

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 Appropriations

BILL: SPB 2510

INTRODUCER: For consideration by the Appropriations Committee

SUBJECT: K-12 Education

DATE: April 1, 2025

REVISED: _____

ANALYST

Gray

STAFF DIRECTOR

Sadberry

REFERENCE

ACTION

Pre-meeting

I. Summary:

SPB 2510 conforms statutes to the funding decisions related to prekindergarten through grade 12 education in the Senate proposed General Appropriations Act for Fiscal Year 2025-2026. The bill:

- Modifies virtual instruction to allow school districts to receive full-time equivalent student completions through virtual programs, including those where students were first reported during the summer. The bill also modifies the definition of full-time equivalent student for virtual instruction programs to include summer enrollment.
- Modifies CAPE Digital Tool Certificates and CAPE industry certification funding, including changes to the additional full-time equivalent membership, and modifies the requirements of the CAPE Industry Certification Funding List.
- Modifies the School Recognition program, limiting the bonuses to only instructional personnel, rather than all faculty and staff.
- Reduces the amount of the add-on weights applied to certain types of students and school districts funded in the Florida Education Finance Program (FEFP).
- Modifies the distribution of FEFP funds to the school districts to a monthly distribution rather than bimonthly.

This bill is expected to provide an overall positive fiscal impact on state expenditures. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Virtual Instruction Programs

A virtual instruction program (VIP) is a program of instruction provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both.¹ Florida law establishes a variety of options to make virtual instruction accessible to K-12 students. These options include:

- Full-time or part-time enrollment in a school district virtual instruction program;²
- Full-time enrollment in a virtual charter school;³
- Enrollment in individual virtual courses offered by school districts and approved by the Department of Education (DOE);⁴ and
- Full-time and part-time enrollment in Florida Virtual Schools (FLVS) or school district FLVS franchises.⁵

The VIP providers that are approved by the DOE must meet the following requirements:⁶

- Align virtual course curriculum and course content to the state academic standards.
- Offer instruction that is designed to enable a student to gain proficiency in each virtual instruction course of study.
- Provide each student enrolled in the virtual instruction program with all the necessary instructional materials.
- Provide each full-time student enrolled in the virtual instruction program who qualifies for free or reduced-price school lunches and who does not have a computer or internet access in his or her home with the equipment necessary for participants in the virtual instruction program.

The current DOE-approved statewide VIP programs include the following: Accel Schools East, Connections Education of Florida, LLC, FLVS, Graduation Alliance, Imagine Learning, K12 Florida, Mater Virtual Academy, Optima Academy Online, and Somerset Virtual Academy.⁷

¹ Section 1002.45(1)(a)3., F.S.

² Section 1002.45, F.S.

³ Sections 1002.33(1) and 1002.45(1)(d), F.S.

⁴ Section 1003.498, F.S.

⁵ Section 1002.45(2)(a), F.S.; see also Florida Department of Education, List of Approved Program and Course Providers, <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/approved-providers/> (last visited March 11, 2025).

⁶ Section 1002.45(3) F.S.

⁷ Florida Department of Education, *List of Approved Program and Course Providers*, available at <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/approved-providers/> (last visited March 11, 2025).

Florida Education Finance Program (FEFP) Funding for Virtual Schools

The FEFP is the primary mechanism for funding the operating costs of Florida school districts. Under the FEFP, financial support for education is based on full-time equivalent⁸ student membership in public schools.⁹

School districts, including the FLVS, report student membership through multiple survey periods and may be funded for the maximum of 1.0 FTE per school year. For the FTE reporting, the survey periods cover the following time frames:

- Survey Period 1 (July), covers the time period from the beginning of the fiscal year (July 1) to the beginning of the defined 180-day school year.
- Survey Period 2 (October), covers the first 90 days of the 180-day school year.
- Survey Period 3 (February), covers the second 90 days of the 180-day school year.
- Survey Period 4 (June), covers the period from the end of the 180-day school program to the end of the fiscal year (June 30).
- Survey Period 5, covers the reporting of prior school year data for specified programs.¹⁰

Virtual courses are reported and funded in a similar manner, except virtual courses are funded based on successful completion which includes completing the course with a passing grade or credits earned.¹¹ Virtual completions can be reported after the 180-day school year for those students who were previously reported on either Survey 2 or Survey 3. In addition to regular FTE funding, the FLVS can report and receive FTE funding through the FEFP, including credits started and completed in the summer.¹²

Florida School Recognition Program

The Florida School Recognition Program was created to award public schools that sustain high performance by receiving a school grade of “A,” making excellent progress or demonstrate exemplary improvement due to innovation and effort by improving at least one letter grade or by improving more than one letter grade and sustaining the improvement the following school year.¹³

Depending on the availability of funds appropriated, schools receive financial awards based on the number and size of schools determined eligible 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

⁸ A “full-time student” is one student on the membership roll of one school program or a combination of school programs for the school year or the equivalent for instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program. A full-time equivalent student in a virtual instruction program, virtual charter school, or FLVS consists of 6 full-credit completions or the prescribed level of content that counts toward promotion to the next grade. Credit completions may be a combination of full-credit courses and half-credit courses. Section 1011.61(1), F.S.

⁹ Section 1011.62, F.S.

¹⁰ Florida Department of Education, *FTE General Instructions 2023-24* (2023), available at <https://www.fldoe.org/core/fileparse.php/7508/urlt/2324ftegeneralinstructions.pdf> at 9 (last visited Mar. 19, 2025).

¹¹ *Id* at 45.

¹² Section 1002.37, F.S.

¹³ Section 1008.36(1)-(2), F.S.

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.¹⁴

School recognition awards 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; or
- Temporary personnel for the school to assist in maintaining and improving student performance.¹⁵

If a school selected to receive a school recognition award is no longer in existence at the time the award is paid, the district school superintendent shall distribute the funds to the teachers who taught at the school in the previous year in the form of a bonus.¹⁶

For the 2023-2024 school year, 1,451 schools received School Recognition program awards.¹⁷ The 2024-2025 General Appropriations Act appropriated \$200,000,000 to schools for the School Recognition program.¹⁸

Acceleration Programs

Additional full-time equivalent (FTE) Funding

The base student allocation (BSA) for the Florida Education Finance Program (FEFP) for kindergarten through grade 12 is determined annually by the Legislature and is prescribed in the General Appropriations Act (GAA). The district's full-time equivalent (FTE) membership shall be computed and currently maintained in accordance with the regulations of the commissioner.¹⁹

Florida schools offer high school articulated acceleration programs.²⁰ These programs are offered to shorten the time necessary for a student to earn a high school diploma and postsecondary degree, broaden the scope of curriculum options available, and increase the depth of study available for a particular subject. Additional value per FTE student membership is provided for the following programs:

- Small district exceptional student education (ESE)
- Dual enrollment
- International Baccalaureate (IB)
- Advanced International Certificate of Education (AICE)
- College board advanced placement (AP)

¹⁴ Section 1008.36(3), F.S.

¹⁵ Section 1008.36(5), F.S.

¹⁶ Section 1008.36(4), F.S.

¹⁷ Florida Department of Education, *Florida School Recognition Program, Award Information, 2023 List of Recognized schools*, available at <https://www.fldoe.org/accountability/accountability-reporting/fl-school-recognition-program/award-info.shtml> (last visited Mar. 20, 2025).

¹⁸ Specific Appropriation 87, ch. 2024-231, L.O.F.

¹⁹ Section 1011.62(1), F.S.

²⁰ Section 1007.27(1), F.S.

- Career and Professional Education (CAPE) industry certifications; and
- Early high school graduation

Florida statute provides specific requirements to qualify for additional FTE under each of these programs. Each program has a prescribed weighted value of full-time equivalent students, which ranges from 0.025 to 1.0 depending on the program.²¹

The additional FTE generated from these programs is added to the district's weighted FTE when calculating the district's flexible base funding. Base funding is derived from the product of the weighted FTE (including additional FTE), multiplied by the BSA, the comparable wage factor (CWF) and the small district factor (SDF).²²

Florida law specifies the allowable uses of the funds to include training, professional development, bonuses for instructional personnel, examination fees, and diploma fees.²³

Teachers earn a bonus for each student meeting certain requirements for IB, AICE, AP and CAPE courses. A teacher earns a \$50 bonus for each student who attains the milestone established in law. Teachers who taught in a school designated with a grade of "D" or "F" with at least one student attaining the milestone earns another bonus of \$250 or \$500, depending on the program.

Career and Professional Education (CAPE) Digital Tools

Each district school board is required to make available digital materials, CAPE Digital Tool certificates, and CAPE industry certifications for students in prekindergarten through grade 12 in order to enable students attain digital skills.²⁴ The DOE is required to identify CAPE Digital Tool Certificates in the CAPE Industry Certification Funding List that indicate a student's digital skills and notify each school district when the certificates are available. The DOE must make the certificates available to all public elementary and middle grades students, but the Commissioner of Education may limit CAPE industry certifications and CAPE Digital Tool certificates to students in certain grades based on formal recommendations by providers of CAPE industry certifications and CAPE Digital Tool certificates.²⁵

Each district school board is also required to make available digital and instructional materials, including software applications, to students with disabilities who are in prekindergarten through grade 12. Digital materials may include CAPE Digital Tool certificates, workplace industry certifications, and OSHA industry certifications for students with disabilities. In addition, each student's individual educational plan for students with disabilities must identify the CAPE Digital Tool certificates and CAPE industry certifications the student seeks to attain before high school graduation.²⁶

²¹ Section 1011.62, F.S.

²² Florida Department of Education, *Funding for Florida School Districts 2024-25*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf> page 17 (last visited Feb. 25, 2025).

²³ Section 1011.62, F.S.

²⁴ Section 1003.4203(1), F.S.

²⁵ Section 1008.44(4)(b), F.S.

²⁶ Section 1003.4203(2), F.S.

Courses identified in the CAPE Industry Certification Funding List that combine academic and career content and performance outcome expectations and articulate for college credit are eligible for additional full-time equivalent membership. Such approved courses must incorporate at least two third-party assessments that, if successfully completed by a student, articulate for college credit. At least one of the two third-party assessments must be associated with an industry certification that is identified on the CAPE Industry Certification Funding List. Each course that is approved by the commissioner must be specifically identified in the Course Code Directory as a CAPE Innovation Course.²⁷

It is the goal that at least 75 percent of public middle grades students earn at least one CAPE Digital Tool Certificate.²⁸ Each district school board, in collaboration with local workforce development boards, economic development agencies, and state-approved postsecondary institutions, shall include plans to implement a career and professional academy or a career-themed course in at least one middle school in the district. CAPE Digital Tool certificates and CAPE industry certifications offered in middle grades are to be included on the CAPE Industry Certification Funding List.²⁹

CAPE Digital Tools and Industry Certification Funding

School districts can receive additional FTE funding based on successful completion of a career-themed course, or courses embedded with CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List.

A value of 0.2 FTE student membership is calculated for CAPE Digital Tool certificates for elementary and middle school grades. A value of 0.1 or 0.2 FTE student membership is calculated for each student who completes a course or courses embedded with CAPE industry certifications and who is issued an industry certification that has a statewide articulation agreement for college credit. For CAPE industry certifications that do not articulate to college credit, the DOE shall assign a FTE value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate may not rely solely on the previously funded examination to satisfy the requirements for earning an industry certification.

A value of 0.3 FTE student membership is calculated for student completion of at least three courses and an industry certification in a single career and technical education program of study.

A value of 0.5 FTE student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours that are approved by the commissioner.³⁰

²⁷ Section 1003.4203(5)(a), F.S.

²⁸ Section 1003.4203(2), F.S.

²⁹ Section 1003.4395, F.S.

³⁰ Section 1011.62(1)(o), F.S.

Distribution of FEFP Funds

Prior to the distribution of funds appropriated in the General Appropriations Act for the K-12 Florida Education Finance Program (FEFP) formula and for the formula-funded categorical programs, the Commissioner of Education (Commissioner) shall conduct an allocation conference. The conference discusses and agrees to all conventions, including rounding conventions, and the methods of computation to be used for the FEFP and categorical entitlements of the district for the fiscal year. These conventions and calculation methods remain in effect until further agreements and are reached in subsequent allocation conferences. Prior to each recalculation of the FEFP, the Commissioner shall provide conference principals with all data necessary to replicate those allocations precisely.³¹ The distribution of the FEFP funds shall be made in payments on or about the 10th and 26th of each month.³²

III. Effect of Proposed Changes:

Section 1 amends s. 1002.45, F.S., to authorize a school district to report full-time equivalent (FTE) student credits completed through a district virtual program, including credits started and completed during the summer, to the Department of Education (DOE).

Section 2 amends s. 1003.4203, F.S., to eliminate the requirement that, on an annual basis, at least 75 percent of middle grades students earn at least one CAPE Digital Tool certificate.

Section 3 amends s. 1003.498, F.S., to clarify that a district may report FTE student membership for credit earned by a student who is enrolled in a virtual education course provided by the district, including those credits earned in the summer.

Section 4 amends s. 1003.4935, F.S., to eliminate the requirement that CAPE Digital Tool Certificates and CAPE industry certifications earned by those in middle grades are eligible for additional FTE membership.

Section 5 amends s. 1008.36, F.S., to limit those eligible for a nonrecurring bonus through the School Recognition program to only instructional personnel. Instructional personnel includes classroom teachers, individuals working in student personnel services, librarians/media specialists, education paraprofessionals, and other instructional staff.

Section 6 amends s. 1008.44, F.S., to expand the requirements of the CAPE Industry Certification Funding List specifying the courses on the list must lead to certifications. Additionally, beginning with the 2026-2027 fiscal year, the commissioner is required to limit the CAPE industry certifications placed on the CAPE Industry Certification Funding List to students in certain grades based upon the alignment of the industry certification to career and technical education programs and the appropriate grade level placement within those programs. The grade levels must be adopted on the funding list annually.

Section 7 amends s. 1011.61, F.S., to update the definition of a FTE student for virtual instruction programs in the district to include summer enrollment.

³¹ Section 1011.65, F.S.

³² Section 1011.66, F.S.

Section 8 amends s. 1011.62, F.S., to adjust the weighted values used to calculate the additional FTE students in half for the following programs: Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), Dual Enrollment and Early Graduation.

For industry certifications, the bill limits the additional weighted values for CAPE Digital Tool certificates to students in the elementary grades. Removes the credit cap of 29 for CAPE Acceleration Industry Certifications and the additional weighted value of 1 for certifications that articulate for 30 or more college credit hours.

As an example of the dollar value changes, a weighted value of .16 that would have generated \$852.96 for each exam passed for the 2024-2025 school year, will now have a weighted value of .08 and generate at least \$426.48 for each exam passed. The table below shows how each of the weights would change based on the modifications in this bill.

Change in Weights

Current Weights	Current Dollar Values	Proposed Weights	Proposed Dollar Values
.025	\$133.27	.0125	\$66.64
.08	\$426.48	.04	\$213.24
.01	\$533.10	.005	\$266.55
.16	\$852.96	.08	\$426.48
.25	\$1,332.75	.125	\$666.37
.3	\$1,599.29	.15	\$799.65
.5	\$2,665.49	.25	\$1,332.75

Calculations are based on the 2024-2025 BSA amount of \$5,330.98.³³

Section 9 amends 1011.66, F.S., to adjust the distribution of FEFP funds to the school districts to a monthly distribution rather than bimonthly.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

³³ <https://www.fldoe.org/core/fileparse.php/7507/urlt/24-25FEFP2ndCalc.pdf>

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 provides an overall positive fiscal impact on state revenues and expenditures as follows:

- District virtual instruction FTE may increase if additional students take a virtual course with a district who were not already taking a virtual course with a different provider.
- The proposed reductions to the acceleration program bonuses may provide an estimated \$292 million savings to the state.
- The changes to CAPE Digital Tool and CAPE industry certifications will have a positive fiscal impact on state expenditures by collectively reducing the number of additional FTE over time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.45, 1003.4203, 1003.498, 1003.4935, 1008.36, 1008.44, 1011.61, 1011.62, and 1011.66.

IX. Additional Information:

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

None.

- B. **Amendments:**

None.

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