



739692

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/24/2026	.	
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The Committee on Rules (Simon) recommended the following:

1 **Senate Amendment to Amendment (515704) (with title**
2 **amendment)**

3
4 Delete lines 211 - 251

5 and insert:

6 Section 5. Subsections (17) and (19) of section 1002.42,
7 Florida Statutes, are amended to read:

8 1002.42 Private schools.—

9 (17) EPINEPHRINE SUPPLY.—

10 (a) A private school may purchase a supply of United States
11 Food and Drug Administration (FDA)-approved epinephrine delivery



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12 devices ~~auto-injectors~~ from a wholesale distributor as defined
13 in s. 499.003 or may enter into an arrangement with a wholesale
14 distributor or manufacturer as defined in s. 499.003 for the
15 FDA-approved epinephrine delivery devices ~~auto-injectors~~ at
16 fair-market, free, or reduced prices for use in the event a
17 student has an anaphylactic reaction. The FDA-approved
18 epinephrine delivery devices ~~auto-injectors~~ must be maintained
19 in a secure location on the private school's premises. The
20 participating private school shall adopt a protocol developed by
21 a licensed physician for the administration by private school
22 personnel who are trained to recognize an anaphylactic reaction
23 and to administer epinephrine by an FDA-approved epinephrine
24 delivery device ~~auto-injection~~. The supply of FDA-approved
25 epinephrine delivery devices ~~auto-injectors~~ may be provided to
26 and used by a student authorized to self-administer epinephrine
27 by an FDA-approved delivery device ~~auto-injector~~ under s.
28 1002.20(3)(i) or trained school personnel.

29 (b) The private school and its employees, agents, and the
30 physician who provides the standing protocol for school FDA-
31 approved epinephrine delivery devices ~~auto-injectors~~ are not
32 liable for any injury arising from the use of an FDA-approved
33 epinephrine delivery device ~~auto-injector~~ administered by
34 trained school personnel who follow the adopted protocol and
35 whose professional opinion is that the student is having an
36 anaphylactic reaction:

37 1. Unless the trained school personnel's action is willful
38 and wanton;

39 2. Notwithstanding that the parents or guardians of the
40 student to whom the epinephrine is administered have not been



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41 provided notice or have not signed a statement acknowledging
42 that the school district is not liable; and

43 3. Regardless of whether authorization has been given by
44 the student's parents or guardians or by the student's
45 physician, physician assistant, or advanced practice registered
46 nurse.

47 (19) FACILITIES AND LAND USE.—

48 (a) A private school may use facilities on property owned
49 or leased by a library, community service organization, museum,
50 performing arts venue, theater, cinema, or church facility under
51 s. 170.201, which is or was actively used as such within 5 years
52 of any executed agreement with a private school to use the
53 facilities; any facility or land owned by a Florida College
54 System institution or university; any similar public
55 institutional facilities; and any facility recently used to
56 house a school or child care facility licensed under s. 402.305,
57 under any such facility's preexisting zoning and land use
58 designations without rezoning or obtaining a special exception
59 or a land use change, and without complying with any mitigation
60 requirements or conditions. The facility must be located on
61 property used solely for purposes described in this paragraph,
62 and must meet applicable state and local health, safety, and
63 welfare laws, codes, and rules, including firesafety and
64 building safety.

65 (b) A private school may use facilities on property
66 purchased from a library, community service organization,
67 museum, performing arts venue, theater, cinema, or church
68 facility under s. 170.201, which is actively or was actively
69 used as such within 5 years of any executed agreement with a



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70 private school to purchase the facilities; any facility or land
71 owned by a Florida College System institution or university; any
72 similar public institutional facilities; and any facility
73 recently used to house a school or child care facility licensed
74 under s. 402.305, under any such facility's preexisting zoning
75 and land use designations without obtaining a special exception,
76 rezoning, or a land use change, and without complying with any
77 mitigation requirements or conditions. The facility must be
78 located on property used solely for purposes described in this
79 paragraph, and must meet applicable state and local health,
80 safety, and welfare laws, codes, and rules, including firesafety
81 and building safety.

82 (c) A private school located in a county with four
83 incorporated municipalities may construct new facilities, which
84 may be temporary or permanent, on property purchased from or
85 owned or leased by a library, community service organization,
86 museum, performing arts venue, theater, cinema, or church under
87 s. 170.201, which is or was actively used as such within 5 years
88 of any executed agreement with a private school; any land owned
89 by a Florida College System institution or state university; and
90 any land recently used to house a school or child care facility
91 licensed under s. 402.305, under its preexisting zoning and land
92 use designations without rezoning or obtaining a special
93 exception or a land use change, and without complying with any
94 mitigation requirements or conditions. Any new facility must be
95 located on property used solely for purposes described in this
96 paragraph, and must meet applicable state and local health,
97 safety, and welfare laws, codes, and rules, including firesafety
98 and building safety.



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99 (d) A private school enrolling 150 or fewer students is
100 considered a permitted use in a commercial or mixed-use zoning
101 district within a county or municipality without rezoning or
102 obtaining a special exception or a land use change, and without
103 complying with any mitigation requirements, conditions,
104 performance standards, ordinances, rules, codes, or policies.

105 (e) Notwithstanding any other provision of law, a private
106 school enrolling 150 or fewer students may operate in a facility
107 that is an existing assembly, day care, mercantile, or business
108 occupancy, as defined in the Florida Fire Prevention Code. A
109 private school operating in such a facility must meet the
110 standards for existing educational occupancy requirements under
111 the Florida Fire Prevention Code, adopted by the State Fire
112 Marshal. Completion of the fire safety evaluation system for
113 educational occupancies in NFPA 101A: Guide on Alternative
114 Approaches to Life Safety, adopted by the State Fire Marshal, by
115 a registered design professional licensed under chapter 471 or
116 chapter 481, with a determination of achieving at a minimum an
117 "at least equivalent" conclusion, shall be considered evidence
118 of compliance with the Florida Fire Prevention Code. The State
119 Fire Marshal may adopt rules to implement this paragraph.

120 Section 6. Subsection (2) of section 1002.67, Florida
121 Statutes, is amended to read:

122 1002.67 Performance standards and curricula.—

123 (2) (a) Each private prekindergarten provider and public
124 school may select or design the curriculum that the provider or
125 school uses to implement the Voluntary Prekindergarten Education
126 (VPK) Program, except as otherwise required for a provider or
127 school that fails to meet the minimum performance metric score



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128 or designation ~~change-in-ability~~ established pursuant to s.
129 1002.68.

130 (b) Each private prekindergarten provider's and public
131 school's curriculum must be developmentally appropriate and
132 must:

133 1. Be designed to prepare a student for early literacy and
134 provide for instruction in early math skills;

135 2. Develop students' background knowledge through a
136 content-rich and sequential knowledge building early literacy
137 curriculum;

138 3. Enhance the age-appropriate progress of students in
139 attaining the performance standards adopted by the department
140 under subsection (1); and

141 4. Support student learning gains through differentiated
142 instruction that shall be measured by the coordinated screening
143 and progress monitoring program under s. 1008.25(9).

144 (c) The department shall adopt procedures for the review
145 and approval of curricula for use by private prekindergarten
146 providers and public schools that fail to meet the minimum
147 performance metric score or designation ~~change-in-ability scores~~
148 established pursuant to s. 1002.68. The department shall
149 administer the review and approval process and maintain a list
150 of the curricula approved under this paragraph and available for
151 purchase. Each approved curriculum must meet the requirements of
152 paragraph (b). The review and approval process must include
153 curricula that are available for purchase and proprietary
154 curricula that are not available for purchase.

155 (d) The department shall review and may approve a
156 curriculum that is proprietary or available for purchase outside



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157 of the established review and approval process in paragraph (c).
158 The curriculum must be used by a private provider or public
159 school district that operates a VPK program in more than five
160 distinct locations. Any curriculum approved under this paragraph
161 must meet the requirements of paragraph (b). Any curriculum
162 approved under this paragraph which is available for purchase
163 must be included on the list under paragraph (c). Within 60 days
164 after receipt of the request, the department shall review and
165 either approve or deny the submitted curricula and all
166 associated materials. A request may not be submitted under this
167 paragraph within 120 days before the opening of the regular
168 review process described in paragraph (c).

169
170 ===== T I T L E A M E N D M E N T =====

171 And the title is amended as follows:

172 Delete line 1584

173 and insert:

174 auto-injectors; making conforming changes; providing
175 that certain private schools are considered a
176 permitted use in certain zoning districts; authorizing
177 certain private schools to operate in facilities that
178 meet specified requirements; requiring certain private
179 schools operating in such facilities to meet specified
180 Florida Fire Prevention Code standards; providing that
181 completion of a specified evaluation system with
182 certain ratings by specified persons constitutes
183 evidence of compliance with the Florida Fire
184 Prevention Code for such private schools; authorizing
185 the State Fire Marshal to adopt rules; amending s.



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186 1002.67, F.S.; revising limitations on curriculum
187 selection for Voluntary Prekindergarten Education
188 Program providers and public schools that fail to meet
189 minimum performance metrics or designations; revising
190 Department of Education requirements for review and
191 approval of certain curricula; requiring that the
192 review and approval process include curricula
193 available for purchase and proprietary curricula not
194 available for purchase; authorizing the department to
195 approve certain curricula outside of the established
196 review and approval process for specified multi-site
197 providers or school districts; providing requirements
198 for approved curricula; requiring the department to
199 approve or deny a request within a specified
200 timeframe; providing a submission limitation; amending
201 s.