



275398

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/12/2023	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 306 - 696
and insert:
facilities or perform other duties related to the facilities as may be required pursuant to the county emergency management plan and program. Each school board providing transportation assistance in an emergency evacuation shall coordinate the use of its vehicles and personnel with the local emergency management agency.



275398

11 Section 5. Paragraph (a) of subsection (2) and subsection
12 (7) of section 316.173, Florida Statutes, are amended to read:

13 316.173 School bus infraction detection systems.—

14 (2) (a) The school district must post ~~high-visibility~~
15 ~~reflective~~ signage on the rear of each school bus in which a
16 school bus infraction detection system is installed and
17 operational which indicates the use of such system. The signage
18 must be in the form of one or more signs or stickers and must
19 contain the following elements in substantially the following
20 form:

21 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS
22 WHEN RED LIGHTS FLASH."

23 2. The words "CAMERA ENFORCED."

24 3. A graphic depiction of a camera.

25 (7) The civil penalties assessed and collected for a
26 violation of s. 316.172(1) (a) or (b) enforced by a school bus
27 infraction detection system must be remitted to the school
28 district in which the violation occurred. Such civil penalties
29 must be used for the installation or maintenance of school bus
30 infraction detection systems on school buses, for any other
31 technology that increases the safety of the transportation of
32 students, ~~or~~ for the administration and costs associated with
33 the enforcement of violations as described in this section, or
34 to provide financial awards to recruit or retain school bus
35 drivers in the school district in which the civil penalties are
36 assessed and collected.

37 Section 6. Paragraph (n) of subsection (2) of section
38 1001.02, Florida Statutes, is amended to read:

39 1001.02 General powers of State Board of Education.—



275398

40 (2) The State Board of Education has the following duties:
41 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
42 120.54, within statutory authority as specifically provided by
43 law.

44 Section 7. Subsections (5) and (6) are added to section
45 1001.23, Florida Statutes, to read:

46 1001.23 Specific powers and duties of the Department of
47 Education.—In addition to all other duties assigned to it by law
48 or by rule of the State Board of Education, the department
49 shall:

50 (5) Annually by August 1, inform district school
51 superintendents that pursuant to s. 120.565, the superintendents
52 may receive a declaratory statement, within 90 days of
53 submitting a petition to receive such statement, regarding the
54 department's opinion as to the applicability to a school
55 district of a statutory or rule provision as it applies to the
56 district's particular set of circumstances.

57 (6) Annually maintain and make available to school
58 districts a list of all requirements in statute and rule
59 relating to required actions by district school boards or
60 superintendents. The list must include, but is not limited to,
61 required parent notifications; information that must be posted
62 to the district website; and reporting, filing, and
63 certification requirements.

64 Section 8. Paragraph (c) of subsection (2) of section
65 1001.372, Florida Statutes, is amended to read:

66 1001.372 District school board meetings.—

67 (2) PLACE OF MEETINGS.—

68 (c) For purpose of this section, due public notice shall



275398

69 consist of, at least 2 days prior to the meeting: continuous
70 publication on a publicly accessible website as provided in s.
71 50.0311 or the official district school board website; by
72 publication in a newspaper of general circulation in the county
73 or in each county where there is no newspaper of general
74 circulation in the county an announcement over at least one
75 radio station whose signal is generally received in the county,
76 a reasonable number of times daily during the 48 hours
77 immediately preceding the date of such meeting;~~7~~ or by posting a
78 notice at the courthouse door if no newspaper is published in
79 the county, ~~at least 2 days prior to the meeting.~~

80 Section 9. Paragraph (1) of subsection (12) of section
81 1001.42, Florida Statutes, is amended to read:

82 1001.42 Powers and duties of district school board.—The
83 district school board, acting as a board, shall exercise all
84 powers and perform all duties listed below:

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

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

93 ~~1. The internal auditor shall perform ongoing financial~~
94 ~~verification of the financial records of the school district, a~~
95 ~~comprehensive risk assessment of all areas of the school system~~
96 ~~every 5 years, and other audits and reviews as the district~~
97 ~~school board directs for determining:~~



- 98 ~~a. The adequacy of internal controls designed to prevent~~
99 ~~and detect fraud, waste, and abuse as defined in s. 11.45(1).~~
100 ~~b. Compliance with applicable laws, rules, contracts, grant~~
101 ~~agreements, district school board-approved policies, and best~~
102 ~~practices.~~
103 ~~e. The efficiency of operations.~~
104 ~~d. The reliability of financial records and reports.~~
105 ~~e. The safeguarding of assets.~~
106 ~~f. Financial solvency.~~
107 ~~g. Projected revenues and expenditures.~~
108 ~~h. The rate of change in the general fund balance.~~

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

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

117 Section 10. Subsection (3) of section 1001.49, Florida
118 Statutes, is amended to read:

119 1001.49 General powers of district school superintendent.—
120 The district school superintendent shall have the authority, and
121 when necessary for the more efficient and adequate operation of
122 the district school system, the district school superintendent
123 shall exercise the following powers:

124 (3) APPROVE OPERATIONAL POLICIES THROUGH THE DELEGATED
125 AUTHORITY OF THE DISTRICT SCHOOL BOARD.—Establish a process for
126 the review and approval of districtwide policies and procedures,



275398

127 through the formal delegated authority of the district school
128 board, RECOMMEND POLICIES. ~~Recommend to the district school~~
129 ~~board for adoption such policies~~ pertaining to the district
130 school system as the district school superintendent may consider
131 necessary for its more efficient operation.

132 Section 11. Paragraph (e) of subsection (2), paragraph (a)
133 of subsection (4), and subsections (16) and (24) of section
134 1002.20, Florida Statutes, are amended to read:

135 1002.20 K-12 student and parent rights.—Parents of public
136 school students must receive accurate and timely information
137 regarding their child's academic progress and must be informed
138 of ways they can help their child to succeed in school. K-12
139 students and their parents are afforded numerous statutory
140 rights including, but not limited to, the following:

141 (2) ATTENDANCE.—

142 (e) *Dropout prevention and academic intervention programs.*—
143 The parent of a public school student has the right to receive
144 written notice by certified mail or other method agreed to by
145 the parent prior to placement of the student in a dropout
146 prevention and academic intervention program and shall be
147 notified in writing and entitled to an administrative review of
148 any action by school personnel relating to the student's
149 placement, in accordance with the provisions of s. 1003.53(5).

150 (4) DISCIPLINE.—

151 (a) *Suspension of public school student.*—In accordance with
152 the provisions of s. 1006.09(1)-(4):

153 1. A student may be suspended only as provided by rule of
154 the district school board. A good faith effort must be made to
155 immediately inform the parent by telephone of the student's



275398

156 suspension and the reason. Each suspension and the reason must
157 be reported in writing within 24 hours to the parent by United
158 States mail or other method agreed to by the parent. A good
159 faith effort must be made to use parental assistance before
160 suspension unless the situation requires immediate suspension.

161 2. A student with a disability may only be recommended for
162 suspension or expulsion in accordance with State Board of
163 Education rules.

164 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
165 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
166 have the right to an easy-to-read report card about the school's
167 grade designation or, if applicable under s. 1008.341, the
168 school's improvement rating, and the school's accountability
169 report, including the school financial report as required under
170 s. 1010.215. The school financial report must be provided to the
171 parents and indicate the average amount of money expended per
172 student in the school, ~~which must also be included in the~~
173 ~~student handbook or a similar publication.~~ The department shall
174 produce the reports under this subsection and make the reports
175 for each school available on the department's website in a
176 prominent location. Each public school district must provide a
177 link on its website to these reports for parent access.

178 ~~(24) ECONOMIC SECURITY REPORT.—Beginning in the 2014-2015~~
179 ~~school year and annually thereafter, each middle school and high~~
180 ~~school student or the student's parent prior to registration~~
181 ~~shall be provided a two-page summary of the Department of~~
182 ~~Economic Opportunity's economic security report of employment~~
183 ~~and earning outcomes prepared pursuant to s. 445.07 and~~
184 ~~electronic access to the report.~~



275398

185 Section 12. Paragraphs (e) and (g) of subsection (18) of
186 section 1002.33, Florida Statutes, are amended to read:

187 1002.33 Charter schools.—

188 (18) FACILITIES.—

189 (e) ~~If a district school board facility or property is~~
190 ~~available because it is surplus, marked for disposal, or~~
191 ~~otherwise unused, it shall be provided for a charter school's~~
192 ~~use on the same basis as it is made available to other public~~
193 ~~schools in the district.~~ A charter school that receives surplus,
194 marked for disposal, or otherwise unused facilities or receiving
195 property from the sponsor may not sell or dispose of such
196 facilities or property without written permission of the
197 sponsor. Similarly, for an existing public school converting to
198 charter status, no rental or leasing fee for the existing
199 facility or for the property normally inventoried to the
200 conversion school may be charged by the district school board to
201 the parents and teachers organizing the charter school. The
202 charter school shall agree to reasonable maintenance provisions
203 in order to maintain the facility in a manner similar to
204 district school board standards. The Public Education Capital
205 Outlay maintenance funds or any other maintenance funds
206 generated by the facility operated as a conversion school shall
207 remain with the conversion school.

208 (g) Each school district shall annually provide to the
209 Department of Education ~~as part of its 5-year work plan~~ the
210 number of existing vacant classrooms in each school that the
211 district does not intend to use or does not project will be
212 needed for educational purposes for the following school year.
213 The department may recommend that a district make such space



214 available to an appropriate charter school.

215 Section 13. Paragraph (d) of subsection (7) of section
216 1002.333, Florida Statutes, is amended to read:

217 1002.333 Persistently low-performing schools.—

218 (7) FACILITIES.—

219 (d) A school district may make available ~~No later than~~
220 ~~January 1, the department shall annually provide to school~~
221 ~~districts a list of all underused, vacant, or surplus facilities~~
222 ~~owned or operated by the school district to as reported in the~~
223 ~~Florida Inventory of School Houses. A school district may~~
224 ~~provide evidence to the department that the list contains errors~~
225 ~~or omissions within 30 days after receipt of the list. By each~~
226 ~~April 1, the department shall update and publish a final list of~~
227 ~~all underused, vacant, or surplus facilities owned or operated~~
228 ~~by each school district, based upon updated information provided~~
229 ~~by each school district. a hope operator establishing a school~~
230 ~~of hope may use an educational facility identified in this~~
231 ~~paragraph~~ at no cost or at a mutually agreeable cost not to
232 exceed \$600 per student. A hope operator using a facility
233 pursuant to this paragraph may not sell or dispose of such
234 facility without the written permission of the school district.
235 For purposes of this paragraph, the term "underused, vacant, or
236 surplus facility" means an entire facility or portion thereof
237 which is not fully used or is used irregularly or intermittently
238 by the school district for instructional or program use.

239 Section 14. Subsection (4) of section 1003.03, Florida
240 Statutes, is amended to read:

241 1003.03 Maximum class size.—

242 ~~(4) ACCOUNTABILITY.—Each district that has not complied with the~~



275398

243 ~~requirements in subsection (1), based on the October student~~
244 ~~membership survey, shall submit to the commissioner by February~~
245 ~~1 a plan certified by the district school board that describes~~
246 ~~the specific actions the district will take in order to fully~~
247 ~~comply with the requirements in subsection (1) by October of the~~
248 ~~following school year.~~

249 Section 15. Subsection (5) of section 1003.53, Florida
250 Statutes, is amended to read:

251 1003.53 Dropout prevention and academic intervention.—

252 (5) Each district school board providing a dropout
253 prevention and academic intervention program pursuant to this
254 section shall maintain for each participating student records
255 documenting the student's eligibility, the length of
256 participation, the type of program to which the student was
257 assigned or the type of academic intervention services provided,
258 and an evaluation of the student's academic and behavioral
259 performance while in the program. The school principal or his or
260 her designee shall, prior to placement in a dropout prevention
261 and academic intervention program or the provision of an
262 academic service, provide written notice of placement or
263 services by certified mail, return receipt requested, to the
264 student's parent. The parent of the student shall sign an
265 acknowledgment of the notice of placement or service and return
266 the signed acknowledgment to the principal within 3 days after
267 receipt of the notice. District school boards may adopt a policy
268 that allows a parent to agree to an alternative method of
269 notification. Such agreement may be made before the need for
270 notification arises or at the time the notification becomes
271 required. The parents of a student assigned to such a dropout



272 prevention and academic intervention program shall be notified
273 in writing and entitled to an administrative review of any
274 action by school personnel relating to such placement pursuant
275 to the provisions of chapter 120.

276 Section 16. Section 1006.025, Florida Statutes, is
277 repealed.

278 Section 17. Paragraph (b) of subsection (1) of section
279 1006.09, Florida Statutes, is amended to read:

280 1006.09 Duties of school principal relating to student
281 discipline and school safety.—

282 (1)

283 (b) The principal or the principal's designee may suspend a
284 student only in accordance with the rules of the district school
285 board. The principal or the principal's designee shall make a
286 good faith effort to immediately inform a student's parent by
287 telephone of a student's suspension and the reasons for the
288 suspension. Each suspension and the reasons for the suspension
289 shall be reported in writing within 24 hours to the student's
290 parent by United States mail. District school boards may adopt a
291 policy that allows a parent to agree to an alternative method of
292 notification. Such agreement may be made before the need for
293 notification arises or at the time the notification becomes
294 required. Each suspension and the reasons

295
296 ===== T I T L E A M E N D M E N T =====

297 And the title is amended as follows:

298 Delete lines 18 - 78

299 and insert:

300 facilities, or perform other specified duties as may



301 be required in the county emergency management plan;
302 amending s. 316.173, F.S.; revising requirements for
303 signage that must be posted on certain school buses;
304 authorizing certain civil penalties to be used by a
305 district school board to recruit and retain specified
306 school bus drivers; amending s. 1001.02, F.S.;

307 revising a duty of the State Board of Education to
308 adopt certain rules; amending s. 1001.23, F.S.;

309 requiring the Department of Education to annually
310 inform district school superintendents that they may
311 petition to receive a specified declaratory statement;
312 requiring the department to annually provide school
313 districts with a list of statutory and rule
314 requirements; providing requirements for such list;
315 amending s. 1001.372, F.S.; authorizing public notices
316 for district school board meetings to be posted on a
317 publicly accessible website or the official district
318 school board website; amending s. 1001.42, F.S.;

319 deleting requirements for financial procedures that
320 must be followed by district school boards to ensure
321 adequate educational facilities for students; amending
322 s. 1001.49, F.S.; revising the general powers of
323 district school superintendents to include
324 establishing a process for the review and approval of
325 certain policies and procedures through the delegated
326 authority of district school boards; amending s.
327 1002.20, F.S.; revising a requirement relating to how
328 a parent is informed of placement of a student in a
329 specified program; revising a requirement relating to



330 how a parent is informed of a student's suspension;
331 deleting a requirement that the school financial
332 report be in the student handbook; requiring the
333 department to produce specified reports relating to
334 school accountability and make such reports available
335 on the department's website; requiring each school
336 district to provide a link to such reports; deleting a
337 requirement that an economic security report of
338 employment and earning outcomes be provided to
339 students; amending s. 1002.33, F.S.; deleting a
340 requirement for an unused district school board
341 facility or property to be provided for a charter
342 school's use; revising a requirement for school
343 districts to provide certain information relating to
344 vacant classrooms to the department; amending s.
345 1002.333, F.S.; revising a provision authorizing
346 school districts to make certain unused facilities
347 available to hope operators; amending s. 1003.03,
348 F.S.; deleting a requirement for district school
349 boards to provide an accountability plan to the
350 Commissioner of Education under certain conditions;
351 amending s. 1003.53, F.S.; revising how district
352 school boards may provide notice to parents relating
353 to a dropout prevention and academic intervention
354 program; repealing s. 1006.025, F.S., relating to
355 guidance services; amending s. 1006.09, F.S.; revising
356 how a school principal or the principal's designee may
357 provide notice to inform a parent of a student's
358 suspension; amending s. 1006.1494, F.S.; providing