

By Senator Simon

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1 A bill to be entitled
2 An act relating to K-12 education; amending s.
3 212.099, F.S.; conforming a cross-reference; amending
4 s. 1002.394, F.S.; defining terms; revising student
5 eligibility and ineligibility requirements for the
6 Family Empowerment Scholarship Program; revising the
7 authorized uses of scholarship funds; authorizing a
8 student participating in the program to be enrolled in
9 a home education program; providing that certain
10 scholarships remain in force until certain criteria
11 are met; requiring the closing of a scholarship
12 account and the reversion of funds to the state under
13 certain circumstances; authorizing reimbursements for
14 certain expenditures until certain criteria are met;
15 requiring the Department of Education to notify school
16 districts of specified information; requiring
17 scholarship funds to be deposited by fund transfers,
18 rather than through the endorsements of warrants;
19 providing requirements for parents of students
20 enrolled in a home education program under the
21 program; revising obligations of eligible nonprofit
22 scholarship-funding organizations; revising and
23 establishing certain limitations on the number of
24 scholarships funded by the program; revising
25 provisions for the calculation of an award amount for
26 certain students; prohibiting the transfer of funds to
27 an eligible student's account under certain
28 conditions; providing obligations of choice navigators
29 beginning on a specified date; conforming provisions

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30 and cross-references to changes made by the act;
31 amending s. 1002.395, F.S.; defining the term "choice
32 navigator"; revising student eligibility and
33 ineligibility requirements for the Florida Tax Credit
34 Scholarship Program; revising obligations of eligible
35 nonprofit scholarship-funding organizations; revising
36 and establishing certain limitations on the number of
37 scholarships funded by the program; revising the
38 approved uses of scholarship funds; deleting obsolete
39 language; revising the amount of funds that must be
40 expended through scholarships; providing requirements
41 for parents of students participating in the program;
42 requiring scholarship funds to be deposited by funds
43 transfers, rather than through the endorsement of
44 warrants; requiring choice navigators to report
45 specified student scores to a certain state
46 university; revising the requirements of a specified
47 annual report; prohibiting the transfer of funds to an
48 eligible student's account under certain conditions;
49 providing that scholarships awarded through the
50 program remain in force until certain criteria are
51 met; authorizing reimbursements for certain
52 expenditures until certain criteria are met; requiring
53 the closing of a scholarship account and the reversion
54 of funds to the state under certain circumstances;
55 providing obligations of choice navigators beginning
56 on a specified date; conforming provisions and cross-
57 references to changes made by the act; amending s.
58 1002.40, F.S.; conforming cross-references; creating

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59 s. 1002.44, F.S.; authorizing public schools,
60 including charter schools, to enroll certain students
61 on a part-time basis; providing that such students
62 generate full-time equivalent student membership;
63 providing funding for such students; providing that
64 such students are not considered to be in regular
65 attendance at such schools; amending s. 1003.4282,
66 F.S.; deleting the online course requirement for a
67 standard high school diploma; requiring the State
68 Board of Education to provide recommendations by a
69 specified date to the Governor and the Legislature for
70 repeals and revisions of the Florida Early Learning-20
71 Education Code to be considered in the 2024
72 legislative session; amending s. 1006.21, F.S.;
73 deleting a requirement for the superintendent to share
74 transportation recommendations with the State Board of
75 Education; deleting a requirement for transportation
76 provisions to comply with board rules; authorizing
77 vehicles other than buses to transport students;
78 deleting a requirement to transport students whose
79 homes are more than a reasonable walking distance, as
80 defined by board rules; amending s. 1006.22, F.S.;
81 conforming a provision to changes made by the act;
82 deleting a requirement for district school boards to
83 use school buses for all regular transportation;
84 deleting provisions relating to circumstances in which
85 students may be transported in privately owned motor
86 vehicles; amending s. 1006.25, F.S.; deleting
87 requirements for school buses and certain leased

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88 vehicles to comply with board rules; amending s.
89 1006.261, F.S.; deleting types of agreements a
90 district school board may enter into with certain
91 governing bodies relating to transportation; amending
92 s. 1006.27, F.S.; conforming provisions to changes
93 made by the act; amending s. 1011.62, F.S.; providing
94 requirements for how additional funding appropriated
95 for the Teacher Salary Increase Allocation may be
96 used; amending s. 1012.22, F.S.; authorizing district
97 school boards to use advanced degrees in setting
98 salary schedules for instructional personnel or school
99 administrators; deleting a requirement for the annual
100 increase of personnel salaries; amending s. 1012.56,
101 F.S.; revising the acceptable means of demonstrating
102 mastery of general knowledge; revising the acceptable
103 means of demonstrating mastery of subject area
104 knowledge; revising acceptable means of demonstrating
105 mastery of professional preparation and education
106 competence; revising requirements for the department
107 to issue temporary certificates; revising how long a
108 temporary certificate is valid; amending s. 1013.64,
109 F.S.; providing that certain construction projects are
110 exempt from the total cost per student station
111 requirements; amending ss. 1002.321, 1003.5716,
112 1002.20, and 1003.01, 1003.499, F.S.; conforming
113 cross-references and provisions to changes made by the
114 act; providing an effective date.

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

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Section 1. Paragraph (c) of subsection (1) of section 212.099, Florida Statutes, is amended to read:

212.099 Credit for contributions to eligible nonprofit scholarship-funding organizations.—

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

(c) "Eligible nonprofit scholarship-funding organization" or "organization" has the same meaning as provided in s. 1002.395(2) ~~s. 1002.395(2)(f)~~.

Section 2. Present paragraphs (b), (c), (d) and (e) through (m) of subsection (2) of section 1002.394, Florida Statutes, are redesignated as paragraphs (c), (d), (e), and (g) through (o), respectively, present subsection (17) is redesignated as subsection (18), new paragraphs (b) and (f) are added to subsection (2), paragraph (c) is added to subsection (8), and a new subsection (17) is added to that section, and present paragraphs (e) and (g) of subsection (2), paragraph (a) of subsection (3), paragraph (a) of subsection (4), paragraph (a) of subsection (5), paragraphs (d), (e), and (f) of subsection (6), paragraphs (a) and (b) of subsection (10), subsection (11), and paragraphs (a) and (b) of subsection (12) are amended, to read:

1002.394 The Family Empowerment Scholarship Program.—

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

(b) "Choice navigator" means an individual who assists parents with the selection of, application for, and enrollment in educational options that address the academic needs of their student.

(f) "Eligible contribution" means a monetary contribution

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146 from a taxpayer, subject to the restrictions provided in s.
 147 1002.395, to an eligible nonprofit scholarship-funding
 148 organization pursuant to ss. 212.099, 212.1832, 1002.395, and
 149 1002.40. The taxpayer making the contribution may not designate
 150 a specific child as the beneficiary of the contribution.

151 (g)~~(e)~~ "Eligible nonprofit scholarship-funding
 152 organization" or "organization" has the same meaning as provided
 153 in s. 1002.395(2) ~~s. 1002.395(2)(f)~~.

154 (i)~~(g)~~ "Eligible private school" has the same meaning as
 155 provided in s. 1002.395(2) ~~s. 1002.395(2)(g)~~.

156 (k)~~(i)~~ "Inactive" means that no eligible expenditures have
 157 been made from an account funded pursuant to paragraph (12)(b).

158 (3) SCHOLARSHIP ELIGIBILITY.—

159 (a)1. A parent of a student may request and receive from
 160 the state a scholarship for the purposes specified in
 161 paragraph(4)(a) if the student is a resident of this state and
 162 is eligible to enroll in kindergarten through grade 12 in a
 163 public school in this state;

164 ~~1. The student is on the direct certification list pursuant~~
 165 ~~to s. 1002.395(2)(c) or the student's household income level~~
 166 ~~does not exceed 185 percent of the federal poverty level;~~

167 ~~2. The student is currently placed, or during the previous~~
 168 ~~state fiscal year was placed, in foster care or in out-of-home~~
 169 ~~care as defined in s. 39.01;~~

170 ~~3. The student's household income level does not exceed 375~~
 171 ~~percent of the federal poverty level or an adjusted maximum~~
 172 ~~percent of the federal poverty level that is increased by 25~~
 173 ~~percentage points in the fiscal year following any fiscal year~~
 174 ~~in which more than 5 percent of the available scholarships~~

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175 ~~authorized under paragraph (12) (a) have not been funded;~~

176 ~~4. The student is a sibling of a student who is~~
 177 ~~participating in the scholarship program under this subsection~~
 178 ~~and such siblings reside in the same household;~~

179 ~~5. The student is a dependent child of a member of the~~
 180 ~~United States Armed Forces; or~~

181 ~~6. The student is a dependent child of a law enforcement~~
 182 ~~officer.~~

183 2. Priority must be given to a student whose household
 184 income level does not exceed 185 percent of the federal poverty
 185 level or who is in foster care or out-of-home care.

186 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

187 (a) Program funds awarded to a student determined eligible
 188 pursuant to paragraph (3) (a) may be used for:

189 1. Tuition and fees at an eligible private school. ~~;~~ ~~or~~

190 2. Transportation to a Florida public school in which a
 191 student is enrolled and that is different from the school to
 192 which the student was assigned or to a lab school as defined in
 193 s. 1002.32.

194 3. Instructional materials, including digital materials and
 195 Internet resources.

196 4. Curriculum as defined in subsection (2).

197 5. Tuition and fees associated with full-time or part-time
 198 enrollment in a home education program, an eligible private
 199 school, an eligible postsecondary educational institution or a
 200 program offered by the postsecondary educational institution, a
 201 private tutoring program authorized under s. 1002.43, a virtual
 202 program offered by a department-approved private online provider
 203 that meets the provider qualifications specified in s.

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204 1002.45(2)(a), the Florida Virtual School as a private paying
205 student, or an approved online course offered pursuant to s.
206 1003.499 or s. 1004.0961.

207 6. Fees for nationally standardized, norm-referenced
208 achievement tests, Advanced Placement Examinations, industry
209 certification examinations, assessments related to postsecondary
210 education, or other assessments.

211 7. Contracted services provided by a public school or
212 school district, including classes. A student who receives
213 contracted services under this subparagraph is not considered
214 enrolled in a public school for eligibility purposes as
215 specified in subsection (6).

216 8. Tuition and fees for part-time tutoring services
217 provided by a person who holds a valid Florida educator's
218 certificate pursuant to s. 1012.56, a person who holds an
219 adjunct teaching certificate pursuant to s. 1012.57, a person
220 who has a bachelor's degree or a graduate degree in the subject
221 area in which instruction is given, a person who has
222 demonstrated a mastery of subject area knowledge pursuant to s.
223 1012.56(5), or a person certified by a nationally or
224 internationally recognized research-based training program as
225 approved by the department. As used in this paragraph, the term
226 "part-time tutoring services" does not qualify as regular school
227 attendance as defined in s. 1003.01(13)(e) ~~if the student is~~
228 ~~determined eligible pursuant to subparagraph (3)(a)1. or~~
229 ~~subparagraph (3)(a)2.~~

230 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of
231 educational choice:

232 (a)1. A scholarship awarded to an eligible student pursuant

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233 to paragraph (3) (a) shall remain in force until:

234 a. The organization determines that the student is not
235 eligible for program renewal;

236 b. The Commissioner of Education suspends or revokes
237 program participation or use of funds;

238 c. The student's parent has forfeited participation in the
239 program for failure to comply with subsection (10);

240 d. The student enrolls in a public school. However, if a
241 student enters a Department of Juvenile Justice detention center
242 for a period of no more than 21 days, the student is not
243 considered to have returned to a public school on a full-time
244 basis for that purpose; or

245 e. The student graduates from high school or attains 21
246 years of age, whichever occurs first.

247 2.a. The student's scholarship account must be closed and
248 any remaining funds shall revert to the state after:

249 (I) Denial or revocation of program eligibility by the
250 commissioner for fraud or abuse, including, but not limited to,
251 the student or student's parent accepting any payment, refund,
252 or rebate, in any manner, from a provider of any services
253 received pursuant to paragraph (4) (a); or

254 (II) Two consecutive fiscal years in which an account has
255 been inactive.

256 b. Reimbursements for program expenditures may continue
257 until the account balance is expended or remaining funds have
258 reverted to the state ~~student returns to a public school,~~
259 ~~graduates from high school, or reaches the age of 21, whichever~~
260 ~~occurs first. A scholarship student who enrolls in a public~~
261 ~~school or public school program is considered to have returned~~

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262 ~~to a public school for the purpose of determining the end of the~~
263 ~~scholarship's term. However, if a student enters a Department of~~
264 ~~Juvenile Justice detention center for a period of no more than~~
265 ~~21 days, the student is not considered to have returned to a~~
266 ~~public school for that purpose.~~

267 (6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
268 a Family Empowerment Scholarship while he or she is:

269 (d) Not having regular and direct contact with his or her
270 private school teachers pursuant to s. 1002.421(1)(i)~~7~~ unless he
271 or she is ~~eligible pursuant to paragraph (3)(b) and~~ enrolled in
272 the private school's transition-to-work program pursuant to
273 subsection (16) or a home education program pursuant to s.
274 1002.41;

275 (e) Participating in a private tutoring program pursuant to
276 s. 1002.43 unless he or she is enrolled in a home education
277 program pursuant to s. 1002.41 or determined eligible pursuant
278 to paragraph (3)(b); or

279 (f) Participating in virtual instruction pursuant to s.
280 1002.455 that receives state funding pursuant to the student's
281 participation.

282 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

283 (c) The department shall notify each school district of the
284 official information relating to the number of full-time
285 equivalent students in the Family Empowerment Scholarship
286 Program which is developed pursuant to s. 216.136(4)(a).

287 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
288 PARTICIPATION.—

289 (a)1. A parent who applies for program participation under
290 paragraph (3)(a) whose student will be enrolled full time ~~is~~

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291 ~~exercising his or her parental option to place his or her child~~
292 in a private school ~~and~~ must:

293 ~~a.1.~~ Select the private school and apply for the admission
294 of his or her student.

295 ~~b.2.~~ Request the scholarship by a date established by the
296 organization, in a manner that creates a written or electronic
297 record of the request and the date of receipt of the request.

298 ~~c.3.~~ Inform the applicable school district when the parent
299 withdraws his or her student from a public school to attend an
300 eligible private school.

301 ~~d.4.~~ Require his or her student participating in the
302 program to remain in attendance throughout the school year
303 unless excused by the school for illness or other good cause.

304 ~~e.5.~~ Meet with the private school's principal or the
305 principal's designee to review the school's academic programs
306 and policies, customized educational programs, code of student
307 conduct, and attendance policies before ~~prior to~~ enrollment.

308 ~~f.6.~~ Require that the student participating in the
309 scholarship program takes the norm-referenced assessment offered
310 by the private school. The parent may also choose to have the
311 student participate in the statewide assessments pursuant to
312 paragraph (7) (d). If the parent requests that the student
313 participating in the program take all statewide assessments
314 required pursuant to s. 1008.22, the parent is responsible for
315 transporting the student to the assessment site designated by
316 the school district.

317 ~~g.7.~~ Approve each payment before the scholarship funds may
318 be deposited by funds transfer ~~Restrictively endorse the~~
319 ~~warrant, issued in the name of the parent pursuant to~~

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320 subparagraph (12) (a) 5. ~~(12) (a) 6., to the private school for~~
321 ~~deposit into the private school's account.~~ The parent may not
322 designate any entity or individual associated with the
323 participating private school as the parent's attorney in fact to
324 approve a funds transfer. A participant who fails to comply with
325 this paragraph forfeits ~~endorse~~ a scholarship warrant.

326 2. A parent who applies for program participation under
327 paragraph (3) (a) whose student will be enrolled in a home
328 education program with the school district in which the student
329 resides must:

330 a. Apply to an eligible nonprofit scholarship-funding
331 organization to participate in the program by a date set by the
332 organization. The request must be communicated directly to the
333 organization in a manner that creates a written or electronic
334 record of the request and the date of receipt of the request.

335 b. Sign an agreement with the organization and annually
336 submit a sworn compliance statement to the organization to
337 satisfy or maintain program eligibility, including eligibility
338 to receive and spend program payments, by:

339 (I) Affirming that the parent has established and maintains
340 a home education program in accordance with s. 1002.41.

341 (II) Affirming that the program funds are used only for
342 authorized purposes serving the student's educational needs, as
343 described in paragraph (4) (a), and that the parent will not
344 receive a payment, refund, or rebate of any funds provided under
345 this section.

346 (III) Affirming that the parent is responsible for all
347 eligible expenses in excess of the amount of the scholarship and
348 for the education of his or her student.

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349 c. Require the student to take a nationally norm-referenced
350 test identified by the department, or a statewide assessment
351 under s. 1008.22, and provide educational records and assessment
352 results to a choice navigator before the student's program
353 renewal.

354 d. Meet with a choice navigator at least annually before
355 the student's program renewal to:

356 (I) Discuss the academic needs and progress of the student
357 based on educational records submitted by the parent and annual
358 assessment results.

359 (II) Select educational options based on the academic needs
360 of the student.

361 e. Affirm that the student remains in good standing with
362 the provider or school if those options are selected by the
363 parent.

364 f. Renew participation in the program each year. A student
365 whose participation in the program is not renewed may continue
366 to spend scholarship funds that are in his or her account from
367 prior years unless the account must be closed pursuant to
368 subparagraph (5) (a) 2.

369 g. Procure the services necessary to educate the student.
370 When the student receives a scholarship, the district school
371 board is not obligated to provide the student with a free
372 appropriate public education.

373 (b) A parent who applies for program participation under
374 paragraph (3) (b) is exercising his or her parental option to
375 determine the appropriate placement or the services that best
376 meet the needs of his or her child and must:

377 1. Apply to an eligible nonprofit scholarship-funding

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378 organization to participate in the program by a date set by the
379 organization. The request must be communicated directly to the
380 organization in a manner that creates a written or electronic
381 record of the request and the date of receipt of the request.

382 2. Sign an agreement with the organization and annually
383 submit a sworn compliance statement to the organization to
384 satisfy or maintain program eligibility, including eligibility
385 to receive and spend program payments by:

386 a. Affirming that the student is enrolled in a program that
387 meets regular school attendance requirements as provided in s.
388 1003.01(13)(b), (c), or (d).

389 b. Affirming that the program funds are used only for
390 authorized purposes serving the student's educational needs, as
391 described in paragraph (4)(b); that any prepaid college plan or
392 college savings plan funds contributed pursuant to subparagraph
393 (4)(b)6. will not be transferred to another beneficiary while
394 the plan contains funds contributed pursuant to this section;
395 and that they will not receive a payment, refund, or rebate of
396 any funds provided under this section.

397 c. Affirming that the parent is responsible for all
398 eligible expenses in excess of the amount of the scholarship and
399 for the education of his or her student by, as applicable:

400 (I) Requiring the student to take an assessment in
401 accordance with paragraph (9)(c);

402 (II) Providing an annual evaluation in accordance with s.
403 1002.41(1)(f); or

404 (III) Requiring the child to take any preassessments and
405 postassessments selected by the provider if the child is 4 years
406 of age and is enrolled in a program provided by an eligible

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407 Voluntary Prekindergarten Education Program provider. A student
408 with disabilities for whom the physician or psychologist who
409 issued the diagnosis or the IEP team determines that a
410 preassessment and postassessment is not appropriate is exempt
411 from this requirement. A participating provider shall report a
412 student's scores to the parent.

413 d. Affirming that the student remains in good standing with
414 the provider or school if those options are selected by the
415 parent.

416 e. Enrolling his or her child in a program from a Voluntary
417 Prekindergarten Education Program provider authorized under s.
418 1002.55, a school readiness provider authorized under s.
419 1002.88, or an eligible private school if either option is
420 selected by the parent.

421 f. Renewing participation in the program each year. A
422 student whose participation in the program is not renewed may
423 continue to spend scholarship funds that are in his or her
424 account from prior years unless the account must be closed
425 pursuant to subparagraph (5)(b)3. Notwithstanding any changes to
426 the student's IEP, a student who was previously eligible for
427 participation in the program shall remain eligible to apply for
428 renewal. However, for a high-risk child to continue to
429 participate in the program in the school year after he or she
430 reaches 6 years of age, the child's application for renewal of
431 program participation must contain documentation that the child
432 has a disability defined in paragraph (2)(e) ~~(2)(d)~~ other than
433 high-risk status.

434 g. Procuring the services necessary to educate the student.
435 ~~If a parent does not procure the necessary educational services~~

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436 ~~for the student and the student's account has been inactive for~~
437 ~~2 consecutive fiscal years, the student is ineligible for~~
438 ~~additional scholarship payments until the scholarship-funding~~
439 ~~organization verifies that expenditures from the account have~~
440 ~~occurred.~~ When the student receives a scholarship, the district
441 school board is not obligated to provide the student with a free
442 appropriate public education. For purposes of s. 1003.57 and the
443 Individuals with Disabilities in Education Act, a participating
444 student has only those rights that apply to all other
445 unilaterally parentally placed students, except that, when
446 requested by the parent, school district personnel must develop
447 an IEP or matrix level of services.

448 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING
449 ORGANIZATIONS.—

450 (a) An eligible nonprofit scholarship-funding organization
451 awarding scholarships to eligible students pursuant to paragraph
452 (3) (a):

453 1. Must receive applications, determine student
454 eligibility, notify parents in accordance with the requirements
455 of this section, and provide the department with information on
456 the student to enable the department to determine student
457 funding in accordance with paragraph (12) (a).

458 2. Shall verify the household income level of students
459 ~~pursuant to subparagraph (3) (a)1.~~ and submit the verified list
460 of students and related documentation to the department when
461 necessary.

462 3. Shall award scholarships in priority order pursuant to
463 paragraph (3) (a).

464 4. Shall establish and maintain separate empowerment

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465 accounts for each eligible student. For each account, the
466 organization must maintain a record of accrued interest that is
467 retained in the student's account and available only for
468 authorized program expenditures.

469 5. May permit eligible students to use program funds for
470 the purposes listed in paragraph (4)(a) by paying for the
471 authorized use directly, then submitting a reimbursement request
472 to the eligible nonprofit scholarship-funding organization.
473 However, an eligible nonprofit scholarship-funding organization
474 may elect not to provide reimbursements and only allow direct
475 purchases using program funds.

476 6. May, from eligible contributions received pursuant to s.
477 1002.395(6)(j)1., use an amount not to exceed 2.5 percent of the
478 total amount of all scholarships funded under this section for
479 administrative expenses associated with performing functions
480 under this section. Such administrative expense amount is
481 considered within the 3 percent limit on the total amount an
482 organization may use to administer scholarships under this
483 chapter.

484 ~~7.5.~~ Must, in a timely manner, submit any information
485 requested by the department relating to the scholarship under
486 this section.

487 ~~8.6.~~ Must notify the department about any violation of this
488 section by a parent or a private school.

489 9. Must document each student's eligibility for a fiscal
490 year before granting a scholarship for that fiscal year. A
491 student is ineligible for a scholarship if the student's account
492 has been inactive for 2 consecutive fiscal years.

493 10. Must notify each parent that participation in the

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494 scholarship program does not guarantee enrollment.

495 (b) An eligible nonprofit scholarship-funding organization
496 awarding scholarships to eligible students pursuant to paragraph
497 (3) (b) shall:

498 1. Receive applications, determine student eligibility, and
499 notify parents in accordance with the requirements of this
500 section. When an application is approved, the organization must
501 provide the department with information on the student to enable
502 the department to determine student funding in accordance with
503 paragraph (12) (b).

504 2. Establish a date by which a parent must confirm initial
505 or continuing participation in the program.

506 3. Review applications and award scholarships using the
507 following priorities:

508 a. For the 2021-2022 school year, a student who received a
509 Gardiner Scholarship in the 2020-2021 school year and meets the
510 eligibility requirements in paragraph (3) (b).

511 b. Renewing students from the previous school year.

512 c. Students retained on the previous school year's wait
513 list.

514 d. An eligible student who meets the criteria for an
515 initial award pursuant to paragraph (3) (b).

516

517 An approved student who does not receive a scholarship must be
518 placed on the wait list in the order in which his or her
519 application is approved. A student who does not receive a
520 scholarship within the fiscal year shall be retained on the wait
521 list for the subsequent fiscal year.

522 4. Establish and maintain separate accounts for each

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523 eligible student. For each account, the organization must
524 maintain a record of accrued interest that is retained in the
525 student's account and available only for authorized program
526 expenditures.

527 5. Verify qualifying educational expenditures pursuant to
528 the requirements of paragraph (4) (b).

529 6. Return any remaining program funds to the department
530 pursuant to paragraph (6) (b).

531 7. Notify the parent about the availability of, and the
532 requirements associated with requesting, an initial IEP or IEP
533 reevaluation every 3 years for each student participating in the
534 program.

535 8. Notify the department of any violation of this section.

536 9. Document each scholarship student's eligibility for a
537 fiscal year before granting a scholarship for that fiscal year
538 pursuant to paragraph (3) (b). A student is ineligible for a
539 scholarship if the student's account has been inactive for 2
540 consecutive fiscal years.

541 10. Use funds available from remaining tax credit revenue
542 under ss. 1002.395 and 1002.40 to fund eligible students who
543 meet the condition under sub-subparagraph (12) (b) 1.d.

544 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

545 (a)1. Once all scholarships have been funded pursuant to s.
546 1002.395(6) (d) 1., up to 10,000 scholarships for students who are
547 enrolled in a home education program may be funded for the 2023-
548 2024 school year. The number of scholarships funded for such
549 students may increase by 20,000 in each subsequent school year.
550 This subparagraph is repealed July 1, 2027 ~~determined eligible~~
551 ~~pursuant to paragraph (3) (a) are established for up to 18,000~~

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552 ~~students annually beginning in the 2019-2020 school year.~~
553 ~~Beginning in the 2020-2021 school year, the maximum number of~~
554 ~~students participating in the scholarship program under this~~
555 ~~section shall annually increase by 1.0 percent of the state's~~
556 ~~total full-time equivalent student membership. An eligible~~
557 ~~student who meets any of the following requirements shall be~~
558 ~~excluded from the maximum number of students if the student:~~

559 ~~a. Is a dependent child of a law enforcement officer or a~~
560 ~~member of the United States Armed Forces, a foster child, or an~~
561 ~~adopted child; or~~

562 ~~b. Is determined eligible pursuant to subparagraph (3)(a)1.~~
563 ~~or subparagraph (3)(a)2. and either spent the prior school year~~
564 ~~in attendance at a Florida public school or, beginning in the~~
565 ~~2022-2023 school year, is eligible to enroll in kindergarten.~~
566 ~~For purposes of this subparagraph, the term "prior school year~~
567 ~~in attendance" means that the student was enrolled and reported~~
568 ~~by a school district for funding during either the preceding~~
569 ~~October or February full-time equivalent student membership~~
570 ~~surveys in kindergarten through grade 12, which includes time~~
571 ~~spent in a Department of Juvenile Justice commitment program if~~
572 ~~funded under the Florida Education Finance Program.~~

573 ~~2. The scholarship amount provided to a student for any~~
574 ~~single school year shall be for tuition and fees for an eligible~~
575 ~~private school, not to exceed annual limits, which shall be~~
576 ~~determined in accordance with this subparagraph. The calculated~~
577 ~~scholarship amount for a participating student determined~~
578 ~~eligible pursuant to paragraph (3)(a) shall be based upon the~~
579 ~~grade level and school district in which the student was~~
580 ~~assigned as 100 percent of the funds per unweighted full-time~~

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581 equivalent in the Florida Education Finance Program for a
582 student in the basic program established pursuant to s.
583 1011.62(1)(c)1., plus a per-full-time equivalent share of funds
584 for all categorical programs, except for the exceptional student
585 education guaranteed allocation established pursuant to s.
586 1011.62(1)(e).

587 ~~3. The amount of the scholarship shall be the calculated~~
588 ~~amount or the amount of the private school's tuition and fees,~~
589 ~~whichever is less. The amount of any assessment fee required by~~
590 ~~the participating private school and any costs to provide a~~
591 ~~digital device, including Internet access, if necessary, to the~~
592 ~~student may be paid from the total amount of the scholarship.~~

593 ~~4.~~ A scholarship of \$750 or an amount equal to the school
594 district expenditure per student riding a school bus, as
595 determined by the department, whichever is greater, may be
596 awarded to an eligible a student who is ~~determined eligible~~
597 ~~pursuant to subparagraph (3)(a)1. or subparagraph (3)(a)2. and~~
598 enrolled in a Florida public school that is different from the
599 school to which the student was assigned or in a lab school as
600 defined in s. 1002.32 if the school district does not provide
601 the student with transportation to the school.

602 ~~4.5.~~ The organization must provide the department with the
603 documentation necessary to verify the student's participation.
604 Upon receiving the documentation, the department shall transfer,
605 from state funds only, the amount calculated pursuant to
606 subparagraph 2. to the organization for quarterly disbursement
607 to parents of participating students each school year in which
608 the scholarship is in force. For a student exiting a Department
609 of Juvenile Justice commitment program who chooses to

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610 participate in the scholarship program, the amount of the Family
611 Empowerment Scholarship calculated pursuant to subparagraph 2.
612 must be transferred from the school district in which the
613 student last attended a public school before commitment to the
614 Department of Juvenile Justice. When a student enters the
615 scholarship program, the organization must receive all
616 documentation required for the student's participation,
617 including the private school's and the student's fee schedules,
618 at least 30 days before the first quarterly scholarship payment
619 is made for the student.

620 ~~5.6.~~ The initial payment shall be made after the
621 organization's verification of admission acceptance, and
622 subsequent payments shall be made upon verification of continued
623 enrollment and attendance at the private school. Payment must be
624 ~~by individual warrant made payable to the student's parent or by~~
625 funds transfer or any other means of payment that the department
626 deems to be commercially viable or cost-effective. ~~If the~~
627 ~~payment is made by warrant, the warrant must be delivered by the~~
628 ~~organization to the private school of the parent's choice, and~~
629 ~~the parent shall restrictively endorse the warrant to the~~
630 ~~private school.~~ An organization shall ensure that the parent ~~to~~
631 ~~whom the warrant is made has restrictively endorsed the warrant~~
632 ~~to the private school for deposit into the account of the~~
633 ~~private school or that the parent has approved a funds transfer~~
634 before any scholarship funds are deposited.

635 6. An organization may not transfer any funds to an account
636 of a student determined eligible pursuant to paragraph (3) (a)
637 which has a balance in excess of \$24,000.

638 (b)1. Scholarships for students determined eligible

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639 pursuant to paragraph (3) (b) are established for up to 26,500
640 students annually beginning in the 2022-2023 school year.
641 Beginning in the 2023-2024 school year, the maximum number of
642 students participating in the scholarship program under this
643 section shall annually increase by 3.0 ~~1.0~~ percent of the
644 state's total exceptional student education full-time equivalent
645 student membership, not including gifted students. An eligible
646 student who meets any of the following requirements shall be
647 excluded from the maximum number of students if the student:

648 a. Received specialized instructional services under the
649 Voluntary Prekindergarten Education Program pursuant to s.
650 1002.66 during the previous school year and the student has a
651 current IEP developed by the district school board in accordance
652 with rules of the State Board of Education;

653 b. Is a dependent child of a law enforcement officer or a
654 member of the United States Armed Forces, a foster child, or an
655 adopted child;

656 c. Spent the prior school year in attendance at a Florida
657 public school or the Florida School for the Deaf and the Blind.
658 For purposes of this subparagraph, the term "prior school year
659 in attendance" means that the student was enrolled and reported
660 by:

661 (I) A school district for funding during either the
662 preceding October or February full-time equivalent student
663 membership surveys in kindergarten through grade 12, which
664 includes time spent in a Department of Juvenile Justice
665 commitment program if funded under the Florida Education Finance
666 Program;

667 (II) The Florida School for the Deaf and the Blind during

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668 the preceding October or February full-time equivalent student
669 membership surveys in kindergarten through grade 12;

670 (III) A school district for funding during the preceding
671 October or February full-time equivalent student membership
672 surveys, was at least 4 years of age when enrolled and reported,
673 and was eligible for services under s. 1003.21(1)(e); or

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

676 d. Is funded from remaining tax credit revenue pursuant to
677 ss. 1002.395 and 1002.40 and would exceed the maximum number of
678 students established under this subsection.

679 2. For a student who has a Level I to Level III matrix of
680 services or a diagnosis by a physician or psychologist, the
681 calculated scholarship amount for a student participating in the
682 program must be based upon the grade level and school district
683 in which the student would have been enrolled as the total funds
684 per unweighted full-time equivalent in the Florida Education
685 Finance Program for a student in the basic exceptional student
686 education program pursuant to s. 1011.62(1)(c)1. and (e)1.c.,
687 plus a per full-time equivalent share of funds for all
688 categorical programs, as funded in the General Appropriations
689 Act, except that for the exceptional student education
690 guaranteed allocation, as provided in s. 1011.62(1)(e)1.c. and
691 2., the funds must be allocated based on the school district's
692 average exceptional student education guaranteed allocation
693 funds per exceptional student education full-time equivalent
694 student.

695 3. For a student with a Level IV or Level V matrix of
696 services, the calculated scholarship amount must be based upon

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697 the school district to which the student would have been
698 assigned as the total funds per full-time equivalent for the
699 Level IV or Level V exceptional student education program
700 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
701 equivalent share of funds for all categorical programs, as
702 funded in the General Appropriations Act.

703 4. For a student who received a Gardiner Scholarship
704 pursuant to s. 1002.385 in the 2020-2021 school year, the amount
705 shall be the greater of the amount calculated pursuant to
706 subparagraph 2. or the amount the student received for the 2020-
707 2021 school year.

708 5. For a student who received a John M. McKay Scholarship
709 pursuant to s. 1002.39 in the 2020-2021 school year, the amount
710 shall be the greater of the amount calculated pursuant to
711 subparagraph 2. or the amount the student received for the 2020-
712 2021 school year.

713 6. The organization must provide the department with the
714 documentation necessary to verify the student's participation.

715 7. Upon receiving the documentation, the department shall
716 release, from state funds only, the student's scholarship funds
717 to the organization, to be deposited into the student's account
718 in four equal amounts no later than September 1, November 1,
719 February 1, and April 1 of each school year in which the
720 scholarship is in force.

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

724 9. The organization may develop a system for payment of
725 benefits by funds transfer, including, but not limited to, debit

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726 cards, electronic payment cards, or any other means of payment
727 which the department deems to be commercially viable or cost-
728 effective. A student's scholarship award may not be reduced for
729 debit card or electronic payment fees. Commodities or services
730 related to the development of such a system must be procured by
731 competitive solicitation unless they are purchased from a state
732 term contract pursuant to s. 287.056.

733 10. An organization may not transfer any funds to an
734 account of a student determined to be eligible pursuant to
735 paragraph (3) (b) which has a balance in excess of \$50,000.

736 11. Moneys received pursuant to this section do not
737 constitute taxable income to the qualified student or the parent
738 of the qualified student.

739 (17) OBLIGATIONS OF CHOICE NAVIGATOR.—Beginning January 1,
740 2024, a choice navigator must:

741 (a) Review educational records and assessment results to
742 determine the academic needs of a student.

743 (b) Identify educational options authorized under paragraph
744 (4) (a) to address the academic needs of a student.

745 (c) Provide guidance to enable parents to choose the best
746 educational options for their student.

747 (d) Report the scores of all participating students to a
748 state university as described in s. 1002.395(9) (f).

749 Section 3. Present paragraphs (b) through (k) of subsection
750 (2) of section 1002.395, Florida Statutes, are redesignated as
751 paragraphs (c) through (l), respectively, a new paragraph (b) is
752 added to that subsection, paragraphs (r), (s), and (t) are added
753 to subsection (6), paragraphs (e) through (h) are added to
754 subsection (11), subsection (16) is added to that section, and

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755 paragraph (b) of subsection (3), subsection (4), paragraphs (b),
 756 (d), (j), and (o) of subsection (6), subsection (7), paragraphs
 757 (a), (b), and (f) of subsection (9), and paragraph (b) of
 758 subsection (11) are amended, to read:

759 1002.395 Florida Tax Credit Scholarship Program.—

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

761 (b) “Choice navigator” means an individual who assists
 762 parents with the selection of, application for, and enrollment
 763 in educational options that address the academic needs of their
 764 student.

765 (c) “Department” means the Department of Revenue.

766 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

767 (b)1. A student is eligible for a Florida tax credit
 768 scholarship under this section if the student is a resident of
 769 this state and is eligible to enroll in kindergarten through
 770 grade 12 in a public school in this state ~~meets one or more of~~
 771 ~~the following criteria:~~

772 ~~1. The student is on the direct certification list or the~~
 773 ~~student’s household income level does not exceed 375 percent of~~
 774 ~~the federal poverty level or an adjusted maximum percent of the~~
 775 ~~federal poverty level authorized under s. 1002.394(3)(a)3.; or~~

776 ~~2. The student is currently placed, or during the previous~~
 777 ~~state fiscal year was placed, in foster care or in out-of-home~~
 778 ~~care as defined in s. 39.01.~~

779 2. Priority must be given to a student whose household
 780 income level does not exceed 185 percent of the federal poverty
 781 level or who is in foster care or out-of-home care. ~~A student~~
 782 ~~who initially receives a scholarship based on eligibility under~~
 783 ~~this paragraph remains eligible to participate until he or she~~

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784 ~~graduates from high school or attains the age of 21 years,~~
785 ~~whichever occurs first, regardless of the student's household~~
786 ~~income level. A sibling of a student who is participating in the~~
787 ~~scholarship program under this subsection is eligible for a~~
788 ~~scholarship if the student resides in the same household as the~~
789 ~~sibling.~~

790 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
791 a scholarship while he or she is:

792 (a) Enrolled in a public school, including, but not limited
793 to, the College-Preparatory Boarding Academy, a developmental
794 research school authorized under s. 1002.32, or a charter school
795 authorized under this chapter. For purposes of this paragraph, a
796 3- or 4-year-old child who receives services funded through the
797 Florida Education Finance Program is considered a student
798 enrolled in a public school;

799 (b) ~~(a)~~ Enrolled in a school operating for the purpose of
800 providing educational services to youth in a Department of
801 Juvenile Justice commitment program ~~programs;~~

802 ~~(b) Receiving a scholarship from another eligible nonprofit~~
803 ~~scholarship funding organization under this section;~~

804 (c) Receiving any other ~~an~~ educational scholarship pursuant
805 to this chapter;

806 (d) Not having regular and direct contact with his or her
807 private school teachers pursuant to s. 1002.421(1)(i) unless he
808 or she is enrolled in a home education program pursuant to s.
809 1002.41 ~~Participating in a home education program as defined in~~
810 ~~s. 1002.01(1);~~

811 (e) Participating in a private tutoring program pursuant to
812 s. 1002.43 unless he or she is enrolled in a home education

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813 program pursuant to s. 1002.41;

814 (f) Participating in ~~a~~ virtual instruction pursuant to s.
815 1002.455 school, correspondence school, or distance learning
816 ~~program~~ that receives state funding pursuant to the student's
817 participation ~~unless the participation is limited to no more~~
818 ~~than two courses per school year; or~~

819 (g) Enrolled in the Florida School for the Deaf and the
820 Blind.

821 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
822 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
823 organization:

824 (b) Must comply with the following background check
825 requirements:

826 1. All owners and operators as defined in subparagraph
827 (2)(j)1. ~~(2)(i)1.~~ are, before employment or engagement to
828 provide services, subject to level 2 background screening as
829 provided under chapter 435. The fingerprints for the background
830 screening must be electronically submitted to the Department of
831 Law Enforcement and can be taken by an authorized law
832 enforcement agency or by an employee of the eligible nonprofit
833 scholarship-funding organization or a private company who is
834 trained to take fingerprints. However, the complete set of
835 fingerprints of an owner or operator may not be taken by the
836 owner or operator. The results of the state and national
837 criminal history check shall be provided to the Department of
838 Education for screening under chapter 435. The cost of the
839 background screening may be borne by the eligible nonprofit
840 scholarship-funding organization or the owner or operator.

841 2. Every 5 years following employment or engagement to

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842 provide services or association with an eligible nonprofit
843 scholarship-funding organization, each owner or operator must
844 meet level 2 screening standards as described in s. 435.04, at
845 which time the nonprofit scholarship-funding organization shall
846 request the Department of Law Enforcement to forward the
847 fingerprints to the Federal Bureau of Investigation for level 2
848 screening. If the fingerprints of an owner or operator are not
849 retained by the Department of Law Enforcement under subparagraph
850 3., the owner or operator must electronically file a complete
851 set of fingerprints with the Department of Law Enforcement. Upon
852 submission of fingerprints for this purpose, the eligible
853 nonprofit scholarship-funding organization shall request that
854 the Department of Law Enforcement forward the fingerprints to
855 the Federal Bureau of Investigation for level 2 screening, and
856 the fingerprints shall be retained by the Department of Law
857 Enforcement under subparagraph 3.

858 3. Fingerprints submitted to the Department of Law
859 Enforcement as required by this paragraph must be retained by
860 the Department of Law Enforcement in a manner approved by rule
861 and entered in the statewide automated biometric identification
862 system authorized by s. 943.05(2)(b). The fingerprints must
863 thereafter be available for all purposes and uses authorized for
864 arrest fingerprints entered in the statewide automated biometric
865 identification system pursuant to s. 943.051.

866 4. The Department of Law Enforcement shall search all
867 arrest fingerprints received under s. 943.051 against the
868 fingerprints retained in the statewide automated biometric
869 identification system under subparagraph 3. Any arrest record
870 that is identified with an owner's or operator's fingerprints

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871 must be reported to the Department of Education. The Department
872 of Education shall participate in this search process by paying
873 an annual fee to the Department of Law Enforcement and by
874 informing the Department of Law Enforcement of any change in the
875 employment, engagement, or association status of the owners or
876 operators whose fingerprints are retained under subparagraph 3.
877 The Department of Law Enforcement shall adopt a rule setting the
878 amount of the annual fee to be imposed upon the Department of
879 Education for performing these services and establishing the
880 procedures for the retention of owner and operator fingerprints
881 and the dissemination of search results. The fee may be borne by
882 the owner or operator of the nonprofit scholarship-funding
883 organization.

884 5. A nonprofit scholarship-funding organization whose owner
885 or operator fails the level 2 background screening is not
886 eligible to provide scholarships under this section.

887 6. A nonprofit scholarship-funding organization whose owner
888 or operator in the last 7 years has filed for personal
889 bankruptcy or corporate bankruptcy in a corporation of which he
890 or she owned more than 20 percent is ~~shall~~ not be eligible to
891 provide scholarships under this section.

892 7. In addition to the offenses listed in s. 435.04, a
893 person required to undergo background screening pursuant to this
894 part or authorizing statutes must not have an arrest awaiting
895 final disposition for, must not have been found guilty of, or
896 entered a plea of nolo contendere to, regardless of
897 adjudication, and must not have been adjudicated delinquent, and
898 the record must not have been sealed or expunged for, any of the
899 following offenses or any similar offense of another

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900 jurisdiction:

- 901 a. Any authorizing statutes, if the offense was a felony.
- 902 b. This chapter, if the offense was a felony.
- 903 c. Section 409.920, relating to Medicaid provider fraud.
- 904 d. Section 409.9201, relating to Medicaid fraud.
- 905 e. Section 741.28, relating to domestic violence.
- 906 f. Section 817.034, relating to fraudulent acts through
- 907 mail, wire, radio, electromagnetic, photoelectronic, or
- 908 photooptical systems.
- 909 g. Section 817.234, relating to false and fraudulent
- 910 insurance claims.
- 911 h. Section 817.505, relating to patient brokering.
- 912 i. Section 817.568, relating to criminal use of personal
- 913 identification information.
- 914 j. Section 817.60, relating to obtaining a credit card
- 915 through fraudulent means.
- 916 k. Section 817.61, relating to fraudulent use of credit
- 917 cards, if the offense was a felony.
- 918 l. Section 831.01, relating to forgery.
- 919 m. Section 831.02, relating to uttering forged instruments.
- 920 n. Section 831.07, relating to forging bank bills, checks,
- 921 drafts, or promissory notes.
- 922 o. Section 831.09, relating to uttering forged bank bills,
- 923 checks, drafts, or promissory notes.
- 924 p. Section 831.30, relating to fraud in obtaining medicinal
- 925 drugs.
- 926 q. Section 831.31, relating to the sale, manufacture,
- 927 delivery, or possession with the intent to sell, manufacture, or
- 928 deliver any counterfeit controlled substance, if the offense was

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929 a felony.

930 (d)1. For the 2023-2024 school year, may fund no more than
931 10,000 scholarships for students who are enrolled in a home
932 education program. The number of scholarships funded for such
933 students may increase by 20,000 in each subsequent school year.
934 This subparagraph is repealed July 1, 2027.

935 2. Must establish and maintain separate empowerment
936 accounts from eligible contributions for each eligible student.
937 For each account, the organization must maintain a record of
938 accrued interest that is retained in the student's account. The
939 organization must verify that scholarship funds are used for
940 provide scholarships, from eligible contributions, to eligible
941 students for the cost of:

942 a.1. Tuition and fees for an eligible private school, ~~or~~

943 b.2. Transportation to a Florida public school in which a
944 student is enrolled and that is different from the school to
945 which the student was assigned or to a lab school as defined in
946 s. 1002.32.

947 c. Instructional materials, including digital materials and
948 Internet resources.

949 d. Curriculum as defined in s. 1002.394(2).

950 e. Tuition and fees associated with full-time or part-time
951 enrollment in a home education program, an eligible private
952 school, an eligible postsecondary educational institution or a
953 program offered by the postsecondary educational institution, a
954 private tutoring program authorized under s. 1002.43, a virtual
955 program offered by a Department of Education-approved private
956 online provider that meets the provider qualifications specified
957 in s. 1002.45(2)(a), the Florida Virtual School as a private

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958 paying student, or an approved online course offered pursuant to
959 s. 1003.499 or s. 1004.0961.

960 f. Fees for nationally standardized, norm-referenced
961 achievement tests, Advanced Placement Examinations, industry
962 certification examinations, assessments related to postsecondary
963 education, or other assessments.

964 g. Contracted services provided by a public school or
965 school district, including classes. A student who receives
966 contracted services under this sub-subparagraph is not
967 considered enrolled in a public school for eligibility purposes
968 as specified in subsection (11).

969 h. Tuition and fees for part-time tutoring services
970 provided by a person who holds a valid Florida educator's
971 certificate pursuant to s. 1012.56, a person who holds an
972 adjunct teaching certificate pursuant to s. 1012.57, a person
973 who has a bachelor's degree or a graduate degree in the subject
974 area in which instruction is given, a person who has
975 demonstrated a mastery of subject area knowledge pursuant to s.
976 1012.56(5), or a person certified by a nationally or
977 internationally recognized research-based training program as
978 approved by the Department of Education. As used in this
979 paragraph, the term "part-time tutoring services" does not
980 qualify as regular school attendance as defined in s.
981 1003.01(13)(e).

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

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987 the preceding 3 fiscal years and did not have any findings of
988 material weakness or material noncompliance in its most recent
989 audit under paragraph (m). Administrative expenses from eligible
990 contributions may not exceed 3 percent of the total amount of
991 all scholarships funded by an eligible scholarship-funding
992 organization under this chapter. Such administrative expenses
993 must be reasonable and necessary for the organization's
994 management and distribution of scholarships funded under this
995 chapter. Administrative expenses may include developing or
996 contracting with rideshare programs or facilitating carpool
997 strategies for recipients of a transportation scholarship. No
998 funds authorized under this subparagraph may ~~shall~~ be used for
999 lobbying or political activity or expenses related to lobbying
1000 or political activity. Up to one-third of the funds authorized
1001 for administrative expenses under this subparagraph may be used
1002 for expenses related to the recruitment of contributions from
1003 taxpayers. An eligible nonprofit scholarship-funding
1004 organization may not charge an application fee.

1005 2. Must expend for annual or partial-year scholarships an
1006 amount equal to or greater than 75 percent of all ~~the~~ net
1007 eligible contributions remaining after administrative expenses
1008 during the state fiscal year in which such contributions are
1009 collected. No more than 25 percent of such net eligible
1010 contributions may be carried forward to the following state
1011 fiscal year. All amounts carried forward, for audit purposes,
1012 must be specifically identified for particular students, by
1013 student name and the name of the school to which the student is
1014 admitted, subject to the requirements of ss. 1002.22 and
1015 1002.221 and 20 U.S.C. s. 1232g, and the applicable rules and

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1016 regulations issued pursuant thereto. Any amounts carried forward
1017 must ~~shall~~ be expended for annual or partial-year scholarships
1018 in the following state fiscal year. No later than September 30
1019 of each year, net eligible contributions remaining on June 30 of
1020 each year that are in excess of the 25 percent that may be
1021 carried forward must ~~shall~~ be used to provide scholarships to
1022 eligible students or transferred to other eligible nonprofit
1023 scholarship-funding organizations to provide scholarships for
1024 eligible students. All transferred funds must be deposited by
1025 each eligible nonprofit scholarship-funding organization
1026 receiving such funds into its scholarship account. All
1027 transferred amounts received by any eligible nonprofit
1028 scholarship-funding organization must be separately disclosed in
1029 the annual financial audit required under paragraph (m).

1030 3. Must, before granting a scholarship for an academic
1031 year, document each scholarship student's eligibility for that
1032 academic year. A scholarship-funding organization may not grant
1033 multiyear scholarships in one approval process.

1034 (o)1.a. Must participate in the joint development of
1035 agreed-upon procedures during the 2009-2010 state fiscal year.
1036 The agreed-upon procedures must uniformly apply to all private
1037 schools and must determine, at a minimum, whether the private
1038 school has been verified as eligible by the Department of
1039 Education under s. 1002.421; has an adequate accounting system,
1040 system of financial controls, and process for deposit and
1041 classification of scholarship funds; and has properly expended
1042 scholarship funds for education-related expenses. During the
1043 development of the procedures, the participating scholarship-
1044 funding organizations shall specify guidelines governing the

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1045 materiality of exceptions that may be found during the
1046 accountant's performance of the procedures. The procedures and
1047 guidelines must ~~shall~~ be provided to private schools and the
1048 Commissioner of Education by March 15, 2011.

1049 b. Must participate in a joint review of the agreed-upon
1050 procedures and guidelines developed under sub-subparagraph a.,
1051 by February of each biennium, if the scholarship-funding
1052 organization provided more than \$250,000 in scholarship funds ~~to~~
1053 ~~an eligible private school~~ under this chapter during the state
1054 fiscal year preceding the biennial review. If the procedures and
1055 guidelines are revised, the revisions must be provided to
1056 private schools and the Commissioner of Education by March 15 of
1057 the year in which the revisions were completed. The revised
1058 agreed-upon procedures and guidelines must ~~shall~~ take effect the
1059 subsequent school year. ~~For the 2018-2019 school year only, the~~
1060 ~~joint review of the agreed-upon procedures must be completed and~~
1061 ~~the revisions submitted to the commissioner no later than~~
1062 ~~September 15, 2018. The revised procedures are applicable to the~~
1063 ~~2018-2019 school year.~~

1064 c. Must monitor the compliance of a private school with s.
1065 1002.421(1)(q) if the scholarship-funding organization provided
1066 the majority of the scholarship funding to the school. For each
1067 private school subject to s. 1002.421(1)(q), the appropriate
1068 scholarship-funding organization shall annually notify the
1069 Commissioner of Education by October 30 of:

1070 (I) A private school's failure to submit a report required
1071 under s. 1002.421(1)(q); or

1072 (II) Any material exceptions set forth in the report
1073 required under s. 1002.421(1)(q).

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1074 2. Must seek input from the accrediting associations that
1075 are members of the Florida Association of Academic Nonpublic
1076 Schools and the Department of Education when jointly developing
1077 the agreed-upon procedures and guidelines under sub-subparagraph
1078 1.a. and conducting a review of those procedures and guidelines
1079 under sub-subparagraph 1.b.

1080 (r) Must participate in the joint development of agreed-
1081 upon purchasing guidelines for authorized uses of scholarship
1082 funds under this chapter. The purchasing guidelines must be
1083 provided to the Commissioner of Education and posted on the
1084 eligible nonprofit scholarship-funding organization's website by
1085 December 31, 2023, and annually thereafter.

1086 (s) May permit eligible students to use program funds for
1087 the purposes listed in paragraph (d) by paying for the
1088 authorized use directly, then submitting a reimbursement request
1089 to the eligible nonprofit scholarship-funding organization.
1090 However, an eligible nonprofit scholarship-funding organization
1091 may elect not to provide reimbursements and only allow direct
1092 purchases using program funds.

1093 (t) Must notify each parent that participation in the
1094 scholarship program does not guarantee enrollment.

1095
1096 Information and documentation provided to the Department of
1097 Education and the Auditor General relating to the identity of a
1098 taxpayer that provides an eligible contribution under this
1099 section shall remain confidential at all times in accordance
1100 with s. 213.053.

1101 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1102 PARTICIPATION.—

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1103 (a) A parent whose student will be enrolled full time in a
1104 private school must:

1105 1. The parent must Select an eligible private school and
1106 apply for the admission of his or her child.

1107 2. (b) The parent must Inform the child's school district
1108 when the parent withdraws his or her child to attend an eligible
1109 private school.

1110 3. (e) Require his or her Any student participating in the
1111 scholarship program to ~~must~~ remain in attendance throughout the
1112 school year unless excused by the school for illness or other
1113 good cause and-

1114 ~~(d) Each parent and each student has an obligation to the~~
1115 ~~private school to~~ comply with the private school's published
1116 policies.

1117 4. (e) Require his or her ~~The parent shall ensure that the~~
1118 student participating in the scholarship program to take ~~takes~~
1119 the norm-referenced assessment offered by the private school.
1120 The parent may also choose to have the student participate in
1121 the statewide assessments pursuant to s. 1008.22. If the parent
1122 requests that the student participating in the scholarship
1123 program take statewide assessments pursuant to s. 1008.22 and
1124 the private school has not chosen to offer and administer the
1125 statewide assessments, the parent is responsible for
1126 transporting the student to the assessment site designated by
1127 the school district.

1128 5. (f) Upon receipt of a scholarship warrant from the
1129 eligible nonprofit scholarship funding organization, the parent
1130 to whom the warrant is made must restrictively endorse the
1131 warrant to the private school for deposit into the account of

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1132 ~~the private school. If payments are made by funds transfer, the~~
 1133 ~~parent must~~ Approve each payment before the scholarship funds
 1134 may be deposited by funds transfer. The parent may not designate
 1135 any entity or individual associated with the participating
 1136 private school as the parent's attorney in fact to endorse a
 1137 scholarship warrant or approve a funds transfer. A participant
 1138 who fails to comply with this paragraph forfeits the
 1139 scholarship.

1140 ~~6. (g) The parent shall~~ Authorize the nonprofit scholarship-
 1141 funding organization to access information needed for income
 1142 eligibility determination and verification held by other state
 1143 or federal agencies, including the Department of Revenue, the
 1144 Department of Children and Families, the Department of
 1145 Education, the Department of Economic Opportunity, and the
 1146 Agency for Health Care Administration.

1147 (b) A parent whose student will be enrolled in a home
 1148 education program with the school district in which the student
 1149 resides must:

1150 1. Apply to an eligible nonprofit scholarship-funding
 1151 organization to participate in the program by a date set by the
 1152 organization. The request must be communicated directly to the
 1153 organization in a manner that creates a written or electronic
 1154 record of the request and the date of receipt of the request.

1155 2. Sign an agreement with the organization and annually
 1156 submit a sworn compliance statement to the organization to
 1157 satisfy or maintain program eligibility, including eligibility
 1158 to receive and spend program payments, by:

1159 a. Affirming that the parent has established and maintains
 1160 a home education program in accordance with s. 1002.41.

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1161 b. Affirming that the program funds are used only for
1162 authorized purposes serving the student's educational needs, as
1163 described in paragraph (6) (d), and that they will not receive a
1164 payment, refund, or rebate of any funds provided under this
1165 section.

1166 c. Affirming that the parent is responsible for all
1167 eligible expenses in excess of the amount of the scholarship and
1168 for the education of his or her student.

1169 3. Require the student to take a nationally norm-referenced
1170 test identified by the Department of Education, or a statewide
1171 assessment under s. 1008.22, and provide educational records and
1172 assessment results to a choice navigator before the student's
1173 program renewal.

1174 4. Meet with a choice navigator at least annually before
1175 the student's program renewal to:

1176 a. Discuss the academic needs and progress of the student
1177 based on educational records submitted by the parent and annual
1178 assessment results.

1179 b. Select educational options based on the academic needs
1180 of the student.

1181 5. Affirm that the student remains in good standing with
1182 the provider or school if those options are selected by the
1183 parent.

1184 6. Renew participation in the program each year. A student
1185 whose participation in the program is not renewed may continue
1186 to spend scholarship funds that are in his or her account from
1187 prior years unless the account must be closed pursuant to s.
1188 1002.394(5) (a) 2.

1189 7. Procure the services necessary to educate the student.

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1190 When the student receives a scholarship, the district school
1191 board is not obligated to provide the student with a free
1192 appropriate public education.

1193 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
1194 Education shall:

1195 (a) Annually submit to the department and division, by
1196 March 15, a list of eligible nonprofit scholarship-funding
1197 organizations that meet the requirements of paragraph (2) (g)
1198 ~~(2) (f)~~.

1199 (b) Annually verify the eligibility of nonprofit
1200 scholarship-funding organizations that meet the requirements of
1201 paragraph (2) (g) ~~(2) (f)~~.

1202 (f) Issue a project grant award to a state university, to
1203 which participating private schools and choice navigators must
1204 report the scores of participating students on the nationally
1205 norm-referenced tests or the statewide assessments administered
1206 by the private school in grades 3 through 10. The project term
1207 is 2 years, and the amount of the project is up to \$250,000 per
1208 year. The project grant award must be reissued in 2-year
1209 intervals in accordance with this paragraph.

1210 1. The state university must annually report to the
1211 Department of Education on the student performance of
1212 participating students:

1213 a. On a statewide basis. The report must ~~shall~~ also
1214 include, to the extent possible, a comparison of scholarship
1215 students' performance to the statewide student performance of
1216 public school students with socioeconomic backgrounds similar to
1217 those of students participating in the scholarship program. To
1218 minimize costs and reduce time required for the state

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1219 university's analysis and evaluation, the Department of
1220 Education shall coordinate with the state university to provide
1221 data to the state university in order to conduct analyses of
1222 matched students from public school assessment data and
1223 calculate control group student performance using an agreed-upon
1224 methodology with the state university; and

1225 b. On an individual school basis. The annual report must
1226 include student performance for each participating private
1227 school in which ~~at least 51 percent of the total~~ enrolled
1228 students in the private school participated in a scholarship
1229 program under this section or s. 1002.394(12) (a) ~~the Florida Tax~~
1230 ~~Credit Scholarship Program~~ in the prior school year. The report
1231 must ~~shall~~ be according to each participating private school,
1232 and for participating students, in which there are at least 30
1233 participating students who have scores for tests administered.
1234 If the state university determines that the 30-participating-
1235 student cell size may be reduced without disclosing personally
1236 identifiable information, as described in 34 C.F.R. s. 99.12, of
1237 a participating student, the state university may reduce the
1238 participating-student cell size, but the cell size must not be
1239 reduced to less than 10 participating students. The department
1240 shall provide each private school's prior school year's student
1241 enrollment information to the state university no later than
1242 June 15 of each year, or as requested by the state university.

1243 2. The sharing and reporting of student performance data
1244 under this paragraph must be in accordance with requirements of
1245 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family
1246 Educational Rights and Privacy Act, and the applicable rules and
1247 regulations issued pursuant thereto, and shall be for the sole

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1248 purpose of creating the annual report required by subparagraph

1249 1. All parties must preserve the confidentiality of such
1250 information as required by law. The annual report must not
1251 disaggregate data to a level that will identify individual
1252 participating schools, except as required under sub-subparagraph
1253 1.b., or disclose the academic level of individual students.

1254 3. The annual report required by subparagraph 1. must ~~shall~~
1255 be published by the Department of Education on its website.

1256 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1257 (b) Payment of the scholarship by the eligible nonprofit
1258 scholarship-funding organization must ~~shall~~ be ~~by individual~~
1259 ~~warrant made payable to the student's parent or~~ by funds
1260 transfer, including, but not limited to, debit cards, electronic
1261 payment cards, or any other means of payment that the department
1262 deems to be commercially viable or cost-effective. ~~If the~~
1263 ~~payment is made by warrant, the warrant must be delivered by the~~
1264 ~~eligible nonprofit scholarship-funding organization to the~~
1265 ~~private school of the parent's choice, and the parent shall~~
1266 ~~restrictively endorse the warrant to the private school. An~~
1267 eligible nonprofit scholarship-funding organization shall ensure
1268 ~~that the parent to whom the warrant is made restrictively~~
1269 ~~endorsed the warrant to the private school for deposit into the~~
1270 ~~account of the private school or that the parent has approved a~~
1271 funds transfer before any scholarship funds are deposited.

1272 (e) An eligible nonprofit scholarship-funding organization
1273 may not transfer any funds to an account of a student determined
1274 eligible under this section which has a balance in excess of
1275 \$24,000.

1276 (f) A scholarship awarded to an eligible student must

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1277 remain in force until:

1278 1. The organization determines that the student is not
1279 eligible for program renewal;

1280 2. The Commissioner of Education suspends or revokes
1281 program participation or use of funds;

1282 3. The student's parent has forfeited participation in the
1283 program for failure to comply with subsection (7);

1284 4. The student enrolls in a public school. However, if a
1285 student enters a Department of Juvenile Justice detention center
1286 for a period of no more than 21 days, the student is not
1287 considered to have returned to a public school on a full-time
1288 basis for that purpose; or

1289 5. The student graduates from high school or attains 21
1290 years of age, whichever occurs first.

1291 (g) Reimbursements for program expenditures may continue
1292 until the account balance is expended or remaining funds have
1293 reverted to the state.

1294 (h) A student's scholarship account must be closed and any
1295 remaining funds must revert to the state after:

1296 1. Denial or revocation of program eligibility by the
1297 commissioner for fraud or abuse, including, but not limited to,
1298 the student or student's parent accepting any payment, refund,
1299 or rebate, in any manner, from a provider of any services
1300 received pursuant to paragraph (6) (d); or

1301 2. Two consecutive fiscal years in which an account has
1302 been inactive.

1303 (16) OBLIGATIONS OF CHOICE NAVIGATOR.—Beginning January 1,
1304 2024, a choice navigator must:

1305 (a) Review educational records and assessment results to

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1306 determine the academic needs of a student.

1307 (b) Identify educational options authorized under paragraph
 1308 (6) (d) to address the academic needs of a student.

1309 (c) Provide guidance to enable parents to choose the best
 1310 option or options for their student.

1311 (d) Report the scores of all participating students to a
 1312 state university as described in paragraph (9) (f).

1313 Section 4. Paragraphs (e) and (f) of subsection (2) of
 1314 section 1002.40, Florida Statutes, are amended to read:

1315 1002.40 The Hope Scholarship Program.—

1316 (2) DEFINITIONS.—As used in this section, the term:

1317 (e) “Eligible nonprofit scholarship-funding organization”
 1318 or “organization” has the same meaning as provided in s.
 1319 1002.395(2) ~~s. 1002.395(2) (f)~~.

1320 (f) “Eligible private school” has the same meaning as
 1321 provided in s. 1002.395(2) ~~s. 1002.395(2) (g)~~.

1322 Section 5. Section 1002.44, Florida Statutes, is created to
 1323 read:

1324 1002.44 Part-time public school enrollment.—

1325 (1) Any public school in this state, including a charter
 1326 school, may enroll a student on a part-time basis who meets the
 1327 regular school attendance criteria in s. 1003.01(13) (b)-(e),
 1328 subject to space and availability according to the school’s
 1329 capacity determined pursuant to s. 1002.31(2) (b).

1330 (2) A student attending a public school on a part-time
 1331 basis pursuant to this section shall generate full-time
 1332 equivalent student membership as described in s. 1011.61(1) (b).

1333 (3) A student attending a public school on a part-time
 1334 basis pursuant to this section is not considered to be in

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1335 regular attendance at a public school as defined in s.
1336 1003.01(13) (a).

1337 Section 6. Subsection (4) of section 1003.4282, Florida
1338 Statutes, is amended to read:

1339 1003.4282 Requirements for a standard high school diploma.—

1340 ~~(4) ONLINE COURSE REQUIREMENT. At least one course within~~
1341 ~~the 24 credits required under this section must be completed~~
1342 ~~through online learning.~~

1343 ~~(a) An online course taken in grade 6, grade 7, or grade 8~~
1344 ~~fulfills the requirements of this subsection. The requirement is~~
1345 ~~met through an online course offered by the Florida Virtual~~
1346 ~~School, a virtual education provider approved by the State Board~~
1347 ~~of Education, a high school, or an online dual enrollment~~
1348 ~~course. A student who is enrolled in a full-time or part-time~~
1349 ~~virtual instruction program under s. 1002.45 meets the~~
1350 ~~requirement.~~

1351 ~~(b) A district school board or a charter school governing~~
1352 ~~board, as applicable, may allow a student to satisfy the online~~
1353 ~~course requirements of this subsection by completing a blended~~
1354 ~~learning course or a course in which the student earns a~~
1355 ~~nationally recognized industry certification in information~~
1356 ~~technology that is identified on the CAPE Industry Certification~~
1357 ~~Funding List pursuant to s. 1008.44 or passing the information~~
1358 ~~technology certification examination without enrolling in or~~
1359 ~~completing the corresponding course or courses, as applicable.~~

1360
1361 ~~For purposes of this subsection, a school district may not~~
1362 ~~require a student to take the online or blended learning course~~
1363 ~~outside the school day or in addition to a student's courses for~~

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1364 ~~a given semester. This subsection does not apply to a student~~
1365 ~~who has an individual education plan under s. 1003.57 which~~
1366 ~~indicates that an online or blended learning course would be~~
1367 ~~inappropriate or to an out-of-state transfer student who is~~
1368 ~~enrolled in a Florida high school and has 1 academic year or~~
1369 ~~less remaining in high school.~~

1370 Section 7. No later than November 1, 2023, the State Board
1371 of Education shall develop and recommend to the Governor and
1372 Legislature for adoption during the 2024 legislative session
1373 repeals and revisions to the Florida Early Learning-20 Education
1374 Code, chapters 1000-1013, Florida Statutes, to reduce regulation
1375 on public schools. The state board shall consider input from
1376 teachers, superintendents, administrators, school boards, public
1377 and private postsecondary institutions, home educators, and
1378 other entities identified by the state board.

1379 Section 8. Subsections (1) and (2) and paragraph (a) of
1380 subsection (3) of section 1006.21, Florida Statutes, are amended
1381 to read:

1382 1006.21 Duties of district school superintendent and
1383 district school board regarding transportation.-

1384 (1) The district school superintendent shall ascertain
1385 which students should be transported to school or to school
1386 activities, determine the most effective arrangement of
1387 transportation routes to accommodate these students; recommend
1388 such routing to the district school board; recommend plans and
1389 procedures for providing facilities for the economical and safe
1390 transportation of students; recommend such rules as may be
1391 necessary and see that all rules relating to the transportation
1392 of students approved by the district school board, ~~as well as~~

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1393 ~~rules of the State Board of Education,~~ are properly carried into
1394 effect, as prescribed in this chapter.

1395 (2) After considering recommendations of the district
1396 school superintendent, the district school board shall make
1397 provision for the transportation of students to the public
1398 schools or school activities they are required or expected to
1399 attend; authorize transportation routes arranged efficiently and
1400 economically; provide the necessary transportation facilities,
1401 ~~and, when authorized under rules of the State Board of Education~~
1402 ~~and if more economical to do so,~~ provide limited subsistence in
1403 lieu thereof; and adopt the necessary rules to ensure safety,
1404 economy, and efficiency in the operation of all buses and other
1405 vehicles used to transport students, as prescribed in this
1406 chapter.

1407 (3) District school boards, after considering
1408 recommendations of the district school superintendent:

1409 (a) Shall provide transportation for each student in
1410 prekindergarten disability programs and in kindergarten through
1411 grade 12 membership in a public school when, and only when,
1412 transportation is necessary to provide adequate educational
1413 facilities and opportunities which otherwise would not be
1414 available ~~and to transport students whose homes are more than a~~
1415 ~~reasonable walking distance, as defined by rules of the State~~
1416 ~~Board of Education, from the nearest appropriate school.~~

1417 Section 9. Section 1006.22, Florida Statutes, is amended to
1418 read:

1419 1006.22 Safety and health of students being transported.—
1420 Maximum regard for safety and adequate protection of health are
1421 primary requirements that must be observed by district school

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boards in routing buses, appointing drivers, and providing and operating equipment, ~~in accordance with all requirements of law and rules of the State Board of Education in providing transportation pursuant to s. 1006.21:~~

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

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

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

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

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

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1451 ~~5. When the transportation is for trips to and from school~~
1452 ~~sites but is not for customary transportation between a~~
1453 ~~student's residence and such sites.~~

1454 ~~(b) When the transportation of students is provided, as~~
1455 ~~authorized in this subsection, in a vehicle other than a school~~
1456 ~~bus that is owned, operated, rented, contracted, or leased by a~~
1457 ~~school district or charter school, the following provisions~~
1458 ~~shall apply:~~

1459 ~~1. The vehicle must be designed to transport fewer than 10~~
1460 ~~students or be a multifunction school activity bus, as defined~~
1461 ~~in 49 C.F.R. s. 571.3, if it is designed to transport more than~~
1462 ~~10 persons. Students must be transported in designated seating~~
1463 ~~positions and must use the occupant crash protection system~~
1464 ~~provided by the manufacturer unless the student's physical~~
1465 ~~condition prohibits such use.~~

1466 ~~2. An authorized vehicle may not be driven by a student on~~
1467 ~~a public right-of-way. An authorized vehicle may be driven by a~~
1468 ~~student on school or private property as part of the student's~~
1469 ~~educational curriculum if no other student is in the vehicle.~~

1470 ~~3. The driver of an authorized vehicle transporting~~
1471 ~~students must maintain a valid driver license and must comply~~
1472 ~~with the requirements of the school district's locally adopted~~
1473 ~~safe driver plan, which includes review of driving records for~~
1474 ~~disqualifying violations.~~

1475 ~~4. The district school board or charter school must adopt a~~
1476 ~~policy that addresses procedures and liability for trips under~~
1477 ~~this paragraph, including a provision that school buses are to~~
1478 ~~be used whenever practical and specifying consequences for~~
1479 ~~violation of the policy.~~

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1480 ~~(2) Except as provided in subsection (1), District school~~
1481 boards may authorize the transportation of students in privately
1482 owned motor vehicles on a case-by-case basis ~~only in the~~
1483 ~~following circumstances:~~

1484 ~~(a) When a student is ill or injured and must be taken home~~
1485 ~~or to a medical treatment facility under nonemergency~~
1486 ~~circumstances; and~~

1487 ~~1. The school has been unable to contact the student's~~
1488 ~~parent or the parent or responsible adult designated by the~~
1489 ~~parent is not available to provide the transportation;~~

1490 ~~2. Proper adult supervision of the student is available at~~
1491 ~~the location to which the student is being transported;~~

1492 ~~3. The transportation is approved by the school principal,~~
1493 ~~or a school administrator designated by the principal to grant~~
1494 ~~or deny such approval, or in the absence of the principal and~~
1495 ~~designee, by the highest ranking school administrator or teacher~~
1496 ~~available under the circumstances; and~~

1497 ~~4. If the school has been unable to contact the parent~~
1498 ~~prior to the transportation, the school shall continue to seek~~
1499 ~~to contact the parent until the school is able to notify the~~
1500 ~~parent of the transportation and the pertinent circumstances.~~

1501 ~~(b) When the transportation is in connection with a school~~
1502 ~~function or event regarding which the district school board or~~
1503 ~~school has undertaken to participate or to sponsor or provide~~
1504 ~~the participation of students; and~~

1505 ~~1. The function or event is a single event that is not part~~
1506 ~~of a scheduled series or sequence of events to the same~~
1507 ~~location, such as, but not limited to, a field trip, a~~
1508 ~~recreational outing, an interscholastic competition or~~

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1509 ~~cooperative event, an event connected with an extracurricular~~
1510 ~~activity offered by the school, or an event connected to an~~
1511 ~~educational program, such as, but not limited to, a job~~
1512 ~~interview as part of a cooperative education program;~~

1513 ~~2. Transportation is not available, as a practical matter,~~
1514 ~~using a school bus or school district passenger car; and~~

1515 ~~3. Each student's parent is notified, in writing, regarding~~
1516 ~~the transportation arrangement and gives written consent before~~
1517 ~~a student is transported in a privately owned motor vehicle.~~

1518 ~~(c) When a district school board requires employees such as~~
1519 ~~school social workers and attendance officers to use their own~~
1520 ~~motor vehicles to perform duties of employment, and such duties~~
1521 ~~include the occasional transportation of students.~~

1522 ~~(2)~~(3) When approval is granted for the transportation of
1523 students in a privately owned vehicle, the provisions of s.
1524 1006.24 regarding liability for tort claims are applicable.
1525 District school board employees who provide approved
1526 transportation in privately owned vehicles are acting within the
1527 scope of their employment. Parents or other responsible adults
1528 who provide approved transportation in privately owned vehicles
1529 have the same exposure to, and protections from, risks of
1530 personal liability as do district school board employees acting
1531 within the scope of their employment.

1532 ~~(3)~~(4) Each district school board may establish policies
1533 that restrict the use of privately owned motor vehicles to
1534 circumstances that are more limited than are described in this
1535 section or that prohibit such use. Each district school board
1536 may establish written policies that provide for more extensive
1537 requirements for approval, parental notification and consent

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1538 procedures, insurance coverage, driver qualifications, or a
1539 combination of these.

1540 (4)~~(5)~~ When transportation is authorized in privately owned
1541 vehicles, students may be transported only in designated seating
1542 positions and must use the occupant crash protection system
1543 provided by the vehicle manufacturer.

1544 (5)~~(6)~~ District school boards may contract with a common
1545 carrier to transport students to and from in-season and
1546 postseason athletic contests and to and from a school function
1547 or event in which the district school board or a school has
1548 undertaken to participate or to provide for or sponsor the
1549 participation of students.

1550 (6)~~(7)~~ Transportation for adult students may be provided by
1551 any appropriate means as authorized by the district school board
1552 when the transportation is accepted as a responsibility by the
1553 district school board as provided in s. 1006.21.

1554 (7)~~(8)~~ Notwithstanding any other provision of this section,
1555 in an emergency situation that constitutes an imminent threat to
1556 student health or safety, school personnel may take whatever
1557 action is necessary under the circumstances to protect student
1558 health and safety.

1559 (8)~~(9)~~ Except as provided in s. 1006.261, transportation is
1560 not the responsibility of the district school board in
1561 connection with any event or activity that is not an event or
1562 activity offered by the district school board or an event or an
1563 activity in which the district school board or school has agreed
1564 to participate, cosponsor, or require the participation of
1565 students, and the district school board has no liability for
1566 transportation arranged and provided by parents or other parties

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1567 to such events or activities.

1568 (9)~~(10)~~ Each district school board shall designate and
1569 adopt a specific plan for adequate examination, maintenance, and
1570 repair of transportation equipment.~~Examination of the~~
1571 ~~mechanical and safety condition of each school bus must be made~~
1572 ~~as required pursuant to rule of the State Board of Education.~~
1573 ~~The State Board of Education shall base the rule on student~~
1574 ~~safety considerations.~~

1575 (10)~~(11)~~ The district school superintendent shall notify
1576 the district school board of any school bus or other vehicle
1577 used to transport students that does not meet all requirements
1578 of law ~~and rules of the State Board of Education~~, and the
1579 district school board must ~~shall~~, if the school bus or vehicle
1580 is in an unsafe condition, withdraw it from use until it ~~as a~~
1581 ~~school bus until the bus~~ meets the requirements. ~~The department~~
1582 ~~may inspect or have inspected any school bus to determine~~
1583 ~~whether the bus meets requirements of law and rules of the State~~
1584 ~~Board of Education. The department may, after due notice to a~~
1585 ~~district school board that any school bus does not meet certain~~
1586 ~~requirements of law and rules of the State Board of Education,~~
1587 ~~rule that the bus must be withdrawn from use as a school bus,~~
1588 ~~this ruling to be effective immediately or upon a date specified~~
1589 ~~in the ruling, whereupon the district school board shall~~
1590 ~~withdraw the school bus from use as a school bus until it meets~~
1591 ~~requirements of law and rules of the State Board of Education~~
1592 ~~and until the department has officially revoked the pertinent~~
1593 ~~ruling.~~ Notwithstanding any other provisions of this chapter,
1594 general purpose urban transit systems are declared qualified to
1595 transport students to and from school.

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1596 (11) (a) ~~(12) (a)~~ The routing and scheduling of school buses
1597 and other vehicles used to transport students must be planned to
1598 eliminate the necessity for students to stand while a school bus
1599 is in motion. When circumstances of an emergency nature, as
1600 defined by written district school board policy, temporarily
1601 require transporting students in vehicles ~~on school buses~~ in
1602 excess of the rated seating capacity, the vehicles ~~buses~~ must
1603 proceed at a reduced rate of speed to maximize safety of the
1604 students, taking into account existing traffic conditions. ~~Each~~
1605 ~~district school board is responsible for prompt relief of the~~
1606 ~~emergency condition by providing additional equipment, bus~~
1607 ~~rerouting, bus rescheduling, or other appropriate remedial~~
1608 ~~action, and must maintain written district school board policies~~
1609 ~~to address such situations.~~

1610 ~~(b) Each district school board, after considering~~
1611 ~~recommendations from the district school superintendent, shall~~
1612 ~~designate, by map or otherwise, or shall provide by district~~
1613 ~~school board rule for the designation of, nontransportation~~
1614 ~~zones that are composed of all areas in the school district from~~
1615 ~~which it is unnecessary or impracticable to furnish~~
1616 ~~transportation. Nontransportation zones must be designated~~
1617 ~~annually before the opening of school and the designation of bus~~
1618 ~~routes for the succeeding school year. Each district school~~
1619 ~~board, after considering recommendations from the district~~
1620 ~~school superintendent, shall specifically designate, or shall~~
1621 ~~provide by district school board rule for the designation of,~~
1622 ~~specific routes to be traveled regularly by school buses, and~~
1623 ~~each route must meet the requirements prescribed by rules of the~~
1624 ~~State Board of Education.~~

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1625 ~~(e)~~ Each district school board shall establish school bus
1626 stops, or provide by district school board rule for the
1627 establishment of school bus stops, as necessary at the most
1628 reasonably safe locations available. Where unusual traffic
1629 hazards exist at school bus stops on roads maintained by the
1630 state outside of municipalities, the Department of
1631 Transportation, in concurrence and cooperation with and upon
1632 request of the district school board, shall place signs at such
1633 bus stops warning motorists of the location of the stops.

1634 (12)~~(13)~~ The State Board of Education may adopt rules to
1635 implement this section as are necessary or desirable in the
1636 interest of student health and safety.

1637 Section 10. Subsections (2), (3), and (4) of section
1638 1006.25, Florida Statutes, are amended to read:

1639 1006.25 School buses.—School buses shall be defined and
1640 meet specifications as follows:

1641 (2) SPECIFICATIONS.—Each school bus as defined in 49 C.F.R.
1642 part 571 and subsection (1) that is rented, leased, purchased,
1643 or contracted for must meet the applicable federal motor vehicle
1644 safety standards ~~and other specifications as prescribed by rules~~
1645 ~~of the State Board of Education.~~

1646 (3) STANDARDS FOR LEASED VEHICLES.—~~A motor vehicle owned~~
1647 ~~and operated by a county or municipal transit authority that is~~
1648 ~~leased by the district school board for transportation of public~~
1649 ~~school students must meet such standards as the State Board of~~
1650 ~~Education establishes by rule.~~ A school bus authorized by a
1651 district school board to carry passengers other than school
1652 students must have the words "School Bus" and any other signs
1653 and insignia that mark or designate it as a school bus covered,

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1654 removed, or otherwise concealed while such passengers are being
1655 transported.

1656 (4) OCCUPANT PROTECTION SYSTEMS.—Students may be
1657 transported only in designated seating positions, except as
1658 provided in s. 1006.22(11) ~~s. 1006.22(12)~~, and must use the
1659 occupant crash protection system provided by the manufacturer,
1660 which system must comply with the requirements of 49 C.F.R. part
1661 571 ~~or with specifications of the State Board of Education.~~

1662 Section 11. Paragraph (a) of subsection (1) of section
1663 1006.261, Florida Statutes, is amended to read:

1664 1006.261 Use of school buses for public purposes.—

1665 (1) (a) Each district school board may enter into agreements
1666 with the governing body of a county or municipality in the
1667 school district or any state agency or agencies established or
1668 identified to assist in the provision of public transportation
1669 and other public purposes, ~~including, but not limited to,~~
1670 ~~providing for the needs of the transportation disadvantaged, as~~
1671 ~~defined in s. 427.011, including, but not limited to, the~~
1672 ~~elderly, pursuant to Pub. L. No. 89-73, as amended, for the use~~
1673 ~~of the school buses of the school district by departments,~~
1674 ~~boards, commissions, or officers of such county or municipality~~
1675 ~~or of the state for county, municipal, or state purposes,~~
1676 ~~including, but not limited to, transportation of the~~
1677 ~~transportation disadvantaged or other public purposes.~~ Each such
1678 agreement shall provide for reimbursement of the district school
1679 board, in full or in part, for the proportionate share of fixed
1680 and operating costs incurred by the district school board
1681 attributable to the use of the buses pursuant to the agreement
1682 or attributable to the maintenance or other activities conducted

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1683 by the district school board.

1684 Section 12. Subsection (1) of section 1006.27, Florida
1685 Statutes, is amended to read:

1686 1006.27 Pooling of school buses and related purchases by
1687 district school boards; transportation services contracts.—

1688 (1) The department shall assist district school boards in
1689 securing school buses and other vehicles used for transporting
1690 students, contractual needs, equipment, and supplies at as
1691 reasonable prices as possible by providing a plan under which
1692 district school boards may voluntarily pool their bids for such
1693 purchases. The department shall prepare bid forms and
1694 specifications, obtain quotations of prices and make such
1695 information available to district school boards in order to
1696 facilitate this service. District school boards from time to
1697 time, as prescribed by State Board of Education rule, shall
1698 furnish the department with information concerning the prices
1699 paid for such items and the department shall furnish to district
1700 school boards periodic information concerning the lowest prices
1701 at which school buses and other vehicles used for transporting
1702 students, equipment, and related supplies are available based
1703 upon comparable specifications.

1704 Section 13. Paragraph (f) is added to subsection (14) of
1705 section 1011.62, Florida Statutes, to read:

1706 1011.62 Funds for operation of schools.—If the annual
1707 allocation from the Florida Education Finance Program to each
1708 district for operation of schools is not determined in the
1709 annual appropriations act or the substantive bill implementing
1710 the annual appropriations act, it shall be determined as
1711 follows:

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1712 (14) TEACHER SALARY INCREASE ALLOCATION.—The Legislature
1713 may annually provide in the Florida Education Finance Program a
1714 teacher salary increase allocation to assist school districts in
1715 their recruitment and retention of classroom teachers and other
1716 instructional personnel. The amount of the allocation shall be
1717 specified in the General Appropriations Act.

1718 (f) Beginning July 1, 2023, any additional funding
1719 appropriated for the Teacher Salary Increase Allocation above
1720 the amount provided in fiscal year 2022-2023 may be used to
1721 provide salary increases for the following personnel, in a
1722 manner that best meets the needs of the school district or
1723 charter school:

1724 1. Full-time classroom teachers, as defined in s.
1725 1012.01(2) (a), plus certified prekindergarten teachers funded in
1726 the Florida Education Finance Program. This subparagraph does
1727 not apply to substitute teachers.

1728 2. Other full-time instructional personnel as defined in s.
1729 1012.01(2) (b)-(d).

1730 Section 14. Paragraph (c) of subsection (1) of section
1731 1012.22, Florida Statutes, is amended to read:

1732 1012.22 Public school personnel; powers and duties of the
1733 district school board.—The district school board shall:

1734 (1) Designate positions to be filled, prescribe
1735 qualifications for those positions, and provide for the
1736 appointment, compensation, promotion, suspension, and dismissal
1737 of employees as follows, subject to the requirements of this
1738 chapter:

1739 (c) *Compensation and salary schedules.*—

1740 1. Definitions.—As used in this paragraph:

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1741 a. "Adjustment" means an addition to the base salary
1742 schedule that is not a bonus and becomes part of the employee's
1743 permanent base salary and shall be considered compensation under
1744 s. 121.021(22).

1745 b. "Grandfathered salary schedule" means the salary
1746 schedule or schedules adopted by a district school board before
1747 July 1, 2014, pursuant to subparagraph 4.

1748 c. "Instructional personnel" means instructional personnel
1749 as defined in s. 1012.01(2)(a)-(d), excluding substitute
1750 teachers.

1751 d. "Performance salary schedule" means the salary schedule
1752 or schedules adopted by a district school board pursuant to
1753 subparagraph 5.

1754 e. "Salary schedule" means the schedule or schedules used
1755 to provide the base salary for district school board personnel.

1756 f. "School administrator" means a school administrator as
1757 defined in s. 1012.01(3)(c).

1758 g. "Supplement" means an annual addition to the base salary
1759 for the term of the negotiated supplement as long as the
1760 employee continues his or her employment for the purpose of the
1761 supplement. A supplement does not become part of the employee's
1762 continuing base salary but shall be considered compensation
1763 under s. 121.021(22).

1764 2. Cost-of-living adjustment.—A district school board may
1765 provide a cost-of-living salary adjustment if the adjustment:

1766 a. Does not discriminate among comparable classes of
1767 employees based upon the salary schedule under which they are
1768 compensated.

1769 b. Does not exceed 50 percent of the annual adjustment

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1770 provided to instructional personnel rated as effective.

1771 3. Advanced degrees.—A district school board may ~~not~~ use
1772 advanced degrees in setting a salary schedule for instructional
1773 personnel or school administrators ~~hired on or after July 1,~~
1774 ~~2011, unless the advanced degree is held in the individual's~~
1775 ~~area of certification and is only a salary supplement.~~

1776 4. Grandfathered salary schedule.—

1777 a. The district school board shall adopt a salary schedule
1778 or salary schedules to be used as the basis for paying all
1779 school employees hired before July 1, 2014. Instructional
1780 personnel on annual contract as of July 1, 2014, shall be placed
1781 on the performance salary schedule adopted under subparagraph 5.
1782 Instructional personnel on continuing contract or professional
1783 service contract may opt into the performance salary schedule if
1784 the employee relinquishes such contract and agrees to be
1785 employed on an annual contract under s. 1012.335. Such an
1786 employee shall be placed on the performance salary schedule and
1787 may not return to continuing contract or professional service
1788 contract status. Any employee who opts into the performance
1789 salary schedule may not return to the grandfathered salary
1790 schedule.

1791 b. In determining the grandfathered salary schedule for
1792 instructional personnel, a district school board must base a
1793 portion of each employee's compensation upon performance
1794 demonstrated under s. 1012.34 and shall provide differentiated
1795 pay for both instructional personnel and school administrators
1796 based upon district-determined factors, including, but not
1797 limited to, additional responsibilities, school demographics,
1798 critical shortage areas, and level of job performance

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1799 difficulties.

1800 5. Performance salary schedule.—By July 1, 2014, the
1801 district school board shall adopt a performance salary schedule
1802 that provides annual salary adjustments for instructional
1803 personnel and school administrators based upon performance
1804 determined under s. 1012.34. Employees hired on or after July 1,
1805 2014, or employees who choose to move from the grandfathered
1806 salary schedule to the performance salary schedule shall be
1807 compensated pursuant to the performance salary schedule once
1808 they have received the appropriate performance evaluation for
1809 this purpose.

1810 a. Base salary.—The base salary shall be established as
1811 follows:

1812 (I) The base salary for instructional personnel or school
1813 administrators who opt into the performance salary schedule
1814 shall be the salary paid in the prior year, including
1815 adjustments only.

1816 (II) Instructional personnel or school administrators new
1817 to the district, returning to the district after a break in
1818 service without an authorized leave of absence, or appointed for
1819 the first time to a position in the district in the capacity of
1820 instructional personnel or school administrator shall be placed
1821 on the performance salary schedule. ~~Beginning July 1, 2021, and~~
1822 ~~until such time as the minimum base salary as defined in s.~~
1823 ~~1011.62(14) equals or exceeds \$47,500, the annual increase to~~
1824 ~~the minimum base salary shall not be less than 150 percent of~~
1825 ~~the largest adjustment made to the salary of an employee on the~~
1826 ~~grandfathered salary schedule. Thereafter, the annual increase~~
1827 ~~to the minimum base salary shall not be less than 75 percent of~~

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1828 ~~the largest adjustment for an employee on the grandfathered~~
1829 ~~salary schedule.~~

1830 b. Salary adjustments.—Salary adjustments for highly
1831 effective or effective performance shall be established as
1832 follows:

1833 (I) The annual salary adjustment under the performance
1834 salary schedule for an employee rated as highly effective must
1835 be at least 25 percent greater than the highest annual salary
1836 adjustment available to an employee of the same classification
1837 through any other salary schedule adopted by the district.

1838 (II) The annual salary adjustment under the performance
1839 salary schedule for an employee rated as effective must be equal
1840 to at least 50 percent and no more than 75 percent of the annual
1841 adjustment provided for a highly effective employee of the same
1842 classification.

1843 (III) A salary schedule may ~~shall~~ not provide an annual
1844 salary adjustment for an employee who receives a rating other
1845 than highly effective or effective for the year.

1846 c. Salary supplements.—In addition to the salary
1847 adjustments, each district school board shall provide for salary
1848 supplements for activities that must include, but are not
1849 limited to:

1850 (I) Assignment to a Title I eligible school.

1851 (II) Assignment to a school that earned a grade of "F" or
1852 three consecutive grades of "D" pursuant to s. 1008.34 such that
1853 the supplement remains in force for at least 1 year following
1854 improved performance in that school.

1855 (III) Certification and teaching in critical teacher
1856 shortage areas. Statewide critical teacher shortage areas shall

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1857 be identified by the State Board of Education under s. 1012.07.
1858 However, the district school board may identify other areas of
1859 critical shortage within the school district for purposes of
1860 this sub-sub-subparagraph and may remove areas identified by the
1861 state board which do not apply within the school district.

1862 (IV) Assignment of additional academic responsibilities.
1863

1864 If budget constraints in any given year limit a district school
1865 board's ability to fully fund all adopted salary schedules, the
1866 performance salary schedule may ~~shall~~ not be reduced on the
1867 basis of total cost or the value of individual awards in a
1868 manner that is proportionally greater than reductions to any
1869 other salary schedules adopted by the district. Any compensation
1870 for longevity of service awarded to instructional personnel who
1871 are on any other salary schedule must be included in calculating
1872 the salary adjustments required by sub-subparagraph b.

1873 Section 15. Paragraphs (e) and (f) of subsection (3),
1874 paragraph (d) of subsection (5), paragraphs (f), (g), and (h) of
1875 subsection (6), and paragraphs (b), (d), and (e) of subsection
1876 (7) of section 1012.56, Florida Statutes, are amended, and
1877 paragraph (g) is added to subsection (3) and paragraph (i) is
1878 added to subsection (6) of that section, to read:

1879 1012.56 Educator certification requirements.—

1880 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of
1881 demonstrating mastery of general knowledge are:

1882 (e) Documentation of 2 years of effective or highly
1883 effective teaching in a Florida public school while teaching
1884 under a temporary certification;

1885 (f) Achievement of passing scores, identified in state

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1886 board rule, on national or international examinations that test
1887 comparable content and relevant standards in verbal, analytical
1888 writing, and quantitative reasoning skills, including, but not
1889 limited to, the verbal, analytical writing, and quantitative
1890 reasoning portions of the Graduate Record Examination. Passing
1891 scores identified in state board rule must be at approximately
1892 the same level of rigor as is required to pass the general
1893 knowledge examinations; or

1894 (g)~~(f)~~ Documentation of receipt of a master's or higher
1895 degree from an accredited postsecondary educational institution
1896 that the Department of Education has identified as having a
1897 quality program resulting in a baccalaureate degree or higher.
1898

1899 A school district that employs an individual who does not
1900 achieve passing scores on any subtest of the general knowledge
1901 examination must provide information regarding the availability
1902 of state-level and district-level supports and instruction to
1903 assist him or her in achieving a passing score. Such information
1904 must include, but need not be limited to, state-level test
1905 information guides, school district test preparation resources,
1906 and preparation courses offered by state universities and
1907 Florida College System institutions.

1908 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of
1909 demonstrating mastery of subject area knowledge are:

1910 (d) For a subject requiring a master's or higher degree,
1911 completion of the subject area specialization requirements
1912 specified in state board rule and achievement of a passing score
1913 on the Florida-developed subject area examination or a
1914 standardized examination that is directly related to the subject

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1915 specified in state board rule;

1916

1917 School districts are encouraged to provide mechanisms for middle
1918 grades teachers holding only a K-6 teaching certificate to
1919 obtain a subject area coverage for middle grades through
1920 postsecondary coursework or district add-on certification.

1921 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
1922 COMPETENCE.—Acceptable means of demonstrating mastery of
1923 professional preparation and education competence are:

1924 (f) Documentation of 2 years of effective or highly
1925 effective teaching in a Florida public school while teaching
1926 under a temporary certification;

1927 (g) Successful completion of professional preparation
1928 courses as specified in state board rule, successful completion
1929 of a professional preparation and education competence program
1930 pursuant to paragraph (8) (b), and achievement of a passing score
1931 on the professional education competency examination required by
1932 state board rule;

1933 (h) ~~(g)~~ Successful completion of a professional development
1934 certification and education competency program, outlined in
1935 paragraph (8) (a); or

1936 (i) ~~(h)~~ Successful completion of a competency-based
1937 certification program pursuant to s. 1004.85 and achievement of
1938 a passing score on the professional education competency
1939 examination required by rule of the State Board of Education.

1940

1941 The State Board of Education shall adopt rules to implement this
1942 subsection by December 31, 2014, including rules to approve
1943 specific teacher preparation programs that are not identified in

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1944 this subsection which may be used to meet requirements for
1945 mastery of professional preparation and education competence.

1946 (7) TYPES AND TERMS OF CERTIFICATION.—

1947 (b) The department shall issue a temporary certificate to
1948 any applicant who:

1949 1. Completes the requirements outlined in paragraphs
1950 (2) (a)-(f) and has a job offer from a Florida public school
1951 ~~completes the subject area content requirements specified in~~
1952 ~~state board rule or demonstrates mastery of subject area~~
1953 ~~knowledge pursuant to subsection (5) and holds an accredited~~
1954 ~~degree or a degree approved by the Department of Education at~~
1955 ~~the level required for the subject area specialization in state~~
1956 ~~board rule; or~~

1957 2. For a subject area specialization for which the state
1958 board otherwise requires a bachelor's degree, documents 48
1959 months of active-duty military service with an honorable
1960 discharge or a medical separation; completes the requirements
1961 outlined in paragraphs (2) (a), (b), and (d)-(f); ~~completes the~~
1962 ~~subject area content requirements specified in state board rule~~
1963 ~~or demonstrates mastery of subject area knowledge pursuant to~~
1964 ~~subsection (5);~~ and documents completion of 60 college credits
1965 with a minimum cumulative grade point average of 2.5 on a 4.0
1966 scale, as provided by one or more accredited institutions of
1967 higher learning or a nonaccredited institution of higher
1968 learning identified by the Department of Education as having a
1969 quality program resulting in a bachelor's degree or higher.

1970 (d) A person who is issued a temporary certificate under
1971 paragraph (b) ~~subparagraph (b)2.~~ must be assigned a teacher
1972 mentor for a minimum of 2 school years after commencing

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1973 employment. Each teacher mentor selected by the school district,
1974 charter school, or charter management organization must:

1975 1. Hold a valid professional certificate issued pursuant to
1976 this section;

1977 2. Have earned at least 3 years of teaching experience in
1978 prekindergarten through grade 12; and

1979 3. Have earned an effective or highly effective rating on
1980 the prior year's performance evaluation under s. 1012.34.

1981 ~~(e)1.~~ A temporary certificate issued under paragraph (b)
1982 ~~subparagraph (b)1.~~ is valid for 5 ~~3~~ school fiscal years and is
1983 nonrenewable.

1984 ~~2. A temporary certificate issued under subparagraph (b)2.~~
1985 ~~is valid for 5 school fiscal years, is limited to a one-time~~
1986 ~~issuance, and is nonrenewable.~~

1987
1988 At least 1 year before an individual's temporary certificate is
1989 set to expire, the department shall electronically notify the
1990 individual of the date on which his or her certificate will
1991 expire and provide a list of each method by which the
1992 qualifications for a professional certificate can be completed.
1993 The State Board of Education shall adopt rules to allow the
1994 department to extend the validity period of a temporary
1995 certificate for 2 years when the requirements for the
1996 professional certificate were not completed due to the serious
1997 illness or injury of the applicant, the military service of an
1998 applicant's spouse, other extraordinary extenuating
1999 circumstances, or if the certificateholder is rated highly
2000 effective in the immediate prior year's performance evaluation
2001 pursuant to s. 1012.34 or has completed a 2-year mentorship

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2002 program pursuant to subsection (8). The department shall extend
2003 the temporary certificate upon approval by the Commissioner of
2004 Education. A written request for extension of the certificate
2005 shall be submitted by the district school superintendent, the
2006 governing authority of a university lab school, the governing
2007 authority of a state-supported school, or the governing
2008 authority of a private school.

2009 Section 16. Paragraph (e) is added to subsection (6) of
2010 section 1013.64, Florida Statutes, to read:

2011 1013.64 Funds for comprehensive educational plant needs;
2012 construction cost maximums for school district capital
2013 projects.—Allocations from the Public Education Capital Outlay
2014 and Debt Service Trust Fund to the various boards for capital
2015 outlay projects shall be determined as follows:

2016 (6)

2017 (e) Notwithstanding the requirements of this subsection, an
2018 unfinished construction project for new construction of
2019 educational plant space that was started on or before July 1,
2020 2026, is exempt from the total cost per student station
2021 requirements established in paragraph (b).

2022 Section 17. Present subsections (4), (5), and (6) of
2023 section 1002.321, Florida Statutes, are redesignated as
2024 subsections (3), (4), and (5), respectively, and present
2025 subsection (3) of that section is amended, to read:

2026 1002.321 Digital learning.—

2027 ~~(3) DIGITAL PREPARATION. As required under s. 1003.4282, A~~
2028 ~~student entering grade 9 in the 2011-2012 school year and~~
2029 ~~thereafter who seeks a high school diploma must take at least~~
2030 ~~one online course.~~

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2031 Section 18. Paragraphs (a) and (b) of subsection (2) of
2032 section 1003.5716, Florida Statutes, are amended to read:

2033 1003.5716 Transition to postsecondary education and career
2034 opportunities.—All students with disabilities who are 3 years of
2035 age to 21 years of age have the right to a free, appropriate
2036 public education. As used in this section, the term "IEP" means
2037 individual education plan.

2038 (2) Beginning not later than the first IEP to be in effect
2039 when the student enters high school, attains the age of 14, or
2040 when determined appropriate by the parent and the IEP team,
2041 whichever occurs first, the IEP must include the following
2042 statements that must be updated annually:

2043 (a) A statement of intent to pursue a standard high school
2044 diploma and a Scholar or Merit designation, pursuant to s.
2045 1003.4285, as determined by the parent.

2046 1. The statement must document discussion of the process
2047 for a student with a disability who meets the requirements for a
2048 standard high school diploma to defer the receipt of such
2049 diploma pursuant to s. 1003.4282(8)(c) ~~s. 1003.4282(9)(e)~~.

2050 2. For the IEP in effect at the beginning of the school
2051 year the student is expected to graduate, the statement must
2052 include a signed statement by the parent, the guardian, or the
2053 student, if the student has reached the age of majority and
2054 rights have transferred to the student, that he or she
2055 understands the process for deferment and identifying if the
2056 student will defer the receipt of his or her standard high
2057 school diploma.

2058 (b) A statement of intent to receive a standard high school
2059 diploma before the student attains the age of 22 and a

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2060 description of how the student will fully meet the requirements
2061 in s. 1003.4282, including, but not limited to, a portfolio
2062 pursuant to s. 1003.4282(8)(b) ~~s. 1003.4282(9)(b)~~ which meets
2063 the criteria specified in State Board of Education rule. The IEP
2064 must also specify the outcomes and additional benefits expected
2065 by the parent and the IEP team at the time of the student's
2066 graduation.

2067 Section 19. Paragraph (c) of subsection (22) of section
2068 1002.20, Florida Statutes, is amended to read:

2069 1002.20 K-12 student and parent rights.—Parents of public
2070 school students must receive accurate and timely information
2071 regarding their child's academic progress and must be informed
2072 of ways they can help their child to succeed in school. K-12
2073 students and their parents are afforded numerous statutory
2074 rights including, but not limited to, the following:

2075 (22) TRANSPORTATION.—

2076 (c) *Parental consent*.—Each parent of a public school
2077 student must be notified in writing that ~~and give written~~
2078 ~~consent before~~ the student may be transported in a privately
2079 owned motor vehicle to a school function, ~~in accordance with the~~
2080 ~~provisions of s. 1006.22(2)(b)~~.

2081 Section 20. Subsection (14) of section 1003.01, Florida
2082 Statutes, is amended to read:

2083 1003.01 Definitions.—As used in this chapter, the term:

2084 (14) "Core-curricula courses" means:

2085 (a) Courses in language arts/reading, mathematics, social
2086 studies, and science in prekindergarten through grade 3,
2087 excluding extracurricular courses pursuant to subsection (15);

2088 (b) Courses in grades 4 through 8 in subjects that are

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2089 measured by state assessment at any grade level and courses
2090 required for middle school promotion, excluding extracurricular
2091 courses pursuant to subsection (15);

2092 (c) Courses in grades 9 through 12 in subjects that are
2093 measured by state assessment at any grade level and courses that
2094 are specifically identified by name in statute as required for
2095 high school graduation and that are not measured by state
2096 assessment, excluding extracurricular courses pursuant to
2097 subsection (15);

2098 (d) Exceptional student education courses; and

2099 (e) English for Speakers of Other Languages courses.

2100

2101 The term is limited in meaning and used for the sole purpose of
2102 designating classes that are subject to the maximum class size
2103 requirements established in s. 1, Art. IX of the State
2104 Constitution. This term does not include courses offered under
2105 ss. 1002.321(3)(e) ~~1002.321(4)(e)~~, 1002.33(7)(a)2.b., 1002.37,
2106 1002.45, and 1003.499.

2107 Section 21. Subsection (2) of section 1003.499, Florida
2108 Statutes, is amended to read:

2109 1003.499 Florida Approved Courses and Tests (FACT)
2110 Initiative.—

2111 (2) FLORIDA APPROVED COURSES.—The Department of Education
2112 shall annually publish online a list of providers approved to
2113 offer Florida approved courses which shall be listed in the
2114 online catalog pursuant to s. 1002.321(5) ~~s. 1002.321(6)~~.

2115 (a) As used in this section, the term "Florida approved
2116 courses" means online courses provided by individuals which
2117 include, but are not limited to, massive open online courses or

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2118 remedial education associated with the courses that are measured
2119 pursuant to s. 1008.22. Massive open online courses may be
2120 authorized in the following subject areas: Algebra I, biology,
2121 geometry, and civics. Courses may be applied toward requirements
2122 for promotion or graduation in whole, in subparts, or in a
2123 combination of whole and subparts. A student may not be required
2124 to repeat subparts that are satisfactorily completed.

2125 (b) A Florida approved course must be annually identified,
2126 approved, published, and shared for consideration by interested
2127 students and school districts. The Commissioner of Education
2128 shall approve each Florida approved course for application in K-
2129 12 public schools in accordance with rules of the State Board of
2130 Education.

2131 Section 22. This act shall take effect July 1, 2023.