

1 A bill to be entitled
2 An act relating to education; amending s. 212.055,
3 F.S.; providing that charter schools may expend
4 proceeds from a certain surtax; amending s. 1002.33,
5 F.S.; requiring a charter school sponsor to use a
6 standard monitoring tool to monitor and review a
7 charter school; amending s. 1002.333, F.S.; revising
8 the definition of the term "school of hope"; defining
9 the term "sponsoring entity"; providing that a hope
10 operator must submit a notice of intent to open a
11 school of hope to the sponsoring entity, rather than
12 the school district; requiring the sponsoring entity,
13 rather than the school district, to enter into a
14 performance-based agreement with a hope operator;
15 requiring a school of hope to provide the sponsoring
16 entity, rather than the school district, with a
17 financial statement summary sheet; amending s.
18 1002.394, F.S.; revising dates by which the Department
19 of Education must release certain funds to
20 scholarship-funding organizations; requiring a
21 scholarship-funding organization to provide a
22 specified list to the department within a specified
23 timeframe; amending s. 1011.62, F.S.; providing that
24 administrative personnel are included in a provision
25 for a salary increase; providing an effective date.

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

Section 1. Paragraphs (c) and (d) of subsection (2) of section 212.055, Florida Statutes, are amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(c) Pursuant to s. 212.054(4), the proceeds of the surtax levied under this subsection shall be distributed to the county and the municipalities within such county in which the surtax was collected, according to:

1. An interlocal agreement between the county governing authority and the governing bodies of the municipalities

51 | representing a majority of the county's municipal population,
52 | which agreement may include a school district or charter school
53 | with the consent of the county governing authority and the
54 | governing bodies of the municipalities representing a majority
55 | of the county's municipal population; or

56 | 2. If there is no interlocal agreement, according to the
57 | formula provided in s. 218.62.

58 |
59 | Any change in the distribution formula must take effect on the
60 | first day of any month that begins at least 60 days after
61 | written notification of that change has been made to the
62 | department.

63 | (d) The proceeds of the surtax authorized by this
64 | subsection and any accrued interest shall be expended by the
65 | school district and charter schools, within the county and
66 | municipalities within the county, or, in the case of a
67 | negotiated joint county agreement, within another county, to
68 | finance, plan, and construct infrastructure; to acquire any
69 | interest in land for public recreation, conservation, or
70 | protection of natural resources or to prevent or satisfy private
71 | property rights claims resulting from limitations imposed by the
72 | designation of an area of critical state concern; to provide
73 | loans, grants, or rebates to residential or commercial property
74 | owners who make energy efficiency improvements to their
75 | residential or commercial property, if a local government

76 ordinance authorizing such use is approved by referendum; or to
77 finance the closure of county-owned or municipally owned solid
78 waste landfills that have been closed or are required to be
79 closed by order of the Department of Environmental Protection.
80 Any use of the proceeds or interest for purposes of landfill
81 closure before July 1, 1993, is ratified. The proceeds and any
82 interest may not be used for the operational expenses of
83 infrastructure, except that a county that has a population of
84 fewer than 75,000 and that is required to close a landfill may
85 use the proceeds or interest for long-term maintenance costs
86 associated with landfill closure. Counties, as defined in s.
87 125.011, and charter counties may, in addition, use the proceeds
88 or interest to retire or service indebtedness incurred for bonds
89 issued before July 1, 1987, for infrastructure purposes, and for
90 bonds subsequently issued to refund such bonds. Any use of the
91 proceeds or interest for purposes of retiring or servicing
92 indebtedness incurred for refunding bonds before July 1, 1999,
93 is ratified.

94 1. For the purposes of this paragraph, the term
95 "infrastructure" means:

96 a. Any fixed capital expenditure or fixed capital outlay
97 associated with the construction, reconstruction, or improvement
98 of public facilities that have a life expectancy of 5 or more
99 years, any related land acquisition, land improvement, design,
100 and engineering costs, and all other professional and related

101 costs required to bring the public facilities into service. For
102 purposes of this sub-subparagraph, the term "public facilities"
103 means facilities as defined in s. 163.3164(41), s. 163.3221(13),
104 or s. 189.012(5), and includes facilities that are necessary to
105 carry out governmental purposes, including, but not limited to,
106 fire stations, general governmental office buildings, and animal
107 shelters, regardless of whether the facilities are owned by the
108 local taxing authority or another governmental entity.

109 b. A fire department vehicle, an emergency medical service
110 vehicle, a sheriff's office vehicle, a police department
111 vehicle, or any other vehicle, and the equipment necessary to
112 outfit the vehicle for its official use or equipment that has a
113 life expectancy of at least 5 years.

114 c. Any expenditure for the construction, lease, or
115 maintenance of, or provision of utilities or security for,
116 facilities, as defined in s. 29.008.

117 d. Any fixed capital expenditure or fixed capital outlay
118 associated with the improvement of private facilities that have
119 a life expectancy of 5 or more years and that the owner agrees
120 to make available for use on a temporary basis as needed by a
121 local government as a public emergency shelter or a staging area
122 for emergency response equipment during an emergency officially
123 declared by the state or by the local government under s.
124 252.38. Such improvements are limited to those necessary to
125 comply with current standards for public emergency evacuation

126 shelters. The owner must enter into a written contract with the
127 local government providing the improvement funding to make the
128 private facility available to the public for purposes of
129 emergency shelter at no cost to the local government for a
130 minimum of 10 years after completion of the improvement, with
131 the provision that the obligation will transfer to any
132 subsequent owner until the end of the minimum period.

133 e. Any land acquisition expenditure for a residential
134 housing project in which at least 30 percent of the units are
135 affordable to individuals or families whose total annual
136 household income does not exceed 120 percent of the area median
137 income adjusted for household size, if the land is owned by a
138 local government or by a special district that enters into a
139 written agreement with the local government to provide such
140 housing. The local government or special district may enter into
141 a ground lease with a public or private person or entity for
142 nominal or other consideration for the construction of the
143 residential housing project on land acquired pursuant to this
144 sub-subparagraph.

145 f. Instructional technology used solely in a school
146 district's or charter school's classrooms. As used in this sub-
147 subparagraph, the term "instructional technology" means an
148 interactive device that assists a teacher in instructing a class
149 or a group of students and includes the necessary hardware and
150 software to operate the interactive device. The term also

151 includes support systems in which an interactive device may
152 mount and is not required to be affixed to the facilities.

153 2. For the purposes of this paragraph, the term "energy
154 efficiency improvement" means any energy conservation and
155 efficiency improvement that reduces consumption through
156 conservation or a more efficient use of electricity, natural
157 gas, propane, or other forms of energy on the property,
158 including, but not limited to, air sealing; installation of
159 insulation; installation of energy-efficient heating, cooling,
160 or ventilation systems; installation of solar panels; building
161 modifications to increase the use of daylight or shade;
162 replacement of windows; installation of energy controls or
163 energy recovery systems; installation of electric vehicle
164 charging equipment; installation of systems for natural gas fuel
165 as defined in s. 206.9951; and installation of efficient
166 lighting equipment.

167 3. Notwithstanding any other provision of this subsection,
168 a local government infrastructure surtax imposed or extended
169 after July 1, 1998, may allocate up to 15 percent of the surtax
170 proceeds for deposit into a trust fund within the county's
171 accounts created for the purpose of funding economic development
172 projects having a general public purpose of improving local
173 economies, including the funding of operational costs and
174 incentives related to economic development. The ballot statement
175 must indicate the intention to make an allocation under the

176 authority of this subparagraph.

177 **Section 2. Paragraph (b) of subsection (5) of section**
178 **1002.33, Florida Statutes, is amended to read:**

179 1002.33 Charter schools.—

180 (5) SPONSOR; DUTIES.—

181 (b) *Sponsor duties.*—

182 1.a. The sponsor shall monitor and review the charter
183 school, using the standard monitoring tool, in its progress
184 toward the goals established in the charter.

185 b. The sponsor shall monitor the revenues and expenditures
186 of the charter school and perform the duties provided in s.
187 1002.345.

188 c. The sponsor may approve a charter for a charter school
189 before the applicant has identified space, equipment, or
190 personnel, if the applicant indicates approval is necessary for
191 it to raise working funds.

192 d. The sponsor may not apply its policies to a charter
193 school unless mutually agreed to by both the sponsor and the
194 charter school. If the sponsor subsequently amends any agreed-
195 upon sponsor policy, the version of the policy in effect at the
196 time of the execution of the charter, or any subsequent
197 modification thereof, shall remain in effect and the sponsor may
198 not hold the charter school responsible for any provision of a
199 newly revised policy until the revised policy is mutually agreed
200 upon.

201 e. The sponsor shall ensure that the charter is innovative
202 and consistent with the state education goals established by s.
203 1000.03(5).

204 f. The sponsor shall ensure that the charter school
205 participates in the state's education accountability system. If
206 a charter school falls short of performance measures included in
207 the approved charter, the sponsor shall report such shortcomings
208 to the Department of Education.

209 g. The sponsor is not liable for civil damages under state
210 law for personal injury, property damage, or death resulting
211 from an act or omission of an officer, employee, agent, or
212 governing body of the charter school.

213 h. The sponsor is not liable for civil damages under state
214 law for any employment actions taken by an officer, employee,
215 agent, or governing body of the charter school.

216 i. The sponsor's duties to monitor the charter school do
217 not constitute the basis for a private cause of action.

218 j. The sponsor may not impose additional reporting
219 requirements on a charter school as long as the charter school
220 has not been identified as having a deteriorating financial
221 condition or financial emergency pursuant to s. 1002.345.

222 k. The sponsor shall submit an annual report to the
223 Department of Education in a web-based format to be determined
224 by the department.

225 (I) The report shall include the following information:

226 (A) The number of applications received during the school
227 year and up to August 1 and each applicant's contact
228 information.

229 (B) The date each application was approved, denied, or
230 withdrawn.

231 (C) The date each final contract was executed.

232 (II) Annually, by November 1, the sponsor shall submit to
233 the department the information for the applications submitted
234 the previous year.

235 (III) The department shall compile an annual report, by
236 sponsor, and post the report on its website by January 15 of
237 each year.

238 2. Immunity for the sponsor of a charter school under
239 subparagraph 1. applies only with respect to acts or omissions
240 not under the sponsor's direct authority as described in this
241 section.

242 3. This paragraph does not waive a sponsor's sovereign
243 immunity.

244 4. A Florida College System institution may work with the
245 school district or school districts in its designated service
246 area to develop charter schools that offer secondary education.
247 These charter schools must include an option for students to
248 receive an associate degree upon high school graduation. If a
249 Florida College System institution operates an approved teacher
250 preparation program under s. 1004.04 or s. 1004.85, the

251 institution may operate charter schools that serve students in
252 kindergarten through grade 12 in any school district within the
253 service area of the institution. District school boards shall
254 cooperate with and assist the Florida College System institution
255 on the charter application. Florida College System institution
256 applications for charter schools are not subject to the time
257 deadlines outlined in subsection (6) and may be approved by the
258 district school board at any time during the year. Florida
259 College System institutions may not report FTE for any students
260 participating under this subparagraph who receive FTE funding
261 through the Florida Education Finance Program.

262 5. For purposes of assisting the development of a charter
263 school, a school district may enter into nonexclusive interlocal
264 agreements with federal and state agencies, counties,
265 municipalities, and other governmental entities that operate
266 within the geographical borders of the school district to act on
267 behalf of such governmental entities in the inspection,
268 issuance, and other necessary activities for all necessary
269 permits, licenses, and other permissions that a charter school
270 needs in order for development, construction, or operation. A
271 charter school may use, but may not be required to use, a school
272 district for these services. The interlocal agreement must
273 include, but need not be limited to, the identification of fees
274 that charter schools will be charged for such services. The fees
275 must consist of the governmental entity's fees plus a fee for

276 the school district to recover no more than actual costs for
277 providing such services. These services and fees are not
278 included within the services to be provided pursuant to
279 subsection (20). Notwithstanding any other provision of law, an
280 interlocal agreement or ordinance that imposes a greater
281 regulatory burden on charter schools than school districts or
282 that prohibits or limits the creation of a charter school is
283 void and unenforceable. An interlocal agreement entered into by
284 a school district for the development of only its own schools,
285 including provisions relating to the extension of
286 infrastructure, may be used by charter schools.

287 6. The board of trustees of a sponsoring state university
288 or Florida College System institution under paragraph (a) is the
289 local educational agency for all charter schools it sponsors for
290 purposes of receiving federal funds and accepts full
291 responsibility for all local educational agency requirements and
292 the schools for which it will perform local educational agency
293 responsibilities. A student enrolled in a charter school that is
294 sponsored by a state university or Florida College System
295 institution may not be included in the calculation of the school
296 district's grade under s. 1008.34(5) for the school district in
297 which he or she resides.

298 **Section 3. Paragraph (d) of subsection (1), subsection**
299 **(4), paragraphs (k), (l), and (m) of subsection (5), and**
300 **paragraphs (a) and (h) of subsection (6) of section 1002.333,**

301 **Florida Statutes, are amended, and paragraph (e) is added to**
 302 **subsection (1) of that section, to read:**

303 1002.333 Persistently low-performing schools.—

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

305 (d) "School of hope" means:

306 1. A charter school operated by a hope operator which:

307 a. Serves students from one or more persistently low-
 308 performing schools and students who reside in a Florida
 309 Opportunity Zone;

310 b. Is located in or within 2 miles of a Florida
 311 Opportunity Zone or in the attendance zone of a persistently
 312 low-performing school or within a 5-mile radius of such school,
 313 whichever is greater; and

314 c. Is a Title I eligible school; or

315 2. A school operated by a hope operator pursuant to s.
 316 1008.33 (4) (b) 3.

317 (e) "Sponsoring entity" has the same meaning as in s.
 318 1002.33 (5).

319 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
 320 seeking to open a school of hope must submit a notice of intent
 321 to the sponsoring entity to operate a school of hope in a ~~the~~
 322 ~~school~~ district in which a persistently low-performing school
 323 has been identified by the State Board of Education pursuant to
 324 subsection (10) or in which a Florida Opportunity Zone is
 325 located.

326 (a) The notice of intent must include:

327 1. An academic focus and plan.

328 2. A financial plan.

329 3. Goals and objectives for increasing student achievement

330 for the students from low-income families.

331 4. A completed or planned community outreach plan.

332 5. The organizational history of success in working with

333 students with similar demographics.

334 6. The grade levels to be served and enrollment

335 projections.

336 7. The proposed location or geographic area proposed for

337 the school consistent with the requirements of sub-subparagraphs

338 (1) (d) 1.a. and b.

339 8. A staffing plan.

340 (b) Notwithstanding the requirements of s. 1002.33, a

341 sponsoring entity ~~school district~~ shall enter into a

342 performance-based agreement with a hope operator to open schools

343 to serve students from persistently low-performing schools and

344 students residing in a Florida Opportunity Zone.

345 (5) PERFORMANCE-BASED AGREEMENT.—The following shall

346 comprise the entirety of the performance-based agreement:

347 (k) A requirement that any arrangement entered into to

348 borrow or otherwise secure funds for the school of hope from a

349 source other than the state or a sponsoring entity ~~school~~

350 ~~district~~ shall indemnify the state and the sponsoring entity

351 ~~school district~~ from any and all liability, including, but not
352 limited to, financial responsibility for the payment of the
353 principal or interest.

354 (l) A provision that any loans, bonds, or other financial
355 agreements are not obligations of the state or the sponsoring
356 entity ~~school district~~ but are obligations of the school of hope
357 and are payable solely from the sources of funds pledged by such
358 agreement.

359 (m) A prohibition on the pledge of credit or taxing power
360 of the state or the sponsoring entity ~~school district~~.

361 (6) STATUTORY AUTHORITY.—

362 (a) A school of hope or a nonprofit entity that operates
363 more than one school of hope through a performance-based
364 agreement with a sponsoring entity ~~school district~~ may be
365 designated as a local education agency by the department, if
366 requested, for the purposes of receiving federal funds and, in
367 doing so, accepts the full responsibility for all local
368 education agency requirements and the schools for which it will
369 perform local education agency responsibilities.

370 1. A nonprofit entity designated as a local education
371 agency may report its students to the department in accordance
372 with the definitions in s. 1011.61 and pursuant to the
373 department's procedures and timelines.

374 2. Students enrolled in a school established by a hope
375 operator designated as a local educational agency are not

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376 eligible students for purposes of calculating the district grade
377 pursuant to s. 1008.34(5).

378 (h)1. A school of hope shall provide the sponsoring entity
379 ~~school district~~ with a concise, uniform, quarterly financial
380 statement summary sheet that contains a balance sheet and a
381 statement of revenue, expenditures, and changes in fund balance.
382 The balance sheet and the statement of revenue, expenditures,
383 and changes in fund balance shall be in the governmental fund
384 format prescribed by the Governmental Accounting Standards
385 Board. Additionally, a school of hope shall comply with the
386 annual audit requirement for charter schools in s. 218.39.

387 2. A school of hope is in compliance with subparagraph 1.
388 if it is operated by a nonprofit entity designated as a local
389 education agency and if the nonprofit submits to the sponsoring
390 entity ~~each school district in which it operates a school of~~
391 ~~hope:~~

392 a. A concise, uniform, quarterly financial statement
393 summary sheet that contains a balance sheet summarizing the
394 revenue, expenditures, and changes in fund balance for the
395 entity and for its schools of hope ~~within the school district.~~

396 b. An annual financial audit of the nonprofit which
397 includes all schools of hope it operates within this state and
398 which complies with s. 218.39 regarding audits of a school
399 board.

400 **Section 4. Paragraph (b) of subsection (12) of section**

401 **1002.394, Florida Statutes, is amended to read:**

402 1002.394 The Family Empowerment Scholarship Program.—

403 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

404 (b)1. For the 2024-2025 school year, the maximum number of
405 scholarships funded under paragraph (3)(b) shall be 72,615.

406 Beginning in the 2025-2026 school year, the maximum number of
407 scholarships funded under paragraph (3)(b) shall annually
408 increase by 5 percent of the state's total exceptional student
409 education full-time equivalent student membership, not including
410 gifted students. The maximum number of scholarships funded shall
411 increase by 1 percent of the state's total exceptional student
412 education full-time equivalent student membership, not including
413 gifted students, in the school year following any school year in
414 which the number of scholarships funded exceeds 95 percent of
415 the number of available scholarships for that school year. An
416 eligible student who meets any of the following requirements
417 shall be excluded from the maximum number of students if the
418 student:

419 a. Received specialized instructional services under the
420 Voluntary Prekindergarten Education Program pursuant to s.
421 1002.66 during the previous school year and the student has a
422 current IEP developed by the district school board in accordance
423 with rules of the State Board of Education;

424 b. Is a dependent child of a law enforcement officer or a
425 member of the United States Armed Forces, a foster child, or an

426 adopted child; or

427 c. Spent the prior school year in attendance at a Florida
428 public school or the Florida School for the Deaf and the Blind.
429 For purposes of this subparagraph, the term "prior school year
430 in attendance" means that the student was enrolled and reported
431 by:

432 (I) A school district for funding during either the
433 preceding October or February full-time equivalent student
434 membership surveys in kindergarten through grade 12, which
435 includes time spent in a Department of Juvenile Justice
436 commitment program if funded under the Florida Education Finance
437 Program;

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

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

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

447 2. For a student who has a Level I to Level III matrix of
448 services or a diagnosis by a physician or psychologist, the
449 calculated scholarship amount for a student participating in the
450 program must be based upon the grade level and school district

451 in which the student would have been enrolled as the total funds
452 per unweighted full-time equivalent in the Florida Education
453 Finance Program for a student in the basic exceptional student
454 education program pursuant to s. 1011.62(1)(c) and (d), plus a
455 per full-time equivalent share of funds for the categorical
456 programs established in s. 1011.62(5), (7)(a), (8), and (16), as
457 funded in the General Appropriations Act. For the categorical
458 program established in s. 1011.62(8), the funds must be
459 allocated based on the school district's average exceptional
460 student education guaranteed allocation funds per exceptional
461 student education full-time equivalent student.

462 3. For a student with a Level IV or Level V matrix of
463 services, the calculated scholarship amount must be based upon
464 the school district to which the student would have been
465 assigned as the total funds per full-time equivalent for the
466 Level IV or Level V exceptional student education program
467 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
468 equivalent share of funds for the categorical programs
469 established in s. 1011.62(5), (7)(a), and (16), as funded in the
470 General Appropriations Act.

471 4. For a student who received a Gardiner Scholarship
472 pursuant to former s. 1002.385 in the 2020-2021 school year, the
473 amount shall be the greater of the amount calculated pursuant to
474 subparagraph 2. or the amount the student received for the 2020-
475 2021 school year.

476 5. For a student who received a John M. McKay Scholarship
477 pursuant to former s. 1002.39 in the 2020-2021 school year, the
478 amount shall be the greater of the amount calculated pursuant to
479 subparagraph 2. or the amount the student received for the 2020-
480 2021 school year.

481 6. The organization must verify the student's eligibility
482 to participate in the scholarship program at least 30 days
483 before each payment.

484 7.a. For new or renewing scholarship students, upon
485 receiving the verified list of eligible scholarship students,
486 the department shall release, from state funds only, the amount
487 calculated pursuant to subparagraph 1. to the organization for
488 deposit into the student's account in quarterly payments no
489 later than September ~~August~~ 1, October ~~November~~ 1, January
490 ~~February~~ 1, and March ~~April~~ 1 of each school year in which the
491 scholarship is in force. The scholarship-funding organization
492 shall provide the verified list to the department 30 days before
493 each deposit date

494 ~~b. For new scholarship students, upon receiving the~~
495 ~~verified list of eligible scholarship students, the department~~
496 ~~shall release, from state funds only, the amount calculated~~
497 ~~pursuant to subparagraph 1. to the organization for deposit into~~
498 ~~the student's account in quarterly payments no later than~~
499 ~~September 1, November 1, February 1, and April 1 of each school~~
500 ~~year in which the scholarship is in force.~~

501 8. If a scholarship student is attending an eligible
502 private school full time, the initial payment shall be made
503 after the organization's verification of admission acceptance,
504 and subsequent payments shall be made upon verification of
505 continued enrollment and attendance at the eligible private
506 school. Payments for tuition and fees for full-time enrollment
507 shall be made within 7 business days after approval by the
508 parent pursuant to paragraph (10)(b) and the private school
509 pursuant to paragraph (9)(b).

510 9. Accrued interest in the student's account is in
511 addition to, and not part of, the awarded funds. Program funds
512 include both the awarded funds and accrued interest.

513 10. The organization may develop a system for payment of
514 benefits by funds transfer, including, but not limited to, debit
515 cards, electronic payment cards, or any other means of payment
516 which the department deems to be commercially viable or cost-
517 effective. A student's scholarship award may not be reduced for
518 debit card or electronic payment fees. Commodities or services
519 related to the development of such a system must be procured by
520 competitive solicitation unless they are purchased from a state
521 term contract pursuant to s. 287.056.

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

525 12. Moneys received pursuant to this section do not

526 constitute taxable income to the qualified student or the parent
527 of the qualified student.

528 **Section 5. Subsection (14) of section 1011.62, Florida**
529 **Statutes, is amended to read:**

530 1011.62 Funds for operation of schools.—If the annual
531 allocation from the Florida Education Finance Program to each
532 district for operation of schools is not determined in the
533 annual appropriations act or the substantive bill implementing
534 the annual appropriations act, it shall be determined as
535 follows:

536 (14) CLASSROOM TEACHER AND OTHER INSTRUCTIONAL PERSONNEL
537 SALARY INCREASE.—The Legislature shall annually apportion an
538 amount of funds provided in the Florida Education Finance
539 Program to assist school districts and charter schools in their
540 compliance with the requirement that the minimum base salary for
541 full-time classroom teachers, as defined in s. 1012.01(2)(a),
542 and certified prekindergarten teachers funded in the Florida
543 Education Finance Program is at least \$47,500 or to provide
544 salary increases to instructional personnel, as defined in s.
545 1012.01(2)(a)-(d), or administrative personnel, as defined s.
546 1012.01(3)(c), in a manner that best meets the needs of the
547 school district or charter school. This subsection does not
548 apply to substitute teachers. The amount and distribution
549 methodology for the funding shall be specified in the General
550 Appropriations Act.

551 (a) The term "minimum base salary" means the lowest annual
552 base salary reported on the salary schedule for a full-time
553 classroom teacher. A full-time classroom teacher may not receive
554 a salary less than the minimum base salary as adjusted by this
555 subsection.

556 (b) A school district or charter school shall maintain the
557 minimum base salary achieved for classroom teachers provided in
558 the prior fiscal year and may not reduce the salary increases in
559 any subsequent fiscal year.

560 (c) Before distributing any additional funds received over
561 the prior fiscal year, each school district and each charter
562 school shall develop a salary distribution plan that clearly
563 delineates the planned distribution of funds in accordance with
564 modified salary schedules, as necessary, for the implementation
565 of this subsection.

566 1. Each school district superintendent and each charter
567 school administrator must submit its proposed salary
568 distribution plan to the district school board or the charter
569 school governing body, as appropriate, for approval.

570 2. Each school district shall submit the approved district
571 salary distribution plan and the approved salary distribution
572 plan for each charter school in the district to the department
573 by October 1 of each fiscal year.

574 (d) Beginning August 1, 2024, and each year thereafter, in
575 a format specified by the department, each school district shall

576 provide a report to the department that includes a detailed
577 summary explaining the school district's prior year's
578 expenditures pursuant to this subsection. The report must
579 include the amount of the increase to the minimum base salary
580 for classroom teachers and the school district's salary schedule
581 for the prior fiscal year and the fiscal year in which the base
582 salary is increased. Each charter school governing board shall
583 submit the information required under this subparagraph to the
584 district school board for inclusion in the school district's
585 report to the department.

586 (e) Although district school boards and charter school
587 governing boards are not precluded from bargaining over wages,
588 the classroom teacher and other instructional personnel salary
589 increase must be used solely to comply with the requirements of
590 this subsection. A district school board or charter school
591 governing board that is unable to meet the reporting
592 requirements in paragraph (d) due to a collective bargaining
593 impasse must provide written notification to the department or
594 the district school board, as applicable, detailing the reasons
595 for the impasse with a proposed timeline and details for a
596 resolution.

597 **Section 6.** This act shall take effect July 1, 2025.