

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: CS/SB 1528

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Collins

SUBJECT: Educational Opportunities for Military Children

DATE: March 18, 2025 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Proctor	MS	Fav/CS
2.			AED	
3.			FP	

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1528 directs the Department of Education (DOE) to develop and implement a training module relating to facilitating and expediting the transfer of a K-12 student’s education records from an out-of-state school. The DOE must provide the training module to each district school board to provide to each public and charter K-12 school within its district. The district school board must make the training available to employees who work directly with military students and families.

This bill may have an insignificant negative fiscal impact. See Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2025.

II. Present Situation:

Procedures for Maintenance and Transfer of Student Records

Each school principal must maintain a permanent cumulative record for each student enrolled in a public K-12 school. The record must be maintained in the form, and contain all data, required by Florida Administrative Code Rule 6A-1.0955. The cumulative record is confidential and

exempt from the provisions of public records under s. 119.07(1), F.S., and is open to inspection only as provided in ch. 1002, F.S.¹

Information contained in education records must be classified and retained as follows:

- Category A: Information for each student which must be kept current while the student is enrolled and retained permanently in the manner prescribed by s. 1001.52(2), F.S.
- Category B: Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by s. 1001.52(3), F.S.²

The content of Category A records, which must be maintained for each student, are as follows:

- Student's full legal name;
- Authenticated birthdate, place of birth, race, ethnicity and sex;
- Last known address of the student,
- Names of the student's parent(s) or guardian(s);
- Name and location of last school attended;
- Number of days present and absent, date enrolled and date withdrawn;
- Courses taken and record of achievement, such as grades, units, or certification of competence;
- Date of graduation or date of program completion; and
- Records of requests for access to and disclosure of personally identifiable information from the education records of the student as required by the Family Educational Rights and Privacy Act.³

The content of Category B records may include, but are not limited to:

- Health information and health care plans;
- Family background data;
- Standardized test scores;
- Educational and career plans;
- Honors and activities;
- Work experience reports;
- Teacher comments;
- Reports of student services or exceptional student staffing committees including all information required by s. 1001.42(13), F.S.;
- Discipline records;
- School Environmental Safety Incident Reports collected under s. 1006.07(9), F.S.;
- Except as provided in Subsection (6),⁴ threat assessments done by the threat assessment team pursuant to s. 1006.07(7), F.S.;

¹ Section 1003.25(1), F.S.

² Fla. Admin. Code R. 6A-1.0955 (2024).

³ *Id.*

⁴ Fla. Admin. Code R. 6A-1.0955 (2024), subsection (6) provides all reports of concerning behavior, concerning communications, or threats documented using the Florida Harm Prevention and Threat Management Instrument prescribed by Rule 6A-1.0019, F.A.C., are Category B records and shall be maintained in a student's file as long as determined useful by a threat management team, pursuant to section 1006.07(7), F.S., and Rule 6A-1.0019, F.A.C. These records include all corresponding documentation and any additional information required by the Florida Model for threat management related to the reporting, evaluation, intervention, and management of threat assessment evaluations and intervention services.

- Academic and behavioral intervention services,
- Psychological evaluations;
- Therapeutic treatment plans and therapy progress notes;
- Correspondence from community agencies or private professionals,
- Driver education certificate;
- List of schools attended;
- Written agreements of corrections, deletions or expunctions as a result of meetings or hearings to amend educational records; and
- Records designated for retention by the Florida Department of State in General Records Schedule GS7 for Public Schools Pre-K – 12, Adult and Vocational/Technical.⁵

The procedure for transferring and maintaining records of students who transfer from school to school is prescribed by rules⁶ of the State Board of Education.⁷

The transfer of education records:

- Must be made immediately upon written request of an eligible student, a parent or a receiving school. The principal or designee must transfer a copy of all Category A and Category B information and must retain a copy of Category A information; however, student records which are required for audit purposes for programs listed in s. 1010.305, F.S.,⁸ must be maintained in the district for the time period pursuant to Florida Administrative Code Rule 6A-1.0453.
- Must not be delayed for nonpayment of a fee or fine assessed by the school.
- Of students who transfer from school to school must occur within 5 school days of receipt of the request for records from the new school or district, or receipt of the identity of the new school and district of enrollment, whichever occurs first. In accordance with s. 1003.25, F.S., student records must contain verified reports of serious or recurrent behavior patterns, including all documentation and related information for reports of concerning behavior, concerning communication, or threats that are documented using any portion of the Florida Harm Prevention and Threat Management Instrument,⁹ and psychological evaluations, including therapeutic treatment plans and therapy progress notes created or maintained by district or charter school staff. All reports of concerning behavior, concerning communication, or threats must be transferred, regardless of the outcome or level of concern.¹⁰

Procedures relating to the acceptance of transfer work and credit for students must be prescribed by rule by the State Board of Education.¹¹

⁵ Fla. Admin. Code R. 6A-1.0955 (2024).

⁶ *Id.*

⁷ Section 1003.25(2), F.S.

⁸ Section 1010.305(1), F.S., provides that the Auditor General shall periodically examine the records of school districts, and other agencies as appropriate, to determine compliance with law and State Board of Education rules relating to the classification, assignment, and verification of full-time equivalent student enrollment and student transportation reported under the Florida Education Finance Program.

⁹ Fla. Admin. Code R. 6A-1.0955 (2024), *Florida Harm Prevention and Threat Management Manual*, available at <https://www.fldoe.org/core/fileparse.php/18612/urlt/Threat-Management-Manual-FINAL-1.pdf> (last visited Mar. 12, 2025).

¹⁰ Fla. Admin. Code R. 6A-1.0955 (2024).

¹¹ Section 1003.25(3), F.S.

III. Effect of Proposed Changes:

CS/SB 1528 amends s. 1003.05, F.S., to direct the DOE to develop and implement a training module relating to facilitating and expediting the transfer of a K-12 student's education records from an out-of-state school. The DOE must provide the training module to each district school board to provide to each public and charter K-12 school within its district. The district school board must make the training available to employees who work directly with military students and families.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There may be an insignificant fiscal impact related to the development and implementation by the DOE of a training module relating to facilitating and expediting the transfer of a K-12 student's education records from an out-of-state school and then making the training available to employees who work directly with military students and families.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.05 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Military and Veterans Affairs, Space, and Domestic Security on March 18, 2025:

- Removes the provision for future legislative review and repeal of the Interstate Compact on Educational Opportunity for Military Children.

- B. **Amendments:**

None.