



218074

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/27/2023	.	
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The Committee on Education Pre-K -12 (Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (a) of subsection (20) and subsection  
(28) of section 1002.33, Florida Statutes, are amended to read:  
1002.33 Charter schools.—

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and  
educational services to charter schools. These services must



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11 ~~shall~~ include contract management services; full-time equivalent  
12 and data reporting services; exceptional student education  
13 administration services; services related to eligibility and  
14 reporting duties required to ensure that school lunch services  
15 under the National School Lunch Program, consistent with the  
16 needs of the charter school, are provided by the sponsor at the  
17 request of the charter school, that any funds due to the charter  
18 school under the National School Lunch Program be paid to the  
19 charter school as soon as the charter school begins serving food  
20 under the National School Lunch Program, and that the charter  
21 school is paid at the same time and in the same manner under the  
22 National School Lunch Program as other public schools serviced  
23 by the sponsor or the school district; test administration  
24 services, including payment of the costs of state-required or  
25 district-required student assessments; processing of teacher  
26 certificate data services; and information services, including  
27 equal access to the sponsor's student information systems that  
28 are used by public schools in the district in which the charter  
29 school is located or by schools in the sponsor's portfolio of  
30 charter schools if the sponsor is not a school district. Student  
31 performance data for each student in a charter school,  
32 including, but not limited to, FCAT scores, standardized test  
33 scores, previous public school student report cards, and student  
34 performance measures, shall be provided by the sponsor to a  
35 charter school in the same manner provided to other public  
36 schools in the district or by schools in the sponsor's portfolio  
37 of charter schools if the sponsor is not a school district.

38       2. A sponsor may withhold an administrative fee for the  
39 provision of such services which is ~~shall be~~ a percentage of the



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40 available funds defined in paragraph (17)(b) calculated based on  
41 weighted full-time equivalent students. If the charter school  
42 serves 75 percent or more exceptional education students as  
43 defined in s. 1003.01(3), the percentage must ~~shall~~ be  
44 calculated based on unweighted full-time equivalent students.  
45 The administrative fee is ~~shall be~~ calculated as follows:

46 a. Up to 5 percent for:

47 (I) Enrollment of up to and including 250 students in a  
48 charter school as defined in this section.

49 (II) Enrollment of up to and including 500 students within  
50 a charter school system which meets all of the following:

51 (A) Includes conversion charter schools and nonconversion  
52 charter schools.

53 (B) Has all of its schools located in the same county.

54 (C) Has a total enrollment exceeding the total enrollment  
55 of at least one school district in this state.

56 (D) Has the same governing board for all of its schools.

57 (E) Does not contract with a for-profit service provider  
58 for management of school operations.

59 (III) Enrollment of up to and including 250 students in a  
60 virtual charter school.

61 b. Up to 2 percent for enrollment of up to and including  
62 250 students in a high-performing charter school as defined in  
63 s. 1002.331.

64 c. Up to 2 percent for enrollment of up to and including  
65 250 students in an exceptional student education center that  
66 meets the requirements of the rules adopted by the State Board  
67 of Education pursuant to s. 1008.3415(3).

68 3. A sponsor may not charge charter schools any additional



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69 fees or surcharges for administrative and educational services  
70 in addition to the maximum percentage of administrative fees  
71 withheld pursuant to this paragraph. A sponsor may not charge or  
72 withhold any administrative fee against a charter school for any  
73 funds specifically allocated by the Legislature for teacher  
74 compensation.

75 4. A sponsor shall provide to the department by September  
76 15 of each year the total amount of funding withheld from  
77 charter schools pursuant to this subsection for the prior fiscal  
78 year. The department must include the information in the report  
79 required under sub-sub-subparagraph (5)(b)1.k.(III).

80 5. A sponsor shall annually provide a report to its charter  
81 schools on what services are being rendered from the sponsor's  
82 portion of the administrative fee. The report must include the  
83 listed services and must be submitted to the department by  
84 September 15 of each year.

85 (28) RULEMAKING.—The Department of Education, after  
86 consultation with sponsors and charter school directors, shall  
87 recommend that the State Board of Education adopt rules to  
88 implement specific subsections of this section. Such rules must  
89 ~~shall~~ require minimum paperwork and may ~~shall~~ not limit charter  
90 school flexibility authorized by statute. The State Board of  
91 Education shall adopt rules, pursuant to ss. 120.536(1) and  
92 120.54, to implement a standard monitoring tool, standard  
93 charter application form, standard application form for the  
94 replication of charter schools in a high-performing charter  
95 school system, standard evaluation instrument, and standard  
96 charter and charter renewal contracts in accordance with this  
97 section.



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98 Section 2. Subsection (1) and paragraph (a) of subsection  
99 (7) of section 1012.56, Florida Statutes, are amended to read:

100 1012.56 Educator certification requirements.—

101 (1) APPLICATION.—Each person seeking certification pursuant  
102 to this chapter shall submit a completed application containing  
103 the applicant's social security number to the Department of  
104 Education and remit the fee required pursuant to s. 1012.59 and  
105 rules of the State Board of Education. Pursuant to the federal  
106 Personal Responsibility and Work Opportunity Reconciliation Act  
107 of 1996, each party is required to provide his or her social  
108 security number in accordance with this section. Disclosure of  
109 social security numbers obtained through this requirement is  
110 limited to the purpose of administration of the Title IV-D  
111 program of the Social Security Act for child support  
112 enforcement.

113 (a) Pursuant to s. 120.60, the department shall issue  
114 within 90 calendar days after receipt of the completed  
115 application a professional certificate to a qualifying applicant  
116 covering the classification, level, and area for which the  
117 applicant is deemed qualified and a document explaining the  
118 requirements for renewal of the professional certificate.

119 (b) The department shall issue a temporary certificate to a  
120 qualifying applicant within 14 calendar days after receipt of a  
121 request from an employer with a professional education  
122 competence demonstration program pursuant to paragraphs (6)(f)  
123 and (8)(b). The temporary certificate must cover the  
124 classification, level, and area for which the applicant is  
125 deemed qualified. The department shall electronically notify the  
126 applicant's employer that the temporary certificate has been



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127 issued and provide the applicant an official statement of status  
128 of eligibility at the time the certificate is issued.

129 (c) Pursuant to s. 120.60, the department shall issue  
130 within 90 calendar days after receipt of the completed  
131 application, if an applicant does not meet the requirements for  
132 either certificate, an official statement of status of  
133 eligibility.

134

135 The statement of status of eligibility must be provided  
136 electronically and must advise the applicant of any  
137 qualifications that must be completed to qualify for  
138 certification. Each method by which an applicant can complete  
139 the qualifications for a professional certificate must be  
140 included in the statement of status of eligibility. Each  
141 statement of status of eligibility is valid for 5 ~~3~~ years after  
142 its date of issuance, except as provided in paragraph (2)(d).

143 (7) TYPES AND TERMS OF CERTIFICATION.—

144 (a) The Department of Education shall issue an initial ~~a~~  
145 professional certificate for a period not to exceed 5 years to  
146 any applicant who fulfills one of the following:

147 1. Meets all the applicable requirements outlined in  
148 subsection (2).

149 2. For a professional certificate covering grades 6 through  
150 12:

151 a. Meets the applicable requirements of paragraphs (2)(a)-  
152 (h).

153 b. Holds a master's or higher degree in the area of  
154 science, technology, engineering, or mathematics.

155 c. Teaches a high school course in the subject of the



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156 advanced degree.

157         d. Is rated highly effective as determined by the teacher's  
158 performance evaluation under s. 1012.34, based in part on  
159 student performance as measured by a statewide, standardized  
160 assessment or an Advanced Placement, Advanced International  
161 Certificate of Education, or International Baccalaureate  
162 examination.

163         e. Achieves a passing score on the Florida professional  
164 education competency examination required by state board rule.

165         3. Meets the applicable requirements of paragraphs (2) (a)-  
166 (f) ~~(2) (a)-(h)~~ and completes a professional preparation and  
167 education competence program approved by the department pursuant  
168 to paragraph (8) (c) or an educator preparation institute  
169 approved by the department pursuant to s. 1004.85. An applicant  
170 who completes one of these programs and is rated highly  
171 effective as determined by his or her performance evaluation  
172 under s. 1012.34 is not required to take or achieve a passing  
173 score on the professional education competency examination in  
174 order to be awarded a professional certificate.

175

176 At least 1 year before an individual's temporary  
177 certificate is set to expire, the department shall  
178 electronically notify the individual of the date on which  
179 his or her certificate will expire and provide a list of  
180 each method by which the qualifications for a professional  
181 certificate can be completed. The State Board of Education  
182 shall adopt rules to allow the department to extend the  
183 validity period of a temporary certificate for 2 years when  
184 the requirements for the professional certificate were not



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185 completed due to the serious illness or injury of the  
186 applicant, the military service of an applicant's spouse,  
187 other extraordinary extenuating circumstances, or if the  
188 certificateholder is rated highly effective in the  
189 immediate prior year's performance evaluation pursuant to  
190 s. 1012.34 or has completed a 2-year mentorship program  
191 pursuant to subsection (8). The department shall extend the  
192 temporary certificate upon approval by the Commissioner of  
193 Education. A written request for extension of the  
194 certificate shall be submitted by the district school  
195 superintendent, the governing authority of a university lab  
196 school, the governing authority of a state-supported  
197 school, or the governing authority of a private school.

198 Section 3. Paragraph (a) of subsection (2) and paragraph  
199 (g) of subsection (3) of section 1012.585, Florida Statutes, are  
200 amended to read:

201 1012.585 Process for renewal of professional certificates.—

202 (2) (a) All professional certificates, except a nonrenewable  
203 professional certificate, shall be renewable for successive  
204 periods not to exceed 10 ~~5~~ years after the date of submission of  
205 documentation of completion of the requirements for renewal  
206 provided in subsection (3). Only one renewal may be granted  
207 during each 10-year ~~5-year~~ validity period of a professional  
208 certificate.

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

211 (g) A teacher may earn inservice points only once during  
212 each 10-year ~~5-year~~ validity period for any mandatory training  
213 topic that is not linked to student learning or professional





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214 growth.

215 Section 4. Subsections (1) and (3) of section 1012.71,  
216 Florida Statutes, are amended to read:

217 1012.71 The Florida Teachers Classroom Supply Assistance  
218 Program.—

219 (1) For purposes of the Florida Teachers Classroom Supply  
220 Assistance Program, the term “classroom teacher” means a  
221 certified teacher employed by a public school district or a  
222 public charter school in that district on or before September 1  
223 of each year whose full-time or job-share responsibility is the  
224 classroom instruction of students in prekindergarten through  
225 grade 12, including full-time media specialists and certified  
226 school counselors serving students in prekindergarten through  
227 grade 12, who are funded through the Florida Education Finance  
228 Program. A “job-share” classroom teacher is one of two teachers  
229 whose combined full-time equivalent employment for the same  
230 teaching assignment equals one full-time classroom teacher. The  
231 term “classroom teacher” may also include an administrator or a  
232 substitute teacher who holds a valid teaching certificate and  
233 who is filling a vacancy in an identified teaching position on  
234 or before September 1 of each year.

235 (3) From the funds allocated to each school district and  
236 any funds received from local contributions for the Florida  
237 Teachers Classroom Supply Assistance Program, the district  
238 school board shall calculate an identical amount for each  
239 classroom teacher who is estimated to be employed by the school  
240 district or a charter school in the district on September 1 of  
241 each year, which is that teacher’s proportionate share of the  
242 total amount allocated to the district from state funds and



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243 funds received from local contributions. A job-share classroom  
244 teacher may receive a prorated share of the amount provided to a  
245 full-time classroom teacher. The school district shall calculate  
246 a prorated share of the funds for a classroom teacher who  
247 teaches less than full time. For a classroom teacher determined  
248 eligible on July 1, the district school board and each charter  
249 school board may provide the teacher with his or her total  
250 proportionate share by August 1 based on the estimate of the  
251 number of teachers who will be employed on September 1. For a  
252 classroom teacher determined eligible after July 1, the district  
253 school board and each charter school board shall provide the  
254 teacher with his or her total proportionate share by September  
255 30. The proportionate share may be provided by any means  
256 determined appropriate by the district school board or charter  
257 school board, including, but not limited to, direct deposit,  
258 check, debit card, or purchasing card. If a debit card is used,  
259 an identifier must be placed on the front of the debit card  
260 which clearly indicates that the card has been issued for the  
261 Florida Teachers Classroom Supply Assistance Program.  
262 Expenditures under the program are not subject to state or local  
263 competitive bidding requirements. Funds received by a classroom  
264 teacher do not affect wages, hours, or terms and conditions of  
265 employment and, therefore, are not subject to collective  
266 bargaining. Any classroom teacher may decline receipt of or  
267 return the funds without explanation or cause.

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

269  
270 ===== T I T L E A M E N D M E N T =====

271 And the title is amended as follows:



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272 Delete everything before the enacting clause  
273 and insert:

274 A bill to be entitled  
275 An act relating to education; amending s. 1002.33,  
276 F.S.; specifying reporting requirements for charter  
277 school sponsors; requiring the State Board of  
278 Education to adopt rules to implement a standard  
279 monitoring tool; amending s. 1012.56, F.S.; revising  
280 the length of time for which a statement of status of  
281 eligibility is valid; revising the requirements needed  
282 for a professional certificate; amending s. 1012.585,  
283 F.S.; revising the length of time for which a  
284 professional certificate is valid; revising the time  
285 period for which a teacher may earn inservice points;  
286 amending s. 1012.71, F.S.; revising the definition of  
287 the term "classroom teacher"; revising how a district  
288 school board calculates teachers' shares of funds from  
289 the Florida Teachers Classroom Supply Assistance  
290 Program; providing an effective date.