

1                   A bill to be entitled  
2           An act relating to education; amending s. 1001.02,  
3           F.S.; deleting a requirement that the State Board of  
4           Education establish the cost of certain tuition and  
5           fees; amending s. 1001.03, F.S.; deleting a  
6           requirement that the state board identify certain  
7           metrics and develop a specified plan relating to the  
8           Florida College System; amending s. 1002.3105, F.S.;  
9           deleting a requirement that a performance contract be  
10          completed if a student participates in an Academically  
11          Challenging Curriculum to Enhance Learning option;  
12          providing that a performance contract may be used at  
13          the discretion of the principal; repealing s.  
14          1002.311, F.S., relating to single-gender programs;  
15          amending s. 1002.34, F.S.; deleting a requirement for  
16          the Commissioner of Education to provide for an annual  
17          comparative evaluation of charter technical career  
18          centers and public technical centers; amending s.  
19          1002.45, F.S.; deleting a requirement that school  
20          districts provide certain virtual instruction options  
21          to students; deleting a requirement that virtual  
22          instruction program providers be nonsectarian;  
23          authorizing school districts to provide certain  
24          students with the equipment and access necessary for  
25          participation in virtual instruction programs;

26 | amending s. 1002.82, F.S.; requiring the Department of  
27 | Education to review school readiness program plans  
28 | every 3 years, rather than every 2 years; amending s.  
29 | 1002.85, F.S.; requiring early learning coalitions to  
30 | submit school readiness program plans to the  
31 | department every 3 years, rather than every 2 years;  
32 | amending s. 1003.4935, F.S.; deleting a requirement  
33 | that the department collect and report certain data  
34 | relating to a middle school career and professional  
35 | academy or a career-themed course; repealing s.  
36 | 1003.4995, F.S., relating to the fine arts report  
37 | prepared by the Commissioner of Education; repealing  
38 | s. 1003.4996, F.S., relating to the Competency-Based  
39 | Education Pilot Program; amending s. 1003.49965, F.S.;  
40 | authorizing, rather than requiring, a school district  
41 | to hold an Art in the Capitol Competition; amending s.  
42 | 1003.51, F.S.; deleting a requirement regarding  
43 | assessment procedures for Department of Juvenile  
44 | Justice education programs; revising requirements for  
45 | which assessment results must be included in a  
46 | student's discharge packet; revising requirements for  
47 | when a district school board must face sanctions for  
48 | unsatisfactory performance in its Department of  
49 | Juvenile Justice programs; amending s. 1003.621, F.S.;  
50 | deleting a requirement for academically high-

51 performing school districts to submit an annual report  
52 to the state board; repealing s. 1004.925, F.S.,  
53 relating to automotive service technology education  
54 programs and certification; amending s. 1006.28, F.S.;  
55 revising the definition of the term "adequate  
56 instructional materials"; authorizing school districts  
57 to assess a processing fee for certain objections to  
58 materials; providing requirements for the assessment  
59 of such fee; providing for the return of such fee  
60 under certain circumstances; requiring certain  
61 information published and regularly updated by the  
62 Department of Education to be sorted by grade level;  
63 deleting a timeframe requirement for each district  
64 school superintendent to notify the department about  
65 instructional materials; deleting a requirement for  
66 such notification; authorizing, rather than requiring,  
67 a school principal to collect the purchase price of  
68 instructional materials lost, destroyed, or  
69 unnecessarily damaged by a student; amending s.  
70 1006.283, F.S.; deleting a timeframe requirement for a  
71 district school superintendent to certify to the  
72 department that certain instructional materials meet  
73 applicable state standards; amending s. 1007.33, F.S.;  
74 deleting a provision authorizing the Board of Trustees  
75 of St. Petersburg College to establish certain degree

76 programs; amending s. 1008.25, F.S.; revising  
77 requirements for the administration of the coordinated  
78 screening and progress monitoring system; providing  
79 requirements for the administration of such system for  
80 students in the summer prekindergarten program;  
81 amending s. 1008.31, F.S.; revising a provision  
82 relating to the "No Child Left Behind Act of 2001";  
83 amending s. 1008.332, F.S.; revising a provision  
84 relating to the No Child Left Behind Act to relate to  
85 the Every Student Succeeds Act; deleting a requirement  
86 for certain committee members to annually report to  
87 specified entities; amending s. 1008.34, F.S.;  
88 requiring that certain changes made by the state board  
89 to components in the school grades model or to the  
90 school grading scale go into effect in the following  
91 school year or later; conforming cross-references;  
92 amending s. 1008.345, F.S.; deleting a requirement for  
93 the department to develop an annual feedback report;  
94 deleting a requirement for the Commissioner of  
95 Education to review specified feedback reports and  
96 submit findings to the state board; deleting certain  
97 requirements for a report the commissioner produces  
98 annually for the state board and Legislature; revising  
99 what information certain community assessment team  
100 recommendations are based on; amending s. 1008.45,

101 F.S.; deleting a requirement that the state board  
 102 provide a specified annual evaluation; amending ss.  
 103 1000.05, 1002.31, 1002.321, 1002.33, 1002.455,  
 104 1008.22, 1008.37, and 1013.841, F.S.; conforming  
 105 provisions and cross-references to changes made by the  
 106 act; providing an effective date.

107

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

109

110 Section 1. Subsection (5) of section 1001.02, Florida  
 111 Statutes, is amended to read:

112 1001.02 General powers of State Board of Education.—

113 (5) The State Board of Education is responsible for  
 114 reviewing and administering the state program of support for the  
 115 Florida College System institutions and, ~~subject to existing~~  
 116 ~~law, shall establish the tuition and out-of-state fees for~~  
 117 ~~developmental education and for credit instruction that may be~~  
 118 ~~counted toward an associate in arts degree, an associate in~~  
 119 ~~applied science degree, or an associate in science degree.~~

120 Section 2. Subsection (17) of section 1001.03, Florida  
 121 Statutes, is amended to read:

122 1001.03 Specific powers of State Board of Education.—

123 ~~(17) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1,~~  
 124 ~~2013, the State Board of Education shall identify performance~~  
 125 ~~metrics for the Florida College System and develop a plan that~~

126 ~~specifies goals and objectives for each Florida College System~~  
127 ~~institution. The plan must include:~~

128 ~~(a) Performance metrics and standards common for all~~  
129 ~~institutions and metrics and standards unique to institutions~~  
130 ~~depending on institutional core missions, including, but not~~  
131 ~~limited to, remediation success, retention, graduation,~~  
132 ~~employment, transfer rates, licensure passage, excess hours,~~  
133 ~~student loan burden and default rates, job placement, faculty~~  
134 ~~awards, and highly respected rankings for institution and~~  
135 ~~program achievements.~~

136 ~~(b) Student enrollment and performance data delineated by~~  
137 ~~method of instruction, including, but not limited to,~~  
138 ~~traditional, online, and distance learning instruction.~~

139 Section 3. Paragraphs (c) and (d) of subsection (4) of  
140 section 1002.3105, Florida Statutes, are amended to read:

141 1002.3105 Academically Challenging Curriculum to Enhance  
142 Learning (ACCEL) options.—

143 (4) ACCEL REQUIREMENTS.—

144 (c) If a student participates in an ACCEL option pursuant  
145 to the parental request under subparagraph (b)1., a performance  
146 contract is not required but may be used at the discretion of  
147 the principal ~~must be executed by the student, the parent, and~~  
148 ~~the principal. At a minimum, the performance contract must~~  
149 ~~require compliance with:~~

150 ~~1. Minimum student attendance requirements.~~

151 ~~2. Minimum student conduct requirements.~~

152 ~~3. ACCEL option requirements established by the principal,~~  
 153 ~~which may include participation in extracurricular activities,~~  
 154 ~~educational outings, field trips, interscholastic competitions,~~  
 155 ~~and other activities related to the ACCEL option selected.~~

156 ~~(d)~~ If a principal initiates a student's participation in  
 157 an ACCEL option, the student's parent must be notified. A  
 158 performance contract, ~~pursuant to paragraph (c),~~ is not required  
 159 when a principal initiates participation but may be used at the  
 160 discretion of the principal.

161 Section 4. Section 1002.311, Florida Statutes, is  
 162 repealed.

163 Section 5. Subsection (19) of section 1002.34, Florida  
 164 Statutes, is amended to read:

165 1002.34 Charter technical career centers.—

166 ~~(19) EVALUATION; REPORT.—The Commissioner of Education~~  
 167 ~~shall provide for an annual comparative evaluation of charter~~  
 168 ~~technical career centers and public technical centers. The~~  
 169 ~~evaluation may be conducted in cooperation with the sponsor,~~  
 170 ~~through private contracts, or by department staff. At a minimum,~~  
 171 ~~the comparative evaluation must address the demographic and~~  
 172 ~~socioeconomic characteristics of the students served, the types~~  
 173 ~~and costs of services provided, and the outcomes achieved. By~~  
 174 ~~December 30 of each year, the Commissioner of Education shall~~  
 175 ~~submit to the Governor, the President of the Senate, the Speaker~~

176 ~~of the House of Representatives, and the Senate and House~~  
177 ~~committees that have responsibility for secondary and~~  
178 ~~postsecondary career and technical education a report of the~~  
179 ~~comparative evaluation completed for the previous school year.~~

180 Section 6. Paragraphs (c) through (e) of subsection (1) of  
181 section 1002.45, Florida Statutes, are redesignated as  
182 paragraphs (b) through (d), respectively, and present paragraphs  
183 (b), (c), and (e) of that subsection, subsection (2), paragraph  
184 (d) of subsection (3), subsection (5), and paragraph (a) of  
185 subsection (6) are amended to read:

186 1002.45 Virtual instruction programs.—

187 (1) PROGRAM.—

188 ~~(b)1. Each school district shall provide at least one~~  
189 ~~option for part-time and full-time virtual instruction for~~  
190 ~~students residing within the school district. All school~~  
191 ~~districts must provide parents with timely written notification~~  
192 ~~of at least one open enrollment period for full-time students of~~  
193 ~~90 days or more which ends 30 days before the first day of the~~  
194 ~~school year. A school district virtual instruction program shall~~  
195 ~~consist of the following:~~

196 ~~a. Full-time and part-time virtual instruction for~~  
197 ~~students enrolled in kindergarten through grade 12.~~

198 ~~b. Full-time or part-time virtual instruction for students~~  
199 ~~enrolled in dropout prevention and academic intervention~~  
200 ~~programs under s. 1003.53, Department of Juvenile Justice~~



201 ~~education programs under s. 1003.52, core-curricula courses to~~  
202 ~~meet class size requirements under s. 1003.03, or Florida~~  
203 ~~College System institutions under this section.~~

204 ~~2. Each virtual instruction program established under~~  
205 ~~paragraph (c) by a school district either directly or through a~~  
206 ~~contract with an approved virtual instruction program provider~~  
207 ~~shall operate under its own Master School Identification Number~~  
208 ~~as prescribed by the department.~~

209 ~~(b)(e)~~ To provide students residing within the school  
210 district the option of participating in virtual instruction  
211 programs ~~as required by paragraph (b)~~, a school district may:

212 1. Contract with the Florida Virtual School or establish a  
213 franchise of the Florida Virtual School pursuant to s.  
214 1002.37(2) ~~for the provision of a program under paragraph (b)~~.

215 2. Contract with an approved virtual instruction program  
216 provider under subsection (2) ~~for the provision of a full-time~~  
217 ~~or part-time program under paragraph (b)~~.

218 3. Enter into an agreement with other school districts to  
219 allow the participation of its students in an approved virtual  
220 instruction program provided by the other school district. The  
221 agreement must indicate a process for the transfer of funds  
222 required by paragraph (6) (b) .

223 4. Establish school district operated part-time or full-  
224 time kindergarten through grade 12 virtual instruction programs.

225 5. Enter into an agreement with a virtual charter school

226 | authorized by the school district under s. 1002.33.

227 |

228 | Contracts under subparagraph 1. or subparagraph 2. may include  
229 | multidistrict contractual arrangements executed by a regional  
230 | consortium service organization established pursuant to s.  
231 | 1001.451 for its member districts. A multidistrict contractual  
232 | arrangement or an agreement under subparagraph 3. is not subject  
233 | to s. 1001.42(4)(d) and does not require the participating  
234 | school districts to be contiguous. ~~These arrangements may be  
235 | used to fulfill the requirements of paragraph (b).~~

236 |       (d)~~(e)~~ Each school district shall:

237 |           1. Provide to the department by each October 1~~7~~, a copy of  
238 | each contract and the amount paid per unweighted full-time  
239 | equivalent virtual student for services procured pursuant to  
240 | subparagraphs (b)1. and 2. ~~(e)1. and 2.~~

241 |           2. Expend any difference in the amount of funds per  
242 | unweighted full-time equivalent virtual student allocated to the  
243 | school district pursuant to subsection (6) and the amount paid  
244 | per unweighted full-time equivalent virtual student by the  
245 | school district for a contract executed pursuant to subparagraph  
246 | (b)1. ~~(e)1.~~ or subparagraph (b)2. ~~(e)2.~~ on acquiring computer  
247 | and device hardware and associated operating system software  
248 | that comply with the requirements of s. 1001.20(4)(a)1.b.

249 |           3. Provide to the department by September 1 of each year  
250 | an itemized list of items acquired in subparagraph 2.

251 4. Limit the enrollment of full-time equivalent virtual  
 252 students residing outside of the school district providing the  
 253 virtual instruction pursuant to paragraph (b) ~~(e)~~ to no more  
 254 than those that can be funded from state Florida Education  
 255 Finance Program funds.

256 (2) PROVIDER QUALIFICATIONS.—

257 (a) The department shall annually publish on its website a  
 258 list of providers approved by the State Board of Education to  
 259 offer virtual instruction programs. To be approved, a virtual  
 260 instruction program provider must document that it:

261 1. ~~Is nonsectarian in its programs, admission policies,~~  
 262 ~~employment practices, and operations;~~

263 ~~2.~~ Complies with the antidiscrimination provisions of s.  
 264 1000.05;

265 ~~2.3.~~ Locates an administrative office or offices in this  
 266 state, requires its administrative staff to be state residents,  
 267 requires all instructional staff to be Florida-certified  
 268 teachers under chapter 1012 and conducts background screenings  
 269 for all employees or contracted personnel, as required by s.  
 270 1012.32, using state and national criminal history records;

271 ~~3.4.~~ Electronically provides to parents and students  
 272 specific information that includes, but is not limited to, the  
 273 following teacher-parent and teacher-student contact information  
 274 for each course:

275 a. How to contact the instructor via phone, e-mail, or

276 | online messaging tools.

277 |       b. How to contact technical support via phone, e-mail, or  
278 | online messaging tools.

279 |       c. How to contact the administration office via phone, e-  
280 | mail, or online messaging tools.

281 |       d. Any requirement for regular contact with the instructor  
282 | for the course and clear expectations for meeting the  
283 | requirement.

284 |       e. The requirement that the instructor in each course  
285 | must, at a minimum, conduct one contact with the parent and the  
286 | student each month;

287 |       4.5- Possesses prior, successful experience offering  
288 | virtual instruction courses to elementary, middle, or high  
289 | school students as demonstrated by quantified student learning  
290 | gains in each subject area and grade level provided for  
291 | consideration as an instructional program option. However, for a  
292 | virtual instruction program provider without sufficient prior,  
293 | successful experience offering online courses, the State Board  
294 | of Education may conditionally approve the virtual instruction  
295 | program provider to offer courses measured pursuant to  
296 | subparagraph (7)(a)2. Conditional approval shall be valid for 1  
297 | school year only and, based on the virtual instruction program  
298 | provider's experience in offering the courses, the State Board  
299 | of Education may grant approval to offer a virtual instruction  
300 | program;

301        ~~5.6.~~ Is accredited by a regional accrediting association  
302 as defined by State Board of Education rule;

303        ~~6.7.~~ Ensures instructional and curricular quality through  
304 a detailed curriculum and student performance accountability  
305 plan that addresses every subject and grade level it intends to  
306 provide through contract with the school district, including:

307            a. Courses and programs that meet the standards of the  
308 International Association for K-12 Online Learning and the  
309 Southern Regional Education Board.

310            b. Instructional content and services that align with, and  
311 measure student attainment of, student proficiency in the state  
312 academic standards.

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

316        ~~7.8.~~ Publishes, in accordance with disclosure requirements  
317 adopted in rule by the State Board of Education, as part of its  
318 application as an approved virtual instruction program provider  
319 and in all contracts negotiated pursuant to this section:

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

322            b. School policies and procedures.

323            c. Certification status and physical location of all  
324 administrative and instructional personnel.

325            d. Hours and times of availability of instructional

326 personnel.

327 e. Student-teacher ratios.

328 f. Student completion and promotion rates.

329 g. Student, educator, and school performance  
330 accountability outcomes;

331 ~~8.9.~~ If the approved virtual instruction program provider  
332 is a Florida College System institution, employs instructors who  
333 meet the certification requirements for instructional staff  
334 under chapter 1012; and

335 ~~9.10.~~ Performs an annual financial audit of its accounts  
336 and records conducted by an independent auditor who is a  
337 certified public accountant licensed under chapter 473. The  
338 independent auditor shall conduct the audit in accordance with  
339 rules adopted by the Auditor General and in compliance with  
340 generally accepted auditing standards, and include a report on  
341 financial statements presented in accordance with generally  
342 accepted accounting principles. The audit report shall be  
343 accompanied by a written statement from the approved virtual  
344 instruction program provider in response to any deficiencies  
345 identified within the audit report and shall be submitted by the  
346 approved virtual instruction program provider to the State Board  
347 of Education and the Auditor General no later than 9 months  
348 after the end of the preceding fiscal year.

349 (b) An approved virtual instruction program provider that  
350 maintains compliance with all requirements of this section shall

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351 retain its approved status for a period of 3 school years after  
352 the date of approval by the State Board of Education.

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

355 (d) Provide each full-time student enrolled in the virtual  
356 instruction program who qualifies for free or reduced-price  
357 school lunches under the National School Lunch Act, or who is on  
358 the direct certification list, and who does not have a computer  
359 or Internet access in his or her home with:

360 1. All equipment necessary for participants in the virtual  
361 instruction program, including, but not limited to, a computer,  
362 computer monitor, and printer, if a printer is necessary to  
363 participate in the virtual instruction program; and

364 2. Access to or reimbursement for all Internet services  
365 necessary for online delivery of instruction.

366  
367 A school district may provide each full-time student enrolled in  
368 the virtual instruction program with the equipment and access  
369 necessary for participation in the program.

370 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student  
371 enrolled in the school district's virtual instruction program  
372 authorized pursuant to paragraph (1)(b) ~~(1)(e)~~ must:

373 (a) Comply with the compulsory attendance requirements of  
374 s. 1003.21. Student attendance must be verified by the school  
375 district.

376 (b) Take statewide assessments pursuant to s. 1008.22 and  
377 participate in the coordinated screening and progress monitoring  
378 system under s. 1008.25(9). Statewide assessments and progress  
379 monitoring may be administered within the school district in  
380 which such student resides, or as specified in the contract in  
381 accordance with s. 1008.24(3). If requested by the approved  
382 virtual instruction program provider or virtual charter school,  
383 the district of residence must provide the student with access  
384 to the district's testing facilities.

385 (6) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL  
386 FUNDING.—

387 (a) All virtual instruction programs established pursuant  
388 to paragraph (1)(b) ~~(1)(c)~~ are subject to the requirements of s.  
389 1011.61(1)(c)1.b.(III), (IV), (VI), and (4), and the school  
390 district providing the virtual instruction program shall report  
391 the full-time equivalent students in a manner prescribed by the  
392 department. A school district may report a full-time equivalent  
393 student for credit earned by a student who is enrolled in a  
394 virtual instruction course provided by the district which was  
395 completed after the end of the regular school year if the full-  
396 time equivalent student is reported no later than the deadline  
397 for amending the final full-time equivalent student membership  
398 report for that year.

399 Section 7. Paragraph (e) of subsection (2) of section  
400 1002.82, Florida Statutes, is amended to read:



401 1002.82 Department of Education; powers and duties.—

402 (2) The department shall:

403 (e) Review each early learning coalition's school  
 404 readiness program plan every 3 ~~2~~ years and provide final  
 405 approval of the plan and any amendments submitted.

406 Section 8. Subsection (2) of section 1002.85, Florida  
 407 Statutes, is amended to read:

408 1002.85 Early learning coalition plans.—

409 (2) Each early learning coalition must ~~biennially~~ submit a  
 410 school readiness program plan every 3 years to the department  
 411 before the expenditure of funds. A coalition may not implement  
 412 its school readiness program plan until it receives approval  
 413 from the department. A coalition may not implement any revision  
 414 to its school readiness program plan until the coalition submits  
 415 the revised plan to and receives approval from the department.  
 416 If the department rejects a plan or revision, the coalition must  
 417 continue to operate under its previously approved plan. The plan  
 418 must include, but is not limited to:

419 (a) The coalition's operations, including its membership  
 420 and business organization, and the coalition's articles of  
 421 incorporation and bylaws if the coalition is organized as a  
 422 corporation. If the coalition is not organized as a corporation  
 423 or other business entity, the plan must include the contract  
 424 with a fiscal agent.

425 (b) The coalition's procedures for implementing the

426 requirements of this part, including:

427 1. Single point of entry.

428 2. Uniform waiting list.

429 3. Eligibility and enrollment processes and local  
430 eligibility priorities for children pursuant to s. 1002.87.

431 4. Parent access and choice.

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

434 6. Use of preassessments and postassessments, as  
435 applicable.

436 7. Use of contracted slots, as applicable, based on the  
437 results of the assessment required under paragraph (i).

438 (c) A detailed description of the coalition's quality  
439 activities and services, including, but not limited to:

440 1. Resource and referral and school-age child care.

441 2. Infant and toddler early learning.

442 3. Inclusive early learning programs.

443 4. Quality improvement strategies that strengthen teaching  
444 practices and increase child outcomes.

445 (d) A detailed budget that outlines estimated expenditures  
446 for state, federal, and local matching funds at the lowest level  
447 of detail available by other-cost-accumulator code number; all  
448 estimated sources of revenue with identifiable descriptions; a  
449 listing of full-time equivalent positions; contracted  
450 subcontractor costs with related annual compensation amount or

451 hourly rate of compensation; and a capital improvements plan  
452 outlining existing fixed capital outlay projects and proposed  
453 capital outlay projects that will begin during the budget year.

454 (e) A detailed accounting, in the format prescribed by the  
455 department, of all revenues and expenditures during the 2  
456 previous state fiscal years ~~year~~. Revenue sources should be  
457 identifiable, and expenditures should be reported by two  
458 categories: state and federal funds and local matching funds.

459 (f) Updated policies and procedures, including those  
460 governing procurement, maintenance of tangible personal  
461 property, maintenance of records, information technology  
462 security, and disbursement controls.

463 (g) A description of the procedures for monitoring school  
464 readiness program providers, including in response to a parental  
465 complaint, to determine that the standards prescribed in ss.  
466 1002.82 and 1002.88 are met using a standard monitoring tool  
467 adopted by the department. Providers determined to be high risk  
468 by the coalition as demonstrated by substantial findings of  
469 violations of law shall be monitored more frequently.

470 (h) Documentation that the coalition has solicited and  
471 considered comments regarding the proposed school readiness  
472 program plan from the local community.

473 (i) An assessment of local priorities within the county or  
474 multicounty region based on the needs of families and provider  
475 capacity using available community data.

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476 Section 9. Subsection (3) of section 1003.4935, Florida  
477 Statutes, is amended to read:

478 1003.4935 Middle grades career and professional academy  
479 courses and career-themed courses.—

480 ~~(3) Beginning with the 2012-2013 school year, if a school~~  
481 ~~district implements a middle school career and professional~~  
482 ~~academy or a career-themed course, the Department of Education~~  
483 ~~shall collect and report student achievement data pursuant to~~  
484 ~~performance factors identified under s. 1003.492(3) for students~~  
485 ~~enrolled in an academy or a career-themed course.~~

486 Section 10. Section 1003.4995, Florida Statutes, is  
487 repealed.

488 Section 11. Section 1003.4996, Florida Statutes, is  
489 repealed.

490 Section 12. Subsection (2) of section 1003.49965, Florida  
491 Statutes, is amended to read:

492 1003.49965 Art in the Capitol Competition.—

493 (2) A ~~Each~~ school district may ~~shall~~ annually hold an Art  
494 in the Capitol Competition for all public, private, and home  
495 education students in grades 6 through 8. Submissions shall be  
496 judged by a selection committee consisting of art teachers whose  
497 students have not submitted artwork for consideration.

498 Section 13. Paragraphs (g) and (r) of subsection (2) of  
499 section 1003.51, Florida Statutes, are amended to read:

500 1003.51 Other public educational services.—

501 (2) The State Board of Education shall adopt rules  
 502 articulating expectations for effective education programs for  
 503 students in Department of Juvenile Justice programs, including,  
 504 but not limited to, education programs in juvenile justice  
 505 prevention, day treatment, residential, and detention programs.  
 506 The rule shall establish policies and standards for education  
 507 programs for students in Department of Juvenile Justice programs  
 508 and shall include the following:

509 (g) Assessment procedures that, ~~which~~:

510 ~~1. For prevention, day treatment, and residential~~  
 511 ~~programs, include appropriate academic and career assessments~~  
 512 ~~administered at program entry and exit that are selected by the~~  
 513 ~~Department of Education in partnership with representatives from~~  
 514 ~~the Department of Juvenile Justice, district school boards, and~~  
 515 ~~education providers. Assessments must be completed within the~~  
 516 ~~first 10 school days after a student's entry into the program.~~

517 ~~2.~~ provide for determination of the areas of academic need  
 518 and strategies for appropriate intervention and instruction for  
 519 each student in a detention facility within 5 school days after  
 520 the student's entry into the program and for the administration  
 521 of administer a research-based assessment that will assist the  
 522 student in determining his or her educational and career options  
 523 and goals within 22 school days after the student's entry into  
 524 the program. The results of the these assessments required under  
 525 this paragraph and s. 1003.52(3)(d), together with a portfolio

526 depicting the student's academic and career accomplishments,  
 527 must ~~shall~~ be included in the discharge packet assembled for  
 528 each student.

529 (r) A series of graduated sanctions for district school  
 530 boards whose educational programs in Department of Juvenile  
 531 Justice programs are considered to be unsatisfactory and for  
 532 instances in which district school boards fail to meet standards  
 533 prescribed by law, rule, or State Board of Education policy.  
 534 These sanctions must ~~shall~~ include the option of requiring a  
 535 district school board to contract with a provider or another  
 536 district school board if the educational program at the  
 537 Department of Juvenile Justice program is performing below  
 538 minimum standards ~~and, after 6 months, is still performing below~~  
 539 ~~minimum standards.~~

540 Section 14. Subsection (4) of section 1003.621, Florida  
 541 Statutes, is amended to read:

542 1003.621 Academically high-performing school districts.—It  
 543 is the intent of the Legislature to recognize and reward school  
 544 districts that demonstrate the ability to consistently maintain  
 545 or improve their high-performing status. The purpose of this  
 546 section is to provide high-performing school districts with  
 547 flexibility in meeting the specific requirements in statute and  
 548 rules of the State Board of Education.

549 ~~(4) REPORTS.—The academically high-performing school~~  
 550 ~~district shall submit to the State Board of Education and the~~

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551 ~~Legislature an annual report on December 1 which delineates the~~  
552 ~~performance of the school district relative to the academic~~  
553 ~~performance of students at each grade level in reading, writing,~~  
554 ~~mathematics, science, and any other subject that is included as~~  
555 ~~a part of the statewide assessment program in s. 1008.22. The~~  
556 ~~annual report shall be submitted in a format prescribed by the~~  
557 ~~Department of Education and shall include:~~

558 ~~(a) Longitudinal performance of students on statewide,~~  
559 ~~standardized assessments taken under s. 1008.22;~~

560 ~~(b) Longitudinal performance of students by grade level~~  
561 ~~and subgroup on statewide, standardized assessments taken under~~  
562 ~~s. 1008.22;~~

563 ~~(c) Longitudinal performance regarding efforts to close~~  
564 ~~the achievement gap;~~

565 ~~(d)1. Number and percentage of students who take an~~  
566 ~~Advanced Placement Examination; and~~

567 ~~2. Longitudinal performance regarding students who take an~~  
568 ~~Advanced Placement Examination by demographic group,~~  
569 ~~specifically by age, gender, race, and Hispanic origin, and by~~  
570 ~~participation in the National School Lunch Program;~~

571 ~~(e) Evidence of compliance with subsection (1); and~~

572 ~~(f) A description of each waiver and the status of each~~  
573 ~~waiver.~~

574 Section 15. Section 1004.925, Florida Statutes, is  
575 repealed.

576 Section 16. Paragraph (a) of subsection (1), paragraphs  
 577 (a) and (e) of subsection (2), paragraph (b) of subsection (3),  
 578 and paragraph (b) of subsection (4) of section 1006.28, Florida  
 579 Statutes, are amended to read:

580 1006.28 Duties of district school board, district school  
 581 superintendent; and school principal regarding K-12  
 582 instructional materials.—

583 (1) DEFINITIONS.—

584 (a) As used in this section, the term:

585 1. "Adequate instructional materials" means a sufficient  
 586 number of student or site licenses or sets of materials that are  
 587 available in bound, unbound, kit, or package form and may  
 588 consist of hardbacked or softbacked textbooks, electronic  
 589 content, consumables, learning laboratories, manipulatives,  
 590 electronic media, and computer courseware or software that serve  
 591 as the basis for instruction ~~for each student~~ in the core  
 592 subject areas of mathematics, language arts, social studies,  
 593 science, reading, and literature.

594 2. "Instructional materials" has the same meaning as in s.  
 595 1006.29(2).

596 3. "Library media center" means any collection of books,  
 597 ebooks, periodicals, or videos maintained and accessible on the  
 598 site of a school, including in classrooms.

599 (2) DISTRICT SCHOOL BOARD.—The district school board has  
 600 the constitutional duty and responsibility to select and provide



601 adequate instructional materials for all students in accordance  
602 with the requirements of this part. The district school board  
603 also has the following specific duties and responsibilities:

604 (a) Courses of study; adoption.—Adopt courses of study,  
605 including instructional materials, for use in the schools of the  
606 district.

607 1. Each district school board is responsible for the  
608 content of all instructional materials and any other materials  
609 used in a classroom, made available in a school or classroom  
610 library, or included on a reading list, whether adopted and  
611 purchased from the state-adopted instructional materials list,  
612 adopted and purchased through a district instructional materials  
613 program under s. 1006.283, or otherwise purchased or made  
614 available.

615 2. Each district school board must adopt a policy  
616 regarding an objection by a parent or a resident of the county  
617 to the use of a specific material, which clearly describes a  
618 process to handle all objections and provides for resolution.  
619 The objection form, as prescribed by State Board of Education  
620 rule, and the district school board's process must be easy to  
621 read and understand and be easily accessible on the homepage of  
622 the school district's website. The objection form must also  
623 identify the school district point of contact and contact  
624 information for the submission of an objection. The process must  
625 provide the parent or resident the opportunity to proffer

626 evidence to the district school board that:

627       a. An instructional material does not meet the criteria of  
628 s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in  
629 a course or otherwise made available to students in the school  
630 district but was not subject to the public notice, review,  
631 comment, and hearing procedures under s. 1006.283(2)(b)8., 9.,  
632 and 11.

633       b. Any material used in a classroom, made available in a  
634 school or classroom library, or included on a reading list  
635 contains content which:

636           (I) Is pornographic or prohibited under s. 847.012;

637           (II) Depicts or describes sexual conduct as defined in s.  
638 847.001(19), unless such material is for a course required by s.  
639 1003.46, s. 1003.42(2)(n)1.g., or s. 1003.42(2)(n)3., or  
640 identified by State Board of Education rule;

641           (III) Is not suited to student needs and their ability to  
642 comprehend the material presented; or

643           (IV) Is inappropriate for the grade level and age group  
644 for which the material is used.

645  
646 A school district may assess a \$100 processing fee for each  
647 objection submitted by a parent or resident who does not have a  
648 student enrolled in the school where the material is located if  
649 the parent or resident has objected to more than five materials  
650 during the calendar year. The school district must return to the

651 parent or resident the processing fee for each objection that is  
652 upheld. Any material that is subject to an objection on the  
653 basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph  
654 b.(II) must be removed within 5 school days after ~~of~~ receipt of  
655 the objection and remain unavailable to students of that school  
656 until the objection is resolved. Parents shall have the right to  
657 read passages from any material that is subject to an objection.  
658 If the school board denies a parent the right to read passages  
659 due to content that meets the requirements under sub-sub-  
660 subparagraph b.(I), the school district shall discontinue the  
661 use of the material. If the district school board finds that any  
662 material meets the requirements under sub-subparagraph a. or  
663 that any other material contains prohibited content under sub-  
664 sub-subparagraph b.(I), the school district shall discontinue  
665 use of the material. If the district school board finds that any  
666 other material contains prohibited content under sub-sub-  
667 subparagraphs b.(II)-(IV), the school district shall discontinue  
668 use of the material for any grade level or age group for which  
669 such use is inappropriate or unsuitable.

670 3. Each district school board must establish a process by  
671 which the parent of a public school student or a resident of the  
672 county may contest the district school board's adoption of a  
673 specific instructional material. The parent or resident must  
674 file a petition, on a form provided by the school board, within  
675 30 calendar days after the adoption of the instructional

676 material by the school board. The school board must make the  
677 form available to the public and publish the form on the school  
678 district's website. The form must be signed by the parent or  
679 resident, include the required contact information, and state  
680 the objection to the instructional material based on the  
681 criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days  
682 after the 30-day period has expired, the school board must, for  
683 all petitions timely received, conduct at least one open public  
684 hearing before an unbiased and qualified hearing officer. The  
685 hearing officer may not be an employee or agent of the school  
686 district. The hearing is not subject to the provisions of  
687 chapter 120; however, the hearing must provide sufficient  
688 procedural protections to allow each petitioner an adequate and  
689 fair opportunity to be heard and present evidence to the hearing  
690 officer. The school board's decision after convening a hearing  
691 is final and not subject to further petition or review.

692 4. Meetings of committees convened for the purpose of  
693 ranking, eliminating, or selecting instructional materials for  
694 recommendation to the district school board must be noticed and  
695 open to the public in accordance with s. 286.011. Any committees  
696 convened for such purposes must include parents of students who  
697 will have access to such materials.

698 5. Meetings of committees convened for the purpose of  
699 resolving an objection by a parent or resident to specific  
700 materials must be noticed and open to the public in accordance

701 with s. 286.011. Any committees convened for such purposes must  
702 include parents of students who will have access to such  
703 materials.

704         6. If a parent disagrees with the determination made by  
705 the district school board on the objection to the use of a  
706 specific material, a parent may request the Commissioner of  
707 Education to appoint a special magistrate who is a member of The  
708 Florida Bar in good standing and who has at least 5 years'  
709 experience in administrative law. The special magistrate shall  
710 determine facts relating to the school district's determination,  
711 consider information provided by the parent and the school  
712 district, and render a recommended decision for resolution to  
713 the State Board of Education within 30 days after receipt of the  
714 request by the parent. The State Board of Education must approve  
715 or reject the recommended decision at its next regularly  
716 scheduled meeting that is more than 7 calendar days and no more  
717 than 30 days after the date the recommended decision is  
718 transmitted. The costs of the special magistrate shall be borne  
719 by the school district. The State Board of Education shall adopt  
720 rules, including forms, necessary to implement this  
721 subparagraph.

722         (e) Public participation.—Publish on its website, in a  
723 searchable format prescribed by the department, a list of all  
724 instructional materials, including those used to provide  
725 instruction required by s. 1003.42. Each district school board

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726 must:

727       1. Provide access to all materials, excluding teacher  
728 editions, in accordance with s. 1006.283(2)(b)8.a. before the  
729 district school board takes any official action on such  
730 materials. This process must include reasonable safeguards  
731 against the unauthorized use, reproduction, and distribution of  
732 instructional materials considered for adoption.

733       2. Select, approve, adopt, or purchase all materials as a  
734 separate line item on the agenda and provide a reasonable  
735 opportunity for public comment. The use of materials described  
736 in this paragraph may not be selected, approved, or adopted as  
737 part of a consent agenda.

738       3. Annually, beginning June 30, 2023, submit to the  
739 Commissioner of Education a report that identifies:

740       a. Each material for which the school district received an  
741 objection pursuant to subparagraph (a)2., including the grade  
742 level and course the material was used in, for the school year  
743 and the specific objections thereto.

744       b. Each material that was removed or discontinued.

745       c. Each material that was not removed or discontinued and  
746 the rationale for not removing or discontinuing the material.

747

748 The department shall publish and regularly update a list of  
749 materials that were removed or discontinued, sorted by grade  
750 level, as a result of an objection and disseminate the list to

751 school districts for consideration in their selection  
 752 procedures.

753 (3) DISTRICT SCHOOL SUPERINTENDENT.—

754 (b) Each district school superintendent shall annually  
 755 notify the department ~~by April 1 of each year~~ the state-adopted  
 756 instructional materials that will be requisitioned for use in  
 757 his or her school district. ~~The notification shall include a~~  
 758 ~~district school board plan for instructional materials use to~~  
 759 ~~assist in determining if adequate instructional materials have~~  
 760 ~~been requisitioned.~~

761 (4) SCHOOL PRINCIPAL.—The school principal has the  
 762 following duties for the management and care of materials at the  
 763 school:

764 (b) *Money collected for lost or damaged instructional*  
 765 *materials; enforcement.*—The school principal may ~~shall~~ collect  
 766 from each student or the student's parent the purchase price of  
 767 any instructional material the student has lost, destroyed, or  
 768 unnecessarily damaged and to report and transmit the money  
 769 collected to the district school superintendent. A student who  
 770 fails to pay such sum may be suspended ~~the failure to collect~~  
 771 ~~such sum upon reasonable effort by the school principal may~~  
 772 ~~result in the suspension of the student~~ from participation in  
 773 extracurricular activities. A student may satisfy ~~or~~  
 774 ~~satisfaction of the debt by the student~~ through community  
 775 service activities at the school site as determined by the

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776 school principal, pursuant to policies adopted by district  
777 school board rule.

778 Section 17. Subsection (1) of section 1006.283, Florida  
779 Statutes, is amended to read:

780 1006.283 District school board instructional materials  
781 review process.—

782 (1) A district school board or consortium of school  
783 districts may implement an instructional materials program that  
784 includes the review, recommendation, adoption, and purchase of  
785 instructional materials. The district school superintendent  
786 shall annually certify to the department ~~by March 31 of each~~  
787 ~~year~~ that all instructional materials for core courses used by  
788 the district are aligned with applicable state standards. A list  
789 of the core instructional materials that will be used or  
790 purchased for use by the school district shall be included in  
791 the certification.

792 Section 18. Subsection (4) of section 1007.33, Florida  
793 Statutes, is amended to read:

794 1007.33 Site-determined baccalaureate degree access.—

795 (4) A Florida College System institution may:

796 (a) Offer specified baccalaureate degree programs through  
797 formal agreements between the Florida College System institution  
798 and other regionally accredited postsecondary educational  
799 institutions pursuant to s. 1007.22.

800 (b) Offer baccalaureate degree programs that were



801 authorized by law before ~~prior to~~ July 1, 2009.

802 (c) Establish a first or subsequent baccalaureate degree  
 803 program for purposes of meeting district, regional, or statewide  
 804 workforce needs if approved by the State Board of Education  
 805 under this section.

806  
 807 ~~The Board of Trustees of St. Petersburg College is authorized to~~  
 808 ~~establish one or more bachelor of applied science degree~~  
 809 ~~programs based on an analysis of workforce needs in Pinellas,~~  
 810 ~~Pasco, and Hernando Counties and other counties approved by the~~  
 811 ~~Department of Education. For each program selected, St.~~  
 812 ~~Petersburg College must offer a related associate in science or~~  
 813 ~~associate in applied science degree program, and the~~  
 814 ~~baccalaureate degree level program must be designed to~~  
 815 ~~articulate fully with at least one associate in science degree~~  
 816 ~~program. The college is encouraged to develop articulation~~  
 817 ~~agreements for enrollment of graduates of related associate in~~  
 818 ~~applied science degree programs. The Board of Trustees of St.~~  
 819 ~~Petersburg College is authorized to establish additional~~  
 820 ~~baccalaureate degree programs if it determines a program is~~  
 821 ~~warranted and feasible based on each of the factors in paragraph~~  
 822 ~~(5)(d). Prior to developing or proposing a new baccalaureate~~  
 823 ~~degree program, St. Petersburg College shall engage in need,~~  
 824 ~~demand, and impact discussions with the state university in its~~  
 825 ~~service district and other local and regional, accredited~~

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826 ~~postsecondary providers in its region. Documentation, data, and~~  
827 ~~other information from inter-institutional discussions regarding~~  
828 ~~program need, demand, and impact shall be provided to the~~  
829 ~~college's board of trustees to inform the program approval~~  
830 ~~process. Employment at St. Petersburg College is governed by the~~  
831 ~~same laws that govern Florida College System institutions,~~  
832 ~~except that upper-division faculty are eligible for continuing~~  
833 ~~contracts upon the completion of the fifth year of teaching.~~  
834 ~~Employee records for all personnel shall be maintained as~~  
835 ~~required by s. 1012.81.~~

836 Section 19. Paragraph (b) of subsection (9) of section  
837 1008.25, Florida Statutes, is amended, to read:

838 1008.25 Public school student progression; student  
839 support; coordinated screening and progress monitoring;  
840 reporting requirements.—

841 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

842 (b) Beginning with the 2022-2023 school year, private  
843 Voluntary Prekindergarten Education Program providers and public  
844 schools must participate in the coordinated screening and  
845 progress monitoring system pursuant to this paragraph.

846 1. For students in the school-year Voluntary  
847 Prekindergarten Education Program through grade 2, the  
848 coordinated screening and progress monitoring system must be  
849 administered at least three times within a ~~program year or~~  
850 ~~school year, as applicable,~~ with the first administration

851 occurring no later than the first 30 instructional days after a  
852 student's enrollment or the start of the ~~program year or~~ school  
853 year, the second administration occurring midyear, and the third  
854 administration occurring within the last 30 days of the ~~program~~  
855 ~~or~~ school year pursuant to state board rule. The state board may  
856 adopt alternate timeframes to address nontraditional school year  
857 calendars ~~or summer programs~~ to ensure the coordinated screening  
858 and progress monitoring program is administered a minimum of  
859 three times within a year ~~or program~~.

860 2. For students in the summer prekindergarten program, the  
861 coordinated screening and progress monitoring system must be  
862 administered two times, with the first administration occurring  
863 no later than the first 10 instructional days after a student's  
864 enrollment or the start of the summer prekindergarten program,  
865 and the second administration occurring within the last 10 days  
866 of the summer prekindergarten program pursuant to state board  
867 rule.

868 3.2. For grades 3 through 10 English Language Arts and  
869 grades 3 through 8 Mathematics, the coordinated screening and  
870 progress monitoring system must be administered at the  
871 beginning, middle, and end of the school year pursuant to state  
872 board rule. The end-of-year administration of the coordinated  
873 screening and progress monitoring system must be a comprehensive  
874 progress monitoring assessment administered in accordance with  
875 the scheduling requirements under s. 1008.22(7)(c).

876 Section 20. Paragraph (c) of subsection (1) of section  
 877 1008.31, Florida Statutes, is amended to read:

878 1008.31 Florida's Early Learning-20 education performance  
 879 accountability system; legislative intent; mission, goals, and  
 880 systemwide measures; data quality improvements.—

881 (1) LEGISLATIVE INTENT.—It is the intent of the  
 882 Legislature that:

883 (c) The Early Learning-20 education performance  
 884 accountability system comply with the requirements of the "Every  
 885 Student Succeeds Act of 2015", Pub. L. No. 114-95, ~~"No Child~~  
 886 ~~Left Behind Act of 2001,"~~ Pub. L. No. 107-110, and the  
 887 Individuals with Disabilities Education Act (IDEA).

888 Section 21. Section 1008.332, Florida Statutes, is amended  
 889 to read:

890 1008.332 Committee of practitioners pursuant to federal  
 891 Every Student Succeeds ~~No Child Left Behind~~ Act.—The Department  
 892 of Education shall establish a committee of practitioners  
 893 pursuant to federal requirements of the Every Student Succeeds  
 894 ~~No Child Left Behind~~ Act of 2015 ~~2001~~. The committee members  
 895 shall be appointed by the Commissioner of Education ~~and shall~~  
 896 ~~annually report to the Governor, the President of the Senate,~~  
 897 ~~and the Speaker of the House of Representatives by January 1.~~  
 898 The committee shall meet regularly and is authorized to review  
 899 potential rules and policies that will be considered by the  
 900 State Board of Education.

901 Section 22. Paragraph (c) of subsection (3) and subsection  
902 (5) of section 1008.34, Florida Statutes, are amended to read:

903 1008.34 School grading system; school report cards;  
904 district grade.—

905 (3) DESIGNATION OF SCHOOL GRADES.—

906 (c)1. The calculation of a school grade shall be based on  
907 the percentage of points earned from the components listed in  
908 subparagraph (b)1. and, if applicable, subparagraph (b)2. The  
909 State Board of Education shall adopt in rule a school grading  
910 scale that sets the percentage of points needed to earn each of  
911 the school grades listed in subsection (2). There shall be at  
912 least five percentage points separating the percentage  
913 thresholds needed to earn each of the school grades. The state  
914 board shall annually review the percentage of school grades of  
915 "A" and "B" for the school year to determine whether to adjust  
916 the school grading scale upward for the following school year's  
917 school grades. The first adjustment would occur no earlier than  
918 the 2023-2024 school year. An adjustment must be made if the  
919 percentage of schools earning a grade of "A" or "B" in the  
920 current year represents 75 percent or more of all graded schools  
921 within a particular school type, which consists of elementary,  
922 middle, high, and combination. The adjustment must reset the  
923 minimum required percentage of points for each grade of "A,"  
924 "B," "C," or "D" at the next highest percentage ending in the  
925 numeral 5 or 0, whichever is closest to the current percentage.

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926 Annual reviews of the percentage of schools earning a grade of  
927 "A" or "B" and adjustments to the required points must be  
928 suspended when the following grading scale for a specific school  
929 type is achieved:

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

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

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

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

938  
939 When the state board adjusts the grading scale upward, the state  
940 board must inform the public of the degree of the adjustment and  
941 its anticipated impact on school grades. Any changes made by the  
942 state board to components in the school grades model or to the  
943 school grading scale shall go into effect in the following  
944 school year, at the earliest.

945 2. The calculation of school grades may not include any  
946 provision that would raise or lower the school's grade beyond  
947 the percentage of points earned. Extra weight may not be added  
948 in the calculation of any components.

949 (5) DISTRICT GRADE.—Beginning with the 2014-2015 school  
950 year, a school district's grade shall include a district-level

951 calculation of the components under paragraph (3)(b). This  
952 calculation methodology captures each eligible student in the  
953 district who may have transferred among schools within the  
954 district or is enrolled in a school that does not receive a  
955 grade. The department shall develop a district report card that  
956 includes the district grade; the information required under s.  
957 1008.345(3) ~~s. 1008.345(5)~~; measures of the district's progress  
958 in closing the achievement gap between higher-performing student  
959 subgroups and lower-performing student subgroups; measures of  
960 the district's progress in demonstrating Learning Gains of its  
961 highest-performing students; measures of the district's success  
962 in improving student attendance; the district's grade-level  
963 promotion of students scoring achievement levels 1 and 2 on  
964 statewide, standardized English Language Arts and Mathematics  
965 assessments; and measures of the district's performance in  
966 preparing students for the transition from elementary to middle  
967 school, middle to high school, and high school to postsecondary  
968 institutions and careers.

969 Section 23. Subsections (5) through (7) of section  
970 1008.345, Florida Statutes, are renumbered as subsections (3)  
971 through (5), respectively, and present subsections (3), (4), and  
972 (5) and paragraph (d) of present subsection (6) of that section  
973 are amended to read:

974 1008.345 Implementation of state system of school  
975 improvement and education accountability.-

976 ~~(3) The annual feedback report shall be developed by the~~  
 977 ~~Department of Education.~~

978 ~~(4) The commissioner shall review each district school~~  
 979 ~~board's feedback report and submit findings to the State Board~~  
 980 ~~of Education. If adequate progress is not being made toward~~  
 981 ~~implementing and maintaining a system of school improvement and~~  
 982 ~~education accountability, the State Board of Education shall~~  
 983 ~~direct the commissioner to prepare and implement a corrective~~  
 984 ~~action plan. The commissioner and State Board of Education shall~~  
 985 ~~monitor the development and implementation of the corrective~~  
 986 ~~action plan.~~

987 (3)(5) The commissioner shall annually report to the State  
 988 Board of Education and the Legislature and recommend changes in  
 989 state policy necessary to foster school improvement and  
 990 education accountability. The report must ~~shall~~ include:

991 ~~(a)~~ for each school district:

992 (a)1. The percentage of students, by school and grade  
 993 level, demonstrating learning growth in English Language Arts  
 994 and mathematics.

995 (b)2. The percentage of students, by school and grade  
 996 level, in both the highest and lowest quartiles demonstrating  
 997 learning growth in English Language Arts and mathematics.

998 (c)3. The information contained in the school district's  
 999 annual report required pursuant to s. 1008.25(10).

1000 ~~(b) Intervention and support strategies used by school~~



1001 ~~districts whose students in both the highest and lowest~~  
 1002 ~~quartiles exceed the statewide average learning growth for~~  
 1003 ~~students in those quartiles.~~

1004 ~~(c) Intervention and support strategies used by school~~  
 1005 ~~districts whose schools provide educational services to youth in~~  
 1006 ~~Department of Juvenile Justice programs that demonstrate~~  
 1007 ~~learning growth in English Language Arts and mathematics that~~  
 1008 ~~exceeds the statewide average learning growth for students in~~  
 1009 ~~those subjects.~~

1010 ~~(d) Based upon a review of each school district's reading~~  
 1011 ~~instruction plan submitted pursuant to s. 1003.4201,~~  
 1012 ~~intervention and support strategies used by school districts~~  
 1013 ~~that were effective in improving the reading performance of~~  
 1014 ~~students, as indicated by student performance data, who are~~  
 1015 ~~identified as having a substantial reading deficiency pursuant~~  
 1016 ~~to s. 1008.25(5)(a).~~

1017  
 1018 School reports must ~~shall~~ be distributed pursuant to this  
 1019 subsection and s. 1001.42(18)(c) and according to rules adopted  
 1020 by the State Board of Education.

1021 ~~(4)-(6)~~

1022 (d) The commissioner shall assign a community assessment  
 1023 team to each school district or governing board with a school  
 1024 that earned a grade of "D" or "F" pursuant to s. 1008.34 to  
 1025 review the school performance data and determine causes for the

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1026 low performance, including the role of school, area, and  
1027 district administrative personnel. The community assessment team  
1028 shall review a high school's graduation rate calculated without  
1029 high school equivalency diploma recipients for the past 3 years,  
1030 disaggregated by student ethnicity. The team shall make  
1031 recommendations to the school board or the governing board and  
1032 to the State Board of Education ~~based on the interventions and~~  
1033 ~~support strategies identified pursuant to subsection (5) to~~  
1034 address the causes of the school's low performance and to  
1035 incorporate the strategies into the school improvement plan. The  
1036 assessment team shall include, but not be limited to, a  
1037 department representative, parents, business representatives,  
1038 educators, representatives of local governments, and community  
1039 activists, and shall represent the demographics of the community  
1040 from which they are appointed.

1041 Section 24. Subsection (3) of section 1008.45, Florida  
1042 Statutes, is amended to read:

1043 1008.45 Florida College System institution accountability  
1044 process.—

1045 (3) ~~The State Board of Education shall address within the~~  
1046 ~~annual evaluation of the performance of the executive director,~~  
1047 ~~and the Florida College System institution boards of trustees~~  
1048 shall address within the annual evaluation of the presidents,  
1049 the achievement of the performance goals established by the  
1050 accountability process.

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1051 Section 25. Paragraph (d) of subsection (2) of section  
 1052 1000.05, Florida Statutes, is amended to read:

1053 1000.05 Discrimination against students and employees in  
 1054 the Florida K-20 public education system prohibited; equality of  
 1055 access required.-

1056 (2)

1057 (d) Students may be separated by sex for a single-gender  
 1058 program ~~as provided under s. 1002.311~~, for any portion of a  
 1059 class that deals with human reproduction, or during  
 1060 participation in bodily contact sports. For the purpose of this  
 1061 section, bodily contact sports include wrestling, boxing, rugby,  
 1062 ice hockey, football, basketball, and other sports in which the  
 1063 purpose or major activity involves bodily contact.

1064 Section 26. Paragraph (b) of subsection (2) of section  
 1065 1002.31, Florida Statutes, is amended to read:

1066 1002.31 Controlled open enrollment; public school parental  
 1067 choice.-

1068 (2)

1069 (b) Each school district and charter school capacity  
 1070 determinations for its schools, by grade level, must be updated  
 1071 every 12 weeks and be identified on the school district and  
 1072 charter school's websites. In determining the capacity of each  
 1073 district school, the district school board shall incorporate the  
 1074 specifications, plans, elements, and commitments contained in  
 1075 the school district educational facilities plan and the long-

1076 term work programs required under s. 1013.35. Each charter  
 1077 school governing board shall determine capacity based upon its  
 1078 charter school contract. Each virtual charter school and each  
 1079 school district with a contract with an approved virtual  
 1080 instruction program provider shall determine capacity based upon  
 1081 the enrollment requirements established under s. 1002.45(1)(d)4.  
 1082 ~~s. 1002.45(1)(e)4.~~

1083 Section 27. Subsection (3) of section 1002.321, Florida  
 1084 Statutes, is amended to read:

1085 1002.321 Digital learning.—

1086 (3) CUSTOMIZED AND ACCELERATED LEARNING.—A school district  
 1087 must establish ~~multiple~~ opportunities for student participation  
 1088 in part-time and full-time kindergarten through grade 12 virtual  
 1089 instruction. Options include, but are not limited to:

1090 (a) School district operated part-time or full-time  
 1091 virtual instruction programs under s. 1002.45 ~~s. 1002.45(1)(b)~~  
 1092 for kindergarten through grade 12 students enrolled in the  
 1093 school district. A full-time program shall operate under its own  
 1094 Master School Identification Number.

1095 (b) Florida Virtual School instructional services  
 1096 authorized under s. 1002.37.

1097 (c) Blended learning instruction provided by charter  
 1098 schools authorized under s. 1002.33.

1099 (d) Virtual charter school instruction authorized under s.  
 1100 1002.33.

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1101 (e) Courses delivered in the traditional school setting by  
1102 personnel providing direct instruction through virtual  
1103 instruction or through blended learning courses consisting of  
1104 both traditional classroom and online instructional techniques  
1105 pursuant to s. 1003.498.

1106 (f) Virtual courses offered in the course code directory  
1107 to students within the school district or to students in other  
1108 school districts throughout the state pursuant to s. 1003.498.

1109 Section 28. Subsection (1), paragraph (a) of subsection  
1110 (6), and paragraph (a) of subsection (10) of section 1002.33,  
1111 Florida Statutes, are amended to read:

1112 1002.33 Charter schools.—

1113 (1) AUTHORIZATION.—All charter schools in Florida are  
1114 public schools and shall be part of the state's program of  
1115 public education. A charter school may be formed by creating a  
1116 new school or converting an existing public school to charter  
1117 status. A charter school may operate a virtual charter school  
1118 pursuant to s. 1002.45(1)(c) ~~s. 1002.45(1)(d)~~ to provide online  
1119 instruction to students, pursuant to s. 1002.455, in  
1120 kindergarten through grade 12. The school district in which the  
1121 student enrolls in the virtual charter school shall report the  
1122 student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and  
1123 the home school district shall not report the student for  
1124 funding. An existing charter school that is seeking to become a  
1125 virtual charter school must amend its charter or submit a new

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1126 application pursuant to subsection (6) to become a virtual  
1127 charter school. A virtual charter school is subject to the  
1128 requirements of this section; however, a virtual charter school  
1129 is exempt from subparagraph (7)(a)13., subsections (18) and  
1130 (19), paragraph (20)(c), and s. 1003.03. A public school may not  
1131 use the term charter in its name unless it has been approved  
1132 under this section.

1133 (6) APPLICATION PROCESS AND REVIEW.—Charter school  
1134 applications are subject to the following requirements:

1135 (a) A person or entity seeking to open a charter school  
1136 shall prepare and submit an application on the standard  
1137 application form prepared by the Department of Education which:

1138 1. Demonstrates how the school will use the guiding  
1139 principles and meet the statutorily defined purpose of a charter  
1140 school.

1141 2. Provides a detailed curriculum plan that illustrates  
1142 how students will be provided services to attain the state  
1143 academic standards.

1144 3. Contains goals and objectives for improving student  
1145 learning and measuring that improvement. These goals and  
1146 objectives must indicate how much academic improvement students  
1147 are expected to show each year, how success will be evaluated,  
1148 and the specific results to be attained through instruction.

1149 4. Describes the reading curriculum and differentiated  
1150 strategies that will be used for students reading at grade level

1151 or higher and a separate curriculum and strategies for students  
1152 who are reading below grade level. Reading instructional  
1153 strategies for foundational skills shall include phonics  
1154 instruction for decoding and encoding as the primary  
1155 instructional strategy for word reading. Instructional  
1156 strategies may not employ the three-cueing system model of  
1157 reading or visual memory as a basis for teaching word reading.  
1158 Such strategies may include visual information and strategies  
1159 that improve background and experiential knowledge, add context,  
1160 and increase oral language and vocabulary to support  
1161 comprehension, but may not be used to teach word reading. A  
1162 sponsor shall deny an application if the school does not propose  
1163 a reading curriculum that is consistent with effective teaching  
1164 strategies that are grounded in scientifically based reading  
1165 research.

1166 5. Contains an annual financial plan for each year  
1167 requested by the charter for operation of the school for up to 5  
1168 years. This plan must contain anticipated fund balances based on  
1169 revenue projections, a spending plan based on projected revenues  
1170 and expenses, and a description of controls that will safeguard  
1171 finances and projected enrollment trends.

1172 6. Discloses the name of each applicant, governing board  
1173 member, and all proposed education services providers; the name  
1174 and sponsor of any charter school operated by each applicant,  
1175 each governing board member, and each proposed education

1176 services provider that has closed and the reasons for the  
 1177 closure; and the academic and financial history of such charter  
 1178 schools, which the sponsor shall consider in deciding whether to  
 1179 approve or deny the application.

1180 7. Contains additional information a sponsor may require,  
 1181 which shall be attached as an addendum to the charter school  
 1182 application described in this paragraph.

1183 8. For the establishment of a virtual charter school,  
 1184 documents that the applicant has contracted with a provider of  
 1185 virtual instruction services pursuant to s. 1002.45(1)(c) ~~s.~~  
 1186 ~~1002.45(1)(d)~~.

1187 9. Describes the mathematics curriculum and differentiated  
 1188 strategies that will be used for students performing at grade  
 1189 level or higher and a separate mathematics curriculum and  
 1190 strategies for students who are performing below grade level.

1191 (10) ELIGIBLE STUDENTS.—

1192 (a)1. A charter school may be exempt from the requirements  
 1193 of s. 1002.31 if the school is open to any student covered in an  
 1194 interdistrict agreement and any student residing in the school  
 1195 district in which the charter school is located.

1196 2. A virtual charter school when enrolling students shall  
 1197 comply with the applicable requirements of s. 1002.31 and with  
 1198 the enrollment requirements established under s. 1002.45(1)(d)4.  
 1199 ~~s. 1002.45(1)(e)4.~~

1200 3. A charter lab school shall be open to any student



1201 eligible to attend the lab school as provided in s. 1002.32 or  
 1202 who resides in the school district in which the charter lab  
 1203 school is located.

1204 4. Any eligible student shall be allowed interdistrict  
 1205 transfer to attend a charter school when based on good cause.  
 1206 Good cause shall include, but is not limited to, geographic  
 1207 proximity to a charter school in a neighboring school district.

1208 Section 29. Subsections (1), (2), and (5) of section  
 1209 1002.455, Florida Statutes, are amended to read:

1210 1002.455 Student eligibility for K-12 virtual  
 1211 instruction.—All students, including home education and private  
 1212 school students, are eligible to participate in any of the  
 1213 following virtual instruction options:

1214 (1) School district operated part-time or full-time  
 1215 kindergarten through grade 12 virtual instruction programs  
 1216 pursuant to s. 1002.45(1)(b)4. ~~s. 1002.45(1)(e)4.~~ to students  
 1217 within the school district.

1218 (2) Part-time or full-time virtual charter school  
 1219 instruction authorized pursuant to s. 1002.45(1)(b)5. ~~s.~~  
 1220 ~~1002.45(1)(e)5.~~ to students within the school district or to  
 1221 students in other school districts throughout the state pursuant  
 1222 to s. 1002.31; however, the school district enrolling the full-  
 1223 time equivalent virtual student shall comply with the enrollment  
 1224 requirements established under s. 1002.45(1)(d)4. ~~s.~~  
 1225 ~~1002.45(1)(e)4.~~

1226 (5) Virtual instruction provided by a school district  
 1227 through a contract with an approved virtual instruction program  
 1228 provider pursuant to s. 1002.45(1)(b)2. ~~s. 1002.45(1)(c)2.~~ to  
 1229 students within the school district or to students in other  
 1230 school districts throughout the state pursuant to s. 1002.31;  
 1231 however the school district enrolling the full-time equivalent  
 1232 virtual student shall comply with the enrollment requirements  
 1233 established under s. 1002.45(1)(d)4. ~~s. 1002.45(1)(e)4.~~

1234 Section 30. Paragraph (a) of subsection (3) and paragraph  
 1235 (e) of subsection (7) of section 1008.22, Florida Statutes, are  
 1236 amended to read:

1237 1008.22 Student assessment program for public schools.—

1238 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
 1239 Commissioner of Education shall design and implement a  
 1240 statewide, standardized assessment program aligned to the core  
 1241 curricular content established in the state academic standards.  
 1242 The commissioner also must develop or select and implement a  
 1243 common battery of assessment tools that will be used in all  
 1244 juvenile justice education programs in the state. These tools  
 1245 must accurately measure the core curricular content established  
 1246 in the state academic standards. Participation in the assessment  
 1247 program is mandatory for all school districts and all students  
 1248 attending public schools, including adult students seeking a  
 1249 standard high school diploma under s. 1003.4282 and students in  
 1250 Department of Juvenile Justice education programs, except as

1251 otherwise provided by law. If a student does not participate in  
1252 the assessment program, the school district must notify the  
1253 student's parent and provide the parent with information  
1254 regarding the implications of such nonparticipation. The  
1255 statewide, standardized assessment program shall be designed and  
1256 implemented as follows:

1257 (a) Statewide, standardized comprehensive assessments.—

1258 1. The statewide, standardized English Language Arts (ELA)  
1259 assessments shall be administered to students in grades 3  
1260 through 10. Retake opportunities for the grade 10 ELA assessment  
1261 must be provided. Reading passages and writing prompts for ELA  
1262 assessments shall incorporate grade-level core curricula content  
1263 from social studies. The statewide, standardized Mathematics  
1264 assessments shall be administered annually in grades 3 through  
1265 8. The statewide, standardized Science assessment shall be  
1266 administered annually at least once at the elementary and middle  
1267 grades levels. In order to earn a standard high school diploma,  
1268 a student who has not earned a passing score on the grade 10 ELA  
1269 assessment must earn a passing score on the assessment retake or  
1270 earn a concordant score as authorized under subsection (9).

1271 2. Beginning with the 2022-2023 school year, the end-of-  
1272 year comprehensive progress monitoring assessment administered  
1273 pursuant to s. 1008.25(9)(b)3. ~~s. 1008.25(9)(b)2.~~ is the  
1274 statewide, standardized ELA assessment for students in grades 3  
1275 through 10 and the statewide, standardized Mathematics

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1276 assessment for students in grades 3 through 8.

1277 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

1278 (e) A school district may not schedule more than 5 percent  
1279 of a student's total school hours in a school year to administer  
1280 statewide, standardized assessments; the coordinated screening  
1281 and progress monitoring system under s. 1008.25(9)(b)3. ~~s.~~  
1282 ~~1008.25(9)(b)2.~~; and district-required local assessments. The  
1283 district must secure written consent from a student's parent  
1284 before administering district-required local assessments that,  
1285 after applicable statewide, standardized assessments and  
1286 coordinated screening and progress monitoring are scheduled,  
1287 exceed the 5 percent test administration limit for that student  
1288 under this paragraph. The 5 percent test administration limit  
1289 for a student under this paragraph may be exceeded as needed to  
1290 provide test accommodations that are required by an IEP or are  
1291 appropriate for an English language learner who is currently  
1292 receiving services in a program operated in accordance with an  
1293 approved English language learner district plan pursuant to s.  
1294 1003.56. Notwithstanding this paragraph, a student may choose  
1295 within a school year to take an examination or assessment  
1296 adopted by State Board of Education rule pursuant to this  
1297 section and ss. 1007.27, 1008.30, and 1008.44.

1298 Section 31. Subsection (4) of section 1008.37, Florida  
1299 Statutes, is amended to read:

1300 1008.37 Postsecondary feedback of information to high

1301 schools.—

1302 (4) As a part of the school improvement plan pursuant to  
 1303 s. 1008.345, the State Board of Education shall ensure that each  
 1304 school district and high school develops strategies to improve  
 1305 student readiness for the public postsecondary level ~~based on~~  
 1306 ~~annual analysis of the feedback report data.~~

1307 Section 32. Paragraph (a) of subsection (4) of section  
 1308 1013.841, Florida Statutes, is amended to read:

1309 1013.841 End of year balance of Florida College System  
 1310 institution funds.—

1311 (4) A Florida College System institution identified in  
 1312 paragraph (3)(b) must include in its carry forward spending plan  
 1313 the estimated cost per planned expenditure and a timeline for  
 1314 completion of the expenditure. Authorized expenditures in a  
 1315 carry forward spending plan may include:

1316 (a) Commitment of funds to a public education capital  
 1317 outlay project for which an appropriation was previously  
 1318 provided, which requires additional funds for completion, and  
 1319 which is included in the list required by s. 1001.03(18)(d) ~~s.~~  
 1320 ~~1001.03(19)(d)~~;

1321 Section 33. This act shall take effect July 1, 2024.