 program size, for determining whether a program review is
2951 necessary, whether program quality should be aggregated and
2952 measured at the provider or institution level, and whether
2953 program reviews may be validly conducted on a remote basis.

2954 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary
2955 instructors, school district personnel and instructional
2956 personnel, and school sites preparing instructional personnel
2957 through preservice field experience courses and internships
2958 shall meet special requirements. District school boards may pay

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2959 student teachers during their internships.

2960 (c) Preservice field experience must fully prepare a
2961 candidate to manage a classroom by requiring the candidate to
2962 practice and demonstrate the uniform core curricula specific to
2963 the candidate's area or areas of program concentration with a
2964 diverse population of students in a variety of challenging
2965 environments, including, but not limited to, high-poverty
2966 schools, urban schools, and rural schools. Beginning with
2967 candidates entering a program in the 2023-2024 school year, a
2968 minimum of 60 hours of preservice ~~The length of structured~~ field
2969 experience must be completed before the culminating field
2970 experience, which must include a minimum of 12 weeks of student
2971 teaching experiences may be extended to ensure that candidates
2972 achieve the competencies needed to meet certification
2973 requirements.

2974 Section 35. Section 1004.6496, Florida Statutes, is created
2975 to read:

2976 1004.6496 Hamilton Center for Classical and Civic
2977 Education.—

2978 (1) The Board of Trustees of the University of Florida may
2979 use funds as provided in the General Appropriations Act to
2980 establish the Hamilton Center for Classical and Civic Education
2981 as an academic unit within the University of Florida. The
2982 purpose of the center is to support teaching and research
2983 concerning the ideas, traditions, and texts that form the
2984 foundations of western and American civilization.

2985 (2) The goals of the center are to:

2986 (a) Educate university students in core texts and great
2987 debates of Western civilization.

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2988 (b) Educate university students in the principles, ideals,
2989 and institutions of the American political order.

2990 (c) Educate university students in the foundations of
2991 responsible leadership and informed citizenship.

2992 (d) Provide programming and training related to civic
2993 education and the values of open inquiry and civil discourse to
2994 support the K-20 system.

2995 (e) Coordinate with the Florida Institute of Politics
2996 created pursuant to s. 1004.6499 and The Adam Smith Center for
2997 the Study of Economic Freedom created pursuant to s. 1004.64991
2998 and assist in the curation and implementation of Portraits in
2999 Patriotism created pursuant to s. 1003.44.

3000 Section 36. Paragraph (a) of subsection (3) and subsections
3001 (4), (5), and (8) of section 1004.85, Florida Statutes, are
3002 amended to read:

3003 1004.85 Postsecondary educator preparation institutes.—

3004 (3) Educator preparation institutes approved pursuant to
3005 this section may offer competency-based certification programs
3006 specifically designed for noneducation major baccalaureate
3007 degree holders to enable program participants to meet the
3008 educator certification requirements of s. 1012.56. An educator
3009 preparation institute choosing to offer a competency-based
3010 certification program pursuant to the provisions of this section
3011 must implement a program previously approved by the Department
3012 of Education for this purpose or a program developed by the
3013 institute and approved by the department for this purpose.
3014 Approved programs shall be available for use by other approved
3015 educator preparation institutes.

3016 (a) Within 90 days after receipt of a request for approval,

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3017 the Department of Education shall approve a preparation program
3018 pursuant to the requirements of this subsection or issue a
3019 statement of the deficiencies in the request for approval. The
3020 department shall approve a certification program if the
3021 institute provides evidence of the institute's capacity to
3022 implement a competency-based program that includes each of the
3023 following:

3024 1.a. Participant instruction and assessment in the Florida
3025 Educator Accomplished Practices across content areas.

3026 b. The use of state-adopted student content standards to
3027 guide curriculum and instruction.

3028 c. Scientifically researched and evidence-based reading
3029 instructional strategies that improve reading performance for
3030 all students, including explicit, systematic, and sequential
3031 approaches to teaching phonemic awareness, phonics, vocabulary,
3032 fluency, and text comprehension and multisensory intervention
3033 strategies.

3034 d. Content literacy and mathematical practices.

3035 e. Strategies appropriate for instruction of English
3036 language learners.

3037 f. Strategies appropriate for instruction of students with
3038 disabilities.

3039 g. Strategies to differentiate instruction based on student
3040 needs.

3041 h. Strategies and practices to support evidence-based
3042 content aligned to state standards and grading practices ~~The use~~
3043 ~~of character-based classroom management.~~

3044 i. Strategies appropriate for the early identification of a
3045 student in crisis or experiencing a mental health challenge and

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3046 the referral of such student to a mental health professional for
3047 support.

3048 j. Strategies to support the use of technology in education
3049 and distance learning.

3050 2. An educational plan for each participant to meet
3051 certification requirements and demonstrate his or her ability to
3052 teach the subject area for which the participant is seeking
3053 certification, which is based on an assessment of his or her
3054 competency in the areas listed in subparagraph 1.

3055 3. Field experiences appropriate to the certification
3056 subject area specified in the educational plan with a diverse
3057 population of students in a variety of challenging environments,
3058 including, but not limited to, high-poverty schools, urban
3059 schools, and rural schools, under the supervision of qualified
3060 educators. The state board shall determine in rule the amount of
3061 field experience necessary to serve as the teacher of record,
3062 beginning with candidates entering a program in the 2023-2024
3063 school year.

3064 4. A certification ombudsman to facilitate the process and
3065 procedures required for participants who complete the program to
3066 meet any requirements related to the background screening
3067 pursuant to s. 1012.32 and educator professional or temporary
3068 certification pursuant to s. 1012.56.

3069 (4) Continued approval of each program approved pursuant to
3070 this section shall be determined by the Commissioner of
3071 Education based upon a periodic review of the following areas:

3072 (a) Candidate readiness based on passage rates on educator
3073 certification examinations under s. 1012.56, as applicable
3074 ~~Documentation from the program that each program completer has~~

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3075 ~~met the requirements of paragraphs (3)(a)-(c).~~

3076 (b) Evidence of performance in each of the following areas:

3077 ~~1. Placement rate of program completers into instructional~~
3078 ~~positions in Florida public schools and private schools, if~~
3079 ~~available.~~

3080 ~~2. Rate of retention for employed program completers in~~
3081 ~~instructional positions in Florida public schools.~~

3082 ~~1.3.~~ Performance of students in prekindergarten through
3083 grade 12 who are assigned to in-field program completers on
3084 statewide assessments using the results of the student learning
3085 growth formula adopted under s. 1012.34.

3086 ~~4. Performance of students in prekindergarten through grade~~
3087 ~~12 who are assigned to in-field program completers aggregated by~~
3088 ~~student subgroups, as defined in the federal Elementary and~~
3089 ~~Secondary Education Act (ESEA), 20 U.S.C. s.~~

3090 ~~6311(b)(2)(C)(v)(II), as a measure of how well the program~~
3091 ~~prepares teachers to work with a diverse population of students~~
3092 ~~in a variety of settings in Florida public schools.~~

3093 ~~2.5.~~ Results of program completers' annual evaluations in
3094 accordance with the timeline as set forth in s. 1012.34.

3095 ~~3.6.~~ Workforce contributions, including placement of
3096 program completers in instructional positions in Florida public
3097 and private schools, with additional weight given to production
3098 of program completers in statewide critical teacher shortage
3099 areas as identified in s. 1012.07.

3100 (5) Each institute approved pursuant to this section shall
3101 submit to the Department of Education annual performance
3102 evaluations that measure the effectiveness of the programs,
3103 including the pass rates of participants on all examinations

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3104 required for teacher certification, employment rates,
3105 longitudinal retention rates, and satisfaction surveys of
3106 employers and program completers ~~candidates~~. The satisfaction
3107 surveys must be designed to measure the sufficient preparation
3108 of the educator for the realities of the classroom and the
3109 institute's responsiveness to local school districts. These
3110 evaluations shall be used by the Department of Education for
3111 purposes of continued approval of an educator preparation
3112 institute's certification program.

3113 (8) The State Board of Education shall ~~may~~ adopt rules
3114 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
3115 ~~provisions of~~ this section, which may include weighted criteria
3116 and may authorize continued program approval based on a review
3117 conducted by a nationally recognized accrediting entity. The
3118 rules must establish criteria, based on program size, for
3119 determining whether a program review is necessary, whether
3120 program quality should be aggregated and measured at the
3121 provider or institution level, and whether program reviews may
3122 be validly conducted on a remote basis ~~including performance~~
3123 ~~targets for the measures used for continued program approval~~
3124 ~~described in subsection (4).~~

3125 Section 37. Section 1006.12, Florida Statutes, is amended
3126 to read:

3127 1006.12 Safe-school officers at each public school.—For the
3128 protection and safety of school personnel, property, students,
3129 and visitors, each district school board and school district
3130 superintendent shall partner with law enforcement agencies or
3131 security agencies to establish or assign one or more safe-school
3132 officers at each school facility within the district, including

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3133 charter schools. A district school board must collaborate with
3134 charter school governing boards to facilitate charter school
3135 access to all safe-school officer options available under this
3136 section. The school district may implement any combination of
3137 the options in subsections (1)-(4) to best meet the needs of the
3138 school district and charter schools.

3139 (1) SCHOOL RESOURCE OFFICER.—A school district may
3140 establish school resource officer programs through a cooperative
3141 agreement with law enforcement agencies.

3142 (a) School resource officers shall undergo criminal
3143 background checks, drug testing, and a psychological evaluation
3144 and be certified law enforcement officers, as defined in s.
3145 943.10(1), who are employed by a law enforcement agency as
3146 defined in s. 943.10(4). The powers and duties of a law
3147 enforcement officer shall continue throughout the employee's
3148 tenure as a school resource officer.

3149 (b) School resource officers shall abide by district school
3150 board policies and shall consult with and coordinate activities
3151 through the school principal, but shall be responsible to the
3152 law enforcement agency in all matters relating to employment,
3153 subject to agreements between a district school board and a law
3154 enforcement agency. Activities conducted by the school resource
3155 officer which are part of the regular instructional program of
3156 the school shall be under the direction of the school principal.

3157 (c) Complete mental health crisis intervention training
3158 using a curriculum developed by a national organization with
3159 expertise in mental health crisis intervention. The training
3160 shall improve officers' knowledge and skills as first responders
3161 to incidents involving students with emotional disturbance or

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3162 mental illness, including de-escalation skills to ensure student
3163 and officer safety.

3164 (2) SCHOOL SAFETY OFFICER.—A school district may commission
3165 one or more school safety officers for the protection and safety
3166 of school personnel, property, and students within the school
3167 district. The district school superintendent may recommend, and
3168 the district school board may appoint, one or more school safety
3169 officers.

3170 (a) School safety officers shall undergo criminal
3171 background checks, drug testing, and a psychological evaluation
3172 and be law enforcement officers, as defined in s. 943.10(1),
3173 certified under the provisions of chapter 943 and employed by
3174 either a law enforcement agency or by the district school board.
3175 If the officer is employed by the district school board, the
3176 district school board is the employing agency for purposes of
3177 chapter 943, and must comply with the provisions of that
3178 chapter.

3179 (b) A school safety officer has and shall exercise the
3180 power to make arrests for violations of law on district school
3181 board property and to arrest persons, whether on or off such
3182 property, who violate any law on such property under the same
3183 conditions that deputy sheriffs are authorized to make arrests.
3184 A school safety officer has the authority to carry weapons when
3185 performing his or her official duties.

3186 (c) School safety officers must complete mental health
3187 crisis intervention training using a curriculum developed by a
3188 national organization with expertise in mental health crisis
3189 intervention. The training shall improve officers' knowledge and
3190 skills as first responders to incidents involving students with

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3191 emotional disturbance or mental illness, including de-escalation
3192 skills to ensure student and officer safety.

3193 (d) A district school board may enter into mutual aid
3194 agreements with one or more law enforcement agencies as provided
3195 in chapter 23. A school safety officer's salary may be paid
3196 jointly by the district school board and the law enforcement
3197 agency, as mutually agreed to.

3198 (3) SCHOOL GUARDIAN.—At the school district's or the
3199 charter school governing board's discretion, as applicable,
3200 pursuant to s. 30.15, a school district or charter school
3201 governing board may participate in the Coach Aaron Feis Guardian
3202 Program to meet the requirement of establishing a safe-school
3203 officer. The following individuals may serve as a school
3204 guardian, in support of school-sanctioned activities for
3205 purposes of s. 790.115, upon satisfactory completion of the
3206 requirements under s. 30.15(1)(k) and certification by a
3207 sheriff:

3208 (a) A school district employee or personnel, as defined
3209 under s. 1012.01, or a charter school employee, as provided
3210 under s. 1002.33(12)(a), who volunteers to serve as a school
3211 guardian in addition to his or her official job duties; or

3212 (b) An employee of a school district or a charter school
3213 who is hired for the specific purpose of serving as a school
3214 guardian.

3215 (4) SCHOOL SECURITY GUARD.—A school district or charter
3216 school governing board may contract with a security agency as
3217 defined in s. 493.6101(18) to employ as a school security guard
3218 an individual who holds a Class "D" and Class "G" license
3219 pursuant to chapter 493, provided the following training and

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3220 contractual conditions are met:

3221 (a) An individual who serves as a school security guard,
3222 for purposes of satisfying the requirements of this section,
3223 must:

3224 1. Demonstrate completion of 144 hours of required training
3225 pursuant to s. 30.15(1)(k)2.

3226 2. Pass a psychological evaluation administered by a
3227 psychologist licensed under chapter 490 and designated by the
3228 Department of Law Enforcement and submit the results of the
3229 evaluation to the sheriff's office, school district, or charter
3230 school governing board, as applicable. The Department of Law
3231 Enforcement is authorized to provide the sheriff's office,
3232 school district, or charter school governing board with mental
3233 health and substance abuse data for compliance with this
3234 paragraph.

3235 3. Submit to and pass an initial drug test and subsequent
3236 random drug tests in accordance with the requirements of s.
3237 112.0455 and the sheriff's office, school district, or charter
3238 school governing board, as applicable.

3239 4. Successfully complete ongoing training, weapon
3240 inspection, and firearm qualification on at least an annual
3241 basis and provide documentation to the sheriff's office, school
3242 district, or charter school governing board, as applicable.

3243 (b) The contract between a security agency and a school
3244 district or a charter school governing board regarding
3245 requirements applicable to school security guards serving in the
3246 capacity of a safe-school officer for purposes of satisfying the
3247 requirements of this section shall define the entity or entities
3248 responsible for training and the responsibilities for

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3249 maintaining records relating to training, inspection, and
3250 firearm qualification.

3251 (c) School security guards serving in the capacity of a
3252 safe-school officer pursuant to this subsection are in support
3253 of school-sanctioned activities for purposes of s. 790.115, and
3254 must aid in the prevention or abatement of active assailant
3255 incidents on school premises.

3256 (5) NOTIFICATION.—The school district shall notify the
3257 county sheriff and the Office of Safe Schools immediately after,
3258 but no later than 72 hours after:

3259 (a) A safe-school officer is dismissed for misconduct or is
3260 otherwise disciplined.

3261 (b) A safe-school officer discharges his or her firearm in
3262 the exercise of the safe-school officer's duties, other than for
3263 training purposes.

3264 (6) EXEMPTION.—Any information that would identify whether
3265 a particular individual has been appointed as a safe-school
3266 officer pursuant to this section held by a law enforcement
3267 agency, school district, or charter school is exempt from s.
3268 119.07(1) and s. 24(a), Art. I of the State Constitution. This
3269 subsection is subject to the Open Government Sunset Review Act
3270 in accordance with s. 119.15 and shall stand repealed on October
3271 2, 2023, unless reviewed and saved from repeal through
3272 reenactment by the Legislature.

3273
3274 If a district school board, through its adopted policies,
3275 procedures, or actions, denies a charter school access to any
3276 safe-school officer options pursuant to this section, the school
3277 district must assign a school resource officer or school safety

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3278 officer to the charter school. Under such circumstances, the
3279 charter school's share of the costs of the school resource
3280 officer or school safety officer may not exceed the safe school
3281 allocation funds provided to the charter school pursuant to s.
3282 1011.62(12) ~~s. 1011.62(13)~~ and shall be retained by the school
3283 district.

3284 Section 38. Subsection (1) of section 1006.22, Florida
3285 Statutes, is amended to read:

3286 1006.22 Safety and health of students being transported.—
3287 Maximum regard for safety and adequate protection of health are
3288 primary requirements that must be observed by district school
3289 boards in routing buses, appointing drivers, and providing and
3290 operating equipment, in accordance with all requirements of law
3291 and rules of the State Board of Education in providing
3292 transportation pursuant to s. 1006.21:

3293 (1) (a) District school boards shall use school buses, as
3294 defined in s. 1006.25, for all regular transportation. Regular
3295 transportation or regular use means transportation of students
3296 to and from school or school-related activities that are part of
3297 a scheduled series or sequence of events to the same location.
3298 "Students" means, for the purposes of this section, students
3299 enrolled in the public schools in prekindergarten disability
3300 programs and in kindergarten through grade 12. District school
3301 boards may regularly use motor vehicles other than school buses
3302 only under the following conditions:

3303 1. When the transportation is for physically handicapped or
3304 isolated students and the district school board has elected to
3305 provide for the transportation of the student through written or
3306 oral contracts or agreements.

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3307 2. When the transportation is a part of a comprehensive
3308 contract for a specialized educational program between a
3309 district school board and a service provider who provides
3310 instruction, transportation, and other services.

3311 3. When the transportation is provided through a public
3312 transit system.

3313 4. When the transportation is for trips to and from school
3314 sites or agricultural education sites or for trips to and from
3315 agricultural education-related events or competitions, but is
3316 not for customary transportation between a student's residence
3317 and such sites.

3318 5. When the transportation is for trips to and from school
3319 sites ~~to allow students to participate in a career education~~
3320 ~~program that is not offered at the high school in which such~~
3321 ~~students are enrolled~~ but is not for customary transportation
3322 between a student's residence and such sites.

3323 (b) When the transportation of students is provided, as
3324 authorized in this subsection, in a vehicle other than a school
3325 bus that is owned, operated, rented, contracted, or leased by a
3326 school district or charter school, the following provisions
3327 shall apply:

3328 1. The vehicle must be ~~a passenger car or multipurpose~~
3329 ~~passenger vehicle or truck, as defined in 49 C.F.R. part 571,~~
3330 designed to transport fewer than 10 students or be a
3331 multifunction school activity bus, as defined in 49 CFR s.
3332 571.3, if it is designed to transport more than 10 persons.
3333 Students must be transported in designated seating positions and
3334 must use the occupant crash protection system provided by the
3335 manufacturer unless the student's physical condition prohibits

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3336 such use.

3337 2. An authorized vehicle may not be driven by a student on
3338 a public right-of-way. An authorized vehicle may be driven by a
3339 student on school or private property as part of the student's
3340 educational curriculum if no other student is in the vehicle.

3341 3. The driver of an authorized vehicle transporting
3342 students must maintain a valid driver license and must comply
3343 with the requirements of the school district's locally adopted
3344 safe driver plan, which includes review of driving records for
3345 disqualifying violations.

3346 4. The district school board or charter school must adopt a
3347 policy that addresses procedures and liability for trips under
3348 this paragraph, including a provision that school buses are to
3349 be used whenever practical and specifying consequences for
3350 violation of the policy.

3351 Section 39. Subsection (3) is added to section 1006.27,
3352 Florida Statutes, to read:

3353 1006.27 Pooling of school buses and related purchases by
3354 district school boards; transportation services contracts.—

3355 (3) The Driving Choice Grant Program is created within the
3356 department to improve access to reliable and safe transportation
3357 for students participating in public educational school choices
3358 pursuant to s. 1002.20(6)(a) and to support innovative solutions
3359 that increase the efficiency of public school transportation.

3360 (a) Grant proposals may include:

3361 1. Transportation resource planning and sharing among
3362 school districts and local governments.

3363 2. Developing or contracting with rideshare programs or
3364 developing carpool strategies.

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3365 3. Developing options to reduce costs and increase
3366 efficiencies while improving access to transportation options
3367 for families.

3368 4. Developing options to address personnel challenges.

3369 5. Expanding the use of transportation funds under ss.
3370 1002.394, 1002.395, and 1011.68 to help cover the cost of
3371 transporting students to and from school.

3372 (b) The department shall publish on its website, by
3373 December 31, 2023, an interim report and by December 31, 2024, a
3374 final report that includes:

3375 1. The best practices used by grant recipients to increase
3376 transportation options for students, including any
3377 transportation barriers addressed by grant recipients.

3378 2. The number of students served by grant recipients,
3379 including the number of students transported to a school that is
3380 different from the school to which the student is assigned.

3381 Section 40. Subsections (4) through (6) of section 1006.73,
3382 Florida Statutes, are renumbered as subsections (5) through (7),
3383 respectively, subsection (1) and present subsection (4) are
3384 amended, and a new subsection (4) is added to that section, to
3385 read:

3386 1006.73 Florida Postsecondary Academic Library Network.—

3387 (1) PURPOSE.—The Board of Governors and the Department of
3388 Education will jointly oversee the host entity in accordance
3389 with subsection (6) ~~(5)~~ that will deliver the following services
3390 to public postsecondary education institutions in this state,
3391 which, for the purposes of this section, means all Florida
3392 College System and State University System institutions:

3393 (a) Provide information regarding and access to distance

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3394 learning courses and degree programs offered by public
3395 postsecondary education institutions within the state.

3396 (b) Coordinate with the Florida College System and the
3397 State University System to identify and provide online academic
3398 support services and resources when the multi-institutional
3399 provision of such services and resources is more cost-effective
3400 or operationally effective.

3401 (c) Administer a single library automation system and
3402 associated resources and services that all public postsecondary
3403 institutions shall use to support learning, teaching, and
3404 research needs and develop automated library management tools
3405 that shall include, but are not limited to, the following
3406 services and functions:

3407 1. A shared Internet-based catalog and discovery tool that
3408 allows a user to search and, if authorized, access the aggregate
3409 library holdings of the state's public postsecondary education
3410 institutions. The catalog and discovery tool shall allow a user
3411 to search the library holdings of one institution, selected
3412 institutions, or all institutions and, to the extent feasible,
3413 shall include an interlibrary loan function that ensures an
3414 authorized user can access the required library holding.

3415 2. An Internet-based searchable collection of electronic
3416 resources which shall include, but not be limited to, full-text
3417 journals, articles, databases, and electronic books licensed
3418 pursuant to paragraph (d).

3419 3. An integrated library management system and its
3420 associated services that all public postsecondary education
3421 institution academic libraries shall use for purposes of
3422 acquiring, cataloging, circulating, and tracking library

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3423 material.

3424 4. A statewide searchable database that includes an
3425 inventory of digital archives and collections held by public
3426 postsecondary education institutions.

3427 (d) In collaboration with library staff from Florida
3428 College System institutions and state universities, coordinate
3429 the negotiation of statewide licensing of electronic library
3430 resources and preferred pricing agreements, issue purchase
3431 orders, and enter into contracts for the acquisition of library
3432 support services, electronic resources, and other goods and
3433 services necessary to carry out its duties under this section.

3434 (e) Promote and provide recommendations concerning the use
3435 and distribution of low-cost, no-cost, or open-access textbooks
3436 and education resources and innovative pricing techniques that
3437 comply with all applicable laws, in regards to copyrighted
3438 material and statewide accessibility measures, as a method for
3439 reducing costs.

3440 (f) Provide support for the adoption, adaptation, and
3441 creation of open educational resources by faculty members from
3442 Florida College System institutions and state universities.

3443 (g)~~(f)~~ Provide appropriate help desk support, training, and
3444 consultation services to institutions and students.

3445 (4) FLORIDA STUDENT OPEN ACCESS RESOURCES.—There is
3446 established a statewide initiative to increase the amount of
3447 open access resources available to postsecondary students in the
3448 state through the development of the Student Open Access
3449 Resources Repository, a statewide, Internet-based, searchable
3450 database of open education resources curated by the faculty of
3451 Florida College System institutions and state universities, and

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3452 the establishment of the Student Open Access Resource Grant
3453 Program.

3454 (a) For purposes of this section, the term "open
3455 educational resources" means high-quality teaching, learning,
3456 and research resources that reside in the public domain or have
3457 been released under an intellectual property license that
3458 permits the free use and repurposing of such resources by
3459 others. The term may include other resources that are legally
3460 available and free of cost to students. Open educational
3461 resources include, but are not limited to, full courses, course
3462 materials, modules, textbooks, faculty-created content,
3463 streaming videos, exams, software, and other tools, materials,
3464 or techniques used to support access to knowledge.

3465 (b) The chancellors of the State University System and the
3466 Florida College System shall collaborate and take the lead in
3467 identifying and developing processes to coordinate and support
3468 the adaptation or development of open educational resources by
3469 teams of faculty, librarians, and instructional designers within
3470 a Florida College System institution or state university, or
3471 across multiple institutions and universities. Such processes
3472 shall include, but not be limited to, ensuring quality and
3473 accuracy of content, suitability for publication, and compliance
3474 with federal and state copyright laws and regulations. Pursuant
3475 to the processes developed by the chancellors, the Florida
3476 Postsecondary Academic Library Network shall:

- 3477 1. Serve as the lead agency.
- 3478 2. Facilitate interinstitutional collaborations.
- 3479 3. Host approved digital assets and on-demand printing
3480 capabilities.

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3481 4. Ensure compliance with federal and state laws and
3482 regulations relating to accessibility, copyright, student data
3483 privacy and security, and quality assurance.

3484 5. Provide training for resource and professional
3485 development.

3486 6. Administer the grant program under paragraph (d).

3487 (c) Resources available in the Student Open Access
3488 Resources Repository shall:

3489 1. Comply with the processes developed by the chancellors
3490 of the State University System and Florida College System
3491 pursuant to paragraph (b).

3492 2. Be based upon the statewide course numbering system as
3493 specified in s. 1007.01.

3494 3. Accelerate textbook affordability pursuant to s.
3495 1004.085.

3496 (d) The Student Open Access Resource Grant Program is
3497 created to provide funding for public institutions of higher
3498 education, faculty, and staff to create and expand the use of
3499 open educational resources.

3500 1. A Florida College System institution or state university
3501 may apply to the Florida Postsecondary Academic Library Network
3502 for a grant under the program to support the development and
3503 curation of open educational resources and for migrating
3504 existing content to the Student Open Access Resource Repository.

3505 2. Subject to appropriation by the Legislature, the Florida
3506 Postsecondary Academic Library Network may award grants to
3507 Florida College System institutions and state universities that
3508 apply for grants pursuant to this section. The Florida Academic
3509 Library Network shall prioritize courses with high student

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3510 enrollment, courses with high textbook or materials costs, and
3511 courses identified as general education core courses pursuant to
3512 s. 1007.25 when establishing award criteria.

3513 3. Florida College System institutions and state
3514 universities receiving grant funds shall agree to openly license
3515 and share, under the broadest possible license, any open
3516 educational resources developed or adapted using the grant and
3517 post such resources to the Student Open Access Resources
3518 Repository.

3519 4. By fiscal year 2023-2024, grant funds provided to the
3520 Florida Postsecondary Academic Library Network host entity shall
3521 be awarded to Florida College System institutions and state
3522 universities.

3523 (e) Each Florida College System institution and state
3524 university shall post prominently in its course registration
3525 system and on its website, as early as is feasible, but at least
3526 45 days before the first day of class for each term, courses
3527 that utilize open educational resources and have zero textbook
3528 costs as indicated by an icon next to each eligible course. A
3529 Zero Textbook Cost Indicator developed by the Florida
3530 Postsecondary Academic Library Network may be used for this
3531 purpose.

3532 (5) ~~(4)~~ REPORTING.—

3533 (a) Beginning December 31, 2021, and each year thereafter,
3534 the host entity shall submit a report to the Chancellors of the
3535 State University System and the Florida College System regarding
3536 the implementation and operation of all components described in
3537 this section, including, but not limited to, all of the
3538 following:

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3539 1. Usage information collected under paragraph (2) (c).~~7~~
3540 2. Information and associated costs relating to the
3541 services and functions of the program.~~7~~~~and~~
3542 3. The implementation and operation of the automated
3543 library services.
3544 4. The number and value of grants awarded under paragraph
3545 (4) (d) and the distribution of those funds.
3546 5. The number and types of courses placed in the Student
3547 Open Access Resources Repository.
3548 6. Information on the utilization of the Student Open
3549 Access Resources Repository and utilization of open educational
3550 resources in course sections, by Florida College System
3551 institution and state university.
3552 (b) The Chancellors will provide an annual report on the
3553 performance of the host entity in delivering the services and
3554 any recommendations for changes needed to this section to the
3555 Governor, the President of the Senate, the Speaker of the House
3556 of Representatives, the Board of Governors, and the State Board
3557 of Education. The Board of Governors and the Department of
3558 Education shall include any necessary funding increases in their
3559 annual legislative budget requests.
3560 Section 41. Subsections (17) and (24) of section 1007.271,
3561 Florida Statutes, are amended to read:
3562 1007.271 Dual enrollment programs.—
3563 (17) Instructional materials assigned for use within dual
3564 enrollment courses shall be made available to dual enrollment
3565 students ~~from Florida public high schools~~ free of charge. A
3566 postsecondary institution may not require payment for
3567 instructional materials costs eligible for reimbursement under

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3568 s. 1009.30 ~~This subsection does not prohibit a Florida College~~
3569 ~~System institution from providing instructional materials at no~~
3570 ~~cost to a home education student or student from a private~~
3571 ~~school.~~ Instructional materials purchased by a district school
3572 board or Florida College System institution board of trustees on
3573 behalf of dual enrollment students shall be the property of the
3574 board against which the purchase is charged.

3575 (24) (a) The dual enrollment program for a private school
3576 student consists of the enrollment of an eligible private school
3577 student in a postsecondary course creditable toward an associate
3578 degree, a career certificate, or a baccalaureate degree. In
3579 addition, a private school in which a student, including, but
3580 not limited to, students with disabilities, is enrolled must
3581 award credit toward high school completion for the postsecondary
3582 course under the dual enrollment program. To participate in the
3583 dual enrollment program, an eligible private school student
3584 must:

3585 1. Provide proof of enrollment in a private school pursuant
3586 to subsection (2).

3587 2. Be responsible for his or her own ~~instructional~~
3588 ~~materials and~~ transportation unless provided for in the
3589 articulation agreement.

3590 3. Sign a private school articulation agreement pursuant to
3591 paragraph (b).

3592 (b) Each public postsecondary institution eligible to
3593 participate in the dual enrollment program pursuant to s.
3594 1011.62(1)(i) must enter into a private school articulation
3595 agreement with each eligible private school in its geographic
3596 service area seeking to offer dual enrollment courses to its

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3597 students, including, but not limited to, students with
3598 disabilities. By August 1 of each year, the eligible
3599 postsecondary institution shall complete and submit the private
3600 school articulation agreement to the Department of Education.
3601 The private school articulation agreement must include, at a
3602 minimum:

3603 1. A delineation of courses and programs available to the
3604 private school student. The postsecondary institution may add,
3605 revise, or delete courses and programs at any time.

3606 2. The initial and continued eligibility requirements for
3607 private school student participation, not to exceed those
3608 required of other dual enrollment students.

3609 3. The student's responsibilities for providing his or her
3610 own ~~instructional materials and~~ transportation.

3611 4. A provision clarifying that the private school will
3612 award appropriate credit toward high school completion for the
3613 postsecondary course under the dual enrollment program.

3614 5. A provision expressing that costs associated with
3615 tuition and fees, including registration, and laboratory fees,
3616 will not be passed along to the student.

3617 Section 42. Section 1007.36, Florida Statutes, is created
3618 to read:

3619 1007.36 Inclusive Transition and Employment Management
3620 Program.—As authorized by and consistent with funding
3621 appropriated in the General Appropriations Act, the Inclusive
3622 Transition and Employment Management Program is created within
3623 the Department of Education for the purpose of providing young
3624 adults with disabilities who are between the ages of 16 years
3625 and 28 years with transitional skills, education, and on-the-job

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3626 experience to allow them to acquire and retain permanent
3627 employment.

3628 Section 43. Subsection (1), paragraph (a) of subsection
3629 (3), and paragraphs (a) and (b) of subsection (4) of section
3630 1008.33, Florida Statutes, are amended to read:

3631 1008.33 Authority to enforce public school improvement.—

3632 (1) The State Board of Education shall comply with the
3633 federal Elementary and Secondary Education Act (ESEA), 20 U.S.C.
3634 ss. 6301 et seq., its implementing regulations, and the ESEA
3635 plan flexibility waiver approved for Florida by the United
3636 States Secretary of Education. The state board may adopt rules
3637 to maintain compliance with the ESEA and the ESEA plan
3638 flexibility waiver.

3639 (3) (a) The academic performance of all students has a
3640 significant effect on the state school system. Pursuant to Art.
3641 IX of the State Constitution, which prescribes the duty of the
3642 State Board of Education to supervise Florida's public school
3643 system, the state board shall equitably enforce the
3644 accountability requirements of the state school system and may
3645 impose state requirements on school districts in order to
3646 improve the academic performance of all districts, schools, and
3647 students based upon the provisions of the Florida Early
3648 Learning-20 Education Code, chapters 1000-1013; the federal ESEA
3649 and its implementing regulations; and the ESEA plan flexibility
3650 waveer approved for Florida by the United States Secretary of
3651 Education.

3652 (4) (a) The state board shall apply intensive intervention
3653 and support strategies tailored to the needs of schools earning
3654 two consecutive grades of "D" or a grade of "F." In the first

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3655 full school year after a school initially earns a grade of "D,"
3656 ~~two consecutive grades of "D" or a grade of "F,"~~ the school
3657 district must immediately implement intervention and support
3658 strategies prescribed in rule under paragraph (3) (c). For a
3659 school that initially earns a grade of "F" or a second
3660 consecutive grade of "D," the school district must either
3661 continue implementing or immediately begin implementing
3662 intervention and support strategies prescribed in rule under
3663 paragraph (3) (c) and, ~~by September 1,~~ provide the department, ~~by~~
3664 September 1, with the memorandum of understanding negotiated
3665 pursuant to s. 1001.42(21) and, by October 1, a district-managed
3666 turnaround plan for approval by the state board. The district-
3667 managed turnaround plan may include a proposal for the district
3668 to implement an extended school day, a summer program, ~~or~~ a
3669 combination of an extended school day and a summer program, or
3670 any other option authorized under paragraph (b) for state board
3671 approval. A school district is not required to wait until a
3672 school earns a second consecutive grade of "D" to submit a
3673 turnaround plan for approval by the state board under this
3674 paragraph. Upon approval by the state board, the school district
3675 must implement the plan for the remainder of the school year and
3676 continue the plan for 1 full school year. The state board may
3677 allow a school an additional year of implementation before the
3678 school must implement a turnaround option required under
3679 paragraph (b) if it determines that the school is likely to
3680 improve to a grade of "C" or higher after the first full school
3681 year of implementation.

3682 (b) Unless an additional year of implementation is provided
3683 pursuant to paragraph (a), a school that completes a plan cycle

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3684 under paragraph (a) and does not improve to a grade of ~~earns~~
3685 ~~three consecutive grades below a "C" or higher~~ must implement
3686 one of the following:

3687 1. Reassign students to another school and monitor the
3688 progress of each reassigned student;

3689 2. Close the school and reopen the school as one or more
3690 charter schools, each with a governing board that has a
3691 demonstrated record of effectiveness; or

3692 3. Contract with an outside entity that has a demonstrated
3693 record of effectiveness to provide turnaround services
3694 identified in state board rule, which may include school
3695 leadership, educational modalities, teacher and leadership
3696 professional development, curriculum, operation and management
3697 services, school-based administrative staffing, budgeting,
3698 scheduling, other educational service provider functions, or any
3699 combination thereof ~~operate the school~~. Selection of an outside
3700 entity may include one or a combination of the following:

3701 a. An external operator, which may be a district-managed
3702 charter school or a high-performing charter school network in
3703 which all instructional personnel are not employees of the
3704 school district, but are employees of an independent governing
3705 board composed of members who did not participate in the review
3706 or approval of the charter.

3707 b. A contractual agreement that allows for a charter school
3708 network or any of its affiliated subsidiaries to provide
3709 individualized consultancy services tailored to address the
3710 identified needs of one or more schools under this section.

3711
3712 A school district and outside entity under this subparagraph

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3713 must enter, at minimum, a 2-year, performance-based contract.
3714 The contract must include school performance and growth metrics
3715 the outside entity must meet on an annual basis. The state board
3716 may require the school district to modify or cancel the
3717 contract.

3718 Section 44. Paragraph (c) of subsection (3) of section
3719 1008.34, Florida Statutes, is amended to read:

3720 1008.34 School grading system; school report cards;
3721 district grade.—

3722 (3) DESIGNATION OF SCHOOL GRADES.—

3723 (c)1. The calculation of a school grade shall be based on
3724 the percentage of points earned from the components listed in
3725 subparagraph (b)1. and, if applicable, subparagraph (b)2. The
3726 State Board of Education shall adopt in rule a school grading
3727 scale that sets the percentage of points needed to earn each of
3728 the school grades listed in subsection (2). There shall be at
3729 least five percentage points separating the percentage
3730 thresholds needed to earn each of the school grades. The state
3731 board shall annually ~~periodically~~ review the percentage of
3732 school grades of "A" and "B" for the school year to determine
3733 whether to adjust the school grading scale upward for the
3734 following school year's school grades. The first adjustment
3735 would occur no earlier than the 2023-2024 school year. An
3736 adjustment must be made if the percentage of schools earning a
3737 grade of "A" or "B" in the current year represents 75 percent or
3738 more of all graded schools within a particular school type,
3739 which consists of elementary, middle, high, and combination. The
3740 adjustment must reset the minimum required percentage of points
3741 for each grade of "A", "B", "C", or "D" at the next highest

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3742 percentage ending in the numeral 5 or 0, whichever is closest to
3743 the current percentage. Annual reviews of the percentage of
3744 schools earning a grade of "A" or "B" and adjustments to the
3745 required points must be suspended when the following grading
3746 scale for a specific school type is achieved:

3747 a. Ninety percent or more of the points for a grade of "A".

3748 b. Eighty to eighty-nine percent of the points for a grade
3749 of "B".

3750 c. Seventy to seventy-nine percent of the points for a
3751 grade of "C".

3752 d. Sixty to sixty-nine percent of the points for a grade of
3753 "D."

3754

3755 ~~When the school grading scale to determine if the scale should~~
3756 ~~be adjusted upward to meet raised expectations and encourage~~
3757 ~~increased student performance. If the state board adjusts the~~
3758 ~~grading scale upward, the state board must inform the public and~~
3759 ~~the school districts of the reasons for and degree of the~~
3760 ~~adjustment and its anticipated impact on school grades.~~

3761 2. The calculation of school grades may not include any
3762 provision that would raise or lower the school's grade beyond
3763 the percentage of points earned. Extra weight may not be added
3764 in the calculation of any components.

3765 Section 45. Effective upon this act becoming a law, and
3766 annually until January 1, 2025, the Department of Education
3767 shall collect from each school district, by grade level, the
3768 range and median number of minutes per school year, including as
3769 a percentage of net instructional time, students in
3770 prekindergarten through grade 5 spend on district-required

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3771 assessments and coordinated screening and progress monitoring
3772 and state-required assessments and coordinated screening and
3773 progress monitoring. Annually, beginning January 1, 2023,
3774 through January 1, 2025, the department shall submit a report to
3775 the Governor and the Legislature summarizing the data collected
3776 from school districts, including recommendations for minimizing
3777 duplicative district assessments and progress monitoring.

3778 Section 46. Paragraph (a) of subsection (18) of section
3779 1009.26, Florida Statutes, is amended to read:

3780 1009.26 Fee waivers.—

3781 (18) (a) ~~Beginning with the 2021-2022 academic year,~~ For
3782 every course in a Program of Strategic Emphasis, as identified
3783 in subparagraph 3., in which a student is enrolled, a state
3784 university shall waive 100 percent of the tuition and fees for
3785 an equivalent course in such program for a student who:

3786 1. Is a resident for tuition purposes under s. 1009.21.

3787 2. Has earned at least 60 semester credit hours towards a
3788 baccalaureate degree within 2 academic years after initial
3789 enrollment at a Florida public postsecondary institution.

3790 3. Enrolls in one of 10 ~~eight~~ Programs of Strategic
3791 Emphasis as adopted by the Board of Governors. The Board of
3792 Governors shall adopt eight Programs of Strategic Emphasis in
3793 science, technology, engineering, or math and, beginning with
3794 the 2022-2023 academic year, two Programs of Strategic Emphasis
3795 in the critical workforce gap analysis category for which a
3796 student may be eligible to receive the tuition and fee waiver
3797 authorized by this subsection. The programs identified by the
3798 board must reflect the priorities of the state and be offered at
3799 a majority of state universities.

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3800 Section 47. Subsection (2), paragraph (a) of subsection
3801 (3), subsection (5), paragraph (d) of subsection (6) and
3802 subsections (7), (8), and (9) of section 1009.30, Florida
3803 Statutes, are amended to read:

3804 1009.30 Dual Enrollment Scholarship Program.—

3805 (2) The Department of Education shall administer the Dual
3806 Enrollment Scholarship Program in accordance with rules adopted
3807 by the State Board of Education pursuant to subsection (8) ~~(9)~~.

3808 (3) (a) ~~Beginning in the 2021 fall term,~~ The program shall
3809 reimburse eligible postsecondary institutions for tuition and
3810 related instructional materials costs for dual enrollment
3811 courses taken during the fall or spring terms by eligible
3812 students, consisting of:

3813 1. Private school students who take dual enrollment courses
3814 pursuant to s. 1007.271(24)(b); or

3815 2. Home education program secondary students ~~during the~~
3816 ~~fall or spring terms.~~

3817 (5) ~~Annually, by March 15,~~ Each participating institution
3818 must report to the department any eligible secondary students
3819 from private schools or home education programs who were
3820 enrolled during the ~~previous~~ fall or spring terms within 30 days
3821 after the end of regular registration. ~~Annually, by July 15,~~
3822 Each participating institution must report to the department any
3823 eligible public school, private school, or home education
3824 program students who were enrolled during the summer term within
3825 30 days after the end of regular registration. For each dual
3826 enrollment course in which the student is enrolled, the report
3827 must include a unique student identifier, the postsecondary
3828 institution name, the postsecondary course number, and the

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3829 postsecondary course name. The department shall reimburse each
3830 participating institution no later than 30 days after the
3831 institution has reported enrollment for that term.

3832 (6) (d) Institutions shall be reimbursed for instructional
3833 materials costs ~~based on a rate specified in the General~~
3834 ~~Appropriations Act.~~

3835 ~~(7) For dual enrollment courses taken during the fall and~~
3836 ~~spring terms, the department must reimburse institutions by~~
3837 ~~April 15 of the same year. For dual enrollment courses taken~~
3838 ~~during the summer term, the department must reimburse~~
3839 ~~institutions by August 15 of the same year, before the beginning~~
3840 ~~of the next academic year.~~

3841 (7) ~~(8)~~ Reimbursement for dual enrollment courses is
3842 contingent upon an appropriation in the General Appropriations
3843 Act each year. If the statewide reimbursement amount is greater
3844 than the appropriation, the institutional reimbursement amounts
3845 specified in subsection (6) shall be prorated among the
3846 institutions that have reported eligible students to the
3847 department by the deadlines specified in subsection (5).

3848 (8) ~~(9)~~ The State Board of Education shall adopt rules to
3849 implement this section.

3850 Section 48. Paragraph (c) of subsection (5) of section
3851 1009.89, Florida Statutes, is amended to read:

3852 1009.89 The William L. Boyd, IV, Effective Access to
3853 Student Education grants.—

3854 (5)

3855 (c) By September 1 of each year, institutions receiving
3856 funding as provided in the General Appropriations Act must
3857 submit an Effective Access to Student Education Grant Program

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3858 Accountability Report to the Department of Education, in a
3859 format prescribed by the department. The report must use the
3860 most recently available information on Florida resident students
3861 and include, at a minimum, the following performance metrics, by
3862 institution:

- 3863 1. Access rate based upon percentage of Pell-eligible
3864 students.
- 3865 2. Affordability rate based upon average student loan debt;
3866 federal, state, and institutional financial assistance; and
3867 average tuition and fees.
- 3868 3. Graduation rate.
- 3869 4. Retention rate.
- 3870 5. Postgraduate employment or continuing education rate.

3871
3872 The department shall recommend minimum performance standards
3873 that institutions must meet to remain eligible to receive grants
3874 pursuant to this section. Each eligible institution shall post
3875 prominently on its website, by October 1 of each year, its
3876 performance on these metrics, as reported to the department.

3877 Section 49. Subsections (5) through (9) of section
3878 1009.895, Florida Statutes, are renumbered as subsections (4)
3879 through (8), respectively, and paragraph (c) of subsection (1),
3880 subsection (4), paragraph (a) of present subsection (5), and
3881 present subsection (8) are amended to read:

3882 1009.895 Open Door Grant Program.—

3883 (1) As used in this section, the term:

3884 (c) "Institution" means school district postsecondary
3885 technical career centers under s. 1001.44, Florida College
3886 System institutions under s. 1000.21(3), ~~and~~ charter technical

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3887 career centers under s. 1002.34, and school districts with
3888 eligible integrated education and training programs.

3889 ~~(4) To be eligible to receive an open door grant under this~~
3890 ~~section, a student must complete the Free Application for~~
3891 ~~Federal Student Aid for each academic year in which the grant is~~
3892 ~~sought.~~

3893 ~~(5)~~ Subject to the availability of funds:

3894 (a) A student who enrolls in an eligible program offered by
3895 an institution and who does not receive state or federal
3896 financial aid may apply for and be awarded a grant to cover two-
3897 thirds of the cost of the program, if at the time of enrollment
3898 the student pays one-third of the cost of the program and signs
3899 an agreement to either complete the program or pay an additional
3900 one-third of the cost of the program in the event of
3901 noncompletion. The department shall reimburse the institution in
3902 an amount equal to one-third of the cost of the program upon a
3903 student's completion of the program. An additional one-third
3904 shall be provided upon attainment of a workforce credential or
3905 certificate by the student. Grant funds may be used to cover the
3906 student's one-third of the cost of the program for students in
3907 integrated education and training programs and students who do
3908 not have a high school diploma and meet the requirements
3909 established by the department. An institution may cover the
3910 student's one-third of the cost of the program based on student
3911 need, as determined by the institution.

3912 ~~(7)~~~~(8)~~ The department shall compile the data provided under
3913 paragraph (6) (d) ~~(7) (d)~~ and annually report such data, in the
3914 aggregate and categorize such information by eligible
3915 institution, to the State Board of Education. The report shall

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3916 also include information on the average wage, age, gender, race,
3917 ethnicity, veteran status, and other relevant information, of
3918 students who have completed workforce training programs
3919 categorized by credential name and relevant occupation.

3920 Section 50. Section 1009.896, Florida Statutes, is created
3921 to read:

3922 1009.896 Linking Industry to Nursing Education (LINE)
3923 Fund.—

3924 (1) This section shall be known and may be cited as the
3925 “Linking Industry to Nursing Education (LINE) Fund Act.”

3926 (2) Recognizing that the state has a persistent and growing
3927 nursing shortage, it is the intent of the Legislature to address
3928 this critical workforce need by incentivizing collaboration
3929 between nursing education programs and health care partners
3930 through the establishment of the LINE Fund. This fund is
3931 intended to meet local, regional, and state workforce demand by
3932 recruiting faculty and clinical preceptors, increasing the
3933 capacity of high-quality nursing education programs, and
3934 increasing the number of nursing education program graduates who
3935 are prepared to enter the workforce.

3936 (3) As used in this section, the term:

3937 (a) “Health care partner” means a health care provider as
3938 defined in s. 768.38(2).

3939 (b) “Institution” means a school district career center
3940 under s. 1001.44, a charter technical career center under s.
3941 1002.34, a Florida College System institution, a state
3942 university, or an independent nonprofit college or university
3943 located and chartered in this state and accredited by an agency
3944 or association that is recognized by the database created and

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3945 maintained by the United States Department of Education to grant
3946 baccalaureate degrees, which has a nursing education program
3947 that meets or exceeds the following:

3948 1. For a certified nursing assistant program, a completion
3949 rate of at least 70 percent for the prior year.

3950 2. For a licensed practical nurse, associate of science in
3951 nursing, and bachelor of science in nursing program, a first-
3952 time passage rate on the National Council of State Boards of
3953 Nursing Licensing Examination of at least 70 percent for the
3954 prior year.

3955 (c) "Student" means a person who is a resident for tuition
3956 purposes pursuant to s. 1009.21 and enrolled in a nursing
3957 education program at an institution.

3958 (4) The LINE Fund shall be administered by the Board of
3959 Governors for state universities and the Department of Education
3960 for all other institutions.

3961 (5) Subject to available funds, for every dollar
3962 contributed to an institution by a health care partner, the fund
3963 shall provide a dollar-to-dollar match to the participating
3964 institution.

3965 (6) (a) Funds may be used for student scholarships,
3966 recruitment of additional faculty, equipment, and simulation
3967 centers to advance high-quality nursing education programs
3968 throughout the state.

3969 (b) Funds may not be used for the construction of new
3970 buildings.

3971 (7) (a) To participate, an institution must submit a timely
3972 and completed proposal to the Board of Governors or Department
3973 of Education, in a format prescribed by the Board of Governors

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3974 or Department of Education, as applicable.

3975 (b) The proposal must identify a health care partner
3976 located and licensed to operate in the state whose monetary
3977 contributions will be matched by the fund on a dollar-to-dollar
3978 basis.

3979 (8) The Board of Governors or Department of Education, as
3980 applicable, must review and evaluate each completed and timely
3981 submitted proposal according to the following minimum criteria:

3982 (a) Whether funds committed by the health care partner will
3983 contribute to an eligible purpose.

3984 (b) How the institution plans to use the funds, including
3985 how such funds will be utilized to increase student enrollment
3986 and program completion.

3987 (c) How the health care partner will onboard and retain
3988 graduates.

3989 (d) How the funds will expand the institution's nursing
3990 education programs to meet local, regional, or state workforce
3991 demands. If applicable, this shall include advanced education
3992 nursing programs and how the funds will increase the number of
3993 faculty and clinical preceptors and planned efforts to utilize
3994 the clinical placement process established in s. 14.36.

3995 (9) (a) Each institution with an approved proposal shall
3996 notify the Board of Governors or Department of Education, as
3997 applicable, upon receipt of the health care partner provided
3998 funds identified in the proposal. The Board of Governors or
3999 Department of Education, as applicable, shall release grant
4000 funds, on a dollar-for-dollar basis, up to the amount of funds
4001 received by the institution.

4002 (b) Annually, by February 1, each institution awarded grant

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4003 funds in the previous fiscal year shall submit a report to the
4004 Board of Governors or Department of Education, as applicable,
4005 that demonstrates the expansion as outlined in the proposal and
4006 the use of funds. At minimum, the report must include, by
4007 program level, the number of additional nursing education
4008 students enrolled; if scholarships were awarded using grant
4009 funds, the number of students who received scholarships and the
4010 average award amount; and the outcomes of students as reported
4011 by the Florida Talent Development Council pursuant to s.
4012 1004.015(6).

4013 (10) The Board of Governors shall adopt regulations and the
4014 State Board of Education shall adopt rules to administer the
4015 fund, establish dates for the submission and review of
4016 proposals, award funds, and other regulations and rules
4017 necessary to implement this section.

4018 Section 51. Section 1009.897, Florida Statutes, is created
4019 to read:

4020 1009.897 Prepping Institutions, Programs, Employers, and
4021 Learners through Incentives for Nursing Education (PIPELINE)
4022 Fund.—

4023 (1) A Prepping Institutions, Programs, Employers, and
4024 Learners through Incentives for Nursing Education (PIPELINE)
4025 Fund is created to reward performance and excellence among
4026 public postsecondary nursing education programs.

4027 (2) As used in this section, the term, "institution" means
4028 a school district career center under s. 1001.44 that offers a
4029 licensed practical nurse program, a charter technical career
4030 center under s. 1002.34 that offers a licensed practical nurse
4031 program, a Florida College System institution, or a state

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4032 university.

4033 (3) Subject to appropriation, each institution shall
4034 receive an allocation based on the performance of its respective
4035 nursing education program or programs according to the following
4036 metrics:

4037 (a) The number of nursing education program completers, by
4038 program.

4039 (b)1. The first-time National Council of State Boards of
4040 Nursing Licensing Examination passage rate of the institution's
4041 nursing education program completers, by program.

4042 2. The allocations shall reward excellence among nursing
4043 education programs with an average first-time National Council
4044 of State Boards of Nursing Licensing Examination passage rate
4045 above the national average.

4046 (4) The Board of Governors shall adopt regulations and
4047 State Board of Education shall adopt rules to administer this
4048 section.

4049 Section 52. Paragraph (a) of subsection (3) of section
4050 1010.20, Florida Statutes, is amended to read:

4051 1010.20 Cost accounting and reporting for school
4052 districts.—

4053 (3) PROGRAM EXPENDITURE REQUIREMENTS.—

4054 (a) Each district shall expend at least the percent of the
4055 funds generated by each of the programs listed in this section
4056 on the aggregate total school costs for such programs:

4057 1. Kindergarten and grades 1, 2, and 3, 90 percent.

4058 2. Grades 4, 5, 6, 7, and 8, 80 percent.

4059 3. Grades 9, 10, 11, and 12, 80 percent.

4060 4. Programs for exceptional students, on an aggregate

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4061 program basis, 90 percent.

4062 5. Grades 7 through 12 career education programs, on an
4063 aggregate program basis, 80 percent.

4064 6. Students-at-risk programs, on an aggregate program
4065 basis, 80 percent.

4066 7. Juvenile justice programs, on an aggregate program
4067 basis, 95 ~~90~~ percent.

4068 8. Any new program established and funded under s.
4069 1011.62(1)(c), that is not included under subparagraphs 1.-7.,
4070 on an aggregate basis as appropriate, 80 percent.

4071 Section 53. Subsection (3) of section 1011.48, Florida
4072 Statutes, is amended to read:

4073 1011.48 Establishment of educational research centers for
4074 child development.—

4075 (3) Each center is authorized to charge fees for the care
4076 and services it provides, subject to the fees authorized by s.
4077 1009.24(14). ~~Such fees must be approved by the Board of~~
4078 ~~Governors and may be imposed on a sliding scale based on ability~~
4079 ~~to pay or any other factors deemed relevant by the board.~~

4080 Section 54. Subsections (11) through (14) of section
4081 1011.62, Florida Statutes, are renumbered as (10) through (13),
4082 respectively, subsections (16) through (19) are renumbered as
4083 subsections (14) through (17), respectively, and paragraph (s)
4084 of subsection (1), paragraph (a) of subsection (4), paragraphs
4085 (b) and (d) of subsection (6), paragraphs (a) and (b) of
4086 subsection (7), subsection (8), subsection (10), and present
4087 subsections (12) and (15) of that section are amended, to read:

4088 1011.62 Funds for operation of schools.—If the annual
4089 allocation from the Florida Education Finance Program to each

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4090 district for operation of schools is not determined in the
4091 annual appropriations act or the substantive bill implementing
4092 the annual appropriations act, it shall be determined as
4093 follows:

4094 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
4095 OPERATION.—The following procedure shall be followed in
4096 determining the annual allocation to each district for
4097 operation:

4098 (s) *Determination of the basic amount for current*
4099 *operation.*—The basic amount for current operation to be included
4100 in the Florida Education Finance Program for kindergarten
4101 through grade 12 for each district shall be the product of the
4102 following:

4103 1. The full-time equivalent student membership in each
4104 program, multiplied by

4105 2. The cost factor for each program, adjusted for the
4106 maximum as provided by paragraph (c), multiplied by

4107 3. The district cost differential, multiplied by

4108 4.3. The base student allocation.

4109 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
4110 Legislature shall prescribe the aggregate required local effort
4111 for all school districts collectively as an item in the General
4112 Appropriations Act for each fiscal year. The amount that each
4113 district shall provide annually toward the cost of the Florida
4114 Education Finance Program for kindergarten through grade 12
4115 programs shall be calculated as follows:

4116 (a) *Estimated taxable value calculations.*—

4117 1.a. Not later than 2 working days before July 19, the
4118 Department of Revenue shall certify to the Commissioner of

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4119 Education its most recent estimate of the taxable value for
4120 school purposes in each school district and the total for all
4121 school districts in the state for the current calendar year
4122 based on the latest available data obtained from the local
4123 property appraisers. The value certified shall be the taxable
4124 value for school purposes for that year, and no further
4125 adjustments shall be made, except those made pursuant to
4126 paragraphs (c) and (d), or an assessment roll change required by
4127 final judicial decisions as specified in paragraph (15) (b)
4128 ~~(17) (b)~~. Not later than July 19, the Commissioner of Education
4129 shall compute a millage rate, rounded to the next highest one
4130 one-thousandth of a mill, which, when applied to 96 percent of
4131 the estimated state total taxable value for school purposes,
4132 would generate the prescribed aggregate required local effort
4133 for that year for all districts. The Commissioner of Education
4134 shall certify to each district school board the millage rate,
4135 computed as prescribed in this subparagraph, as the minimum
4136 millage rate necessary to provide the district required local
4137 effort for that year.

4138 b. The General Appropriations Act shall direct the
4139 computation of the statewide adjusted aggregate amount for
4140 required local effort for all school districts collectively from
4141 ad valorem taxes to ensure that no school district's revenue
4142 from required local effort millage will produce more than 90
4143 percent of the district's total Florida Education Finance
4144 Program calculation as calculated and adopted by the
4145 Legislature, and the adjustment of the required local effort
4146 millage rate of each district that produces more than 90 percent
4147 of its total Florida Education Finance Program entitlement to a

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4148 level that will produce only 90 percent of its total Florida
4149 Education Finance Program entitlement in the July calculation.

4150 2. On the same date as the certification in sub-
4151 subparagraph 1.a., the Department of Revenue shall certify to
4152 the Commissioner of Education for each district:

4153 a. Each year for which the property appraiser has certified
4154 the taxable value pursuant to s. 193.122(2) or (3), if
4155 applicable, since the prior certification under sub-subparagraph
4156 1.a.

4157 b. For each year identified in sub-subparagraph a., the
4158 taxable value certified by the appraiser pursuant to s.
4159 193.122(2) or (3), if applicable, since the prior certification
4160 under sub-subparagraph 1.a. This is the certification that
4161 reflects all final administrative actions of the value
4162 adjustment board.

4163 (6) CATEGORICAL FUNDS.—

4164 (b) If a district school board finds and declares in a
4165 resolution adopted at a regular meeting of the school board that
4166 the funds received for any of the following categorical
4167 appropriations are urgently needed to maintain school board
4168 specified academic classroom instruction or improve school
4169 safety, the school board may consider and approve an amendment
4170 to the school district operating budget transferring the
4171 identified amount of the categorical funds to the appropriate
4172 account for expenditure:

4173 1. Funds for student transportation.

4174 2. ~~Funds for evidence-based reading instruction if the~~
4175 ~~required additional hour of instruction beyond the normal school~~
4176 ~~day for each day of the entire school year has been provided for~~

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4177 ~~the students in each low performing elementary school in the~~
4178 ~~district pursuant to paragraph (8) (a).~~

4179 ~~3.~~ Funds for instructional materials if all instructional
4180 material purchases necessary to provide updated materials that
4181 are aligned with applicable state standards and course
4182 descriptions and that meet statutory requirements of content and
4183 learning have been completed for that fiscal year, but no sooner
4184 than March 1. Funds available after March 1 may be used to
4185 purchase computers and device hardware for student instruction
4186 that comply with the requirements of s. 1001.20 (4) (a) 1.b.

4187 ~~3.4.~~ Funds for the guaranteed allocation as provided in
4188 subparagraph (1) (e) 2.

4189 ~~4.5.~~ Funds for the supplemental academic instruction
4190 allocation as provided in paragraph (1) (f).

4191 ~~6. Funds for the Florida digital classrooms allocation as~~
4192 ~~provided in subsection (10).~~

4193 ~~5.7.~~ Funds for the federally connected student supplement
4194 as provided in subsection (10) ~~(11)~~.

4195 ~~6.8.~~ Funds for class size reduction as provided in s.
4196 1011.685.

4197 ~~(d) If a district school board transfers funds from its~~
4198 ~~evidence-based reading instruction allocation, the board must~~
4199 ~~also submit to the Department of Education an amendment~~
4200 ~~describing the changes that the district is making to its~~
4201 ~~reading plan approved pursuant to paragraph (8) (d).~~

4202 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

4203 (a) Annually, in an amount to be determined by the
4204 Legislature through the General Appropriations Act, there shall
4205 be added to the basic amount for current operation of the FEFP

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4206 qualified districts a sparsity supplement which shall be
 4207 computed as follows:

4208
 4209

$$\text{Sparsity Factor} = \frac{1101.8918}{2700 + \text{district sparsity index}} - 0.1101$$

4210

4211
 4212
 4213
 4214 except that districts with a sparsity index of 1,000 or less
 4215 shall be computed as having a sparsity index of 1,000, and
 4216 districts having a sparsity index of 7,308 and above shall be
 4217 computed as having a sparsity factor of zero. A qualified
 4218 district's full-time equivalent student membership shall equal
 4219 or be less than that prescribed annually by the Legislature in
 4220 the appropriations act. The amount prescribed annually by the
 4221 Legislature shall be no less than 17,000, but no more than
 4222 30,000 ~~24,000~~.

4223 (b) The district sparsity index shall be computed by
 4224 dividing the total number of full-time equivalent students in
 4225 all programs in the district by the number of senior high school
 4226 centers in the district, not in excess of three, which centers
 4227 are approved as permanent centers by a survey made by the
 4228 Department of Education. For districts with a full-time
 4229 equivalent student membership of at least 20,000, but no more
 4230 than 30,000 ~~24,000~~, the index shall be computed by dividing the

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4231 total number of full-time equivalent students in all programs by
4232 the number of permanent senior high school centers in the
4233 district, not in excess of four.

4234 (8) EVIDENCE-BASED READING INSTRUCTION ALLOCATION.—

4235 (a) The evidence-based reading instruction allocation is
4236 created to provide comprehensive reading instruction to students
4237 in prekindergarten ~~kindergarten~~ through grade 12, ~~including~~
4238 ~~certain students who have completed the Voluntary~~
4239 ~~Prekindergarten Education Program and who are at risk of being~~
4240 ~~identified as having a substantial deficiency in early literacy~~
4241 ~~skills under s. 1008.25(8)(c). Each school district that has one~~
4242 ~~or more of the 300 lowest performing elementary schools based on~~
4243 ~~a 3-year average of the state reading assessment data must use~~
4244 ~~the school's portion of the allocation to provide an additional~~
4245 ~~hour per day of intensive reading instruction for the students~~
4246 ~~in each school. The additional hour may be provided within the~~
4247 ~~school day. Students enrolled in these schools who earned a~~
4248 ~~level 4 or level 5 score on the statewide, standardized English~~
4249 ~~Language Arts assessment for the previous school year may~~
4250 ~~participate in the additional hour of instruction. Exceptional~~
4251 ~~student education centers may not be included in the 300~~
4252 ~~schools. The~~

4253 (b) Intensive reading instruction for students who have
4254 reading deficiencies must ~~delivered in this additional hour~~
4255 ~~shall include:~~ evidence-based reading instruction ~~that has been~~
4256 proven to accelerate progress of students exhibiting a reading
4257 deficiency; differentiated instruction based on screening,
4258 diagnostic, progress monitoring, or student assessment data to
4259 meet students' specific reading needs; explicit and systematic

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4260 reading strategies to develop phonemic awareness, phonics,
4261 fluency, vocabulary, and comprehension, with more extensive
4262 opportunities for guided practice, error correction, and
4263 feedback; and the coordinated integration of civic literacy,
4264 science, and mathematics-text reading, text discussion, and
4265 writing in response to reading.

4266 (c)~~(b)~~ Funds for comprehensive, evidence-based reading
4267 instruction shall be allocated annually to each school district
4268 in the amount provided in the General Appropriations Act. Each
4269 eligible school district shall receive the same minimum amount
4270 as specified in the General Appropriations Act, and any
4271 remaining funds shall be distributed to eligible school
4272 districts based on each school district's proportionate share of
4273 K-12 base funding.

4274 (d)~~(e)~~ Funds allocated under this subsection must be used
4275 to provide a system of comprehensive reading instruction to
4276 students enrolled in the prekindergarten-12 ~~K-12~~ programs and
4277 certain students who exhibit a substantial deficiency in early
4278 literacy and ~~completed the Voluntary Prekindergarten Education~~
4279 ~~Program pursuant to s. 1008.25(5)(b)~~, which may include the
4280 following:

4281 1. Additional time ~~An additional hour~~ per day of evidence-
4282 based intensive reading instruction to students, which may be
4283 delivered during or outside of the regular school day in the 300
4284 ~~lowest-performing elementary schools by teachers and reading~~
4285 ~~specialists who have demonstrated effectiveness in teaching~~
4286 ~~reading as required in paragraph (a).~~

4287 2. Kindergarten through grade 12 ~~5~~ evidence-based intensive
4288 reading interventions ~~provided by reading intervention teachers~~

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4289 ~~during the school day and in the required extra hour for~~
4290 ~~students identified as having a substantial reading deficiency.~~

4291 3. Highly qualified reading coaches, who must be endorsed
4292 in reading, to specifically support teachers in making
4293 instructional decisions based on student data, and improve
4294 teacher delivery of effective reading instruction, intervention,
4295 and reading in the content areas based on student need.

4296 4. Professional development ~~for school district teachers in~~
4297 ~~scientifically researched and evidence-based reading~~
4298 ~~instruction, including strategies to teach reading in content~~
4299 ~~areas and with an emphasis on technical and informational text,~~
4300 to help instructional personnel and certified prekindergarten
4301 teachers funded in the Florida Education Finance Program school
4302 ~~district teachers~~ earn a certification, a credential, ~~or~~ an
4303 endorsement, or an advanced degree in scientifically researched
4304 and evidence-based reading instruction.

4305 5. Summer reading camps, using only teachers or other
4306 district personnel who possess a micro-credential as specified
4307 in s. 1003.485 or are certified or endorsed in reading
4308 consistent with s. 1008.25(7)(b)3., for all students in
4309 kindergarten through grade 5 ~~2~~ who demonstrate a reading
4310 deficiency as determined by district and state assessments, ~~7~~
4311 ~~students in grades 3 through 5 who score at Level 1 on the~~
4312 ~~statewide, standardized English Language Arts assessment, and~~
4313 ~~certain students who exhibit a substantial deficiency in early~~
4314 ~~literacy and completed the Voluntary Prekindergarten Education~~
4315 ~~Program under s. 1008.25(5)(b).~~

4316 6. Scientifically researched and evidence-based
4317 supplemental instructional materials as identified by the Just

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4318 Read, Florida! Office pursuant to s. 1001.215(8).

4319 7. Incentives for instructional personnel and certified
4320 prekindergarten teachers funded in the Florida Education Finance
4321 Program who possess a reading certification or endorsement or
4322 micro-credential as specified in s. 1003.485 and provide
4323 educational support to improve student literacy ~~Evidence-based~~
4324 ~~intensive reading interventions for students in kindergarten~~
4325 ~~through grade 12 who have been identified as having a~~
4326 ~~substantial reading deficiency or who are reading below grade~~
4327 ~~level as determined by the statewide, standardized English~~
4328 ~~Language Arts assessment or for certain students who exhibit a~~
4329 ~~substantial deficiency in early literacy and completed the~~
4330 ~~Voluntary Prekindergarten Education Program under s.~~
4331 ~~1008.25(5)(b).~~

4332 8. Tutoring in reading.

4333 (e)1. ~~(d)1.~~ Annually, by a date determined by the Department
4334 of Education ~~but before May 1,~~ each school district ~~districts~~
4335 shall submit a comprehensive reading plan approved by the
4336 applicable district school board, charter school governing
4337 board, or lab school board of trustees, for the specific use of
4338 the evidence-based reading instruction allocation, based upon a
4339 root-cause analysis. The State Regional Literacy Director may
4340 assist in the development of the plan ~~in the format prescribed~~
4341 ~~by the department for review and approval by the Just Read,~~
4342 ~~Florida! Office created pursuant to s. 1001.215.~~ The plan format
4343 shall be developed with input from school district personnel,
4344 including teachers and principals, and shall provide for
4345 ~~intensive reading interventions identified through a root-cause~~
4346 ~~analysis of student performance data and reflection tool~~

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4347 ~~developed by the department to evaluate the effectiveness of~~
4348 ~~interventions implemented in the prior year. The department~~
4349 ~~shall provide a plan format. A district school board may use the~~
4350 ~~format developed by the department or a format developed by the~~
4351 ~~district school board.~~

4352 2. Intensive reading interventions must be delivered by
4353 instructional personnel who possess the micro-credential as
4354 provided in s. 1003.485 or are certified or endorsed in reading
4355 and must incorporate evidence-based strategies identified by the
4356 Just Read, Florida! Office pursuant to s. 1001.215(8).

4357 Instructional personnel who possess a micro-credential as
4358 specified in s. 1003.485 and are delivering intensive reading
4359 interventions must be supervised by an individual certified or
4360 endorsed in reading. For the purposes of this subsection, the
4361 term "supervision" means the ability to communicate by way of
4362 telecommunication with or physical presence of the certified or
4363 endorsed personnel for consultation and direction of the actions
4364 of the personnel with the micro-credential.

4365 ~~3.2. By July 1 of each year, the department shall release~~
4366 ~~to each school district with an approved plan its allocation of~~
4367 ~~appropriated funds. If a school district and the Just Read,~~
4368 ~~Florida! Office cannot reach agreement on the contents of the~~
4369 ~~plan, the school district may appeal to the State Board of~~
4370 ~~Education for resolution. School districts shall be allowed~~
4371 ~~reasonable flexibility in designing their plans and shall be~~
4372 ~~encouraged to offer reading intervention through innovative~~
4373 ~~methods, including career academies. The department shall~~
4374 ~~withhold funds upon a determination that reading instruction~~
4375 ~~allocation funds are not being used to implement the approved~~

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4376 ~~plan.~~ The department shall evaluate the implementation of each
4377 district plan, including conducting site visits and collecting
4378 specific data on expenditures and reading improvement results.
4379 By February 1 of each year, the department shall report its
4380 findings to the Legislature and the State Board of Education,
4381 including any recommendations for improving implementation of
4382 evidence-based reading and intervention strategies in
4383 classrooms.

4384 ~~3. Each school district that has a school designated as one~~
4385 ~~of the 300 lowest-performing elementary schools as specified in~~
4386 ~~paragraph (a) shall specifically delineate in the comprehensive~~
4387 ~~reading plan, or in an addendum to the comprehensive reading~~
4388 ~~plan, the implementation design and reading intervention~~
4389 ~~strategies that will be used for the required additional hour of~~
4390 ~~reading instruction. The term "reading intervention" includes~~
4391 ~~evidence-based strategies frequently used to remediate reading~~
4392 ~~deficiencies and also includes individual instruction, tutoring,~~
4393 ~~mentoring, or the use of technology that targets specific~~
4394 ~~reading skills and abilities.~~

4395
4396 For purposes of this subsection, the term "evidence-based" means
4397 demonstrating a statistically significant effect on improving
4398 student outcomes or other relevant outcomes as provided in 20
4399 U.S.C. s. 8101(21) (A) (i).

4400 ~~(10) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—~~

4401 ~~(a) The Florida digital classrooms allocation is created to~~
4402 ~~support the efforts of school districts and schools, including~~
4403 ~~charter schools, to integrate technology in classroom teaching~~
4404 ~~and learning to ensure students have access to high-quality~~

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4405 ~~electronic and digital instructional materials and resources,~~
4406 ~~and empower classroom teachers to help their students succeed.~~
4407 ~~Each school district shall receive a minimum digital classrooms~~
4408 ~~allocation in the amount provided in the General Appropriations~~
4409 ~~Act. The remaining balance of the digital classrooms allocation~~
4410 ~~shall be allocated based on each school district's proportionate~~
4411 ~~share of the state's total unweighted full-time equivalent~~
4412 ~~student enrollment.~~

4413 ~~(b) Funds allocated under this subsection must be used for~~
4414 ~~costs associated with:~~

4415 ~~1. Acquiring and maintaining the items on the eligible~~
4416 ~~services list authorized by the Universal Service Administrative~~
4417 ~~Company for the Schools and Libraries Program, more commonly~~
4418 ~~referred to as the federal E-rate program.~~

4419 ~~2. Acquiring computer and device hardware and associated~~
4420 ~~operating system software that comply with the requirements of~~
4421 ~~s. 1001.20(4)(a)1.b.~~

4422 ~~3. Providing professional development, including in-state~~
4423 ~~conference attendance or online coursework, to enhance the use~~
4424 ~~of technology for digital instructional strategies.~~

4425 ~~(11)~~ (12) QUALITY ASSURANCE GUARANTEE.—The Legislature may
4426 annually in the General Appropriations Act determine a
4427 percentage increase in funds per K-12 unweighted FTE as a
4428 minimum guarantee to each school district. The guarantee shall
4429 be calculated from prior year base funding per unweighted FTE
4430 student which shall include the adjusted FTE dollars as provided
4431 in subsection (15) ~~(17)~~, quality guarantee funds, and actual
4432 nonvoted discretionary local effort from taxes. From the base
4433 funding per unweighted FTE, the increase shall be calculated for

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4434 the current year. The current year funds from which the
4435 guarantee shall be determined shall include the adjusted FTE
4436 dollars as provided in subsection (15) ~~(17)~~ and potential
4437 nonvoted discretionary local effort from taxes. A comparison of
4438 current year funds per unweighted FTE to prior year funds per
4439 unweighted FTE shall be computed. For those school districts
4440 which have less than the legislatively assigned percentage
4441 increase, funds shall be provided to guarantee the assigned
4442 percentage increase in funds per unweighted FTE student. Should
4443 appropriated funds be less than the sum of this calculated
4444 amount for all districts, the commissioner shall prorate each
4445 district's allocation. This provision shall be implemented to
4446 the extent specifically funded.

4447 ~~(15) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION. The~~
4448 ~~Legislature may provide an annual funding compression and hold~~
4449 ~~harmless allocation in the General Appropriations Act. The~~
4450 ~~allocation is created to provide additional funding to school~~
4451 ~~districts if the school district's total funds per FTE in the~~
4452 ~~prior year were less than the statewide average or if the school~~
4453 ~~district's district cost differential in the current year is~~
4454 ~~less than the prior year. The total allocation shall be~~
4455 ~~distributed to eligible school districts as follows:~~

4456 ~~(a) Using the most recent prior year FEFP calculation for~~
4457 ~~each eligible school district, subtract the total school~~
4458 ~~district funds per FTE from the state average funds per FTE, not~~
4459 ~~including any adjustments made pursuant to paragraph (17) (b).~~
4460 ~~The resulting funds per FTE difference, or a portion thereof, as~~
4461 ~~designated in the General Appropriations Act, shall then be~~
4462 ~~multiplied by the school district's total unweighted FTE.~~

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4463 ~~(b) Multiply the absolute value of the difference between~~
4464 ~~the eligible school district's current year district cost~~
4465 ~~differential and the prior year district cost differential by a~~
4466 ~~hold harmless factor as designated in the General Appropriations~~
4467 ~~Act. The result is the district cost differential hold harmless~~
4468 ~~index. Multiply the index by the eligible school district's~~
4469 ~~weighted FTE and by the base student allocation as designated in~~
4470 ~~the General Appropriations Act.~~

4471 ~~(c) For each district, select the greater of the amounts~~
4472 ~~calculated in paragraphs (a) and (b) and upon summation, if the~~
4473 ~~total amount is greater than the amount included in the General~~
4474 ~~Appropriations Act, the allocation shall be prorated to the~~
4475 ~~appropriation amount based on each participating school~~
4476 ~~district's share.~~

4477
4478 ~~This subsection expires July 1, 2022.~~

4479 Section 55. Subsection (5) of section 1011.68, Florida
4480 Statutes, is amended to read:

4481 1011.68 Funds for student transportation.—The annual
4482 allocation to each district for transportation to public school
4483 programs, including charter schools as provided in s.
4484 1002.33(17)(b), of students in membership in kindergarten
4485 through grade 12 and in migrant and exceptional student programs
4486 below kindergarten shall be determined as follows:

4487 (5) Funds allocated or apportioned for the payment of
4488 student transportation services may be used to pay for
4489 transportation of students to and from school on local general
4490 purpose transportation systems. Student transportation funds may
4491 also be used to pay for transportation of students to and from

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4492 school in private passenger cars and boats when ~~the~~
4493 transportation on a school bus is impractical or when the
4494 transportation is for isolated students, ~~or students with~~
4495 disabilities, or to support parents or carpools, as defined by
4496 rule. Subject to the rules of the State Board of Education, each
4497 school district shall determine and report the number of
4498 assigned students using general purpose transportation private
4499 passenger cars and boats. The allocation per student must be
4500 equal to the allocation per student riding a school bus.

4501 Section 56. Subsection (1) of section 1011.71, Florida
4502 Statutes, is amended to read:

4503 1011.71 District school tax.—

4504 (1) If the district school tax is not provided in the
4505 General Appropriations Act or the substantive bill implementing
4506 the General Appropriations Act, each district school board
4507 desiring to participate in the state allocation of funds for
4508 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(17)~~
4509 shall levy on the taxable value for school purposes of the
4510 district, exclusive of millage voted under s. 9(b) or s. 12,
4511 Art. VII of the State Constitution, a millage rate not to exceed
4512 the amount certified by the commissioner as the minimum millage
4513 rate necessary to provide the district required local effort for
4514 the current year, pursuant to s. 1011.62(4)(a)1. In addition to
4515 the required local effort millage levy, each district school
4516 board may levy a nonvoted current operating discretionary
4517 millage. The Legislature shall prescribe annually in the
4518 appropriations act the maximum amount of millage a district may
4519 levy.

4520 Section 57. Effective upon this act becoming a law,

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4521 paragraph (c) of subsection (1) of section 1012.22, Florida
4522 Statutes, is amended to read:

4523 1012.22 Public school personnel; powers and duties of the
4524 district school board.—The district school board shall:

4525 (1) Designate positions to be filled, prescribe
4526 qualifications for those positions, and provide for the
4527 appointment, compensation, promotion, suspension, and dismissal
4528 of employees as follows, subject to the requirements of this
4529 chapter:

4530 (c) *Compensation and salary schedules.*—

4531 1. Definitions.—As used in this paragraph:

4532 a. "Adjustment" means an addition to the base salary
4533 schedule that is not a bonus and becomes part of the employee's
4534 permanent base salary and shall be considered compensation under
4535 s. 121.021(22).

4536 b. "Grandfathered salary schedule" means the salary
4537 schedule or schedules adopted by a district school board before
4538 July 1, 2014, pursuant to subparagraph 4.

4539 c. "Instructional personnel" means instructional personnel
4540 as defined in s. 1012.01(2)(a)-(d), excluding substitute
4541 teachers.

4542 d. "Performance salary schedule" means the salary schedule
4543 or schedules adopted by a district school board pursuant to
4544 subparagraph 5.

4545 e. "Salary schedule" means the schedule or schedules used
4546 to provide the base salary for district school board personnel.

4547 f. "School administrator" means a school administrator as
4548 defined in s. 1012.01(3)(c).

4549 g. "Supplement" means an annual addition to the base salary

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4550 for the term of the negotiated supplement as long as the
4551 employee continues his or her employment for the purpose of the
4552 supplement. A supplement does not become part of the employee's
4553 continuing base salary but shall be considered compensation
4554 under s. 121.021(22).

4555 2. Cost-of-living adjustment.—A district school board may
4556 provide a cost-of-living salary adjustment if the adjustment:

4557 a. Does not discriminate among comparable classes of
4558 employees based upon the salary schedule under which they are
4559 compensated.

4560 b. Does not exceed 50 percent of the annual adjustment
4561 provided to instructional personnel rated as effective.

4562 3. Advanced degrees.—A district school board may not use
4563 advanced degrees in setting a salary schedule for instructional
4564 personnel or school administrators hired on or after July 1,
4565 2011, unless the advanced degree is held in the individual's
4566 area of certification and is only a salary supplement.

4567 4. Grandfathered salary schedule.—

4568 a. The district school board shall adopt a salary schedule
4569 or salary schedules to be used as the basis for paying all
4570 school employees hired before July 1, 2014. Instructional
4571 personnel on annual contract as of July 1, 2014, shall be placed
4572 on the performance salary schedule adopted under subparagraph 5.
4573 Instructional personnel on continuing contract or professional
4574 service contract may opt into the performance salary schedule if
4575 the employee relinquishes such contract and agrees to be
4576 employed on an annual contract under s. 1012.335. Such an
4577 employee shall be placed on the performance salary schedule and
4578 may not return to continuing contract or professional service

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4579 contract status. Any employee who opts into the performance
4580 salary schedule may not return to the grandfathered salary
4581 schedule.

4582 b. In determining the grandfathered salary schedule for
4583 instructional personnel, a district school board must base a
4584 portion of each employee's compensation upon performance
4585 demonstrated under s. 1012.34 and shall provide differentiated
4586 pay for both instructional personnel and school administrators
4587 based upon district-determined factors, including, but not
4588 limited to, additional responsibilities, school demographics,
4589 critical shortage areas, and level of job performance
4590 difficulties.

4591 5. Performance salary schedule.—By July 1, 2014, the
4592 district school board shall adopt a performance salary schedule
4593 that provides annual salary adjustments for instructional
4594 personnel and school administrators based upon performance
4595 determined under s. 1012.34. Employees hired on or after July 1,
4596 2014, or employees who choose to move from the grandfathered
4597 salary schedule to the performance salary schedule shall be
4598 compensated pursuant to the performance salary schedule once
4599 they have received the appropriate performance evaluation for
4600 this purpose.

4601 a. Base salary.—The base salary shall be established as
4602 follows:

4603 (I) The base salary for instructional personnel or school
4604 administrators who opt into the performance salary schedule
4605 shall be the salary paid in the prior year, including
4606 adjustments only.

4607 (II) Instructional personnel or school administrators new

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4608 to the district, returning to the district after a break in
4609 service without an authorized leave of absence, or appointed for
4610 the first time to a position in the district in the capacity of
4611 instructional personnel or school administrator shall be placed
4612 on the performance salary schedule. Beginning July 1, 2021, and
4613 until such time as the minimum base salary as defined in s.
4614 1011.62(14) ~~s. 1011.62(16)~~ equals or exceeds \$47,500, the annual
4615 increase to the minimum base salary shall not be less than 150
4616 percent of the largest adjustment made to the salary of an
4617 employee on the grandfathered salary schedule. Thereafter, the
4618 annual increase to the minimum base salary shall not be less
4619 than 75 percent of the largest adjustment for an employee on the
4620 grandfathered salary schedule.

4621 b. Salary adjustments.—Salary adjustments for highly
4622 effective or effective performance shall be established as
4623 follows:

4624 (I) The annual salary adjustment under the performance
4625 salary schedule for an employee rated as highly effective must
4626 be at least 25 percent greater than the highest annual salary
4627 adjustment available to an employee of the same classification
4628 through any other salary schedule adopted by the district.

4629 (II) The annual salary adjustment under the performance
4630 salary schedule for an employee rated as effective must be equal
4631 to at least 50 percent and no more than 75 percent of the annual
4632 adjustment provided for a highly effective employee of the same
4633 classification.

4634 (III) A salary schedule shall not provide an annual salary
4635 adjustment for an employee who receives a rating other than
4636 highly effective or effective for the year.

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4637 c. Salary supplements.—In addition to the salary
4638 adjustments, each district school board shall provide for salary
4639 supplements for activities that must include, but are not
4640 limited to:

4641 (I) Assignment to a Title I eligible school.

4642 (II) Assignment to a school that earned a grade of "F" or
4643 three consecutive grades of "D" pursuant to s. 1008.34 such that
4644 the supplement remains in force for at least 1 year following
4645 improved performance in that school.

4646 (III) Certification and teaching in critical teacher
4647 shortage areas. Statewide critical teacher shortage areas shall
4648 be identified by the State Board of Education under s. 1012.07.
4649 However, the district school board may identify other areas of
4650 critical shortage within the school district for purposes of
4651 this sub-sub-subparagraph and may remove areas identified by the
4652 state board which do not apply within the school district.

4653 (IV) Assignment of additional academic responsibilities.

4654
4655 If budget constraints in any given year limit a district school
4656 board's ability to fully fund all adopted salary schedules, the
4657 performance salary schedule shall not be reduced on the basis of
4658 total cost or the value of individual awards in a manner that is
4659 proportionally greater than reductions to any other salary
4660 schedules adopted by the district. Any compensation for
4661 longevity of service awarded to instructional personnel who are
4662 on any other salary schedule must be included in calculating the
4663 salary adjustments required by sub-subparagraph b.

4664 Section 58. Effective January 1, 2023, section 1012.315,
4665 Florida Statutes, is amended to read:

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4666 1012.315 Screening standards.—A person is ineligible for
4667 educator certification or employment in any position that
4668 requires direct contact with students in a district school
4669 system, a charter school, or a private school that participates
4670 in a state scholarship program under chapter 1002 if the person
4671 is on the disqualification list maintained by the department
4672 pursuant to s. 1001.10(4)(b), is registered as a sex offender as
4673 described in 42 U.S.C. s. 9858f(c)(1)(C), would be ineligible
4674 for an exemption under s. 435.07(4)(c), or has been convicted or
4675 found guilty of, has had adjudication withheld for, or has pled
4676 guilty or nolo contendere to:

4677 (1) Any felony offense prohibited under any of the
4678 following statutes:

4679 (a) Section 393.135, relating to sexual misconduct with
4680 certain developmentally disabled clients and reporting of such
4681 sexual misconduct.

4682 (b) Section 394.4593, relating to sexual misconduct with
4683 certain mental health patients and reporting of such sexual
4684 misconduct.

4685 (c) Section 415.111, relating to adult abuse, neglect, or
4686 exploitation of aged persons or disabled adults.

4687 (d) Section 782.04, relating to murder.

4688 (e) Section 782.07, relating to manslaughter, aggravated
4689 manslaughter of an elderly person or disabled adult, aggravated
4690 manslaughter of a child, or aggravated manslaughter of an
4691 officer, a firefighter, an emergency medical technician, or a
4692 paramedic.

4693 (f) Section 784.021, relating to aggravated assault.

4694 (g) Section 784.045, relating to aggravated battery.

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- 4695 (h) Section 784.075, relating to battery on a detention or
4696 commitment facility staff member or a juvenile probation
4697 officer.
- 4698 (i) Section 787.01, relating to kidnapping.
- 4699 (j) Section 787.02, relating to false imprisonment.
- 4700 (k) Section 787.025, relating to luring or enticing a
4701 child.
- 4702 (l) Section 787.04(2), relating to leading, taking,
4703 enticing, or removing a minor beyond the state limits, or
4704 concealing the location of a minor, with criminal intent pending
4705 custody proceedings.
- 4706 (m) Section 787.04(3), relating to leading, taking,
4707 enticing, or removing a minor beyond the state limits, or
4708 concealing the location of a minor, with criminal intent pending
4709 dependency proceedings or proceedings concerning alleged abuse
4710 or neglect of a minor.
- 4711 (n) Section 790.115(1), relating to exhibiting firearms or
4712 weapons at a school-sponsored event, on school property, or
4713 within 1,000 feet of a school.
- 4714 (o) Section 790.115(2)(b), relating to possessing an
4715 electric weapon or device, destructive device, or other weapon
4716 at a school-sponsored event or on school property.
- 4717 (p) Section 794.011, relating to sexual battery.
- 4718 (q) Former s. 794.041, relating to sexual activity with or
4719 solicitation of a child by a person in familial or custodial
4720 authority.
- 4721 (r) Section 794.05, relating to unlawful sexual activity
4722 with certain minors.
- 4723 (s) Section 794.08, relating to female genital mutilation.

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- 4724 (t) Chapter 796, relating to prostitution.
- 4725 (u) Chapter 800, relating to lewdness and indecent
4726 exposure.
- 4727 (v) Section 800.101, relating to offenses against students
4728 by authority figures.
- 4729 (w) Section 806.01, relating to arson.
- 4730 (x) Section 810.14, relating to voyeurism.
- 4731 (y) Section 810.145, relating to video voyeurism.
- 4732 (z) Section 812.014(6), relating to coordinating the
4733 commission of theft in excess of \$3,000.
- 4734 (aa) Section 812.0145, relating to theft from persons 65
4735 years of age or older.
- 4736 (bb) Section 812.019, relating to dealing in stolen
4737 property.
- 4738 (cc) Section 812.13, relating to robbery.
- 4739 (dd) Section 812.131, relating to robbery by sudden
4740 snatching.
- 4741 (ee) Section 812.133, relating to carjacking.
- 4742 (ff) Section 812.135, relating to home-invasion robbery.
- 4743 (gg) Section 817.563, relating to fraudulent sale of
4744 controlled substances.
- 4745 (hh) Section 825.102, relating to abuse, aggravated abuse,
4746 or neglect of an elderly person or disabled adult.
- 4747 (ii) Section 825.103, relating to exploitation of an
4748 elderly person or disabled adult.
- 4749 (jj) Section 825.1025, relating to lewd or lascivious
4750 offenses committed upon or in the presence of an elderly person
4751 or disabled person.
- 4752 (kk) Section 826.04, relating to incest.

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4753 (ll) Section 827.03, relating to child abuse, aggravated
4754 child abuse, or neglect of a child.

4755 (mm) Section 827.04, relating to contributing to the
4756 delinquency or dependency of a child.

4757 (nn) Section 827.071, relating to sexual performance by a
4758 child.

4759 (oo) Section 843.01, relating to resisting arrest with
4760 violence.

4761 (pp) Chapter 847, relating to obscenity.

4762 (qq) Section 874.05, relating to causing, encouraging,
4763 soliciting, or recruiting another to join a criminal street
4764 gang.

4765 (rr) Chapter 893, relating to drug abuse prevention and
4766 control, if the offense was a felony of the second degree or
4767 greater severity.

4768 (ss) Section 916.1075, relating to sexual misconduct with
4769 certain forensic clients and reporting of such sexual
4770 misconduct.

4771 (tt) Section 944.47, relating to introduction, removal, or
4772 possession of contraband at a correctional facility.

4773 (uu) Section 985.701, relating to sexual misconduct in
4774 juvenile justice programs.

4775 (vv) Section 985.711, relating to introduction, removal, or
4776 possession of contraband at a juvenile detention facility or
4777 commitment program.

4778 (2) Any misdemeanor offense prohibited under any of the
4779 following statutes:

4780 (a) Section 784.03, relating to battery, if the victim of
4781 the offense was a minor.

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4782 (b) Section 787.025, relating to luring or enticing a
4783 child.

4784 (3) Any criminal act committed in another state or under
4785 federal law which, if committed in this state, constitutes an
4786 offense prohibited under any statute listed in subsection (1) or
4787 subsection (2).

4788 (4) Any delinquent act committed in this state or any
4789 delinquent or criminal act committed in another state or under
4790 federal law which, if committed in this state, qualifies an
4791 individual for inclusion on the Registered Juvenile Sex Offender
4792 List under s. 943.0435(1)(h)1.d.

4793 Section 59. Effective January 1, 2023, subsections (2) and
4794 (3) of section 1012.32, Florida Statutes, are amended to read:

4795 1012.32 Qualifications of personnel.—

4796 (2)(a) Instructional and noninstructional personnel who are
4797 hired or contracted to fill positions that require direct
4798 contact with students in any district school system or
4799 university lab school must, upon employment or engagement to
4800 provide services, undergo background screening as required under
4801 s. 1012.465 or s. 1012.56, whichever is applicable.

4802 (b)1. Instructional and noninstructional personnel who are
4803 hired or contracted to fill positions in a charter school other
4804 than a school of hope as defined in s. 1002.333, and members of
4805 the governing board of such charter school, in compliance with
4806 s. 1002.33(12)(g), upon employment, engagement of services, or
4807 appointment, shall undergo background screening as required
4808 under s. 1012.465 or s. 1012.56, whichever is applicable, ~~by~~
4809 ~~filing with the district school board for the school district in~~
4810 ~~which the charter school is located a complete set of~~

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4811 ~~fingerprints taken by an authorized law enforcement agency or an~~
4812 ~~employee of the school or school district who is trained to take~~
4813 ~~fingerprints.~~

4814 2. Instructional and noninstructional personnel who are
4815 hired or contracted to fill positions in a school of hope as
4816 defined in s. 1002.333, and members of the governing board of
4817 such school of hope, upon employment, engagement of services, or
4818 appointment, shall undergo background screening as required
4819 under s. 1012.465 or s. 1012.56, whichever is applicable ~~file~~
4820 ~~with the school of hope a complete set of fingerprints taken by~~
4821 ~~an authorized law enforcement agency, by an employee of the~~
4822 ~~school of hope or school district who is trained to take~~
4823 ~~fingerprints, or by any other entity recognized by the~~
4824 ~~Department of Law Enforcement to take fingerprints.~~

4825 (c) Instructional and noninstructional personnel who are
4826 hired or contracted to fill positions that require direct
4827 contact with students in an alternative school that operates
4828 under contract with a district school system must, upon
4829 employment or engagement to provide services, undergo background
4830 screening as required under s. 1012.465 or s. 1012.56, whichever
4831 is applicable, ~~by filing with the district school board for the~~
4832 ~~school district to which the alternative school is under~~
4833 ~~contract a complete set of fingerprints taken by an authorized~~
4834 ~~law enforcement agency or an employee of the school or school~~
4835 ~~district who is trained to take fingerprints.~~

4836 (d) Student teachers and persons participating in a field
4837 experience pursuant to s. 1004.04(5) or s. 1004.85 in any
4838 district school system, lab school, or charter school must, upon
4839 engagement to provide services, undergo background screening as

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4840 required under s. 1012.56.

4841

4842 ~~Required fingerprints must be submitted to the Department of Law~~
4843 ~~Enforcement for statewide criminal and juvenile records checks~~
4844 ~~and to the Federal Bureau of Investigation for federal criminal~~
4845 ~~records checks.~~ A person subject to this subsection who is found
4846 ineligible for employment under s. 1012.315, or otherwise found
4847 through background screening to have been convicted of any crime
4848 involving moral turpitude as defined by rule of the State Board
4849 of Education, may ~~shall~~ not be employed, engaged to provide
4850 services, or serve in any position that requires direct contact
4851 with students. ~~Probationary persons subject to this subsection~~
4852 ~~terminated because of their criminal record have the right to~~
4853 ~~appeal such decisions.~~ The cost of the background screening may
4854 be borne by the employer ~~district school board, the charter~~
4855 ~~school, the employee, the contractor,~~ or a person subject to
4856 this subsection. ~~A district school board shall reimburse a~~
4857 ~~charter school the cost of background screening if it does not~~
4858 ~~notify the charter school of the eligibility of a governing~~
4859 ~~board member or instructional or noninstructional personnel~~
4860 ~~within the earlier of 14 days after receipt of the background~~
4861 ~~screening results from the Florida Department of Law Enforcement~~
4862 ~~or 30 days of submission of fingerprints by the governing board~~
4863 ~~member or instructional or noninstructional personnel.~~

4864 (3) A background screening required under this section
4865 shall be conducted in accordance with s. 435.12.

4866 ~~(3)(a) All fingerprints submitted to the Department of Law~~
4867 ~~Enforcement as required by subsection (2) shall be retained by~~
4868 ~~the Department of Law Enforcement in a manner provided by rule~~

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4869 and entered in the statewide automated biometric identification
4870 system authorized by s. 943.05(2)(b). Such fingerprints shall
4871 thereafter be available for all purposes and uses authorized for
4872 arrest fingerprints entered in the statewide automated biometric
4873 identification system pursuant to s. 943.051.

4874 (b) The Department of Law Enforcement shall search all
4875 arrest fingerprints received under s. 943.051 against the
4876 fingerprints retained in the statewide automated biometric
4877 identification system under paragraph (a). Any arrest record
4878 that is identified with the retained fingerprints of a person
4879 subject to the background screening under this section shall be
4880 reported to the employing or contracting school district or the
4881 school district with which the person is affiliated. Each school
4882 district is required to participate in this search process by
4883 payment of an annual fee to the Department of Law Enforcement
4884 and by informing the Department of Law Enforcement of any change
4885 in the affiliation, employment, or contractual status or place
4886 of affiliation, employment, or contracting of its instructional
4887 and noninstructional personnel whose fingerprints are retained
4888 under paragraph (a). The Department of Law Enforcement shall
4889 adopt a rule setting the amount of the annual fee to be imposed
4890 upon each school district for performing these searches and
4891 establishing the procedures for the retention of instructional
4892 and noninstructional personnel fingerprints and the
4893 dissemination of search results. The fee may be borne by the
4894 district school board, the contractor, or the person
4895 fingerprinted.

4896 (c) Personnel whose fingerprints are not retained by the
4897 Department of Law Enforcement under paragraphs (a) and (b) must

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4898 ~~be refingerprinted and rescreened in accordance with subsection~~
4899 ~~(2) upon reemployment or reengagement to provide services in~~
4900 ~~order to comply with the requirements of this subsection.~~

4901 Section 60. The changes made to s. 1012.315, Florida
4902 Statutes, by this act apply to individuals who are screened
4903 after January 1, 2024.

4904 Section 61. Effective upon this act becoming a law,
4905 paragraph (a) of subsection (1) of section 1012.34, Florida
4906 Statutes, is amended to read:

4907 1012.34 Personnel evaluation procedures and criteria.—

4908 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

4909 (a) For the purpose of increasing student academic
4910 performance by improving the quality of instructional,
4911 administrative, and supervisory services in the public schools
4912 of the state, the district school superintendent shall establish
4913 procedures for evaluating the performance of duties and
4914 responsibilities of all instructional, administrative, and
4915 supervisory personnel employed by the school district. The
4916 procedures established by the district school superintendent set
4917 the standards of service to be offered to the public within the
4918 meaning of s. 447.209 and are not subject to collective
4919 bargaining. The district school superintendent shall provide
4920 instructional personnel the opportunity to review their class
4921 rosters for accuracy and to correct any mistakes. The district
4922 school superintendent shall report accurate class rosters for
4923 the purpose of calculating district and statewide student
4924 performance and annually report the evaluation results of
4925 instructional personnel and school administrators to the
4926 Department of Education in addition to the information required

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4927 under subsection (5).

4928 Section 62. Effective January 1, 2023, section 1012.465,
4929 Florida Statutes, is amended to read:

4930 1012.465 Background screening requirements for certain
4931 noninstructional school district employees and contractors.—

4932 (1) Except as provided in s. 1012.467 or s. 1012.468,
4933 noninstructional school district employees or contractual
4934 personnel who are permitted access on school grounds when
4935 students are present, who have direct contact with students or
4936 who have access to or control of school funds must meet the
4937 ~~level 2~~ screening requirements of ~~as described in~~ s. 1012.32.
4938 Contractual personnel shall include any vendor, individual, or
4939 entity under contract with a school or the school board.

4940 (2) ~~Every 5 years following employment or entry into a~~
4941 ~~contract in a capacity described in subsection (1), each person~~
4942 ~~who is so employed or under contract with the school district~~
4943 ~~must meet level 2 screening requirements as described in s.~~
4944 ~~1012.32, at which time the school district shall request the~~
4945 ~~Department of Law Enforcement to forward the fingerprints to the~~
4946 ~~Federal Bureau of Investigation for the level 2 screening. If,~~
4947 ~~for any reason following employment or entry into a contract in~~
4948 ~~a capacity described in subsection (1), the fingerprints of a~~
4949 ~~person who is so employed or under contract with the school~~
4950 ~~district are not retained by the Department of Law Enforcement~~
4951 ~~under s. 1012.32(3)(a) and (b), the person must file a complete~~
4952 ~~set of fingerprints with the district school superintendent of~~
4953 ~~the employing or contracting school district. Upon submission of~~
4954 ~~fingerprints for this purpose, the school district shall request~~
4955 ~~the Department of Law Enforcement to forward the fingerprints to~~

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4956 ~~the Federal Bureau of Investigation for the level 2 screening,~~
4957 ~~and the fingerprints shall be retained by the Department of Law~~
4958 ~~Enforcement under s. 1012.32(3)(a) and (b).~~ The cost of the
4959 state and federal criminal history check required by level 2
4960 screening may be borne by the district school board, the
4961 contractor, or the person fingerprinted. Under penalty of
4962 perjury, each person who is employed or under contract in a
4963 capacity described in subsection (1) must agree to inform his or
4964 her employer or the party with whom he or she is under contract
4965 within 48 hours if convicted of any disqualifying offense while
4966 he or she is employed or under contract in that capacity.

4967 (3) If it is found that a person who is employed or under
4968 contract in a capacity described in subsection (1) does not meet
4969 the screening level 2 requirements, the person shall be
4970 immediately suspended from working in that capacity and shall
4971 remain suspended until final resolution of any appeals.

4972 Section 63. Effective January 1, 2023, subsections (2)
4973 through (7) of section 1012.467, Florida Statutes, are amended
4974 to read:

4975 1012.467 Noninstructional contractors who are permitted
4976 access to school grounds when students are present; background
4977 screening requirements.—

4978 (2) (a) A fingerprint-based criminal history check shall be
4979 performed on each noninstructional contractor who is permitted
4980 access to school grounds when students are present, whose
4981 performance of the contract with the school or school board is
4982 not anticipated to result in direct contact with students, and
4983 for whom any unanticipated contact would be infrequent and
4984 incidental using the process described in s. 1012.32(3).

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4985 ~~Criminal history checks shall be performed at least once every 5~~
4986 ~~years. For the initial criminal history check, each~~
4987 ~~noninstructional contractor who is subject to the criminal~~
4988 ~~history check shall file with the Department of Law Enforcement~~
4989 ~~a complete set of fingerprints taken by an authorized law~~
4990 ~~enforcement agency or an employee of a school district, a public~~
4991 ~~school, or a private company who is trained to take~~
4992 ~~fingerprints. The fingerprints shall be electronically submitted~~
4993 ~~for state processing to the Department of Law Enforcement, which~~
4994 ~~shall in turn submit the fingerprints to the Federal Bureau of~~
4995 ~~Investigation for national processing. The results of each~~
4996 ~~criminal history check shall be reported to the school district~~
4997 ~~in which the individual is seeking access and entered into the~~
4998 ~~shared system described in subsection (7). The school district~~
4999 ~~shall screen the results using the disqualifying offenses in~~
5000 ~~paragraph (b) ~~(g)~~. The cost of the criminal history check may be~~
5001 ~~borne by the district school board, the school, or the~~
5002 ~~contractor. A fee that is charged by a district school board for~~
5003 ~~such checks may not exceed 30 percent of the total amount~~
5004 ~~charged by the Department of Law Enforcement and the Federal~~
5005 ~~Bureau of Investigation.~~

5006 ~~(b) As authorized by law, the Department of Law Enforcement~~
5007 ~~shall retain the fingerprints submitted by the school districts~~
5008 ~~pursuant to this subsection to the Department of Law Enforcement~~
5009 ~~for a criminal history background screening in a manner provided~~
5010 ~~by rule and enter the fingerprints in the statewide automated~~
5011 ~~biometric identification system authorized by s. 943.05(2)(b).~~
5012 ~~The fingerprints shall thereafter be available for all purposes~~
5013 ~~and uses authorized for arrest fingerprints entered into the~~

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5014 ~~statewide automated biometric identification system under s.~~
5015 ~~943.051.~~

5016 ~~(c) As authorized by law, the Department of Law Enforcement~~
5017 ~~shall search all arrest fingerprints received under s. 943.051~~
5018 ~~against the fingerprints retained in the statewide automated~~
5019 ~~biometric identification system under paragraph (b).~~

5020 ~~(d) School districts may participate in the search process~~
5021 ~~described in this subsection by paying an annual fee to the~~
5022 ~~Department of Law Enforcement.~~

5023 ~~(e) A fingerprint retained pursuant to this subsection~~
5024 ~~shall be purged from the automated biometric identification~~
5025 ~~system 5 years following the date the fingerprint was initially~~
5026 ~~submitted. The Department of Law Enforcement shall set the~~
5027 ~~amount of the annual fee to be imposed upon each participating~~
5028 ~~agency for performing these searches and establishing the~~
5029 ~~procedures for retaining fingerprints and disseminating search~~
5030 ~~results. The fee may be borne as provided by law. Fees may be~~
5031 ~~waived or reduced by the executive director of the Department of~~
5032 ~~Law Enforcement for good cause shown.~~

5033 ~~(f) A noninstructional contractor who is subject to a~~
5034 ~~criminal history check under this section shall inform a school~~
5035 ~~district that he or she has completed a criminal history check~~
5036 ~~in another school district within the last 5 years. The school~~
5037 ~~district shall verify the results of the contractor's criminal~~
5038 ~~history check using the shared system described in subsection~~
5039 ~~(7). The school district may not charge the contractor a fee for~~
5040 ~~verifying the results of his or her criminal history check.~~

5041 ~~(b)(g)~~ (b) A noninstructional contractor for whom a criminal
5042 history check is required under this section may not have been

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5043 convicted of any of the following offenses designated in the
5044 Florida Statutes, any similar offense in another jurisdiction,
5045 or any similar offense committed in this state which has been
5046 redesignated from a former provision of the Florida Statutes to
5047 one of the following offenses:

5048 1. Any offense listed in s. 943.0435(1)(h)1., relating to
5049 the registration of an individual as a sexual offender.

5050 2. Section 393.135, relating to sexual misconduct with
5051 certain developmentally disabled clients and the reporting of
5052 such sexual misconduct.

5053 3. Section 394.4593, relating to sexual misconduct with
5054 certain mental health patients and the reporting of such sexual
5055 misconduct.

5056 4. Section 775.30, relating to terrorism.

5057 5. Section 782.04, relating to murder.

5058 6. Section 787.01, relating to kidnapping.

5059 7. Any offense under chapter 800, relating to lewdness and
5060 indecent exposure.

5061 8. Section 826.04, relating to incest.

5062 9. Section 827.03, relating to child abuse, aggravated
5063 child abuse, or neglect of a child.

5064 (3) If it is found that a noninstructional contractor has
5065 been convicted of any of the offenses listed in paragraph (2) (b)
5066 ~~(2) (g)~~, the individual shall be immediately suspended from
5067 having access to school grounds and shall remain suspended
5068 unless and until the conviction is set aside in any
5069 postconviction proceeding.

5070 (4) A noninstructional contractor who has been convicted of
5071 any of the offenses listed in paragraph (2) (b) ~~(2) (g)~~ may not be

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5072 permitted on school grounds when students are present unless the
5073 contractor has received a full pardon or has had his or her
5074 civil rights restored. A noninstructional contractor who is
5075 present on school grounds in violation of this subsection
5076 commits a felony of the third degree, punishable as provided in
5077 s. 775.082 or s. 775.083.

5078 (5) If a school district has reasonable cause to believe
5079 that grounds exist for the denial of a contractor's access to
5080 school grounds when students are present, it shall notify the
5081 contractor in writing, stating the specific record that
5082 indicates noncompliance with the standards set forth in this
5083 section. It is the responsibility of the affected contractor to
5084 contest his or her denial. The only basis for contesting the
5085 denial is proof of mistaken identity or that an offense from
5086 another jurisdiction is not disqualifying under paragraph (2) (b)
5087 ~~(2) (g)~~.

5088 (6) Each contractor who is subject to the requirements of
5089 this section shall agree to inform his or her employer or the
5090 party to whom he or she is under contract and the school
5091 district within 48 hours if he or she is arrested for any of the
5092 disqualifying offenses in paragraph (2) (b) ~~(2) (g)~~. A contractor
5093 who willfully fails to comply with this subsection commits a
5094 felony of the third degree, punishable as provided in s. 775.082
5095 or s. 775.083. If the employer of a contractor or the party to
5096 whom the contractor is under contract knows the contractor has
5097 been arrested for any of the disqualifying offenses in paragraph
5098 (2) (b) ~~(2) (g)~~ and authorizes the contractor to be present on
5099 school grounds when students are present, such employer or such
5100 party commits a felony of the third degree, punishable as

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5101 provided in s. 775.082 or s. 775.083.

5102 (7) (a) The Department of Law Enforcement shall implement a
5103 system that allows for the results of a criminal history check
5104 provided to a school district to be shared with other school
5105 districts through a secure Internet website or other secure
5106 electronic means. School districts must accept reciprocity of
5107 level 2 screenings for Florida High School Athletic Association
5108 officials.

5109 (b) An employee of a school district, a charter school, a
5110 lab school, a charter lab school, or the Florida School for the
5111 Deaf and the Blind who requests or shares criminal history
5112 information under this section is immune from civil or criminal
5113 liability for any good faith conduct that occurs during the
5114 performance of and within the scope of responsibilities related
5115 to the record check.

5116 (c) This subsection is repealed July 31, 2026.

5117 Section 64. Effective January 1, 2023, present paragraph
5118 (c) of subsection (10) of section 1012.56, Florida Statutes, is
5119 redesignated as paragraph (d), and paragraph (b) of that
5120 subsection is amended, to read:

5121 1012.56 Educator certification requirements.—

5122 (10) BACKGROUND SCREENING REQUIRED, INITIALLY AND
5123 PERIODICALLY.—

5124 (b) To maintain the safety and well-being of children and
5125 the integrity of the system of public education, a person may
5126 not be certified ~~receive a certificate~~ under this chapter to
5127 have the responsibility for the safety and well-being of
5128 children until the person's screening under s. 1012.32 is
5129 completed and the results have been submitted to the Department

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5130 of Education or to the person's employer ~~district school~~
5131 ~~superintendent of the school district that employs the person.~~
5132 Every 5 years after obtaining initial certification, each person
5133 who is required to be certified under this chapter must be
5134 rescreened in accordance with s. 1012.32, at which time the
5135 employer ~~school district~~ shall request the Department of Law
5136 Enforcement to forward the fingerprints to the Federal Bureau of
5137 Investigation for federal criminal records checks pursuant to s.
5138 435.12.

5139 (c) If, for any reason after obtaining initial
5140 certification, the fingerprints of a person who is required to
5141 be certified under this chapter are not retained by the
5142 Department of Law Enforcement under s. 1012.32(3) ~~s.~~
5143 ~~1012.32(3)(a) and (b)~~, the person must file a complete set of
5144 fingerprints with the employer ~~district school superintendent of~~
5145 ~~the employing school district~~. Upon submission of fingerprints
5146 for this purpose, the employer ~~school district~~ shall request the
5147 Department of Law Enforcement to forward the fingerprints to the
5148 Federal Bureau of Investigation for federal criminal records
5149 checks, and the fingerprints shall be retained by the Department
5150 of Law Enforcement under s. 1012.32(3) ~~s. 1012.32(3)(a) and (b)~~.
5151 The cost of the state and federal criminal history checks
5152 required by paragraph (a) and this paragraph may be borne by the
5153 employer ~~district school board~~ or the employee. Under penalty of
5154 perjury, each person who is certified under this chapter must
5155 agree to inform his or her employer within 48 hours if convicted
5156 of any disqualifying offense while he or she is employed in a
5157 position for which such certification is required.

5158 Section 65. The changes made to ss. 1012.32 and 1012.56,

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5159 Florida Statutes, by this act must be implemented by January 1,
5160 2024, or by a later date determined by the Agency for Health
5161 Care Administration.

5162 Section 66. Subsection (4) of section 1012.584, Florida
5163 Statutes, is amended to read:

5164 1012.584 Continuing education and inservice training for
5165 youth mental health awareness and assistance.—

5166 (4) Each school district shall notify all school personnel
5167 who have received training pursuant to this section of mental
5168 health services that are available in the school district, and
5169 the individual to contact if a student needs services. The term
5170 “mental health services” includes, but is not limited to,
5171 community mental health services, health care providers, and
5172 services provided under ss. 1006.04 and 1011.62(13) ~~1011.62(14)~~.

5173 Section 67. Section 1003.4204, Florida Statutes, is created
5174 to read:

5175 1003.4204 Safer, Smarter Schools Program.—As authorized by
5176 and consistent with funding appropriated in the General
5177 Appropriations Act, the Safer, Smarter Schools Program is
5178 created to implement the revised Health Education standards
5179 established pursuant to s. 1003.42(2). The program shall provide
5180 students and educators with a comprehensive personal safety
5181 curriculum that helps students attain the protective principles
5182 to remain safe from abuse and exploitation.

5183 Section 68. Subsection (4) of section 1013.40, Florida
5184 Statutes, is amended to read:

5185 1013.40 Planning and construction of Florida College System
5186 institution facilities; property acquisition.—

5187 (4) The campus of a Florida College System institution

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5188 within a municipality designated as an area of critical state
5189 concern, as defined in s. 380.05, and having a comprehensive
5190 plan and land development regulations containing a building
5191 permit allocation system that limits annual growth, may
5192 construct dormitories for up to 340 ~~300~~ beds for Florida College
5193 System institution students, and an additional 25 beds for
5194 employees, educators, and first responders. Such dormitories are
5195 exempt from the building permit allocation system and may be
5196 constructed up to 60 ~~45~~ feet in height if the dormitories are
5197 otherwise consistent with the comprehensive plan, the Florida
5198 College System institution has a hurricane evacuation plan that
5199 requires all dormitory occupants to be evacuated 48 hours in
5200 advance of tropical force winds, and transportation is provided
5201 for dormitory occupants during an evacuation. State funds and
5202 tuition and fee revenues may not be used for construction, debt
5203 service payments, maintenance, or operation of such dormitories.
5204 Additional dormitory beds constructed after July 1, 2016, may
5205 not be financed through the issuance of bonds by the Florida
5206 College System institution; however, bonds may be issued by
5207 nonpublic entities as part of a public-private partnership
5208 between the college and a nonpublic entity.

5209 Section 69. Except as otherwise expressly provided in this
5210 act and except for this section, which shall take effect upon
5211 this act becoming a law, this act shall take effect July 1,
5212 2022.