

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 Fiscal Policy

BILL: CS/SB 1618

INTRODUCER: Appropriations Committee on Pre-K - 12 Education and Senator Calatayud

SUBJECT: Prekindergarten Through Grade 12 Education

DATE: April 7, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Palazes</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2. <u>Gray</u>	<u>Elwell</u>	<u>AED</u>	Fav/CS
3. <u>Palazes</u>	<u>Siples</u>	<u>FP</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1618 makes several changes to Florida's prekindergarten through grade 12 education system.

For the Florida Voluntary Prekindergarten (VPK) Program, the bill:

- Removes the 70 percent cap on the hours authorized to be reported for funding prior to withdrawing from a VPK program for good cause and reenrolling in another VPK program.
- Repeals the Council for Early Grades Success.
- Removes authorization for the Department of Education (DOE) to recommend to the State Board of Education (SBE) that a provider be permitted to maintain its Gold Seal Quality Care status in certain circumstances.

For state academic standards and required instruction, the bill:

- Requires the state academic standards documents to contain only standards and benchmarks.
- Requires the DOE, in consultation with the Department of Agriculture and Consumer Services and the University of Florida Institute of Food and Agricultural Sciences, to revise the state agricultural standards.

For reading, the bill:

- Specifies requirements for personnel who provide intensive reading interventions and requires reading interventions to incorporate evidence-based strategies identified by Just Read, Florida!

- Requires that districts provide a description of how the district prioritizes the assignment of highly effective teachers to kindergarten to grade two.
- Authorizes the use of unpaid or paid hours that a high school student devotes to tutoring in the Reading Achievement Initiative for Scholastic Excellence can count toward meeting community service requirements for high school graduation and the Florida Bright Futures Scholarship Program.

For instructional personnel, the bill:

- Authorizes the use of a valid certificate issued by the American Board for Certification of Teacher Excellence (ABCTE) as a direct pathway to a professional certificate.
- Authorizes lab schools and charter school consortia who meet certain criteria to the entities eligible to submit to the DOE a nominee for the Teacher of the Year award.

Additionally, the bill:

- Revises the definition and requirements for emergency opioid antagonists.
- Specifies that school board policy on corporal punishment must include parent permission.
- Prohibits public schools, charter schools, school districts, charter school administrators, or direct-support organizations from using funds on certain items.
- Repeals the Florida School for Competitive Academics.
- Removes the Commissioner of Education's authority to determine if schools have maximized their efforts to include minority persons and persons of lower socioeconomic status on their school advisory councils.
- Adds requirements relating to the costs of postsecondary education to the one-half credit of financial literacy credit required for high school graduation.
- Authorizes the SBE to join or establish a national consortium to develop advanced courses.
- Specifies only certain instructional personnel can qualify for bonuses under the School Recognition award.
- Clarifies that an owner or operator of a private scholarship school is subject to state screening requirements for employment in positions that may require direct contact with students.
- Clarifies that general background screening exemptions do not apply to public school and private scholarship school employees in positions that may require direct contact with a student.
- Authorizes a private school located in a county with four incorporated municipalities to construct new facilities on property, under the facility's preexisting zoning and land use designations and without having to implement any mitigation requirements or conditions, subject to specified limitations.

The bill is effective July 1, 2025, except as otherwise specified.

This bill has an indeterminate fiscal impact. **See Section V., Fiscal Impact Statement.**

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

Florida's Voluntary Prekindergarten (VPK) Program

Present Situation

Florida's Voluntary PreKindergarten (VPK) Program

The VPK program prepares children for success in school and in life. Implemented in 2005, the program is a free, high-quality, education program available to all four-year-old children residing in the state.¹ Each child who resides in Florida who attains the age of four years on or before September 1 of the school year is eligible for the VPK Program during either that school year or the following school year. Parents of four-year-olds with birthdays from February 2 through September 1 may wait to enroll their child the following year when they are five.² The child remains eligible until the child is admitted to kindergarten, or unless the child has attained the age of six years by February 1 of any school year.³ In 2023-2024, there were 155,275 children enrolled with 6,247 providers in Florida's VPK program.⁴

Parents of each child eligible for a VPK program in Florida may enroll their child in one of the following programs:

- A school-year prekindergarten program delivered by an approved private prekindergarten provider.
- A school-year prekindergarten program delivered by a public school.
- A summer prekindergarten program delivered by a public school or private prekindergarten provider.
- A specialized instructional services program for children who have disabilities, if the child has been evaluated and determined as eligible and has a current individual educational plan developed by the local school board.⁵

Funding for Florida's VPK Program

A full-time equivalent student in the VPK program is calculated as follows:

- For a student in a school-year prekindergarten program delivered by a private prekindergarten provider: 540 instructional hours.
- For a student in a school-year prekindergarten program delivered by a public school: 540 instructional hours.
- For a student in a summer prekindergarten program delivered by a public school or private prekindergarten provider: 300 instructional hours.⁶

A child who, for any of the prekindergarten programs, has not completed more than 70 percent of the hours authorized to be reported for funding may withdraw from the program for good

¹ FLA. CONST., Art. IX, s. 1.

² Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024*, available at: <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf> (last visited Mar. 15, 2025).

³ Section 1002.53(2), F.S.

⁴ Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024*, available at: <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf> (last visited Mar. 15, 2025).

⁵ Section 1002.53(3), F.S.

⁶ Section 1002.71(2), F.S.

cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. A child who has not substantially completed any of the prekindergarten programs may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program.⁷

A child may be granted a good cause exemption if:

- The illness of the child, an individual living in the child's household, an individual which the child's parent is responsible for caring for, or the child's parent, sibling, grandparent, stepparent, step-sibling, or step-grandparent.
- A disagreement between the parent and the provider concerning policies, practices, or procedures at the provider's VPK program.
- A change in the child's residence.
- A change in the employment schedule or place of employment of the child's parent.
- The VPK program provider's inability to meet the child's health, behavioral, or educational needs.
- The termination of the child's class before 70 percent of the VPK program instructional hours are delivered.
- The child is dismissed by a VPK program provider for failure to comply with the provider's attendance policy.
- The VPK program provider's designation as a provider on probation.

A child may be granted an exemption for an extreme hardship if:

- The illness of the child, a family member which the child's parent is responsible for caring for, or of the child's parent, as documented in writing by a licensed physician if it would result in the child being absent for more than 30 percent of the number of hours in the program type in which the child is enrolled.
- The termination of the child's VPK program class as a result of the VPK program provider's removal from eligibility to offer the VPK program, as documented by the early learning coalition.
- The parent's inability to meet the basic needs of the child, including, but not limited to, a lack of food, shelter, clothing, or transportation, as documented in writing by a federal, state, or local governmental official.
- The VPK program provider's inability to meet the child's educational needs due to the child's learning or developmental disability, as documented by a federal, state, or local governmental official.
- The VPK program provider's inability to meet the child's health needs as documented by a licensed or a federal, state, or local governmental official.
- Displacement of the child from his or her place of residence, or closure of the child's VPK program provider as a result of a state of emergency as declared by a federal, state, or local government official.
- A temporary or permanent change in parent custody or guardianship, supported by legal documentation such as a court order or official documentation from the Department of

⁷ Section 1002.71(4), F.S.

Children and Families (DCF) or DCF contracted agency. This includes an at-risk childcare authorization that documents the guardianship change.⁸

Gold Seal Quality Care Program

The Department of Education (DOE) administers the Gold Seal Quality Care program (Gold Seal program). Established in 1996,⁹ the Gold Seal program recognizes childcare facilities and family day care homes that have gone above the required minimum licensing standards to become accredited by recognized agencies whose standards reflect quality in the level of care and supervision provided to children. The Gold Seal program is not an accreditation, but a designation. The Gold Seal program offers various advantages to participating providers, including tax exemptions on certain educational materials and property taxes, as well as increased reimbursement rates for School Readiness (SR) providers.¹⁰ To obtain and maintain a designation as a Gold Seal program provider, a childcare facility, large family childcare home, or family day care home must have:

- No class I¹¹ violations within preceding two years.
- Less than three class II¹² violations within the preceding two years.
- Less than three class III¹³ violations within the preceding two years that were not corrected within one year.
- If the DOE determines through a formal process that a provider has been in business for at least five years and has no other class I violations recorded, the DOE may recommend to the State Board of Education (SBE) that the provider maintain its Gold Seal Quality Care status.¹⁴

During the 2023-2024 fiscal year:¹⁵

- There were 16 Gold Seal approved accrediting associations.
- There were 1,861 Gold Seal designated childcare providers, of which 1,519 were contracted for SR and 1,591 were contracted for VPK.
- There were 23 providers removed from the Gold Seal program due to licensing regulation violations.

⁸ Rule 6M-8.210, F.A.C.

⁹ Ch. 96-175, s. 72, L.O.F.

¹⁰ Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024*, available at: <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf> (last visited Mar. 15, 2025).

¹¹ Class “I” violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines present an imminent danger to the clients of the provider or a substantial probability that death or serious physical or emotional harm would result therefrom. Section 408.813, F.S.

¹² Class “II” violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines directly threaten the physical or emotional health, safety, or security of the clients, other than class I violations. *Id.*

¹³ Class “III” violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines indirectly or potentially threaten the physical or emotional health, safety, or security of clients, other than class I or class II violations. *Id.*

¹⁴ Section 1002.945 (4), F.S.

¹⁵ Florida Department of Education, *Division of Early Learning, Annual Report 2023-2024*, available at: <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf> (last visited March 15, 2025).

The Council for Early Grades Success

The Council for Early Grades Success (Council) was created in 2021 within the DOE.¹⁶ The Council is responsible for reviewing the implementation of training for and outcomes from the coordinated screening and progress monitoring program to provide recommendations to the DOE that support grade three students reading at or above grade level. The Council, at a minimum, is responsible for:

- Providing recommendations on the implementation of the coordinated screening and progress monitoring program, including reviewing any procurement solicitation documents and criteria before being published.
- Developing training plans and timelines for such training.
- Identifying appropriate personnel, processes, and procedures required for the administration of the coordinated screening and progress monitoring program.
- Providing input on the methodology for calculating the VPK accountability program.¹⁷
- Working with the department to review the methodology for determining a child's kindergarten readiness.
- Reviewing data on age-appropriate learning gains by grade level that a student would need to attain to demonstrate proficiency in reading by grade three.
- Continually reviewing anonymized data from the results of the coordinated screening and progress monitoring program for students in the VPK Program through grade three to help inform recommendations to the department that support practices that will enable grade three students to read at or above grade level.¹⁸

Effect of Proposed Changes

The bill amends s. 1002.71, F.S., to remove the 70 percent cap on the hours authorized to be reported for funding for a child who withdraws from a VPK program for good cause and reenrolls in another VPK program. The bill maintains that the total funding for a VPK student who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Similarly, the bill also specifies that a child who has not completed any portion of the program, no matter the number of hours, of a VPK program may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

The bill amends s. 1002.945, F.S., to remove the authority of the DOE to determine through a formal process that because a provider has been in business for at least five years and has no other class I violations recorded, the DOE may recommend to the SBE that the provider maintain its Gold Seal Quality Care status.

The bill repeals s. 1008.2125, F.S., to remove the Council for Early Grades Success. The bill also amends s. 1002.68, F.S., to remove the requirement that the DOE consult with the Council for

¹⁶ Section 65, ch. 2021-10, L.O.F.

¹⁷ Rule 6M-8.622, Voluntary Prekindergarten (VPK) Provider Performance Metric and Designation, was adopted by the State Board of Education on August 21, 2024 and went into effect September 9, 2024.

¹⁸ Section 1008.2125(1)(a), F.S.

Early Grades Success prior to adopting, in SBE rule, the methodology related to the VPK accountability system and differential payments.

Student Academic Standards

Present Situation

State Academic Standards

Florida's state academic standards establish the core content of the curricula to be taught and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time.¹⁹

The Commissioner of Education (commissioner) is required to develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, a representative from the Department of Commerce, business and industry leaders for in-demand careers, and the public.²⁰ The state academic standards are required to meet the following requirements:

- English Language Arts standards are required to establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.
- Science standards are required to establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.
- Mathematics standards are required to establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.
- Social Studies standards are required to establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy.
- Visual and performing arts, physical education, health, and foreign language standards are required to establish specific curricular content and include distinct grade-level expectations for the core content knowledge.²¹

Florida uses a unique coding scheme that is defined by five-character positions in alphanumeric code: The subject, grade level, strand, standard and benchmark. The strand is a focal group of related standard, standards are overarching criteria for the grade level or grade band, and the benchmark is a specific expectation for the grade level or grade band that falls within the standard. An example of a standard is provided below:²²

¹⁹ Section 1003.41(1), F.S.

²⁰ Section 1003.41(3), F.S.

²¹ Section 1003.41(2), F.S.

²² Florida Department of Education, *Florida's State Academic Standards Computer Science 2024* (2024), available at <https://www.fldoe.org/core/fileparse.php/20758/urlt/7-3.pdf> (last visited Mar. 17, 2025),

K-8 Example

<i>Subject</i>	<i>Grade Level</i>	<i>Strand</i>	<i>Standard</i>	<i>Benchmark</i>
SC.	4.	CO.	1.	2
Science	Grade 4	Computing Components	Introduce foundational computer literacy skills.	Create and edit multimedia artifacts using digital tools.

Within the approved state academic standards documents, the Department of Education includes clarifications that are added to standards to guide teachers in the integration of those standards within instruction. For example, in the Computational Thinking and Reasoning Standards for the Computer Science Standards, there are seven standards, and each of the seven standards has a clarification for how that standard should be integrated into instruction.²³

Effect of Proposed Changes

The bill amends s. 1003.41, F.S., to require that new and revised standards documents submitted to the State Board of Education must only consist of academic standards and benchmarks. The bill also requires the commissioner to submit all revised standards documents to the SBE for approval no later than July 1, 2026. By removing the benchmark clarifications statements, educators will have more flexibility in how they incorporate the standards into their instruction.

Agricultural Education***Present Situation*****Required Instruction**

The mission of Florida's Early Learning-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities.²⁴ Each district school board must provide appropriate instruction to ensure that students meet State Board of Education (SBE) adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.²⁵

Instructional staff of public schools, subject to the rules of the SBE and the district school board, must provide instruction in:

- The history and content of the Declaration of Independence.
- The history, meaning, significance, and effect of the provisions of the Constitution of the United States.
- The arguments in support of adopting our republican form of government.
- Flag education, including proper flag display and flag salute.
- The elements of civil government.

²³ Florida Department of Education, *Florida's State Academic Standards Computer Science 2024* (2024), available at <https://www.fldoe.org/core/fileparse.php/20758/urlt/7-3.pdf> (last visited Mar. 17, 2025),

²⁴ Section 1000.03(4), F.S.

²⁵ Section 1003.42(1), F.S.

- The history of the United States.
- The history of the Holocaust.
- The history of African Americans.
- The history of Asian Americans and Pacific Islanders.
- The elementary principles of agriculture.
- The effects of alcoholic and intoxicating liquors and beverages and narcotics.
- Kindness to animals.
- The history of the state.
- The conservation of natural resources.
- Comprehensive age-appropriate and developmentally appropriate K-12 instruction on health education and life skills.
- The study of Hispanic contributions to the United States.
- The study of women's contributions to the United States.
- The nature and importance of free enterprise to the United States economy.
- Civic and character education.
- The sacrifices that veterans and Medal of Honor recipients have made serving the country.²⁶

Agricultural Education in Florida

To help support students interested in the agricultural industry in Florida, the Florida Department of Education (DOE) created nine middle school courses focused on careers in the agricultural field, ranging from the “Exploration of Agriscience” to the “Introduction to Agriculture, Food and Natural Resources.” At the secondary level, the DOE created 18 courses and programs ranging from “Agricultural Biotechnology” to “Food Science Applications.”²⁷ In the 2022-2023 school year, there were 640 Secondary CTE Programs in Agriculture, Food and Natural Resources. Additionally, there are several benchmarks related to the impact agriculture has had on society:

- Compare the lifestyles of hunter-gatherers with those of settlers of early agricultural communities.²⁸
- Explain how the physical landscape has affected the development of agriculture and industry in the ancient world.²⁹
- Describe how the developments of agriculture and metallurgy related to settlement, population growth, and the emergence of civilization.³⁰

²⁶ Section 1003.42(2), F.S.

²⁷ Florida Department of Education, *2024-25 CTE Curriculum Frameworks: Agriculture Food & Natural Resources*, available at <https://www.fldoe.org/academics/career-adult-edu/career-tech-edu/curriculum-frameworks/2024-25-frameworks/agriculture-food-natural-resources.stml>, (last visited Mar. 17, 2025).

²⁸ Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 56, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar. 17, 2025). This standard is included in Grade 6 World History.

²⁹ Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 64, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar. 17, 2025). This standard is included in Grade 6 Geography.

³⁰ Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 56, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar. 17, 2025). This standard is included in Grade 6 World History.

- Describe the agricultural and technological innovations that led to industrialization in Great Britain and its subsequent spread to continental Europe, the United States, and Japan.³¹

Effect of Proposed Changes

The bill amends s. 1003.42, F.S., to expand the requirements of the elementary principles of agriculture to include the history of agriculture both nationally and specifically in Florida, the economic and societal impact of agriculture, and the various agricultural industry sectors. The change expands the current instruction of how agriculture impacts Florida, our economy, and society. The bill also requires the DOE, in collaboration with the Department of Agriculture and Consumer Services and the University of Florida's Institute of Food and Agricultural Science to prepare and offer standards and a curriculum and may seek input from state or nationally recognized agricultural educational organizations. The bill also authorizes the DOE to contract with state or nationally recognized agricultural educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

Reading

Present Situation

Comprehensive System of Reading Intervention

Each school district is required to implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy.³² Students with a substantial deficiency are defined as:

- A voluntary prekindergarten student in early literacy skills who scores below the tenth (10th) percentile or is unable to complete the practice items at the middle or end of the year test administration of the coordinated screening and progress monitoring system.
- A kindergarten through grade three student in reading if:
 - The student is identified as in need of Tier 3 interventions³³. or
 - For kindergarten, the student scores below the tenth (10th) percentile or is unable to complete the practice items on the designated grade-level assessment at the beginning, middle, or end of the year test administration of the coordinated screening and progress monitoring system.
 - b. For grades one and two, the student scores below the tenth (10th) percentile or is unable to complete the practice items on the designated grade-level assessment for the specified test administration of the coordinated screening and progress monitoring system. or
 - c. For grade three, the student scores below the twentieth (20th) percentile at the beginning or middle of the year test administration of the coordinated screening and progress monitoring system.

³¹ Florida Department of Education, *Florida's State Academic Standards Social Studies 2024* (2024) at 132, available at https://cpalmsmediaprod.blob.core.windows.net/uploads/docs/standards/best/ss/ss_standardsbook_bc_240417_finalada.pdf, (last visited Mar. 17, 2025). This standard is included in Grades 9-12 World History.

³² Section 1003.4201, F.S.

³³ Intensive, Individualized Instruction/Interventions (Tier 3): provides explicit, systematic, individualized instruction based on student need, one-on-one or very small group instruction with more guided practice, immediate corrective feedback, and frequent progress monitoring; and occurs in addition to core instruction and Tier 2 interventions.

- A student in grade three scores a Level 1 on the end-of-year statewide, standardized English Language Arts (ELA) assessment.³⁴

The comprehensive reading instruction plan may include all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district.³⁵

The plan may include the following components:

- Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students, which may be delivered during or outside of the regular school day.
- Highly qualified reading coaches, who must be endorsed in reading, to specifically support classroom teachers in making instructional decisions based on progress monitoring data and improve classroom teacher delivery of effective reading instruction, reading intervention, and reading in the content areas based on student need.
- Professional learning to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.
- Summer reading camps, using only classroom teachers or other district personnel who possess a micro-credential³⁶ in reading or are certified or endorsed in reading consistent for all students in kindergarten through grade five exhibiting a reading deficiency as determined by district and state assessments.
- Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement or micro-credential and provide educational support to improve student literacy.
- Tutoring in reading.³⁷

Reading Achievement Initiative for Scholastic Excellence Act

In 2021, the Florida Legislature established the Reading Achievement Initiative for Scholastic Excellence (RAISE) program within the DOE.³⁸ The RAISE program provides instructional supports to school districts, school administrators, and instructional personnel in implementing evidence-based reading instruction and interventions in order to improve student reading achievement.³⁹

Under the RAISE program, the DOE must establish 20 literacy support regions and regional support teams in Florida to assist schools in improving low reading scores.⁴⁰ Eligible schools include:

³⁴ Rule 6A-6.053, F.A.C.

³⁵ Section 1003.4201(1), F.S.

³⁶ To earn an early literacy micro-credential a teacher must demonstrate competency in diagnosing literacy difficulties and determining the appropriate range of literacy interventions based upon the age and literacy deficiency of the student and how use evidence-based instructional and intervention practices grounded in the science of reading, including strategies identified by the Just Read, Florida! Office.

³⁷ Section 1003.4201(2), F.S.

³⁸ Section 1008.365, F.S.

³⁹ Section 1008.365(2), F.S.

⁴⁰ Section 1008.365(3), F.S.

- Schools serving students in kindergarten through grade five where 50 percent of the students score below a Level 3 on the statewide, standardized ELA assessment for any grade level. and
- Schools where 50 percent or more of students in kindergarten through grade three are not on track to pass the grade three ELA assessment based on data from the coordinated screening and progress monitoring system.⁴¹

As part of the RAISE program, the DOE must establish a tutoring program and develop training to prepare eligible high school students to tutor students in kindergarten through grade three. If high school students serve as a tutor in the RAISE program, they:

- May earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring under the program.
- May use unpaid hours devoted to tutoring may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program.⁴²

Effect of Proposed Changes

The bill amends s. 1003.4201, F.S., to authorize school districts to include in their comprehensive reading instruction plan intensive reading interventions, which must be delivered by instructional personnel who possess an early literacy micro-credential or personnel certified or endorsed in reading, and which must include specified evidence-based strategies. The bill also requires that instructional personnel who possess an early literacy micro-credential and who deliver intensive reading interventions are supervised by an educator who is certified or endorsed in reading. The bill defines “supervised” as able, through telecommunication or in person, to communicate and consult with, and receive direction from. The bill also authorizes districts to include a description of how the district prioritizes the assignment of highly effective teachers in grades kindergarten through grade two.

The bill amends s. 1008.365, F.S., to allow high school students who are tutors in the RAISE program to use either paid or unpaid hours, to count towards the volunteer service or paid work hours requirements for the Florida Bright Futures Scholarship program.

Private Schools

Present Situation

A private school is a nonpublic school defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten through grade 12 or higher.⁴³ A private school that participates in the scholarship program must also:

- Comply with 42 U.S.C. s. 2000d which prohibits excluding a person from participating in federally assisted programs on the grounds of race, color, or national origin.

⁴¹ Section 1008.365(4), F.S.

⁴² Section 1008.365(8), F.S.

⁴³ Section 1002.01(3), F.S.

- Notify the Department of Education (DOE) of its intent to participate in the scholarship program.
- Notify the DOE of any changes in the school's name, director, mailing address, or physical location within 15 days of change.
- Provide to the DOE or the scholarship funding organization (SFO) all required documentation for student registration and payment.
- Provide to the SFO the school's fee schedule.
- Annually complete and submit to the DOE a notarized scholarship compliance statement verifying compliance with the background screening requirements.
- Demonstrate fiscal soundness in accordance with statutory requirements.
- Meet applicable state and local health, safety, and welfare laws, codes, and rules.
- Employ or contract with teachers that meet specified requirements.
- Maintain a physical location in the state at which each student has regular and direct contact with teachers.
- Provide to parents information regarding the school's programs, services, classroom teacher qualifications, and a statement that a private school student with a disability does not have a right to all of the services that the student would receive if enrolled in a public school under the Individuals with Disabilities Education Act (IDEA).
- Provide the parent, at least on a quarterly basis, a written report of the student's progress.
- Cooperate with a parent who wants a student to participate in Florida's statewide standardized assessments.
- Adopt policies establishing standards of ethical conduct for educational support employees, instructional personnel, and school administrators.
- Not to be owned or operated by a person or an entity domiciled in, owned by, or in any way controlled by a foreign country of concern or foreign principal, as identified in law.⁴⁴

Private schools that participate in a state scholarship program must, complete a Scholarship Program Compliance form, which includes the following questions related to the school facility:

- Does the school facility meet the prescribed minimum requirements and standards of sanitation and safety for K-12 private schools, with current Florida law?
- If the school facility possesses a well, is it licensed or permitted pursuant to the Florida Safe Drinking Water Act?
- If the school facility stores, prepares, or serves food to students, does the school possess a current, food service establishment sanitation certificate in accordance with Florida law?
- If the school facility is located in a non-exempt county, does the school possess a current and acceptable Mandatory Measurements Nonresidential Radon Measurement Report in accordance with current Florida Law?
- Does the school facility possess a current, violation free or satisfactory Fire Code inspection and compliance report in accordance with current Florida law and county and/or municipal ordinance?⁴⁵

After a new private school applies to participate in a state scholarship program, the Department of Education (DOE) schedules and conducts a site visit at the school's physical location. A

⁴⁴ Section 1002.421(1), F.S.; *see also* Rule 6A-6.03315, F.A.C.

⁴⁵ Rule 6A-6.03315, F.A.C.

private school is ineligible to receive scholarship payments until a satisfactory site visit has been conducted by the DOE.⁴⁶

A private school may use facilities on property that is owned or leased by, or purchased from a library, community service organization, museum, performing arts venue, theatre, cinema, or church facility⁴⁷, which is or was actively used as such within five years of any executed agreement with a private school to use the facilities; any facility or land owned by a Florida College System institution or university; any similar public institutional facilities; and any facility recently used to house a school or child care facility,⁴⁸ under any such facility's preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change, and without complying with any mitigation requirements or conditions.⁴⁹

The facility must be located on property used solely as one of the designated facilities and meet applicable state and local health, safety, and welfare laws, codes, and rules, including fire safety and building safety.⁵⁰

Effect of Proposed Changes

The bill amends s. 1002.40, F.S., to authorize a private school located in a county with four incorporated municipalities⁵¹ to construct new facilities on property that is:

- Purchased or leased from a library, community service organization, museum, performing arts venue, theater, cinema, or church that is or was actively used as such within five years of any executed agreement with the private school;
- Owned by a Florida College System institution or state university; or
- Recently used to house a school or childcare facility licensed under s. 402.305, Florida Statutes.

The bill authorizes the new facilities may be constructed under the property's preexisting zoning and land use designations, without the need for rezoning, a special exception, a land use change, or compliance with mitigation requirements or conditions.

The bill also requires that the new facility be used solely as a private school and comply with all applicable state and local health, safety, and welfare laws, codes, and rules, including those related to fire safety and building safety.

⁴⁶ Rule 6A-6.03315, F.A.C.

⁴⁷ Section 170.201(2), F.S. defines a "religious institution" as any church, synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on

⁴⁸ Section 402.305, F.S. provides for the licensing requirements for child care facilities.

⁴⁹ Section 1002.40, (19), F.S.

⁵⁰ *Id.*

⁵¹ Florida League of Cities, *Florida Cities by County with form of Government & Population*, available at https://www.floridaleagueofcities.com/docs/default-source/research-institute-reports/2020alphabycountywithgovtpopulation.pdf?sfvrsn=4009d6d5_0. (last visited Mar. 25, 2025) There are three counties that have four municipalities, Bradford County, Clay County and Sarasota County.

High School Graduation Requirements

Present Situation

To earn a standard high school diploma a student must complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.⁵²

The 24-credit option for a standard diploma includes:

- Four credits in ELA I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or career and technical education.
- One credit in physical education which includes the integration of health.
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.

The one-half credit in personal financial literacy must include instruction in all of the following:

- Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.
- Balancing a checkbook.
- Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.
- Completing a loan application.
- Receiving an inheritance and related implications.
- Basic principles of personal insurance policies.
- Computing federal income taxes.
- Local tax assessments.
- Computing interest rates by various mechanisms.
- Simple contracts.
- Contesting an incorrect billing statement.
- Types of savings and investments.
- State and federal laws concerning finance.⁵³

Effect of Proposed Changes

The bill amends s. 1003.4282, F.S., to require that the one-half credit in financial literacy instruction includes the costs of postsecondary education, cost of attendance, completion of the Free Application for Federal Student Aid, scholarships and grants, and student loans.

⁵² Section 1003.4282(1), F.S.

⁵³ Section 1003.4282(3), F.S.

Articulated Accelerated Mechanisms

Present Situation

High school students in Florida have a variety of avenues by which they can earn college credit. These opportunities, known as articulated acceleration mechanisms, shorten the time necessary for a student to complete the requirements for a high school diploma and a postsecondary degree. These mechanisms also allow Florida schools to increase the depth of study in a particular subject and expand available curricular options.⁵⁴

Programs that provide high school students with the opportunity to earn college credit include, but are not limited to, dual enrollment and early admission, credit by examination, advanced placement, the IB Program, and the AICE Program. Credit earned through the Florida Virtual School also provides additional opportunities for early graduation and acceleration.⁵⁵

The Department of Education (DOE) annually identifies and publishes the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) subject examination, College Board Advanced Placement Program examination, AICE examination, IB examination, Excelsior College subject examination, Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test, and Defense Language Proficiency Test (DLPT). In addition, the DOE also identifies courses in the general education core curriculum of each state university and FCS institution for which credit is to be granted. The DOE is also authorized to partner with an independent third-party testing or assessment organization to develop assessments that measure competencies consistent with general education core courses.⁵⁶

Effect of Proposed Changes

The bill amends s. 1007.27, F.S., to authorize the SBE and the Board of Governors to join or establish a national consortium as an alternative method to develop courses for secondary students that align with general education core course competencies, and to implement advanced placement courses.

The Florida School for Competitive Academics

Present Situation

Established in 2023, The Florida School for Competitive Academics (FSCA) was scheduled to open in the 2024-2025 school year to students in grades six through 12 and located in Alachua County.⁵⁷ The FSCA was created for the primary purpose of providing a rigorous academic curriculum, and the secondary purpose was to prepare students for regional, state, and national academic competitions in all areas of study, including, but not limited to, science, technology, engineering, and mathematics. The FSCA's mission was to provide students who met selective admissions requirements with an environment that would foster high academic engagement and

⁵⁴ Section 1007.27(1), F.S.

⁵⁵ *Id.*

⁵⁶ Section 1007.27(2), F.S.

⁵⁷ Ch. 2023-245, Laws of Fla.

advanced understanding of subject areas, develop productive work habits, build resiliency, connect students with industry leaders, and promote civic leadership.⁵⁸

The FSCA was to be operated by a board of trustees composed of seven members appointed by the Governor to four-year terms and confirmed by the Senate. The FSCA Board of Trustees had full power and authority to:

- Adopt rules to implement provisions of the law relating to the operation of the FSCA. The rules had to be submitted to the State Board of Education for approval or disapproval.
- Appoint a principal, administrators, teachers, and other employees.
- Remove principals, administrators, teachers, and other employees at the discretion of the board.
- Determine eligibility of students and procedures for admission.
- Provide for the proper keeping of accounts and records and for budgeting funds.
- Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity for the use and benefit of the school.
- Recommend to the Legislature that the school become a residential public school.
- Perform every other matter requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible.
- Prepare and submit legislative budget requests.⁵⁹

The FSCA was a public school but, like charter schools, was exempt from all statutes in the education code except:

- Statutes pertaining to the student assessment program and school grading system.
- Statutes pertaining to the provision of services to students with disabilities.
- Statutes pertaining to civil rights, including, but not limited to, statutes relating to discrimination.
- Statutes pertaining to student health, safety, and welfare.⁶⁰

The FSCA was scheduled to open beginning in the 2024-2025 school year; however, the school was never officially opened.

Effect of Proposed Changes

The bill repeals ss.1002.351, 1011.58, and 1011.59, F.S., to remove the Florida School for Competitive Academics.

The bill also conforms cross-references related to FSCA activities and requirements in ss. 11.45, 216.251, 447.203, 1004.04, 1001.20, 1002.394, and 1002.395, F.S.

⁵⁸ Section 1002.351(2), F.S.

⁵⁹ Section 1002.351(3), F.S.

⁶⁰ Section 1002.351(8), F.S.

District and School Advisory Councils

Present Situation

Each district school board must establish an advisory council for each school in the district and develop procedures for the election and appointment of advisory council members. The school advisory council is the sole body responsible for final decision-making at the school relating to the implementation of school improvement and education accountability.⁶¹

The advisory councils must consist of the principal and an appropriately balanced number of teachers,⁶² education support employees,⁶³ students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils must include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents must be elected by their respective peer groups at the school in a fair and equitable manner.⁶⁴

The district school board must review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board must appoint additional members to achieve proper representation. The Commissioner of Education must determine if schools have maximized their efforts to include minority persons and persons of lower socioeconomic status on their advisory council.⁶⁵

Effect of Proposed Changes

The bill amends s. 1001.452, F.S., to remove the authority of the Commissioner of Education to determine if schools have maximized their efforts to include minorities and persons of lower socioeconomic status on their advisory council. The bill maintains the requirement that the district school board review the membership composition of each advisory council and appoint additional members if the elected school advisory council is not representative of the ethnic, racial, and economic community served by the school.

⁶¹ Section 1001.452(1), F.S.

⁶² Section 1001.452(1), F.S. (flush left provision at the end of the paragraph). For the purposes of school advisory councils and district advisory councils, the term “teacher” includes classroom teachers, certified student services personnel, and media specialists.

⁶³ *Id.* For the purposes of school advisory councils and district advisory councils, “education support employee” means any person employed by a school who is not defined as instructional or administrative personnel and whose duties require 20 or more hours in each normal working week.

⁶⁴ Section 1001.452(1), F.S.

⁶⁵ *Id.* (flush left provision at the end of the paragraph).

Parental Rights

Present Situation

K-12 Student and Parent Rights

Parents of public school students are required to receive from school districts accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. Students and parents are afforded numerous statutory rights, including, but not limited to:

- A high-quality system of education, one that allows students the opportunity to obtain a high-quality education;
- Attendance;
- Issues surrounding health;
- Discipline;
- Safety;
- Educational Choice;
- Issues relating to Students with Disabilities and Blind Students;
- Issues relating to Limited English Proficient Students;
- Students with deficiencies in Math and Reading;
- Pledge of Allegiance;
- Student Records, Report Cards and Student Progress Reports;
- School Accountability and Improvement Rating Reports;
- Athletics and Extracurricular Activities;
- Instructional Materials;
- Juvenile Justice Programs;
- Parental Input and Meetings; and
- Transportation.⁶⁶

Opioid Antagonists

In 2022, public schools were authorized to purchase a supply of the opioid antagonist, naloxone, from an approved wholesale distributor, in the event of a student opioid overdose.⁶⁷ School districts are required to maintain the naloxone in a secure location and the school district employee who administers the opioid antagonist in compliance with state law is immune from civil liability.

Opioid receptor antagonists block one or more of the opioid receptors in the central or peripheral nervous system. The two most commonly used centrally acting opioid receptor antagonists are naloxone and naltrexone. Naloxone comes in intravenous, intramuscular, and intranasal formulations and is FDA-approved for the use in an opioid overdose and the reversal of respiratory depression associated with opioid use. Naltrexone is available in both oral and long-acting injectable formulations and is FDA-approved for the treatment of opioid and/or alcohol maintenance treatment. The most commonly used peripheral opioid receptor antagonist is

⁶⁶ Section 1002.20, F.S.

⁶⁷ Ch. 2022-28, L.O.F. A wholesale distributor means a person, other than a manufacturer, a manufacturer's co-licensed partner, a third-party logistics provider, or a repackager, who is engaged in wholesale distribution.

methylnaltrexone, which is a potent competitive antagonist acting at the digestive tract and is also FDA-approved for the treatment of opioid-induced constipation.⁶⁸

Corporal Punishment

District school boards have the option of administering corporal punishment and must establish a policy authorizing the use of corporal punishment as a form of discipline, which must be reviewed every three years. The district school board is required to take public testimony in establishing or reviewing the policy authorizing corporal punishment.⁶⁹ If the school board has a corporal punishment policy it must incorporate that:

- The use of corporal punishment must be approved by the principal before it is used, but approval is not necessary for each specific instance in which it is used. The principal is required to prepare guidelines for administering such punishment that must identify the types of punishable offenses, the conditions under which the punishment is administered, and the specific personnel on the school staff authorized to administer the punishment.
- A teacher or principal may administer corporal punishment only in the presence of another adult who is informed beforehand, and in the student's presence, of the reason for the punishment.
- A teacher or principal who has administered corporal punishment shall, upon request, provide the student's parent with a written explanation of the reason for the punishment and the name of the other adult who was present.⁷⁰

In the 2023-2024 school year, there were 516 incidents of corporal punishment in 17 school districts.⁷¹

Effect of Proposed Changes

The bill amends s. 1002.20, F.S., to modify provisions related to opioid antagonists and corporal punishment in schools. The bill expands the opioid antagonist for purchase by district school boards to specify any emergency opioid antagonist approved by the U.S. Food and Drug Administration (FDA), rather than only naloxone.

The bill also requires that if a district school board has a policy authorizing corporal punishment, the policy must include a requirement for parental consent. The policy may specify that parent consent is provided for the entire school year or before each administration of corporal punishment.

The bill amends s. 1002.33, F.S., to require charter schools to comply with the requirements of corporal punishment.

⁶⁸ *Opioid Antagonists*, Theriot, Jonathan, et. al., (last updated July 23, 2023), available at <https://www.ncbi.nlm.nih.gov/books/NBK537079/#:~:text=3%5D%5B4%5D-.The%20two%20most%20commonly%20used%20centrally%20acting%20opioid%20receptor%20antagonists,depression%20associated%20with%20opioid%20use>. (last visited Mar 17, 2025).

⁶⁹ Section 1002.20(4), F.S.

⁷⁰ Section 1003.32(1), F.S.

⁷¹ Florida Department of Education, *Discipline Data, 2023-24*, available at <https://www.fldoe.org/file/18612/2324DisciplineReport.xlsx>, (last visited Mar. 17, 2025)

Prohibited Expenditures

Present Situation

Florida Educational Equity Act

The “Florida Educational Equity Act” (FEEA) prohibits discrimination in any program or employment condition on the basis of race, color, national origin, sex, disability, religion, or marital status against a student or an employee in the state system of public K-20 education.

The FEEA specifies, in part, that:

- No individual may, on the basis of race, color, national origin, sex, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.
- The criteria for admission to a program or course may not have the effect of restricting access by persons of a particular race, color, national origin, sex, disability, religion, or marital status.⁷²

Included in the prohibition on discrimination on the basis of race, color, national origin, or sex is subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:

- Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- A person’s moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.⁷³

Florida College System institution and State University System Prohibited Expenditures

A Florida College System (FCS) institution, state university, FCS institution direct-support organization, or state university direct-support organization may not expend any funds,

⁷² Section 1000.05(2), F.S.

⁷³ Section 1005.05(4), F.S.

regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion.⁷⁴

An FCS institution, state university, FCS institution direct-support organization, or state university direct-support organization may not expend any state or federal funds to promote, support, or maintain any programs or campus activities that:

- Violate Florida's Educational Equity Act
- Advocate for diversity, equity, and inclusion, or promote or engage in political or social activism, as defined by rules of the State Board of Education and regulations of the Board of Governors.⁷⁵

The requirements for prohibited expenditures do not apply to student fees to support student-led organizations regardless of any speech or expressive activity by such organizations, but the public funds must be allocated to student-led organizations pursuant to written policies or regulations of each FCS institution or state university.⁷⁶ The requirements also do not apply to programs, campus activities, or functions required for compliance with general or federal laws or regulations; for obtaining or retaining institutional or discipline-specific accreditation; or for access programs for military veterans, Pell Grant recipients, first generation college students, nontraditional students, "2+2" transfer students from the FCS, students from low-income families, or students with unique abilities.⁷⁷

Effect of Proposed Changes

The bill creates s. 1001.325, F.S., to align the expenditure restrictions across different educational institutions. Specifically, it aligns the existing limitations on prohibited expenditures for Florida College System (FCS) institutions and state universities with the purchasing requirements for schools and school districts. The bill specifies that a public school, charter school, school district, charter school administrator, or direct-support organization may not expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion. The bill also prohibits a public school, charter school, school district, charter school administrator, or direct-support organization from expending any state or federal funds to promote, support, or maintain any programs or campus activities that:

- Violate Florida's Educational Equity Act; or
- Advocate for or promote or engage in political or social activism, as defined by rules of the State Board of Education (SBE).

The bill exempts from prohibited expenditure requirements student fees to support student-led organizations regardless of any speech or expressive activity by such organizations that would otherwise violate the above provisions, but the public funds must be allocated to student-led organizations pursuant to written policies or regulations of the school or district in which the student is enrolled, as applicable. The bill does not prohibit programs, campus activities or functions required for compliance with general or federal laws or regulations, for obtaining or

⁷⁴ Section 1004.06(1), F.S.

⁷⁵ Section 1004.06(2), F.S.

⁷⁶ *Id.* Flush left

⁷⁷ Section 1004.06(3)

retaining accreditation, or for continuing to receive state funds with the approval of either the SBE or the department.

The bill requires the SBE to adopt rules to implement these requirements.

Florida School Recognition Funding

Present Situation

The Florida School Recognition Program provides public recognition and financial awards to faculty and staff at schools sustaining high student performance by receiving a school grade of “A” or showing substantial improvement in student performance by improving a letter grade.

Schools that receive financial awards depend on the availability of funds appropriated and the number and size of schools selected to receive an award. The school recognition funds must be distributed to the school’s fiscal agent and placed in the school’s account and must be used for purposes listed in statute as determined jointly by the school’s staff and school advisory council. If school staff and the school advisory council cannot reach agreement by February 1, the awards must be equally distributed to all classroom teachers currently teaching in the school.

The school recognition award funding must be used for the following:

- Nonrecurring bonuses to the faculty and staff.
- Nonrecurring expenditures for educational equipment or materials to assist in maintaining and improving student performance.
- Temporary personnel for the school to assist in maintaining and improving student performance.⁷⁸

The 2024-2025 General Appropriations Act allocated \$200,000,000 to schools in the School Recognition program.⁷⁹

Effect of Proposed Changes

The bill amends s. 1008.36, F.S., to clarify that only instructional personnel, which includes classroom teachers, individuals working in student personnel services, librarians/media specialists, education paraprofessionals, and other instructional staff, are eligible for nonrecurring bonuses through the School Recognition awards.

Instructional Personnel

Present Situation

Educator Certification

Educational personnel in public schools must possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence to demonstrate an acceptable level of professional performance.⁸⁰ For a person to serve as an

⁷⁸ Section 1008.36, F.S.

⁷⁹ Specific Appropriation 87, ch. 2024-231, L.O.F.

⁸⁰ Section 1012.54, F.S.

educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the Department of Education (DOE).⁸¹

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:

- General knowledge.
- Subject area knowledge. and
- Professional preparation and education competence.⁸²

Acceptable means of demonstrating mastery of general knowledge include:

- Achievement of passing scores on the general knowledge examination.
- Documentation of a valid professional standard teaching certificate issued by another state.
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards (NBPTS) or a national educator credentialing board approved by the State Board of Education (SBE).
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System (FCS) institution, state university, or private college or university that meets certain criteria.
- Achievement of passing scores on national or international examinations with comparable verbal, writing, quantitative reasoning, and rigor as the general knowledge exam, including but not limited to Graduate Record Examination.
- Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.⁸³

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. The requirement of mastery of general knowledge must be waived for an individual who has been provided three years of support and instruction and who has been rated effective or highly effective for each of the last three years.⁸⁴

The acceptable means of demonstrating mastery of subject area knowledge include:

- Passing a subject area or other alternative examination as approved by the SBE.
- Having a valid teaching certificate from another state, having a valid certificate from the NBPTS.
- A passing score or program completion of a specified defense language proficiency test or program.⁸⁵

⁸¹ Sections 1012.55(1) and 1002.33(12), F.S.

⁸² Section 1012.56(2), F.S.

⁸³ Section 1012.56(3), F.S.

⁸⁴ Section 1012.56(3), F.S. (flush left)

⁸⁵ Section 1012.56(5), F.S., and Rule 6A-4.002(4), F.A.C.

The acceptable means of demonstrating mastery of a professional preparation and education competence include:

- Successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by state board rule.
- Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by state board rule.
- Documentation of a valid professional standard teaching certificate issued by another state.
- Documentation of a valid certificate issued by the NBPTS or a national educator credentialing board approved by the SBE.
- Documentation of two semesters of successful, full-time or part-time teaching in an FCS institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the DOE as having a quality program and achievement of a passing score on the professional education competency examination required by SBE rule.
- Successful completion of professional preparation courses as specified in state board rule,
- Successful completion of a professional education competence program and documentation of three years of being rated effective or highly effective while holding a temporary certificate.
- Successful completion of a professional learning certification program.
- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination required by SBE rule.⁸⁶

American Board for Certification of Teacher Excellence (ABCTE)

The ABCTE is run by the nonprofit American Board program which is designed to offer a competency-based alternative path to teaching for career changers with a quick and affordable route to becoming a teacher.⁸⁷ The ABTCE is approved in 15 states to offer teacher certification programs.⁸⁸ In Florida, ABTCE is approved to offer certification programs in the following subject areas:

- Biology (6-12);
- Chemistry (6-12) ;
- Elementary Education (K-6) ;
- English (6-12) ;
- Math (6-12) ;
- Physics (9-12) ;
- Reading (K-6) ;
- Science (5-9) ; and

⁸⁶ Section 1012.56(6), F.S.

⁸⁷ Teach, *American Board About*, available at <https://www.teach.org/programs/american-board?programId=4918fb59-f054-492d-aad3-7e62061f68f0>, (last visited Mar. 17, 2025).

⁸⁸ American Board, *Online Teacher Certification*, available at <https://www.americanboard.org/>, (last visited Mar. 17, 2025). The 15 states include: Alabama, Florida, Idaho, Indiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, West Virginia, Wisconsin.

- Special Education (K-12).⁸⁹

Currently, the DOE allows a teaching candidate with a valid certificate issued by ABCTE to qualify for a temporary certificate. Additionally, the DOE allows a teaching candidate with a valid certificate issued by ABCTE to qualify for a professional certificate if they have completed the one of the requirements for demonstrating professional education competence in the classroom.⁹⁰

Christa McAuliffe Ambassador for Education Program

The Christa McAuliffe Ambassador for Education Program was created in 2002⁹¹ to recognize that Florida continues to face teacher shortages, and that fewer young people consider teaching as a career. The Christa McAuliffe Ambassador for Education Program was established to provide salary, travel, and other related expenses annually for an outstanding Florida teacher (Teacher of the Year) to promote the positive aspects of teaching as a career. The goals of the program are to:

- Enhance the stature of teachers and the teaching profession.
- Promote the importance of quality education and teaching for our future.
- Inspire and attract talented people to become teachers.
- Provide information regarding Florida's scholarship and loan programs related to teaching.
- Promote the teaching profession within community and business groups.
- Provide information to retired military personnel and other individuals who might consider teaching as a second career.
- Work with and represent the Department of Education, as needed.
- Work with and encourage the efforts of school and district teachers of the year.
- Support the activities of the Florida Future Educator of America Program.
- Represent Florida teachers at business, trade, education, and other conferences and meetings.
- Promote the teaching profession in other ways related to the teaching responsibilities, background experiences, and aspirations of the Ambassador for Education.⁹²

The Teacher of the Year is required to serve as the Ambassador for Education for a year. Applications and selection criteria are distributed annually by the Department of Education to all school districts. The Commissioner of Education is required to establish a selection committee which assures representation from teacher organizations, administrators, and parents to select the Teacher of the Year and Ambassador for Education from among the school district teachers of the year.⁹³

⁸⁹ American Board, *Florida Teacher Certification*, available at <https://www.americanboard.org/florida/>, (last visited Mar. 17, 2025)

⁹⁰ Florida Department of Education, *Certificate Pathways & Routes*, available at <https://www.fldoe.org/teaching/certification/pathways-routes/#direct>, (last visited Mar. 17, 2025).

⁹¹ Ch. 2002-387, L.O.F.

⁹² Section 1012.77(2), F.S.

⁹³ Section 1012.77(3), F.S.

Effect of Proposed Changes

The bill amends s. 1012.56, F.S., to expand options for educators who hold a valid certificate issued by The American Board for Certification of Teacher Excellence (ABCTE) to have a direct pathway to a professional teaching certificate in Florida. The bill specifies that ABCTE certification satisfies subject area, general knowledge, and professional preparation and educator competence requirements.

The bill amends s. 1012.77, F.S., to include charter school consortia with at least 30 member schools and an approved professional learning system on file with the DOE as eligible entities to nominate teacher-of-the-year candidates.

Background Screenings

Present Situation

In 2012, the Legislature created the Care Provider Background Screening Clearinghouse (clearinghouse) to create a single “program” of screening individuals and allow for the results of criminal history checks of persons acting as covered care providers to be shared among the specified agencies.⁹⁴ Designated agencies include:

- Agency for Health Care Administration (ACHA);
- Department of Health;
- Department of Children and Families;
- Department of Elder Affairs;
- Agency for Persons with Disabilities;
- Department of Education;
- Each school district;
- Developmental Research (Laboratory) Schools;
- Florida School for the Deaf and the Blind;
- Florida Virtual School;
- Virtual instruction programs;
- Charter schools;
- Charter school Hope Operators;
- Private schools participating in an educational scholarship program;
- Alternative schools;
- Regional workforce boards providing services; and
- Local licensing agencies when these agencies are conducting state and national criminal history background screening on persons who work with children or persons who are elderly or disabled.⁹⁵

Once a person’s screening record is in the clearinghouse, that person will avoid the need for any future state screens and related fees.⁹⁶ Final implementation of the clearinghouse by the

⁹⁴ Chapter 2012-73, L.O.F.

⁹⁵ Section 435.02, F.S. (definition of “specified agency”).

⁹⁶ Agency for Health Care Administration, *Clearinghouse Renewals*, available at https://ahca.myflorida.com/MCHQ/Central_Services/Background_Screening/Renewals.shtml (last visited on March 18, 2025).

designated state agencies was required by October 1, 2013. The clearinghouse was initially implemented by the AHCA on January 1, 2013.

Background Screening of Individuals at Schools

School districts, lab schools, the Florida School for the Deaf and the Blind, the Florida Virtual School, virtual instruction providers, charter schools, hope operators, early learning coalitions, and private schools participating in an educational scholarship program (education entities, collectively) currently using the Volunteer Employee Criminal Screening History System (VECHS) to conduct background screenings are required to use the clearinghouse beginning on January 1, 2023. Education entities must be fully implemented into the Clearinghouse by January 1, 2025, or by a date determined by the AHCA.⁹⁷

Individuals who work in or provide services to school districts, charter schools, alternative schools, and private schools participating in state school choice scholarship programs⁹⁸ must undergo a fingerprint based background screening before being permitted access to school grounds.⁹⁹ The individuals who must undergo background screening fall under three personnel classifications: instructional and noninstructional personnel;¹⁰⁰ noninstructional school district employees and contracted personnel;¹⁰¹ and noninstructional contractors.¹⁰² Candidates for educator certification must also undergo background screening.¹⁰³

The background screening requirements for each personnel classification vary depending upon the individual's duties, whether or not the individual is a school district employee, and the degree of contact the individual has with students.¹⁰⁴ Because they are more likely to have direct contact with students, candidates for educator certification, instructional and noninstructional personnel, and noninstructional school district employees and contracted personnel must be screened against a distinct list of 52 disqualifying offenses applicable to employment with public schools and school districts.¹⁰⁵

The Commissioner of Education is required to maintain a disqualification list that includes the following:

- The identity of each person who has been permanently denied an educator certificate or whose educator certificate has been permanently revoked and has been placed on the list as directed by the Education Practices Commission pursuant.

⁹⁷ Section 435.12(1), F.S.

⁹⁸ The background screenings conducted by such private schools are conducted through the VECHS.

⁹⁹ Sections 1002.421, 1012.32(2), 1012.465(2), and 1012.467(2)(a), F.S.

¹⁰⁰ Instructional and noninstructional personnel are individuals who are hired or contracted to fill positions that require direct contact with students in any public school. Section 1012.32(2), F.S.

¹⁰¹ Noninstructional school district employees and contracted personnel are individuals who are permitted access to school grounds when students are present; who have direct contact with students; or who have access to, or control of, school funds. Section 1012.465(1), F.S.

¹⁰² Noninstructional contractors are vendors or contractors who are not school district employees, are permitted access to school grounds when students are present, and have little or no direct contact with students. Section 1012.467(1), F.S.

¹⁰³ Sections 1012.315, 1012.32(2), and 1012.56, F.S.

¹⁰⁴ See ss. 1012.32(2), 1012.465(2), and 1012.467(2), F.S.

¹⁰⁵ Sections 1012.315, 1012.32, and 1012.465, F.S.

- The identity of each person who has been permanently disqualified by the commissioner from owning or operating a private school that participates in state scholarship programs.
- The identity of each person who has been terminated, or has resigned in lieu of termination, from employment as a result of sexual misconduct with a student.¹⁰⁶
- The identity of each person who is ineligible for educator certification or employment based on the following criteria:
 - Is on the disqualification list.
 - Is registered as a sex offender.
 - Is ineligible based on a Level 2 background screening requirements in law.¹⁰⁷
 - Is ineligible for an exemption under current law.¹⁰⁸
 - Has been convicted or found guilty of, has had adjudication withheld for any criminal act in another state or under federal law that would count as a disqualifying offense in Florida.¹⁰⁹

The head of the appropriate agency or qualified entity may grant to any employee or person with an affiliation otherwise disqualified from employment an exemption from disqualification for:

- Felonies for which at least two years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying felony;
- Specified misdemeanors for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court;
- Offenses that were felonies when committed but that are now misdemeanors and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court; or
- Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, the exemption may not be granted until at least three years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying offense.¹¹⁰

Effect of Proposed Changes

The bill amends s. 1012.315, F.S., to clarify that the owner or operator of a private school must meet the same background screening requirements as an individual who has direct contact with students. The bill also clarifies that background screening exemptions do not apply to public and private school employees in positions that require direct contact with students. Finally, the bill

¹⁰⁶ Section 1001.10(4)(b), F.S.

¹⁰⁷ Section 435.04(2), F.S. provides the lists of ineligible criminal offenses a person must not have been arrested for and are awaiting final disposition of; have not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to; or have not been adjudicated delinquent and the record has not been sealed or expunged

¹⁰⁸ Section 435.07, F.S. allows certain individuals disqualified from employment due to background screening results to seek an exemption if they demonstrate rehabilitation through clear and convincing evidence, provided they have completed sentencing requirements and paid all court-ordered costs. However, exemptions are prohibited for individuals convicted of severe crimes such as sexual offenses, murder, kidnapping, and certain child-related offenses, as well as registered sex offenders, sexual predators, and career offenders.

¹⁰⁹ Section 1012.315, F.S.

¹¹⁰ Section 435.07(1), F.S.

specifies that persons who apply for certification or employment in positions that may require direct contact with a student are governed by the laws and rules in effect when the application was issued for initial certificate or employment, if continuity of certificates or employment are maintained.

The bill is effective July 1, 2025, except as otherwise specified.

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.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires the Department of Education (DOE) to prepare and offer standards of curriculum for instruction related to agricultural education. Additionally, the bill authorizes the DOE to enter into a contract from state or nationally recognized agricultural educational organizations to develop such curriculum. The fiscal impact for the development of the curriculum is indeterminate, but likely insignificant and able to be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.45, 216.251, 447.203, 1000.04, 1001.20, 1001.452, 1002.20, 1002.33, 1002.394, 1002.395, 1002.68, 1002.71, 1002.945, 1003.41, 1003.42, 1003.4201, 1003.4282, 1007.27, 1008.36, 1008.365, 1012.315, 1012.56, and 1012.77.

This bill creates section 1001.325 of the Florida Statutes.

This bill repeals the following sections of the Florida Statutes: 1002.351, 1008.2125, 1011.58, and 1011.59.

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 Appropriations Committee on Pre-K - 12 Education on March 24, 2025:

The committee substitute authorizes a private school located in a county with four incorporated municipalities to construct new facilities on property that is:

- Purchased or leased from a library, community service organization, museum, performing arts venue, theater, cinema, or church that is or was actively used as such within five years of any executed agreement with the private school;
- Owned by a Florida College System institution or state university; or
- Recently used to house a school or childcare facility licensed under s. 402.305, Florida Statutes.

The committee substitute authorizes the new facilities may be constructed under the property's preexisting zoning and land use designations, without the need for rezoning, a special exception, a land use change, or compliance with mitigation requirements or conditions.

The committee substitute also requires that the new facility be used solely as a private school and comply with all applicable state and local health, safety, and welfare laws, codes, and rules, including those related to fire safety and building safety.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
