

<b>Tab 1</b>	<b>CS/SB 102</b> by <b>ED, Gaetz (CO-INTRODUCERS) Arrington;</b> Similar to H 00127 Exceptional Student Education
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<b>Tab 2</b>	<b>SB 166</b> by <b>Simon;</b> Administrative Efficiency in Public Schools
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<b>Tab 3</b>	<b>CS/SB 296</b> by <b>ED, Bradley (CO-INTRODUCERS) Yarborough, Davis;</b> Identical to H 00261 Middle School and High School Start Times
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The Florida Senate  
**COMMITTEE MEETING EXPANDED AGENDA**  
 APPROPRIATIONS COMMITTEE ON PRE-K - 12  
 EDUCATION  
 Senator Burgess, Chair  
 Senator Pizzo, Vice Chair

**MEETING DATE:** Tuesday, March 11, 2025  
**TIME:** 8:30—10:30 a.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Building

**MEMBERS:** Senator Burgess, Chair; Senator Pizzo, Vice Chair; Senators Bradley, Calatayud, Fine, Gaetz, Jones, Osgood, Simon, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>CS/SB 102</b> Education Pre-K - 12 / Gaetz (Similar H 127)	Exceptional Student Education; Requiring the Department of Education to develop and implement, by a specified date, a workforce credential program for students with an autism spectrum disorder or students on a modified curriculum; requiring the department to produce an annual report during a specified timeframe, etc.	ED 02/18/2025 Fav/CS AED 03/11/2025 FP
2	<b>SB 166</b> Simon	Administrative Efficiency in Public Schools; Exempting district school boards from requirements for adopting certain rules; deleting a requirement for a district school board to employ an internal auditor in certain circumstances; requiring innovation schools of technology to comply with specified provisions relating to instructional multiyear contracts, in addition to annual contracts, for instructional personnel in addition to annual contracts; revising requirements relating to district school board attendance policies for Voluntary Prekindergarten Education Programs; revising requirements for assessments needed for a student to earn a high school diploma; providing requirements for advanced degrees which may be used to set salary schedules for instructional personnel and school administrators hired after a specified date; revising eligibility requirements for individuals to participate in the Teacher Apprenticeship Program, etc.	ED 03/03/2025 Favorable AED 03/11/2025 FP

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations Committee on Pre-K - 12 Education  
Tuesday, March 11, 2025, 8:30—10:30 a.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	<b>CS/SB 296</b> Education Pre-K - 12 / Bradley (Identical H 261, Compare H 343)	Middle School and High School Start Times; Deleting a requirement that middle schools and high schools start by specified times beginning in a certain year; requiring district school boards to consider certain benefits relating to school start times when adopting middle school and high school start times, etc.  ED 03/03/2025 Fav/CS AED 03/11/2025 FP	

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Other Related Meeting Documents

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**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.)

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Prepared By: The Professional Staff of the Appropriations Committee on Pre-K - 12 Education

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BILL: CS/SB 102

INTRODUCER: Education Pre-K - 12 Committee and Senator Gaetz

SUBJECT: Exceptional Student Education

DATE: March 10, 2025      REVISED: \_\_\_\_\_

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

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

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**I. Summary:**

CS/SB 102 establishes a workforce credential program for students with autism spectrum disorder or students on a modified curriculum to enhance their employment opportunities upon graduation. The program must be developed and implemented by the Florida Department of Education (DOE), in cooperation with the Florida Center for Students with Unique Abilities, by January 31, 2026.

The program allows students to earn badges that signify the acquisition of specific workforce skills aligned with employer needs. Each badge requires students to demonstrate five distinct skills or behaviors, including workplace safety, and must be validated by two instructional staff members specializing in exceptional student education.

To evaluate the program's effectiveness, the bill mandates that the DOE submit an annual report from 2026 through 2030 with participation and outcomes data.

This bill does not have a fiscal impact on state revenues or expenditures. Any costs the Department of Education incur relating to establishing the credential should be absorbed within existing resources. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2025.

## II. Present Situation:

### Exceptional Student Education

The Individuals with Disabilities in Education Act (IDEA)<sup>1</sup> and Florida law<sup>2</sup> mandate that all students who are between the ages of three to 21 and have a disability have the right to a free, appropriate public education (FAPE). School districts have the responsibility to ensure that students suspected of having a disability are subject to general education intervention procedures.<sup>3</sup> Each district school board is required to provide for an appropriate program of special instruction, facilities, and services for exceptional students. Each district program must:

- Provide the necessary professional services for diagnosis and evaluation of exceptional students.
- Provide special instruction, classes, and services, either within the district school system, in cooperation with other district school systems, or through contractual arrangements with approved private schools or community facilities.<sup>4</sup>

Once a child meets IDEA's eligibility criteria, FAPE is implemented through the Individualized Education Program (IEP), which is the plan for providing special education and related services by the local education agency. The IEP is the primary tool for outlining a student's specialized education needs.<sup>5</sup> The IEP is developed by an IEP team composed of school personnel and the child's parents or guardian.<sup>6</sup> A student must be properly evaluated and found eligible as an exceptional student before receiving special instruction or services as follows:<sup>7</sup>

- A school district must evaluate a student within 60 days after receiving signed parental consent.<sup>8</sup>
- An IEP team, to include the parents of the affected student, must then review the evaluation and determine the educational needs of the student.<sup>9</sup>

### *Student Eligibility for Exceptional Student Education (ESE)*

The State Board of Education (SBE) determines the procedures for qualifying a student as eligible to receive exceptional student education (ESE).<sup>10</sup> Exceptional students include students who are gifted and students with disabilities who have an intellectual disability; autism spectrum disorder (ASD or autism); a speech impairment; a language impairment; an orthopedic impairment; another health impairment; traumatic brain injury; a visual impairment; an emotional or behavioral disability; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; students who are deaf or hard of hearing or dual

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<sup>1</sup> 34 C.F.R. Part 300.

<sup>2</sup> Section 1003.5716, F.S.

<sup>3</sup> Rule 6A-6.0331, F.A.C.

<sup>4</sup> Section 1003.57(1), F.S.

<sup>5</sup> Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9 (last visited Mar. 5, 2025).

<sup>6</sup> Congressional Research Service, *The Individuals with Disabilities Education Act (IDEA), Part B: Key Statutory and Regulatory Provisions* (August 20, 2024), available at <https://crsreports.congress.gov/product/pdf/R/R41833>, at 2 (last visited Mar. 5, 2025).

<sup>7</sup> Section 1003.57(1), F.S.

<sup>8</sup> Rule 6A-6.0331(3), F.A.C.

<sup>9</sup> Rule 6A-6.0331(6), F.A.C.

<sup>10</sup> Section 1003.57(1), F.S.

sensory impaired; students who are hospitalized or homebound; children with developmental delays ages birth through five years, or children, ages birth through two years, with a diagnosed physical or mental condition known to have a high probability of resulting in developmental delay.<sup>11</sup>

Children with autism in Florida are offered a variety of services through the state's 67 school districts and various other organizations operating within the state. The most recent data indicate that there are 66,152 students with ASD enrolled in Florida for the 2024-2025 school year.<sup>12</sup>

### ***Special Education Services Available to Students with ASD***

“Special education services” are specially designed instruction and related services necessary for an exceptional student to benefit from education. These services may include transportation; diagnostic and evaluation services; social services; physical and occupational therapy; speech and language pathology services; job placement; orientation and mobility training; braillists, typists, and readers for the blind; interpreters and auditory amplification; services provided by a certified listening and spoken language specialist; rehabilitation counseling; transition services; mental health services; guidance and career counseling; specified materials, assistive technology devices, and other specialized equipment; and other such services as approved by rules of the SBE.<sup>13</sup>

The SBE defines related terms for students with ASD in SBE rule and provides guidance regarding the definition of ASD, evaluation of students, and criteria for eligibility for classification.<sup>14</sup>

The IEP team may determine that a student with a significant cognitive disability should follow a modified curriculum aligned with Access Points - Alternate Academic Achievement Standards (AP-AAAS). These access points are designed to provide students access to the general education curriculum at a reduced level of complexity while maintaining alignment with state academic expectations.<sup>15</sup> The IEP must include a statement of measurable annual goals, including academic and functional goals, designed to meet the student's needs resulting from the disability and to enable the student to be involved in and make progress in the general education curriculum.<sup>16</sup>

Students with significant cognitive disabilities who are unable to participate in the statewide, standardized assessment program, even with accommodations, may be eligible for the Florida

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<sup>11</sup> Section 1003.01(9), F.S. *See also* Rule 6A-6.03030, F.A.C.

<sup>12</sup> FLDOE, *PK-12 Public School Data Publications and Reports – Membership in Programs for Exceptional Students, Survey 2, 2024-2025* <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/students.stml> (last visited Mar. 5, 2025)

<sup>13</sup> Section 1003.01(9), F.S.

<sup>14</sup> Rule 6A-6.03023, F.A.C.

<sup>15</sup> Florida Department of Education, *Updates to Access Points - Alternate Academic Achievement Standards (AP-AAAS)*, at 3 (2022), available at <https://www.fldoe.org/core/fileparse.php/7690/urlt/Spring22AP-AAAS.pdf> (last visited Mar. 5, 2025).

<sup>16</sup> Rule 6A-6.03028(3), F.A.C.

Standards Alternate Assessment (FSAA).<sup>17</sup> The FSAA is designed to measure student progress in the AP-AAAS and is required for students receiving instruction aligned to access points.<sup>18</sup>

The FSAA is reserved for students who require a modified curriculum aligned to access points. Instruction in AP-AAAS may impact a student's postsecondary opportunities. Since these standards modify the depth of academic expectations, they may limit eligibility for certain college or career pathways unless additional transition planning is implemented.<sup>19</sup>

### **Autism and Workforce Challenges**

Autism spectrum disorder (ASD) is a developmental disability caused by differences in the brain.<sup>20</sup> As individuals with ASD transition to adolescence and adulthood, they may face challenges in developing and maintaining friendships, communicating with peers and adults, or understanding what behaviors are expected in school or on the job.<sup>21</sup> These challenges can make it difficult to secure and sustain competitive employment, even for those with strong technical skills.<sup>22</sup>

Research indicates that employees with ASD have many skills that can contribute a great deal to the workforce. Despite possessing valuable skill sets, individuals with ASD face higher unemployment and underemployment rates compared to the general population.<sup>23</sup> Research suggests that targeted training, employer-recognized credentials, and structured workforce support can significantly enhance employment outcomes for individuals with disabilities, including ASD.<sup>24</sup>

### **General Workforce Inclusion Initiatives**

#### ***The Employment First Act***

The Employment First Act prioritizes employment as the preferred outcome for individuals with disabilities by reducing barriers to workforce participation and ensuring access to meaningful employment opportunities.<sup>25</sup> To achieve this, the Act promotes:

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<sup>17</sup> Section 1008.22(4), F.S.

<sup>18</sup> Florida Department of Education, *Updates to Access Points - Alternate Academic Achievement Standards (AP-AAAS)*, at 4 (2022), available at <https://www.fldoe.org/core/fileparse.php/7690/urlt/Spring22AP-AAAS.pdf> (last visited Mar. 5, 2025).

<sup>19</sup> Florida Department of Education, *Updates to Access Points - Alternate Academic Achievement Standards (AP-AAAS)*, at 33 (2022), available at <https://www.fldoe.org/core/fileparse.php/7690/urlt/Spring22AP-AAAS.pdf> (last visited Mar. 5, 2025).

<sup>20</sup> Centers for Disease Control and Prevention, *About Autism Spectrum Disorder*, <https://www.cdc.gov/autism/about/index.html> (last visited Mar. 5, 2025).

<sup>21</sup> Centers for Disease Control and Prevention, *About Autism Spectrum Disorder*, <https://www.cdc.gov/autism/about/index.html> (last visited Mar. 5, 2025).

<sup>22</sup> Kate Jackson, *Autism in the Technology Workplace*, *Social Work Today*, Vol. 13, No. 6, p. 8 (Nov./Dec. 2013), available at <https://www.socialworktoday.com/archive/111113p8.shtml> (last visited Mar. 5, 2025).

<sup>23</sup> A.J. Griffiths et al., *Developing Employment Environments Where Individuals with ASD Thrive: Using Machine Learning to Explore Employer Policies and Practices*, *Brain Sci.*, Vol. 10, No. 9, p. 632 (Sept. 11, 2020), available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC7564237/> (last visited Mar. 5, 2025).

<sup>24</sup> Florida Department of Education, Florida Department of Economic Opportunity, and CareerSource Florida, *2024-2028 WIOA Combined Plan*, available at <https://careersourceflorida.com/wp-content/uploads/2024/02/2024-2028-WIOA-Combined-Plan.pdf>, at 426-507 (last visited Mar. 5, 2025).

<sup>25</sup> Section 413.80(2), F.S.

- Integration of individuals with disabilities into the workforce by improving employment systems; and
- A collaborative effort between state agencies and organizations to achieve better employment outcomes for individuals with disabilities.<sup>26</sup>

### ***Division of Vocational Rehabilitation***

Florida's Vocational Rehabilitation (VR) program provides training and employment support for individuals with disabilities, helping them achieve meaningful, competitive employment. Through initiatives like the Workforce Innovation and Opportunity Act (WIOA) of 2014,<sup>27</sup> VR emphasizes career pathways and skills-based training, ensuring individuals with disabilities can develop the skills needed to succeed in the workforce.<sup>28</sup>

Expanding workforce credential programs tailored for students with ASD is a key step in aligning training with employer needs, increasing employment opportunities, and promoting economic independence.<sup>29</sup>

### **Florida Center for Students with Unique Abilities**

The Florida Center for Students with Unique Abilities (FCSUA) at the University of Central Florida supports postsecondary education and employment opportunities for students with intellectual disabilities. The center's responsibilities include:

- Disseminating information, providing students with disabilities and their families with details on education programs, services, supports, and employment opportunities;
- Coordinating statewide efforts, facilitating implementation, consulting with federal agencies, and aligning programs with national standards;
- Approving programs, establishing timelines and requirements for the approval and renewal of Florida Postsecondary Comprehensive Transition Programs; and
- Providing technical assistance, supporting institutions with program development, transition planning, financial resources, and compliance with federal and state laws.<sup>30</sup>

### **Workforce Credentialing and Training Programs**

#### ***Florida Ready to Work***

Florida Ready to Work provides foundational employability skills training in areas such as communication, critical thinking, and problem-solving, which are critical for individuals entering the workforce, including students with autism. The program offers stackable credentials that serve as a recognized measure of work-readiness across multiple industries.<sup>31</sup>

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<sup>26</sup> Section 413.80(3), F.S.

<sup>27</sup> Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, 128 Stat. 1425 (codified at 29 U.S.C. §§ 3101–3361).

<sup>28</sup> Florida Department of Education, Division of Vocational Rehabilitation, *About Us*, <https://www.rehabworks.org/about/about-us.html> (last visited Mar. 5, 2025).

<sup>29</sup> Golden Steps ABA, *Impact of Autism and Vocational Training*, <https://www.goldenstepsaba.com/resources/autism-and-vocational-training> (last visited Mar. 5, 2025).

<sup>30</sup> Section 1004.6495(5), F.S.

<sup>31</sup> Florida Ready to Work, *Answering Florida Employers' Demands*, <https://www.floridareadytowork.com/> (last visited Mar. 5, 2025).



As a state-supported workforce training initiative, Florida Ready to Work illustrates how targeted skills training can help individuals, including those with disabilities, prepare for competitive employment.<sup>32</sup>

### ***Workforce Education***

Workforce education includes career and technical training designed to prepare individuals, including adults with disabilities, for employment. Workforce education programs provide opportunities for individuals to gain job-specific skills and increase employability and economic self-sufficiency.<sup>33</sup>

Programs that support this goal include:

- Adult general education programs designed to improve the employability skills of the state's workforce.
- Career certificate programs, which offer training in specialized fields leading to occupational credentials.
- Applied technology diploma programs, which provide hands-on technical training.
- Apprenticeship and preapprenticeship programs, which combine classroom instruction with real-world work experience.
- Continuing workforce education courses, which help individuals develop and refine job-related skills.<sup>34</sup>

### ***Get There Initiative***

The Get There initiative, launched by the Florida Department of Education (DOE), promotes short-term, high-value Career and Technical Education (CTE) programs available through Florida College System institutions and technical colleges. These programs offer training in advanced manufacturing, transportation and logistics, healthcare, and information technology.<sup>35</sup>

### ***One-Stop Delivery System***

Florida's one-stop delivery system provides workforce training and employment support services that can help individuals transition into meaningful employment. These services include career counseling, job placement assistance, employability skills training, and technical training leading to industry-recognized certifications.<sup>36</sup>

### ***Workplace Safety Training and OSHA Outreach Programs***

The Occupational Health and Safety Administration (OSHA) within the United States Department of Labor provides an Outreach Training Program to promote workplace safety and health and to make workers more knowledgeable about workplace hazards and their rights. The OSHA Outreach Training Program provides training on the recognition, avoidance, abatement,

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<sup>32</sup> Florida Ready to Work, *Answering Florida Employers' Demands*, <https://www.floridareadytowork.com/> (last visited Mar. 5, 2025).

<sup>33</sup> Sections 1004.02(3) and (25) and 1004.92(1), F.S.

<sup>34</sup> Section 1011.80(1), F.S.

<sup>35</sup> Florida Department of Education, *Get There, About Us*, <https://gettherefl.com/about-us/> (last visited Mar. 5, 2025).

<sup>36</sup> Section 445.009(1), F.S.

and prevention of workplace hazards. Outreach classes also provide overview information regarding OSHA, including workers' rights, employer responsibilities, and how to file a complaint.<sup>37</sup>

The 10-hour training program is primarily intended for entry level workers. The 30-hour training program is intended to provide workers with some safety responsibility a greater depth and variety of training. All outreach training is intended to cover an overview of the hazards a worker may encounter on a job site. Training emphasizes hazard identification, avoidance, control and prevention, not OSHA standards.<sup>38</sup>

### **Career Education Services for Students with Disabilities**

Florida provides career education services for students with disabilities through a structured sequence of courses designed to develop employability skills, technical training, and industry certification opportunities. This program is individualized through a student's Individual Education Plan (IEP)<sup>39</sup> or other accommodations plan and allows students to gain the skills necessary for competitive employment in occupations aligned with their training.<sup>40</sup>

The curriculum integrates competency-based applied learning, including instruction in:

- Workplace safety;
- Job-seeking and employability skills;
- Self-advocacy and career planning; and
- Technical skills in industry-specific fields.<sup>41</sup>

Students may earn multiple credits as they progress through career education courses, with their achievements documented through the Occupational Completion Point system. Some students may also participate in on-the-job training opportunities.<sup>42</sup>

### **III. Effect of Proposed Changes:**

The bill creates s. 1003.5717, F.S., establishing a workforce credential program for students with autism spectrum disorder (ASD) or who are on a modified curriculum. The bill requires the Florida Department of Education (DOE) to develop and implement this program, in collaboration with the Florida Center for Students with Unique Abilities, by January 31, 2026, with the goal of assisting students with ASD or students with significant cognitive disabilities in securing employment upon graduation.

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<sup>37</sup> USDOL, OSHA, *Outreach Training Program: Program Overview*, <https://www.osha.gov/training/outreach/overview> (last visited Mar. 5, 2025).

<sup>38</sup> *Id.*

<sup>39</sup> The Individual Education Plan is the primary vehicle for communicating the school district's commitment to addressing the unique educational needs of a student with a disability. Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9 (last visited Mar. 5, 2025).

<sup>40</sup> Florida Department of Education, *2024-25 CTE Curriculum Frameworks*, available at <https://www.fldoe.org/academics/career-adult-edu/career-tech-edu/curriculum-frameworks/2024-25-frameworks/additional-cte-programs-courses.shtml>, download "Career Education Services for Students with Disabilities (9603100) (RTF)."

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

The program must allow students to earn badges that indicate they have acquired specific skills that meet employer needs. Each badge must require the student to demonstrate five discrete skills or behaviors, including, but not limited to, workplace safety. The bill specifies that the DOE must collaborate with the Occupational Safety and Health Administration to develop a workforce safety badge. Additionally, each badge must be validated by two instructional staff members who specialize in exceptional student education.

Beginning in 2026 and continuing through 2030, the bill requires the DOE to prepare an annual report by January 31 of the following year detailing the program's operations. At a minimum, the report must include:

- The badges offered by the program;
- Data on post-graduation student employment;
- Student participation rates; and
- Any other outcome data deemed necessary by the DOE.

The workforce credential program established by the bill may provide students with ASD or those with significant cognitive disabilities valuable skills that are aligned with employer needs, potentially enhancing their employability upon graduation.

The bill takes effect on July 1, 2025.

#### **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:**

This bill does not have a fiscal impact on state revenues or expenditures. Any costs the Department of Education incur relating to establishing the credential should be absorbed within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 1003.5717 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Education Pre-K -12 on February 18, 2025:**

The committee substitute:

- Expands eligibility for the workforce credential program to include students on a modified curriculum.
- Directs the Department of Education (DOE) to collaborate with the Florida Center for Students with Unique Abilities at the University of Central Florida on program development and implementation.
- Requires the DOE to work with the Occupational Safety and Health Administration (OSHA) to develop the required workplace safety badge.

**B. Amendments:**

None.

By the Committee on Education Pre-K - 12; and Senator Gaetz

581-01991-25

2025102c1

A bill to be entitled

An act relating to exceptional student education; creating s. 1003.5717, F.S.; requiring the Department of Education to develop and implement, by a specified date, a workforce credential program for students with an autism spectrum disorder or students on a modified curriculum; providing the purpose of the program; providing requirements for the program; requiring the department to produce an annual report during a specified timeframe; providing requirements for the report; providing an effective date.

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

Section 1. Section 1003.5717, Florida Statutes, is created to read:

1003.5717 Workforce credential program for students with autism spectrum disorder or students on a modified curriculum.— The Department of Education shall develop and implement by January 31, 2026, a workforce credential program for students with an autism spectrum disorder or students on a modified curriculum. The department shall work with the Florida Center for Students with Unique Abilities established under s. 1004.6495 for the development and implementation of the program. The purpose of the program is to assist such students in securing employment upon graduation. The program must allow for such students to earn badges that designate that the students have acquired specific skills that meet employer needs.

(1) (a) Each badge must require the student to demonstrate

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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five discrete skills or behaviors, including, but not limited to, workplace safety.

(b) The department shall collaborate with the Occupational Safety and Health Administration to develop a workplace safety badge.

(2) The badge must be validated by two members of instructional staff who specialize in exceptional student education.

(3) Beginning with the 2026 calendar year through the 2030 calendar year, the department shall prepare an annual report by January 31 of the following year detailing the operations of the program. At a minimum, the report must include the badges offered by the program, data on postgraduation student employment, data on student participation rates in the program, and any other outcome data deemed necessary by the department to be included.

Section 2. This act shall take effect July 1, 2025.

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

**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.)

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Prepared By: The Professional Staff of the Appropriations Committee on Pre-K - 12 Education

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BILL: SB 166

INTRODUCER: Senator Simon

SUBJECT: Administrative Efficiency in Public Schools

DATE: March 10, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick, Jahnke, Palazeski, Sabitsch	Bouck	ED	<b>Favorable</b>
2.	Gray	Elwell	AED	<b>Pre-meeting</b>
3.			FP	

**I. Summary:**

SB 166 streamlines administrative processes for school districts by reducing regulations, increasing flexibility in policymaking, and enhancing financial and facilities management. Relating to:

- Assessment and accountability, the bill:
  - Expands the assessments that satisfy requirements for fourth grade progression.
  - Provides that students will not be required to pass Algebra 1 and grade 10 English Language Arts (ELA) assessments to earn a standard high school diploma, and requires that the grade 10 ELA assessment constitute 30 percent of the final course grade.
  - Eliminates certain school district requirements relating to the uniform assessment calendar, but requires the calendar to indicate state and district assessments.
  - Authorizes district school superintendents to establish deadlines for extraordinary exemptions from certain assessments.
  - Specifies that the value-added model (VAM) may not be the sole determinate in recruiting instructional personnel.
  - Requires State Board of Education (SBE) rule to provide a timeline for approving school turnaround plans and for the release of Title I funding.
- Instructional personnel, the bill:
  - Authorizes district school boards to determine personnel evaluation components, but requires at least half of the evaluation be based on student performance.
  - Expands eligibility requirements for the teacher apprenticeship program.
  - Removes an employment provision for a teacher to receive a CAPE bonus.
  - Clarifies options for an advanced degree that may be used for salary adjustments.
  - Specifies that collective bargaining may not preclude a district from providing salary supplements based on statewide or district teacher needs.
  - Creates a three-year instructional multi-year contract.
  - Establishes a 10-year renewable professional certificate.

- Authorizes school districts or regional consortia to issue temporary educator certificates.
- Limits the requirement for demonstration of general knowledge to classroom teachers.
- School district operations, the bill:
  - Exempts school boards from Administrative Procedures Act rulemaking requirements, but maintains requirements for public input and transparency.
  - Allows school boards to shorten the timeline to address student absenteeism.
  - Eliminates an obsolete requirement for districts exceeding class size limits to submit a compliance plan to the Department of Education (DOE) to mitigate a financial penalty.
  - Removes the requirement that certain districts employ an internal auditor, but maintains general financial audit requirements.
  - Clarifies that operator or provider requirements to protect student data do not also require certain provisions in school district contracts.
  - Authorizes district school board instructional materials purchases to follow the full five-year adoption cycle.
- School district facilities, the bill:
  - Removes prescribed 5-year, 10-year, and 20-year school facility work program mandates, but maintains requirements for district long-term facility planning.
  - Permanently eliminates cost-per-student-station limits on school construction projects.
  - Modifies the conditions for districts to employ an architect.
  - Repeals life-cycle cost analysis requirements for school construction projects.
  - Expands the use of funds for the sale of school district airspace.
- School district finance and budgets, the bill:
  - Removes the requirement for graphical representation of a district budget.
  - Expands district school board discretion in allocating Title I funding and clarifies that charter schools can access services or programs funded by Title I.
  - Expands allowable uses of the 1.5 mill discretionary capital levy proceeds to include ancillary and auxiliary facilities and additional vehicles used to transport students.
  - Requires charter schools to directly respond to expenditure questions from the DOE.
  - Expands the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.
  - Authorizes district school boards to determine the need to make up days lost because of a bona fide emergency.
- School choice, the bill:
  - Authorizes district school boards to determine controlled open enrollment capacity and reduces the frequency from every 12 weeks to twice a year.
  - Modifies the timeline for developing an Individualized Education Program for students receiving a Family Empowerment Scholarship for Students with Unique Abilities.
- Early learning, the bill:
  - Shifts oversight of public school Voluntary Prekindergarten (VPK) programs from early learning coalitions to the school district.
  - Authorizes public VPK programs to verify attendance using existing electronic systems.
- DOE and SBE oversight, the bill:
  - Clarifies that the SBE may adopt rules only within statutory authority.
  - Requires the DOE to provide district school boards with annual guidance on statutory and rule-based requirements.

This bill does not have a fiscal impact on state revenue or expenditures. However, the bill reduces regulations and increases flexibility in policymaking which could result in a cost savings for the school districts. See Section V., Fiscal Impact Statement.

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

## II. Present Situation:

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

## III. Effect of Proposed Changes:

### Assessment and Accountability

#### *Present Situation*

##### Third Grade Retention

More than half of all states have a third-grade retention policy that either allows school districts or requires them to retain students based on a student's mastery of literacy.<sup>1</sup> Florida has long been a national leader in investments and policy ideas targeted at improving early grades literacy. Since 2002, Florida has mandated that third grade students who score at an achievement level 1 on a statewide, standardized assessment be retained unless a student meets a good cause exemption.<sup>2</sup> Students can meet a good cause exemption if one of the following criteria is met:

- Limited English proficient students who have had less than two years of instruction in an English for Speakers of Other Languages program.
- Students with disabilities whose Individual Education Plan (IEP) indicates that participation in the statewide assessment program is not appropriate.
- Students who demonstrate an acceptable level of performance on an alternative standardized reading or ELA assessment approved by the State Board of Education.
- A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts (ELA) assessment.
- Students with disabilities who take the statewide, standardized ELA assessment and who have an IEP, or a Section 504 plan that reflects that the student has received intensive instruction in reading or ELA for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.
- Students who have received intensive reading intervention for two or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.<sup>3</sup>

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<sup>1</sup> Sarah Schwartz, *3<sup>rd</sup> Grade Reading Retention: Why the Research is Complicated*, (Aug. 29, 2023), <https://www.edweek.org/teaching-learning/3rd-grade-reading-retention-why-the-research-is-complicated/2023/08> (last visited Mar. 5, 2025).

<sup>2</sup> Ch. 2002-387, Laws of Fla.

<sup>3</sup> Section 1008.25(7), F.S.



In the 2022-2023 school year, 59,806 third grade students scored at an achievement level 1 on the final administration of the coordinated screening and progress monitoring (CSPM) assessment for grade 3 ELA (progress monitoring administration 3, or PM3).<sup>4</sup> Of the 59,806 students who scored at an achievement level 1, 36,769 students were promoted to grade 4 by meeting one of the good cause exemptions.<sup>5</sup> The determination of whether or not to retain the student is made solely on the basis of PM3.<sup>6</sup>

### High School Graduation Requirements

Nearly all states have established minimum credit and course requirements to earn a standard diploma, but graduation requirements may also serve to assess specific skills and content knowledge prioritized by the state, evaluate college and career readiness, or offer multiple pathways to a diploma. At least 34 states and the District of Columbia, require students to complete specific assessments to meet a graduation requirement. Eleven states require students to pass an ELA and/or a mathematics assessment to earn a standard high school diploma.<sup>7</sup>

### Florida's High School Graduation Requirements

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.<sup>8</sup>

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.<sup>9</sup>

Students enrolled in Algebra 1, Geometry, Biology, and U.S. History must participate in the corresponding end-of-course (EOC) assessment, and it must constitute 30 percent of the final

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<sup>4</sup> Florida Department of Education, *2023 Florida Assessment of Student Thinking and B.E.S.T. End-of-Course Assessments, FAST English Language Arts, Grades 3-10*, <https://www.fldoe.org/accountability/assessments/k-12-student-assessment/results/2023.stml> (last visited Mar. 5, 2025).

<sup>5</sup> Florida Department of Education, *Retentions and Non-Promotions, 3<sup>rd</sup> Grade Promotions: Good Cause Exemptions, 2022-23*, <https://www.fldoe.org/core/fileparse.php/7584/urlt/3rdPromotionExemption2223.xlsx>, (last visited Mar. 5, 2025).

<sup>6</sup> Section 1008.25(5), F.S.

<sup>7</sup> Education Commission of the States, *50- State Comparison: High School Graduation Requirements*, <https://www.ecs.org/50-state-comparison-high-school-graduation-requirements-2023/>, (last visited Mar. 5, 2025). Of those 11 states, two allow the use of a portfolio of work in lieu of passing an assessment and two states require students to pass the assessments if they do not choose a graduation pathway.

<sup>8</sup> Section 1003.4282(1), F.S.

<sup>9</sup> Section 1003.4282(3), F.S.

course grade.<sup>10</sup> Additionally, all students must pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score, and must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma.<sup>11</sup> Students may satisfy the assessment requirement using a specified score on the SAT, ACT, Classic Learning Test, or PSAT/NMSQT. The use of concordant and comparative scores has significantly increased over the past six years, from 27.5 percent of graduates in 2018 satisfying assessment requirements using comparative and concordant scores to 42.9 percent in 2024.<sup>12</sup>

### High School Graduation Requirements for Transfer Students and English Language Learners

Students who transfer to a Florida public high school from out of country, out of state, a private school, or a home education program and:

- The student's transcript shows a credit in Algebra I, the student must pass the statewide, standardized Algebra I EOC assessment to earn a standard high school diploma unless the student earned a comparative score or passed another mathematics assessment specified in law.
- The student's transcript shows a credit in high school reading or English Language Arts II or III, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score.<sup>13</sup>

For students who enter a Florida public school in grade 11 or 12 from out of state or out of country, in order to receive a standard high school diploma students must pass the grade 10 ELA assessment, or earn a concordant score and must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score. Students who have been enrolled in an English for Speakers of Other Languages program for less than two school years and have met all requirements for the standard high school diploma except for passage the grade 10 ELA assessment may meet the requirement by satisfactorily demonstrating grade-level expectations on formative assessments.<sup>14</sup>

### Pre-K-12 Assessments

The Department of Education (DOE) is required to operate a statewide assessment program designed to accurately measure the core curricula content of the state educational standards.

<sup>10</sup> Florida Department of Education, *Academic Advisement – What Students and Parents need to Know: Students entering grade 9 in 2023-24 and Thereafter*, <https://www.fldoe.org/core/fileparse.php/7764/urlt/aa flyer-2324thereafter.pdf>, (last visited Mar. 5, 2025). The statewide, standardized end-of-course assessment in civics education constitutes 30 percent of the course grade in middle grades civics education. Section 1003.4156(1), F.S.

<sup>11</sup> Section 1003.4282(3), F.S. A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns a specified score is not required to take the corresponding EOC assessment. Section 1008.22(3)(b)6., F.S.

<sup>12</sup> Florida Department of Education, *Know Your Data Advanced Reports: High School Graduate Pathways*, [https://knowyourdatafl.org/views/PK12-PathwaystoGraduation/GRADUATEPATHWAYS-MAP?showAppBanner=false&:display\\_count=n&:showVizHome=n&:origin=viz\\_share\\_link&:isGuestRedirectFromVizportal=y&:embed=y](https://knowyourdatafl.org/views/PK12-PathwaystoGraduation/GRADUATEPATHWAYS-MAP?showAppBanner=false&:display_count=n&:showVizHome=n&:origin=viz_share_link&:isGuestRedirectFromVizportal=y&:embed=y), (last visited, Feb. 25, 2025). Florida Department of Education Emergency Orders No. 2020-EO-1 and No. 2021-EO-2 exempted students in the 2019-20 and 2020-21 graduation cohorts from the statewide standardized assessment requirements.

<sup>13</sup> Section 1003.4282(6), F.S.

<sup>14</sup> Section 1003.433, F.S.

Participation in the assessment program is mandatory for all school districts and all students attending public schools.<sup>15</sup>

The statewide, standardized CSPM system is used to measure student progress in public schools as well as in the Voluntary Prekindergarten (VPK) program to identify the educational strengths and needs of students. The CSPM system measures student progress in meeting the appropriate expectations in early literacy and mathematics skills and in ELA and mathematics standards.<sup>16</sup>

Florida allows a student with a disability to receive an extraordinary exemption from an assessment if the IEP team determines that the student would be prevented from demonstrating mastery of skills measured by a statewide or alternate assessment. The IEP team may submit to the superintendent a written request for an extraordinary exemption at any time during the school year but not later than 60 days prior to the current year's assessment administration.<sup>17</sup>

By January of each year, the Commissioner of Education must publish on the DOE's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next two school years. The uniform calendar must be provided to school districts in an electronic format that allows each school district and public school to populate the calendar with, at minimum, the following information when reporting the district assessment schedules must include:

- Whether the assessment is a district-required assessment or a state-required assessment.
- The specific date or dates that each assessment will be administered, including administrations of the CSPM system.
- The time allotted to administer each assessment.
- Whether the assessment is a computer-based assessment or a paper-based assessment.
- The grade level or subject area associated with the assessment.
- The date that the assessment results are expected to be available to teachers and parents.
- The type of assessment, the purpose of the assessment, and the use of the assessment results.
- A glossary of assessment terminology.
- Estimates of average time for administering state-required and district-required assessments, by grade level.<sup>18</sup>

School districts are required to establish schedules for the administration of any statewide, standardized assessments and district-required assessments and approve the schedules as an agenda item at a district school board meeting. Each school district is required to publish the testing schedules on its website using the uniform calendar and submit the schedules to the DOE by October 1 of each year; however, the DOE is not required to post the assessment calendars on its website. Each public school must publish schedules for statewide, standardized assessments and district-required assessments on its website using the uniform calendar.<sup>19</sup>

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<sup>15</sup> Section 1008.22(3), F.S.

<sup>16</sup> Section 1008.25, F.S.

<sup>17</sup> Section 1008.212, F.S.

<sup>18</sup> Section 1008.22(7), F.S.

<sup>19</sup> *Id.*

### School Improvement and Turnaround

Florida’s system of improving low-performing schools is referred to as “school improvement” (SI). Under SI, the lowest-performing schools receive more comprehensive, state-provided intervention and support than schools that are closer to meeting student achievement goals.<sup>20</sup> Intervention and support is required for traditional public schools earning a letter grade of “D,” or “F.”<sup>21</sup> Upon receipt of its first grade of “D,” a school is considered a Tier I SI school in need of support and intervention from the school district and the DOE.<sup>22</sup> Intensive intervention and support strategies must be applied through turnaround plans to schools earning two consecutive grades of “D” or a grade of “F.”<sup>23</sup>

The DOE requires that a school that has been identified as an SI school must meet the following educator staff requirements:

- Provide a literacy coach who has a record of effectiveness as an English Language Arts teacher or coach with a value-added model (VAM) rating of Highly Effective or Effective.
- Provide a mathematics coach who has a record of effectiveness as a mathematics teacher or coach with a VAM rating of Highly Effective or Effective.
- Staff the SI school so that the percentage of instructional personnel with a VAM rating that is below effective is less than the district average if the district has more than five total schools and less than the state average, if the district has five or fewer schools.<sup>24</sup>

Through section 1003 of Title I, the United States Department of Education administers three grants specifically targeted to improving student performance at schools in need of improvement:

- Unified School Improvement Grant (UniSIG) grant – In the 2023-24 school year, Florida’s state allocation was \$72,623,399. The UniSIG grant is allocated to school districts to serve traditional and charter Title I public schools implementing comprehensive support and improvement activities to support the schools SI plan and provide resources to raise student achievement in the lowest-performing schools.
- UniSIG Supplemental Teacher and Administrator Allocation (STAA) - In the 2023-24 school year, Florida’s state allocation was \$30,000,000. The UniSIG STAA grant allocates funding for districts to recruit teachers, to schools in need of improvement, who have a rating of highly effective or effective according to VAM. Educators who teach grades K-3, ESE and ESOL certified teachers, and science teachers are often not eligible for the STAA award because they do not earn a VAM score.
- UniSIG Closing Achievement Gaps Between Subgroups and All Students (CAGSS) In the 2023-24 school year, Florida’s allocation was \$98,193,480. The UniSIG CAGSS support

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<sup>20</sup> Section 1008.33, F.S.; *see* rule 6A-1.099811, F.A.C. School Improvement requirements were originally established under the 2002 reauthorization of ESEA, otherwise known as the No Child Left Behind (NCLB) Act of 2001. Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

<sup>21</sup> Section 1008.33(3), F.S.

<sup>22</sup> Rule 6A-1.099811(3)(a), F.A.C.

<sup>23</sup> Section 1008.33(4), F.S.

<sup>24</sup> Rule 6A-1.099811, F.A.C. VAM is a statistical model used for the purpose of determining an individual teacher’s contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

Local Educational Agencies that are serving low-performing subgroups of students in schools implementing targeted and comprehensive support and improvement activities.<sup>25</sup>

### *Effect of Proposed Changes*

#### Third Grade Retention

The bill modifies s. 1008.25, F.S., to allow a score of level two or higher in English Language Arts for grade 3 on any administration of the CSPM system to be used for promotion of the student to grade 4. This would include the beginning, middle, and end-of-the year administrations (PM1, PM2, and PM3).

#### Florida's High School Graduation Requirements

The bill modifies ss. 1003.4282 and 1003.433 F.S., to provide that, effective upon becoming law, students are not required to pass the statewide, standardized grade 10 ELA assessment and pass the statewide, standardized Algebra I EOC assessment to earn a standard high school diploma. The bill provides that, effective upon becoming law, a student's performance on the statewide, standardized grade 10 ELA assessment constitutes 30 percent of the student's final course grade. The bill does not remove the requirement for students to take all statewide, standardize assessments or to meet the course requirements for the 24-credit diploma option.

#### Pre-K-12 Assessments

The bill amends s. 1008.22, F.S., to remove the requirement for school districts and schools to submit their uniform assessment calendar to the DOE. Instead, by November 1, each school district must post an assessment calendar on its website and include it in the district's parent guide. The calendar must indicate whether each assessment is state- or district-required and specify the grade bands or subject areas to which it applies. However, the bill maintains the prohibition against school districts exceeding five percent of a student's total school hours for administering:

- Statewide standardized assessments
- The coordinated screening and progress monitoring system
- District-required local assessments

The bill modifies s. 1008.212, F.S., regarding extraordinary exemptions for assessments to provide that a written request for an extraordinary exemption is subject to district-established deadlines, rather than the previous deadline of 60 days before the assessment. The bill also specifies that the first two administrations of the CSPM system or associated alternative assessments are exempt from extraordinary exemption requirements.

#### School Improvement and Turnaround

The bill modifies s. 1008.33, F.S., to require the DOE to adopt, in rule, a timeline for approving a district's turnaround plan and a timeline for the release of the UniSIG funding, which should not exceed 20 calendar days after the school improvement plan has been approved by the DOE. The

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<sup>25</sup> Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023) (on file with Senate Committee on Education Pre-K-12).

bill also prohibits the use of VAM<sup>26</sup> as the sole determinant in recruiting instructional personnel to provide school districts with greater flexibility in staffing schools identified as in need of improvement.

The provisions about high school graduation for in-state and transfer students are effective upon becoming a law.

## **Instructional Personnel**

### ***Present Situation***

#### Personnel Evaluations

Under No Child Left Behind, states were required to develop and implement educator and school leader evaluation systems. The Every Student Succeeds Act (ESSA) removed the requirement, and instead allowed states and districts to develop and implement evaluation systems.<sup>27</sup>

The Department of Education (DOE) is required to approve and monitor each school district's instructional personnel and school administrator evaluation systems. Evaluation systems for instructional personnel and school administrators must:

- Be designed to support effective instruction and student learning growth, and evaluation results must be used when developing district and school-level improvement plans.
- Provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of the professional skills of instructional personnel and school administrators, and performance evaluation results must be used when identifying professional development.
- Include a mechanism to examine performance data from multiple sources, including opportunities for parents to provide input performance evaluations when appropriate.
- Identify those teaching fields for which special evaluation procedures and criteria are necessary.
- Differentiate among four levels of performance as follows:
  - Highly effective.
  - Effective.
  - Needs improvement or, for instructional personnel in the first three years of employment who need improvement, developing.
  - Unsatisfactory.
- Provide for training and monitoring programs based upon guidelines provided by the department to ensure that all individuals with evaluation responsibilities understand the proper use of the evaluation criteria and procedures.<sup>28</sup>

Additionally, evaluation criteria must include:

- Performance of students. —At least one-third of a performance evaluation must be based upon data and indicators of student performance, as determined by each school district. This

<sup>26</sup> VAM is a statistical model used for the purpose of determining an individual teacher's contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

<sup>27</sup> Education Commission on States, *ESSA: Quick Guides on top issues* (2016), <https://www.ecs.org/wp-content/uploads/ESSA-Quick-guides-on-top-issues.pdf>.

<sup>28</sup> Section 1012.34(2), F.S.

portion of the evaluation must include growth or achievement data of the teacher's students or, for a school administrator, the students attending the school.

- Instructional practice. —For instructional personnel, at least one-third of the performance evaluation must be based upon instructional practice. based upon each of the Florida Educator Accomplished Practices (FEAP). For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the FEAP and may include specific job expectations related to student support.
- Instructional leadership. —For school administrators, at least one-third of the performance evaluation must be based on instructional leadership. Evaluation criteria for instructional leadership must include indicators based upon each of the leadership standards adopted by the SBE.
- Other indicators of performance. —For instructional personnel and school administrators, the remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the State Board of Education (SBE) or identified by the district school board and, for instructional personnel, peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.<sup>29</sup>

Beginning in 2011, school districts were required to use the state's learning growth model (Value-Added Model or VAM) for statewide assessment-related courses in educator evaluations; school districts could also request to use alternatives to the state growth model in educator evaluations.<sup>30</sup> In Florida, VAM is used to measure the contribution of a teacher or school to student learning growth. VAM measures the difference in each student's actual performance on a statewide assessment from that student's expected performance, which accounts for specific student and classroom factors that impact the learning process. VAM scores are produced for the teachers of the following grades and subjects:

- English Language Arts (4th–10th);
- Mathematics (4th–8th); and
- Algebra 1 (8th and 9th grades only).<sup>31</sup>

In 2017, the requirement that school districts had to use VAM as the component for student performance was removed and school districts were allowed to develop their own measure of student performance.<sup>32</sup> Although VAM is not required to be used in school district evaluation systems, the DOE requires that only educators with a highly-effective or effective VAM score are eligible for the UniSIG Supplemental Teacher and Administrator Allocation.<sup>33</sup> The VAM requirement for eligibility, generally excludes educators who teach in grades K-3, ESE and ESOL certified teachers, and science teachers.

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<sup>29</sup> Section 1012.34(3), F.S.

<sup>30</sup> Ch. 2011-011, Laws of Fla.

<sup>31</sup> Florida Department of Education, *Florida's Value-Added Models (VAM) Frequently Asked Questions (2024)*, available at .

<sup>32</sup> Ch.2017-116, Laws of Fla.

<sup>33</sup> Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023) (on file with Senate Committee on Pre-K-12). The UniSIG STAA grant allocates funding for districts to recruit teachers, to low-performing schools who have a rating of highly effective or effective according to VAM. Educators with a highly-effective VAM rating can receive up to \$15,000 and educators with an effective VAM rating can receive up to \$7,000.

### Teacher Bonus Awards for CAPE Industry Certifications

The Florida Education Finance Program (FEFP) provides additional full-time equivalent (FTE) student membership funding for students who successfully complete career-themed courses, courses embedded with CAPE industry certifications, or CAPE Digital Tool certificates, and who earn industry certifications included on the CAPE Industry Certification Funding List. The additional FTE calculation follows a structured framework:

- CAPE Digital Tool certificates earned by elementary and middle school students generate 0.025 FTE per student.
- Industry certifications embedded in career courses receive 0.1 FTE per student, or 0.2 FTE per student if the certification has a statewide articulation agreement for college credit.
- Students completing at least three courses and earning an industry certification within a single career and technical education program generate 0.3 FTE per student.
- CAPE Acceleration Industry Certifications that articulate for 15-29 college credit hours generate 0.5 FTE per student, while certifications that articulate for 30 or more college credit hours receive 1.0 FTE per student.<sup>34</sup>

There is also bonus funding for teachers who provide the instruction for students who earn one of these digital tools or industry certifications. The school district is required to distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional FTE membership:

- A bonus of \$25 per student for certifications weighted at 0.1.
- A bonus of \$50 per student for certifications weighted at 0.2.
- A bonus of \$75 per student for certifications weighted at 0.3.
- A bonus of \$100 per student for certifications weighted at 0.5 or 1.0.<sup>35</sup>

Bonuses must be awarded to teachers employed by the district in the year the additional FTE membership is calculated. Bonuses are based on the CAPE industry certification weight for the year the student earns the certification.<sup>36</sup> Similar teacher bonuses for student success in Advanced Placement, Advanced International Certificate of Education, and International Baccalaureate exams do not require employment with the funds are distributed.<sup>37</sup>

In the 2022-2023 school year, 133,465 students who were enrolled in a registered CAPE Academy<sup>38</sup> or in a career-themed course<sup>39</sup> earned at least one industry certification.<sup>40</sup>

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<sup>34</sup> Section 1011.62(1), F.S.

<sup>35</sup> Id.

<sup>36</sup> Id. (Flush left)

<sup>37</sup> See s. 1011.62(1)(l)-(n), F.S.

<sup>38</sup> Section 1003.493(1)(a), F.S. A “career and professional academy” is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Commerce.

<sup>39</sup> Section 1003.493(1)(b), F.S. A “career-themed course” is a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

<sup>40</sup> Florida Department of Education, *State Secondary: Career, Technical, and Adult Education 2022-2023 Summary*, available at <https://www.fldoe.org/file/9904/2223DataSecondary.pdf>, at 5 (last visited Mar. 5, 2025).



### Salary Schedules and Collective Bargaining

District school boards are required to designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees. Additionally, school districts are required to develop a compensation and salary schedule that includes:

- Grandfathered salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. A district school board is required to base a portion of each employee's compensation upon performance demonstrated under the districts evaluation system and must provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.
- Performance salary schedules to be used as the basis for paying all school employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule. Performance salary schedules are required to provide annual salary adjustments for instructional personnel and school administrators based upon the personnel evaluation.<sup>41</sup>

School districts are prohibited from using advanced degrees in setting a salary schedule for instructional personnel or school administrators hired on or after July 1, 2011, unless the advanced degree is held in the individual's area of certification and is only a salary supplement.<sup>42</sup>

School districts engage in collective bargaining with employee unions, but certain responsibilities cannot be negotiated away. Collective bargaining agreements cannot prevent a school district from exercising its authority regarding:

- Providing incentives to effective and highly effective teachers.
- Implementing intervention and support strategies to address low student performance and improve academic outcomes and attendance.
- Implementing student discipline policies, including reviewing a student's abilities, past performance, behavior, and needs.
- Implementing school safety plans and requirements.
- Implementing staff and student recognition programs.
- Distributing correspondence to parents, teachers, and the community related to daily school and district operations.
- Providing any required notices or copies of information related to district school board or district operations, which is readily available on the school district's website.
- The school district's calendar.<sup>43</sup>

### Educator Contracts

Each person employed as a member of the instructional staff in any district school system is entitled to and must receive a written contract.<sup>44</sup> Three types of contracts are used to employ

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<sup>41</sup> Section 1012.22(1), F.S.

<sup>42</sup> Section 1012.22(1)(c), F.S.

<sup>43</sup> Section 1012.22(3), F.S.

<sup>44</sup> Section 1012.33(1), F.S.

instructional personnel in Florida—continuing contracts, professional service contracts, and annual contracts.

An annual contract is an employment contract for a period of no longer than one school year that a district school board may choose to award or not award without cause. As of July 1, 2011, instructional personnel may only be employed on an annual contract basis. For newly hired instructional personnel, beginning July 1, 2011, school districts are required to award a probationary contract and after successful completion of the probationary contract, the district school board may award an annual contract. An annual contract may be awarded only if the employee:

- Holds an active professional certificate or temporary certificate.
- Has been recommended by the district school superintendent for the annual contract based upon the individual's evaluation and approved by the district school board.
- Has not received two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, or three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.<sup>45</sup>

Instructional personnel hired on or after July 1, 1984, and up to July 1, 2011, were awarded professional service contracts after three years of probationary service on annual contracts. Professional service contracts were automatically renewed each year, unless the employee was charged with unsatisfactory performance based upon his or her annual performance evaluation or the employee's performance evaluations indicate chronically ineffective performance.<sup>46</sup>

Instructional personnel hired before July 1, 1984, entered into continuing contracts upon meeting eligibility requirements. After completing three years of probationary service on annual contracts. A continuing contract entitled the employee to continued employment without the necessity of annual renewal until discontinuation of the position, resignation, dismissal, or removal from continuing contract status.<sup>47</sup>

#### Nondegreed Teachers of Career Education

Each district school board is required to establish the minimal qualifications for part-time and full-time nondegreed teachers of career programs. The qualifications for such teachers must require the filing of a complete set of fingerprints for background screening and documentation of:

- A high school diploma or the equivalent.
- Completion of three years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.

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<sup>45</sup> Section 1012.335, F.S.

<sup>46</sup> Section 1012.33(3), F.S.

<sup>47</sup> Section 231.36(3)(e), F.S. (1981). A continuing contract employee may be dismissed or returned to annual contract status for a period of three years based upon the recommendation of the district school superintendent, school principal, or a majority of the school board. Section 1012.33(4)(b), F.S.; see also s. 231.36(4), F.S. (1981).

- For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students.
- Completion of an industry certification when state or national industry certifications are available and applicable.<sup>48</sup>

### Teacher Apprenticeship Program

In 2023, the legislature created the Teacher Apprenticeship Program (TAP).<sup>49</sup> The TAP was created as an alternative pathway for an individual to enter the teaching profession. The DOE is required to administer the program in accordance with legislative intent regarding apprenticeship training<sup>50</sup> provided for in law.

To meet the minimum eligibility requirements to participate in the TAP, a candidate must have:

- Received an associate degree from an accredited postsecondary institution.
- Earned a cumulative grade point average (GPA) of 2.5 in that degree program.
- Successfully passed a background screening pursuant to law.
- Received a temporary apprenticeship certificate.<sup>51</sup>

As a condition of participating in the TAP, an apprentice teacher must be appointed by the district school board as an education paraprofessional and must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law<sup>52</sup> and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.<sup>53</sup>

### 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.<sup>54</sup> For a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.<sup>55</sup>

The SBE designates the certification subject areas, establishes competencies, and adopts rules by which educator certificates are issued by the DOE to qualified applicants.<sup>56</sup>

To seek educator certification, a person must attest to uphold the principles of the United States and meet other general eligibility requirements, which include receipt of a bachelor's or higher

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<sup>48</sup> Section 1012.39(1), F.S.

<sup>49</sup> Ch. 2023-38, s. 6, Laws of Fla.

<sup>50</sup> Section 446.011, F.S. provides that it is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their abilities; to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills.

<sup>51</sup> Section 1012.555(2), F.S.

<sup>52</sup> “Team teaching” or “co-teaching” means two or more teachers are assigned to a group of students and each teacher is responsible for all the students during the entire class period. Section 1003.03(5) (c), F.S.

<sup>53</sup> Section 1012.555(2), F.S.

<sup>54</sup> Section 1012.54, F.S.

<sup>55</sup> Sections 1012.55(1) and 1002.33(12), F.S.

<sup>56</sup> Section 1012.55(1), F.S.

degree from an approved postsecondary institution and minimum age, background screening, moral character, and competence requirements.<sup>57</sup>

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.<sup>58</sup>

Acceptable means of demonstrating mastery of general knowledge include:

- Achievement of passing scores on the general knowledge (GK) 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 SBE;
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System 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 GK exam, including but not limited to Graduate Record Examination; or
- 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.<sup>59</sup>

A school district that employs an individual who does not achieve passing scores on any subtest of the GK 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.<sup>60</sup>

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, or a passing score or program completion of a specified defense language proficiency test or program.<sup>61</sup>

A candidate for a professional certificate may demonstrate professional preparation and education competence through the completion of a teacher preparation program and a passing

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<sup>57</sup> Section 1012.56(2), F.S., and Rule 6A-4.003, F.A.C.

<sup>58</sup> Section 1012.56, F.S.

<sup>59</sup> Section 1012.56(3), F.S.

<sup>60</sup> *Id.* (flush left)

<sup>61</sup> Section 1012.56(5), F.S. and Rule 6A-4002(4), F.A.C.

score on the corresponding professional education competency exam required by the SBE.<sup>62</sup> Other means include a valid certification from another state, postsecondary teaching experience, or completion of a professional learning certification program.<sup>63</sup>

For the renewal of a professional certificate, applicants must earn a minimum of six college credits or 120 inservice points or a combination thereof, which must include at least one college credit or 20 inservice points in teaching students with disabilities. All renewal credits must be earned during the validity period and prior to the expiration date of the current professional certificate.<sup>64</sup> In lieu of college credit or inservice points, applicants may renew a subject area specialization by passing a state board approved Florida-developed subject area examination.<sup>65</sup>

For renewal of a professional certificate in any area of certification identified by SBE rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of two college credits or 40 inservice points in evidence-based instruction and interventions grounded in the science of reading.<sup>66</sup>

A temporary teaching certificate is valid for five school fiscal years and is nonrenewable. The DOE is required to issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer and is required to electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant with an official statement of status of eligibility at the time the certificate is issued.<sup>67</sup>

The DOE must issue a temporary certificate to any applicant who:

- Completes applicable subject area content requirements or demonstrates mastery of subject area knowledge by, for example, successful completion of an approved exam; and
- Holds an accredited degree or a degree approved by the DOE at the level required for the subject area specialization in SBE rule.<sup>68</sup>

A person issued a temporary certificate must be assigned a teacher mentor for a minimum of two school years after commencing employment. Each teacher mentor selected must:

- Hold a valid professional certificate;
- Have earned at least three years of teaching experience in prekindergarten through grade 12; and

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<sup>62</sup> Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida*, incorporated by reference in rule 6A-4.0021, F.A.C.

<sup>63</sup> Section 1012.56(6), F.S.

<sup>64</sup> Section 1012.585(3), F.S. and Florida Department of Education, *Florida Educator Certification Renewal Requirements*, <https://www.fldoe.org/teaching/certification/renewal-requirements/> (last visited Mar. 5, 2025).

<sup>65</sup> Section 1012.585(3), F.S.

<sup>66</sup> *Id.* The evidence-based instruction and interventions grounded in the science of reading must be specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies.

<sup>67</sup> Section 1012.56, F.S.

<sup>68</sup> Section 1012.56(7), F.S. As specified in law, alternative pathways for a temporary certificate are available for military service members and participants in the Teacher Apprenticeship Program.

- Have earned an effective or highly effective rating on the prior year's performance evaluation.<sup>69</sup>

A classroom teacher under a temporary certificate has the validity period of the certificate to complete the remaining requirements of general knowledge and professional preparation and education competence in preparation for application for a professional certificate.<sup>70</sup>

### *Effect of Proposed Changes*

#### Personnel Evaluations

The bill modifies s. 1012.34, F.S., to remove the requirement that a school district receive approval from the DOE on its personnel evaluation systems; however, school districts must still submit the personnel evaluation systems to the DOE. The bill makes changes to the required components in a school district's evaluation system by:

- Providing school districts flexibility on how to evaluate the instructional practice components for educators and instructional leadership components.
- Requiring that at least half of a performance evaluation be based upon data and indicators of student performance.

The bill also prohibits the use of VAM as the sole determinant for any incentive pay for instructional personnel or school administrators.

#### Teacher Bonus Awards for CAPE Industry Certifications

The bill modifies s. 1011.62, F.S., to remove the requirement that a teacher must be employed by the district at the time the additional FTE membership calculation is made to receive a CAPE industry certification bonus.

#### Salary Schedules and Collective Bargaining

The bill modifies s. 1012.22, F.S., to clarify that an advanced degree used for salary adjustments does not have to be solely in the individual's area of certification, instead, it allows for flexibility by permitting either a doctorate or master's degree in the certification area or any doctorate or master's degree that includes at least 18 graduate semester hours in the certification area.

The bill also specifies that collective bargaining may not preclude a district from providing salary supplements based on identified critical statewide or district needs.

#### Educator Contracts

The bill modifies s. 1012.335, F.S., to allow instructional personnel hired on or after July 1, 2011, to be offered, beginning July 1, 2026, an instructional multiyear contract. An instructional multi-year contract is an employment contract for a period not to exceed three years which the district school board may choose to award upon completion of a probationary contract and at

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<sup>69</sup> Section 1012.56(7), F.S.

<sup>70</sup> Florida Department of Education, *Upgrading from the Temporary to the Professional Certificate*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/moving-from-the-temporary-to-the-profe.stml> (last visited Feb. 25, 2025).

least one annual contract. The instructional multi-year contract may only be awarded to an employee if he or she:

- Holds an active professional certificate or temporary certificate;
- Has been recommended by the district school superintendent for the instructional multi-year contract based upon the individual's evaluation under and approved by the district school board; and
- Has not received an annual performance evaluation rating of unsatisfactory or needs improvement.

The bill requires that an employee awarded an instructional multi-year contract who receives an annual performance evaluation rating of unsatisfactory or needs improvement must be returned to an annual contract in the following school year. Such evaluation rating must be included with the evaluation ratings under subsequent annual contracts for determinations of just cause.<sup>71</sup>

#### Nondegreed Teachers of Career Education

The bill modifies s. 1012.39, F.S., to provide flexibility from certification requirements for school boards in hiring non-degree CTE teachers by removing the 3-year experience and specified training requirements in favor of a minimum level established by the district school board.

#### Teacher Apprenticeship Program

The bill modifies s. 1012.555, F.S., to expand eligibility for the teacher apprenticeship program by allowing candidates who are enrolled in a postsecondary institution to be eligible for the apprenticeship program, instead of requiring the candidate to have earned an associate degree prior to being eligible. The bill also expands eligibility for the teacher apprenticeship program by authorizing individuals who are working in the district as a paraprofessional but not necessarily employed through the district, to enroll in the teacher apprenticeship program. This would allow paraprofessionals who are contracted by the district through a staffing agency to qualify as a teacher candidate.

#### Educator Certification

The bill modifies s. 1012.56, F.S., to specify that the requirement to demonstrate mastery of general knowledge applies only to individuals serving as classroom teachers thereby removing from the requirement instructional personnel such as librarians/media specialists, school counselors, and social workers.

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<sup>71</sup> Section 1012.33, F.S. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: immorality, misconduct in office, incompetency, two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory, gross insubordination, willful neglect of duty, or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

The bill authorizes school districts or regional education consortia<sup>72</sup> to issue temporary certificates and requires the DOE to adopt reporting requirements regarding the award of such certificates.

The bill also adds a requirement for applicants of a temporary apprenticeship certificate to complete the subject area content requirements or demonstrate mastery of subject area knowledge.

The bill modifies the renewal of educator certification requirements in s. 1012.585, F.S., by:

- Establishing an additional professional certificate with a 10-year validity period. Applicants for the 10-year professional certificate must have been awarded at least one 5-year professional certificate and must have been rated highly effective in the first four years of the 5-year validity period of his or her professional certificate.
- Specifying that applicants rated effective or highly effective for the first nine years of the 10-year validity period of his or her professional certificate are eligible to renew the 10-year professional certificate and must earn a minimum of nine college credits or 180 inservice points or a combination thereof to renew the 10-year professional certificate. The applicant must earn a minimum of five college credits or 100 inservice points or a combination thereof within the first five years of the 10-year professional certificate. An applicant who does not meet the initial or renewal requirements for a 10-year professional certificate may be awarded a 5-year professional certificate.
- Authorizing district school boards to reduce the renewal requirements for applicants on their initial 5-year professional certificate by one credit or 20 inservice hours if the applicant has been rated highly effective in at least three years of the 5-year validity period of his or her initial professional certificate.

## **School District Operations**

### ***Present Situation***

#### District School Board Policymaking

District school boards derive their primary policymaking authority from the Florida Constitution, which grants them the power to operate, control, and supervise all free public schools within the district and to determine the local school tax rate.<sup>73</sup> The Administrative Procedures Act (APA) applies to district school boards only when they act pursuant to statutory authority rather than their constitutional authority.<sup>74</sup> Policies adopted under constitutional authority are subject to judicial review, typically in the local circuit court.<sup>75</sup>

The Legislature also identifies the general powers of district school boards. These include, for example, the authority to:

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<sup>72</sup> A regional education consortium is a non-profit, educational service agency established to provide cooperative services to small and rural member districts. The regional education consortia in Florida are the North East Florida Educational Consortium, Heartland Educational Consortium, and the Panhandle Area Educational Consortium.

<sup>73</sup> FLA. CONST. art. IX, s. 4(b).

<sup>74</sup> See s. 120.52(1)(a) and (6), F.S. See also *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

<sup>75</sup> See *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).



- Determine policies and programs necessary for the efficient operation and general improvement of the district school system, provided they align with state law and rule.
- Adopt rules under the APA to implement their statutory duties and supplement those established by the SBE and commissioner.
- Establish standards and policies that ensure every student has access to a comprehensive education program, including language arts, mathematics, science, social studies, health, physical education, foreign languages, and the arts, as outlined by state academic standards.<sup>76</sup>

When promulgating rules under the APA, district school boards are required to notify the public:

- By publication in a newspaper in the affected area or on a publicly accessible website;
- By mail to all persons who have made requests for advance notice of its proceedings and to organizations representing persons affected by the proposed rule; and
- By posting in appropriate places so that those particular classes of persons to whom the intended action is directed may be duly notified.<sup>77</sup>

Unlike state agencies, which must adhere to the APA, local government entities—including counties, municipalities, and special districts—are not subject to APA rulemaking procedures. Instead, they must comply with Florida’s open government laws, including:

- Florida’s Sunshine Law, which requires all meetings of local government boards to be open to the public, with reasonable notice provided.<sup>78</sup>
- Requirements for notices of public meetings to include information on how affected persons may appeal decisions made at the meeting.<sup>79</sup>
- Requirements for public participation, which guarantee the public a reasonable opportunity to be heard before local governing bodies make decisions.<sup>80</sup>

Charter schools are not required to follow rulemaking procedures prescribed by the APA.<sup>81</sup>

#### Instructional Materials Purchase and Reporting

Each district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students. Adequate instructional materials is defined as a sufficient number of student or site licenses or set of materials that are available in bound, unbound, kit or package form and may consist of textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media and computer courseware or software that serve as the basis for instruction for each student in the core subject areas. The core subject areas are mathematics, language arts, social studies, science, reading and literature.<sup>82</sup> Each district school board is required to purchase current instructional materials to provide for each student in grades K-12 with a major tool of instruction for core courses. Purchases are required to be made

<sup>76</sup> Section 1001.41, F.S.

<sup>77</sup> Section 120.81(1), F.S.

<sup>78</sup> Section 286.011, F.S.

<sup>79</sup> Section 286.0105, F.S.

<sup>80</sup> Section 286.0114, F.S.

<sup>81</sup> Section 1002.33(16), F.S.

<sup>82</sup> Section 1006.28, F.S.

within the first three years after the effective date of the adoption cycle for materials adopted by the state.<sup>83</sup>

Each district school board or a consortium of school districts may implement an instructional materials program that includes the review, recommendation, adoption, and purchase of instruction materials.<sup>84</sup> Procedures for the adoption of instructional materials by school districts or a consortium of school districts are specified in law.<sup>85</sup>

#### Student Online Personal Information Protection Act

K-12 schools and district school boards rely on hundreds of technology service providers each school year for various operational and educational needs. These providers offer services such as data storage, educational games, learning management systems, attendance tracking, and other essential functions.<sup>86</sup> The privacy protections that each company must implement can vary based on the type and sensitivity of student data they hold and how it is collected, used, or shared. Contracting individually with each service provider to ensure this protection is often extremely difficult for both district school boards and companies.<sup>87</sup>

The Student Online Personal Information Protection Act (SOPIPA) establishes clear restrictions on operators of websites, online services, or applications used for K-12 school purposes. Specifically, SOPIPA prohibits operators from collecting, disclosing, or selling student data, or from using it for targeted advertising. Violations of SOPIPA constitute deceptive and unfair trade practices under the Florida Deceptive and Unfair Trade Practices Act, with enforcement authority vested solely in the Department of Legal Affairs.<sup>88</sup>

While SOPIPA directly regulates operators' handling of student data, an existing SBE rule imposes additional obligations on district school boards and charter schools. This rule requires that all contracts or agreements with third-party vendors or service providers contain additional provisions safeguarding the privacy of education records and personally identifiable student information.<sup>89</sup>

#### Internal Auditor

All district school boards are required to conduct an annual financial audit of their accounts and records by an independent certified public accountant.<sup>90</sup> In addition, school districts receiving annual federal, state, and local funds in excess of \$500 million are required to employ an internal financial auditor.<sup>91</sup>

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<sup>83</sup> Section 1006.40(3), F.S.

<sup>84</sup> Section 1006.283(1), F.S.

<sup>85</sup> Section 1006.28(2), F.S.

<sup>86</sup> Student Privacy Compass, *The First National Model Student Data Privacy Agreement Launches*, <https://studentprivacycompass.org/the-first-national-model-student-data-privacy-agreement-launches/> (last visited Mar. 5, 2025).

<sup>87</sup> *Id.*

<sup>88</sup> Section 1006.1494, F.S.

<sup>89</sup> Rule 6A-1.09550(4), F.A.C.

<sup>90</sup> Section 218.39, F.S.

<sup>91</sup> Section 1001.42(12), F.S.

### School Financial Report

Parents of public school students have the right to an easy-to-read report card about the school's grade designation or, if applicable, the school's improvement rating, and the school's accountability report, including the school financial report. The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, which must also be included in the student handbook or a similar publication.<sup>92</sup>

### Maximum Class Size

Each year, on or before the October student membership survey, the following class size maximum number of students assigned to each teacher who is teaching a core-curricula course<sup>93</sup> in a public school classroom may not exceed:

- 18 students in prekindergarten through grade 3;
- 22 students in grades 4 through 8; and
- 25 students in grades 9 through 12.<sup>94</sup>

These class size maximums must be maintained after the October student membership survey. District school boards have the flexibility to determine whether it is warranted to assign a student enrolled after the October student membership survey to a class that will exceed the maximum size. If determined by the district school board to exceed the class size maximums after the October membership survey, the district school board is required to develop a plan to ensure that the school will be in full compliance with the maximum class size limits by the next October student membership survey. This plan is not required to be submitted to the DOE.<sup>95</sup>

The DOE must calculate compliance with class size maximums for traditional schools, charter schools, and district-operated schools of choice using data from the October student membership survey.<sup>96</sup> A memorandum is sent from the DOE to notify school districts and charter schools of their class size compliance and the details of the process and timeline for appeals and submission of compliance plans.<sup>97</sup> In 2023, the Legislature repealed the class size reduction penalty calculation for schools exceeding the class size limits.<sup>98</sup> The certified compliance plan school districts and charter schools found out of compliance are required to submit to the DOE are used to reduce their class size reduction penalty.<sup>99</sup>

### Enforcement of School Attendance

Florida school districts are required to take an active role in promoting and enforcing attendance as a means of improving student performance. Each district school superintendent is responsible

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<sup>92</sup> Section 1002.20(16), F.S.

<sup>93</sup> Section 1003.01(5), F.S.

<sup>94</sup> Section 1003.03(1), F.S.

<sup>95</sup> Section 1003.03, F.S.

<sup>96</sup> Section 1003.03(2), F.S.

<sup>97</sup> Florida Department of Education, *Class Size Reduction Memorandums*, <https://www.fldoe.org/finance/budget/class-size/class-size-reduction-memorums.shtml> (last visited Mar. 5, 2025).

<sup>98</sup> Ch. 2023-104, s. 1, Laws of Fla.

<sup>99</sup> Florida Department of Education, *Memorandum, Reallocation and Restoration Calculations for 2022-2023 Class Size Operation Categorical Program (June 26, 2023)*, available at <https://www.fldoe.org/core/fileparse.php/7603/urlt/2022-23-Class-Size-Operating-Categorical-Reallocation-and-Restoration-Calculations.pdf> (last visited Mar. 5, 2025).

for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. Superintendents are tasked with recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, for students enrolled. The policies are required to ensure that public schools track excused and unexcused absences and contact parents in the case of any unexcused absences or if the reason for the absence is unknown, to prevent the development of patterns of nonattendance.<sup>100</sup>

Each public school is required to take steps to promote and enforce regular school attendance. These steps include:

- Determining the reason for each unexcused absence or absence where the reason is unknown.
- Reporting by the student's primary teacher to the school principal or designee if a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period.
- Referring, when there is a pattern of nonattendance, the case to the school's child study team to determine if early patterns of truancy are developing.
- Meeting with parents to identify remedies.
- Implementing additional steps if the problem is not resolved including seeking criminal prosecution for non-compliance.<sup>101</sup>

### *Effect of Proposed Changes*

#### District School Board Policymaking

The bill amends s. 120.81, F.S., to remove district school boards from the APA rulemaking requirements, aligning their rulemaking procedures with those of other similarly situated local government entities. The bill clarifies that district school boards must adopt rules with public input at a public meeting, rather than through APA rulemaking procedures.

By removing APA rulemaking requirements, the bill creates consistency in how district school boards and other local governments adopt rules. Public notice and participation requirements will remain governed by Florida's Sunshine Law and related provisions, ensuring continued public access to school board policymaking processes. Legal challenges to school board rules would likely be brought in circuit court, similar to municipal or county rule challenges.

#### Instructional Materials Purchase and Reporting

The bill amends s. 1006.40, F.S., to authorize the district school board to purchase instructional materials for up to five years, rather than three, within the completion of the standard 5- year adoption cycle of those materials.

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<sup>100</sup> Section 1003.26, F.S.

<sup>101</sup> *Id.*

### Student Online Personal Information Protection Act

The bill amends s. 1006.1494, F.S., to clarify that nothing in the Student Online Personal Information Protection Act requires a K-12 school, school district, or district school board to include any additional provisions in contracts with operators or vendors.

### Internal Auditor

The bill amends s. 1001.42, F.S., to remove the requirement that school districts receiving annual federal, state, and local funds in excess of \$500 million employ an internal financial auditor. The bill maintains the requirement for all school districts to have an annual financial audit conducted by an independent certified public accountant.

### School Financial Report

The bill amends s. 1002.20, F.S., to remove the requirement that the school financial report be included in the student handbook or similar publication. The bill requires the DOE to produce the easy-to-read report card about the school's grade designation or improvement rating, the school's accountability report, and the school financial report and make the reports for each school available on the DOE's website in a prominent location. The bill requires each district school board to provide a link to these reports for parent access.

### Maximum Class Size

The bill amends s. 1003.03, F.S., by removing the requirement that school districts exceeding the maximum class size limits submit a certified compliance plan to the DOE. The compliance plan is no longer needed as there is no longer a financial penalty for failure to comply with class size maximum limits. The bill maintains the requirement for school districts over the class size limits after the October student membership survey to develop a plan to be in full compliance with the class size limits by the following October student membership survey.

### Enforcement of School Attendance

The bill amends s. 1003.26(1), F.S., to allow district school boards to adopt a period that is shorter than the current 90-calendar-day period to take action when there are 10 unexcused absences or absences that the reasons are unknown. The change may allow for or encourage earlier intervention for students who may be developing a pattern of truancy.

## **District School Board Facilities**

### *Present Situation*

#### District School Board Educational Facilities Plans

Annually, prior to the adoption of the district school budget, each district school board is required to prepare a tentative district educational facilities plan that includes long-range planning for facilities needs over 5-year, 10-year, and 20-year periods. Florida law enumerates specific requirements that the district school board must evaluate at over the course of the plan, including for 5-year, 10-year, and 20-year periods.<sup>102</sup>

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<sup>102</sup> Section 1013.35, F.S.

The plan is required to include a financially feasible district facilities work program for a 5-year period. The work program is required to include:<sup>103</sup>

- A schedule of major repair and renovation projects necessary to maintain the educational facilities and ancillary facilities of the district.
- A schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs, with detailed specifications set forth in state law.
- The projected cost for each project identified in the district facilities work program, including a schedule of cost comparisons for the planned cost of each new student station compared with the low, average, and high cost of facilities constructed throughout the state.
- A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.
- A schedule indicating which projects included in the district facilities work program will be funded from current revenues.
- A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded with currently approved revenue sources.
- The number of existing vacant classrooms in each school that the district does not intend to use or does not project will be needed for educational purposes for the following school year.<sup>104</sup>
- Prototype construction and design to be used for the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school.<sup>105</sup>

To the extent available, the tentative district educational facilities plan is required to be based on information produced by the state demographic, revenue, and education estimating conferences. Not less than once every five years, the district school board must have an audit conducted of the board's educational planning and construction activities. An operational audit conducted by the Auditor General satisfies this requirement.<sup>106</sup>

Annually, the district school board is required to consider and adopt the tentative district educational facilities plan. The adopted district educational facilities plan must:

- Be a complete, balanced, and financially feasible capital outlay financial plan for the district.
- Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.<sup>107</sup>

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<sup>103</sup> Section 1013.35(2), F.S.

<sup>104</sup> Section 1002.33(18), F.S.

<sup>105</sup> Section 1013.45(4), F.S.

<sup>106</sup> Section 1013.35(2), F.S.

<sup>107</sup> Section 1013.35(4), F.S.

Charter schools share in district school board capital outlay funding but are not subject to any of the facilities plan requirements.<sup>108</sup>

#### Cost Per Student Station Limitation

In Florida, construction costs for traditional K-12 public school facilities are reported based on the cost per student station.<sup>109</sup> In 2005, the DOE conducted a study on overall inflation of school construction costs, including the Consumer Price Index (CPI) and other factors. The cost per student station levels adopted in 2006 were based on the DOE's study recommendations and is adjusted to reflect increases and decreases in the CPI.<sup>110</sup> The DOE and the Office of Economic and Demographic Research (EDR)<sup>111</sup> are required to work together to calculate and disseminate new statutory caps.<sup>112</sup>

The forecast by EDR for the July 2025 cost per student station limits are:

- \$29,103 for an elementary school.
- \$31,428 for a middle school.
- \$40,823 for a high school.<sup>113</sup>

Except for certain educational facilities and sites subject to a lease-purchase agreement that may be paid for by a district school board levy,<sup>114</sup> or funded solely through local impact fees, a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station that exceeds these amounts. The cost per student station includes, for example, contract costs, fees of architects and engineers, and the cost of furniture and equipment. The cost per student station does not include the cost of purchasing or leasing the site for the construction, legal and administrative costs, the cost of related site or offsite improvements, and costs for school safety and hardening items and other capital construction items approved by the school safety specialist to ensure building security for new educational, auxiliary, or ancillary facilities.<sup>115</sup>

An unfinished construction project for new construction of educational plant space started on or before July 1, 2028, is exempt from the total cost per student station requirements.<sup>116</sup>

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<sup>108</sup> Sections 1002.33 and 1013.62, F.S.

<sup>109</sup> Section 1013.64(6), F.S.

<sup>110</sup> Office of Economic and Demographic Research, *Review of Florida's Cost Per Student Station* (January 2017), available at <http://edr.state.fl.us/content/special-research-projects/education/CostPerStudentStation.pdf>, at 6 (last visited Mar. 5, 2025).

<sup>111</sup> The Office of Economic and Demographic Research is a research arm of the Legislature principally concerned with forecasting economic and social trends that affect policy making, revenues, and appropriations. Office of Economic and Demographic Research, *Welcome*, <http://edr.state.fl.us/Content/> (last visited Mar. 5, 2025).

<sup>112</sup> Section 1013.64(6), F.S.

<sup>113</sup> Office of Economic and Demographic Research, *Student Station Cost Factors* (February 2025), available at <http://edr.state.fl.us/Content/conferences/peco/studentstation.pdf> (last visited Mar. 5, 2025).

<sup>114</sup> Section 1011.71(2), F.S., sets forth the guidelines for authorized district school board lease-purchase agreements.

<sup>115</sup> Section 1013.64(6), F.S. Such safety improvements include the cost for securing entries, checkpoint construction, lighting specifically designed for entry point security, security cameras, automatic locks and locking devices, electronic security systems, fencing designed to prevent intruder entry into a building, or bullet-proof glass.

<sup>116</sup> *Id.*

### Educational Facilities Contracting and Construction Techniques

The State Requirements for Educational Facilities (SREF) is the uniform statewide building code for the planning and construction of public educational facilities and ancillary plants.<sup>117</sup> District school boards must adhere to the SREF when planning and constructing new facilities.

Generally, SREF standards are premised on providing enhanced safety for occupants and increasing the life span of the extensive, publicly funded infrastructure of Florida's public school districts.<sup>118</sup> SREF requires district school boards to employ the services of an architect for all construction projects for which the construction cost is at least \$300,000.<sup>119</sup>

The law imposes additional requirements for the employment of an architect by district school boards. District school boards are required to use the services of a registered architect for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required, however, for a minor renovation project for which the construction cost is less than \$50,000 or for the placement or hookup of relocatable educational facilities.<sup>120</sup>

District school boards are required to compare the following life-cycle costs of materials used by competing providers when constructing or expanding school capacity:

- The anticipated annual energy consumption;
- The relative resistance to damage by wind loads and associated debris;
- The resistance to wood-destroying organisms;
- The perpetual maintenance costs;
- The resistance to fire; and
- A comparison of the annual insurance costs.<sup>121</sup>

### Use of Airspace for Joint-Use Development and Capital Outlay

District school boards, Florida College System institution boards, and state university boards may sell, lease, or encumber airspace for joint-use development, including nonpublic uses, with proceeds reinvested in fixed capital outlay projects. Funds may support renovations, remodeling, or new construction, though new facilities at colleges and universities require legislative approval. Any joint-use structure must comply with all applicable regulations, and educational facilities within these structures remain under their governing boards' oversight.<sup>122</sup>

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<sup>117</sup> The State Requirements for Educational Facilities (SREF) is incorporated in Rule 6A-2.0010, F.A.C., The SREF does not apply to charter schools. Section 1002.33(18), F.S.

<sup>118</sup> See, e.g., s. 1013.12, F.S. (casualty, safety, sanitation, and fire safety standards and inspection of property) and s. 1013.451, F.S. (life-cycle cost comparison).

<sup>119</sup> Florida Department of Education, *State Requirements for Educational Facilities § 4.3(7)(c)* (2014), available at <https://flrules.org/Gateway/reference.asp?No=Ref-04664>, at 58.

<sup>120</sup> Section 1013.45(4), F.S.

<sup>121</sup> Section 1013.451(1), F.S.

<sup>122</sup> Section 1013.19, F.S.



### *Effect of Proposed Changes*

#### District School Board Educational Facilities Plans

The bill amends s. 1013.35, F.S., to replace the specifically enumerated requirements for school board educational facilities plans and work programs with the general requirement that each school board adopt a facilities plan to meet the needs of the district, with public participation. The bill maintains the required 5-year audit of the board's educational planning and construction activities, and maintains the requirements for the general balanced nature of the plans, developed through public participation and local cooperation.

The bill makes corresponding changes in ss. 1002.33 and 1013.41, F.S., to reflect the removal of the requirement for district school boards to include a specific 5-year work program in the school board educational facilities plan.

These changes may bring district school boards closer to the operational flexibility of charter schools, which typically have more autonomy in facility planning and management.

#### Cost Per Student Station Limitation

The bill amends s. 1013.64, F.S., to make the cost per student station exemption permanent and remove cost per student station limitations on district school board construction projects. The changes in the bill provide greater local control in building durable and safe facilities for students, approaching the flexibility in construction of charter schools. The bill also provides additional options for funding construction by removing the restriction on local or certain grant revenue for facility construction. The bill makes a conforming change in s. 1013.356, F.S., to remove the cost per student station limitation for facilities projects funded by an educational facilities benefit district or community development district.

#### Educational Facilities Contracting and Construction Techniques

The bill amends s. 1013.45, F.S., to remove the requirement for school boards to employ an architect for the erection, enlargement, or alteration of any educational facility, or for minor renovation projects in which the cost of construction is at least \$50,000. Instead, district school boards would adhere to applicable building codes when determining architectural requirements.

The bill repeals s. 1013.451, F.S., to remove the requirement for school boards to compare specific life-cycle costs of materials used by competing providers when constructing or expanding school capacity.

#### Use of Airspace for Joint-Use Development and Capital Outlay

The bill amends s. 1013.19, F.S., by removing the requirement that proceeds from the sale or lease of airspace by district school boards must be used for fixed capital outlay. Removing this requirement may provide district school boards with greater flexibility in allocating these funds toward operational or capital expenses.

## School District Finance and Budgets

### *Present Situation*

#### Cost Accounting and Reporting for School Districts

School districts must account for all state, local, and federal funds on a school-by-school and district-aggregate basis using cost accounting and reporting guidelines specified in law. District reporting is required as prescribed in law or in a manual developed by the Department of Education (DOE).<sup>123</sup>

School districts are required to provide cost reporting on a district-aggregate basis, expenditures for inservice training, and categorical funds. School districts are required to report to the DOE on a school-by-school and district-aggregate basis expenditures for:

- Funds for the operation of schools under the Florida Education Finance Program (FEFP).
- Total operational costs for administrative expenditures.
- Expenditures for classroom instruction.<sup>124</sup>

The DOE must categorize all public schools into appropriate groups based primarily on average full-time equivalent (FTE) student enrollment as reported and to calculate for all schools, districts and the entire state the average percentage of classroom expenditures for various reporting categories of expenditures. The DOE is required to develop a web-based fiscal transparency tool that displays and identifies the financial efficiency of each public school and district. The Commissioner of Education is required to report to the Legislature prior to the open of the regular session each year a district-by-district report of expenditures.<sup>125</sup>

Each district must expend a specified percentage of funds on programs that generated the funds. For example, a district must expend 90 percent of funds for kindergarten through grade 3, while districts must expend 95 percent of funds on juvenile justice programs.<sup>126</sup>

#### School District Fiscal Transparency

District school boards are required to post on their websites a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public. The website must include a link to the web-based fiscal transparency tool developed by the DOE to enable taxpayers to evaluate the financial efficiency of the school district and compare the financial efficiency of the school district with other similarly situated school districts. The plain language version must also include graphical representations of:

- Summary of financial efficiency data.
- Fiscal trend information for the previous three years on:
  - The ratio of FTE students to FTE instructional personnel.
  - The ratio of FTE students to FTE administrative personnel.
  - The total operating expenditures per FTE student.

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<sup>123</sup> Section 1010.20(1), F.S.

<sup>124</sup> Section 1010.20(2), F.S.

<sup>125</sup> *Id.*

<sup>126</sup> Section 1010.20(3), F.S.

- The total instructional expenditures per FTE student.
- The general administrative expenditures as a percentage of total budget.
- The rate of change in the general fund's ending fund balance not classified as restricted.<sup>127</sup>

The district school board website should contain links to:

- Help explain or provide background information on various budget items that are required by state or federal law.
- Allow users to navigate to related sites to view supporting details.
- Enable taxpayers, parents, and education advocates to send e-mails asking questions about the budget and enable others to view the questions and responses.<sup>128</sup>

Charter schools are exempt from these requirements.<sup>129</sup>

### Short-Term Loans for Education Capital Outlay

District school boards can create short-term obligations based on anticipated revenues without pledging district credit or requiring future tax levies. These obligations are limited to one year but may be extended annually with lender approval for up to a total of five years. These short-term obligations may be used only for the purchase of school buses, land, and equipment for educational purposes; the erection of, alteration to, or addition to educational facilities; and the adjustment of insurance on educational property on a 5-year plan, as provided by rules of the SBE. District school boards may only borrow money through this process if:

- The proposed obligation does not exceed one-fourth of the revenue received during the preceding year for the district school fund for operating expenses.
- The school board adopts and includes in its minutes a resolution giving the nature of the obligations to be incurred, stating the plan of payment, and providing that such funds will be budgeted during the period of the loan from the current revenue to retire the obligations maturing during the year.
- The school board issues interest-bearing notes for the obligations that do not exceed the maximum rate for government bonds.<sup>130</sup>

### Emergency Make-up Days

The Florida Legislature established the FEFP to equalize funding for educational programs and services for all students in the K-12 public school system, regardless of geographic or local economic factors. The FEFP is the primary mechanism for funding the operating costs of Florida school districts.<sup>131</sup>

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<sup>127</sup> Section 1011.035(2), F.S.

<sup>128</sup> Section 1011.035(4), F.S.

<sup>129</sup> Section 1002.33(16), F.S.

<sup>130</sup> Section 1011.14, F.S.

<sup>131</sup> Section 1011.62, F.S.; Florida Department of Education, *2024-25 Funding for Florida School Districts*, (2024), available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>, at 4 (last visited Mar. 5, 2025).

Charter schools also receive funding through the FEFP. Students enrolled in a charter school, regardless of the sponsorship, are funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in a school district.<sup>132</sup>

To receive state funding through the FEFP, district school boards are required to meet minimum requirements, including operating all schools for a term of 180 actual teaching days or the equivalent on an hourly basis each school year. The SBE may alter this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts if, in the opinion of the SBE, it is not feasible to make up lost days or hours. The apportionment from the FEFP may, at the discretion of the commissioner, and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools.<sup>133</sup>

### Equity in School-Level Funding

Title I of the Elementary and Secondary Education Act of 1965 (ESEA),<sup>134</sup> as amended by the Every Student Succeeds Act of 2015,<sup>135</sup> is a federal funding program to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.<sup>136</sup> For the 2022-2023 fiscal year, Florida received approximately \$1.06 billion for Title I programs.<sup>137</sup>

Part A of Title I focuses on improving basic programs operated by local educational agencies, including district school boards and eligible charter schools within the school district.<sup>138</sup>

District school boards must allocate Title I-A funds first to serve schools in areas with poverty rates of at least 75 percent, or 50 percent for high schools.<sup>139</sup> If funds remain, the school board may serve schools in rank order according to the percentage of children from low-income families in the area, but a school board may only serve schools in areas with a poverty rate of less than 35 percent if the per student allocation of state and local funds is 125 percent greater than the per student amount received under Title I-A.<sup>140</sup>

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<sup>132</sup> Section 1002.33(17), F.S.

<sup>133</sup> Section 1011.60(2), F.S.

<sup>134</sup> Pub. L. No. 89-10, 79 Stat. 27 (Apr. 11, 1965).

<sup>135</sup> Pub. L. 114-95, 129 Stat 1802 (Dec. 10, 2015).

<sup>136</sup> 20 U.S.C. s. 6301.

<sup>137</sup> Florida Department of Education, *Finance Data Base: Fiscal Year 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2324.pdf>, at 8 (last visited Mar. 5, 2025).

<sup>138</sup> 20 U.S.C. s. 6311, et. seq. Local educational agencies are public boards of education and include district school boards. 34 C.F.R. s. 303.23. *See also* s. 1011.69(2), F.S., specifying that an eligible school includes a charter school that is eligible to receive Title I funds.

<sup>139</sup> 20 U.S.C. s. 6313(a)(3).

<sup>140</sup> 34 C.F.R. s. 200.78(b).

Florida law limits the threshold for identifying eligible schools to the threshold established by a district school board for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually, which was 53.8 percent<sup>141</sup> in 2024.<sup>142</sup>

Prior to the allocation of Title I funds to eligible schools, Florida law authorizes a district school board to withhold funds only as follows:

- One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
- A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of ten percent;
- A reasonable and necessary amount to provide:
  - Homeless programs;
  - Delinquent and neglected programs;
  - Prekindergarten programs and activities;
  - Private school equitable services; and
  - Transportation for foster care children to their school of origin or choice programs; and
- A necessary and reasonable amount, not to exceed one percent, for eligible schools to provide educational services in accordance with the approved Title I plan.<sup>143</sup>

Title I also authorizes district school boards to provide up to five percent of the Title I-A allocation to provide financial incentives and rewards to teachers who serve in eligible schools that are identified for comprehensive support and improvement activities or targeted support and improvement activities for the purpose of attracting and retaining qualified and effective teachers.<sup>144</sup> The DOE requires all recruitment, retention, and reward incentives under the ESEA, including Title I-A and Title II,<sup>145</sup> to be based on the state value-added model or an alternative state-approved student growth model for personnel evaluations.<sup>146</sup>

Under the ESEA, the state education agency must liquidate all obligations incurred under the Federal award not later than 120 calendar days after the end date of the period of availability. Under section 412(b) of the General Education Provisions Act,<sup>147</sup> grants issued for a fiscal year may be made available for obligation on the basis of an academic or school basis.<sup>148</sup> As a result

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<sup>141</sup> FLHealthCharts, *Elementary School Students Eligible for Free/Reduced Lunch*, <https://www.flhealthcharts.gov/ChartsDashboards/rdPage.aspx?rdReport=NonVitalIndNoGrp.Dataviewer&cid=497> (last visited Mar. 5, 2025).

<sup>142</sup> Section 1011.69(4), F.S.

<sup>143</sup> *Id.*

<sup>144</sup> 20 U.S.C. s. 6313(c)(4).

<sup>145</sup> Florida's Title II allocation was approximately \$119.8 million for the 2023-2024 fiscal year. Florida Department of Education, *Finance Data Base: Fiscal Year 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2324.pdf>, at 8 (last visited Mar. 5, 2025).

<sup>146</sup> Florida Department of Education, *K12 ESEA Federal Programs, 2023-24 Elementary and Secondary Education Act (ESEA) Federal Programs Application Companion Guide*, available at <https://www.floridacims.org/downloads>, at 61.

<sup>147</sup> Pub. L. No. 90-247.

<sup>148</sup> 20 U.S.C. s. 1225b.

of these requirements, many Federal programs – including the Title I, Title II,<sup>149</sup> and Title III<sup>150</sup> programs – have a total period of availability of 27 months (from July 1st of the award year to September 30th of the carryover year) and a subsequent liquidation period of 120 days (October 1st through approximately January 28).<sup>151</sup> In addition, a state educational agency is required to award each subgrant for school improvement for a period of not more than four years, which may include a planning year.<sup>152</sup>

#### School Board Discretionary Millage Levy

Each district school board is authorized to levy a 1.5 mill discretionary ad valorem tax against the taxable value for public school purposes to fund specific needs as identified in law, including, for example:

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities,<sup>153</sup> athletic facilities, or ancillary facilities.<sup>154</sup>
- Purchase, lease-purchase, and lease of school buses.
- Payments for educational facilities and sites due under a lease-purchase agreement.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites, or of renting or leasing buildings or space within existing buildings.<sup>155</sup>

#### *Effect of Proposed Changes*

##### Cost Accounting and Reporting for School Districts

The bill modifies s. 1010.20, F.S., by requiring each charter school to receive and respond to monitoring questions from the DOE. The change removes the school district as an intermediary between the DOE and the individual charter school.

##### School District Fiscal Transparency

The bill amends s. 1011.035, F.S., by removing the requirement that the plain language version of the school board budget posted on its website include graphical representations of the budget.

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<sup>149</sup> Title II of the ESEA provides grants to state educational agencies and subgrants to local educational agencies to increase student achievement consistent with the challenging State academic standards; improve the quality and effectiveness of teachers, principals, and other school leaders; increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and provide low-income and minority students greater access to effective teachers, principals, and other school leaders. 20 U.S.C. s. 6601.

<sup>150</sup> Title III of the ESEA is the English Language Acquisition, Language Enhancement, and Academic Achievement Act. 20 U.S.C. s. 6811.

<sup>151</sup> US Department of Education, *Florida Consolidated Performance Review Report FY 2023*, available at <https://oese.ed.gov/files/2023/04/FDOE-2023-Performance-Report.pdf>, at 11 (last visited Mar. 5, 2025).

<sup>152</sup> 20 U.S.C. s. 6303(c).

<sup>153</sup> “Auxiliary facility” means the spaces located at educational plants which are not designed for student occupant stations. Section 1013.01(1), F.S.

<sup>154</sup> “Ancillary plant” is comprised of the building, site, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program. Section 1013.01(2), F.S.

<sup>155</sup> Section 1011.71(2), F.S.

### Short-Term Loans for Education Capital Outlay

The bill modifies s. 1011.14, F.S., to expand the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.

This bill authorizes district school boards to incur obligations not only for the construction and renovation of educational facilities but also for the development and enhancement of support and supplemental structures associated with the educational process, which include the entire educational plant, ancillary plants, and auxiliary facilities.

By broadening the permissible use of anticipated revenue for these additional categories of capital projects, the bill allows for a more comprehensive development of the educational environment, acknowledging the role of various facilities in delivering a full spectrum of educational services. The district school boards would remain bound by the existing fiscal constraints—namely, the limitation of indebtedness to no more than one-fourth of the district ad valorem tax revenue for operations for the preceding year and the requirement for a detailed resolution outlining the nature and plan of repayment for the obligations.

### Emergency Make-up Days

The bill modifies s. 1011.60, F.S., to remove the required threshold of infeasibility that a district school board must demonstrate to be released from making up days lost because of a bona fide emergency. This may provide more flexibility to district school boards in determining whether the additional days are necessary for students to learn the required academic standards.

### Equity in School-Level Funding

The bill modifies s. 1011.69, F.S., to remove the provision that prohibits a school district from identifying any other eligible schools that exceed the poverty threshold established by a school district for the 2016-2017 school year, or the statewide percentage of economically disadvantaged students determined annually. This may afford discretion to the district school board to focus services on the schools with the highest needs.

The bill also removes the cap of one percent of Title I funds that a district may withhold to provide district educational services to Title I schools, including charter schools. This may provide flexibility for a district school board to leverage district resources to provide programs across all eligible schools, including eligible charter schools.

The bill authorizes district school boards to utilize up to five percent of its Title I allocation to provide financial incentives and rewards to teachers who serve students in Title I schools, including charter schools, identified for comprehensive support and improvement activities or targeted support and improvement activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a state-approved measurement of student performance is unavailable.

The bill clarifies that the DOE must make funds from Title I, Title II, and Title III programs available to local education agencies for the full period of availability provided in federal law. This may provide stability for district school boards in the implementation of Title I services.

### School Board Discretionary Millage Levy

The bill amends s. 1011.71, F.S., by expanding the allowable uses of proceeds from the district discretionary 1.5 mill levy to include facilities beyond traditional educational facilities, such as ancillary and auxiliary facilities. For example, transportation hubs, cafeterias, or administrative facilities.

The bill authorizes the use of these funds for vehicles other than school buses, as long as they are regularly used to transport prekindergarten disability program and K-12 public school students.

This may provide school districts with greater flexibility in using revenue from the discretionary 1.5 mill capital levy, allowing for more efficient student transportation options, investment in essential support facilities, and improved resource allocation to meet local needs.

### **School Choice**

#### *Present Situation*

##### Controlled Open Enrollment

Controlled open enrollment is a public education delivery system that allows school districts to make student school assignments using parents' indicated preferential educational choice as a significant factor. Each school district or charter school is required to allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district. School districts and charter schools are required to make school capacity determinations for their schools by grade level every 12 weeks. The school capacity determinations must be made based on specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under the school district educational facilities plan.<sup>156</sup>

##### Family Empowerment Scholarship

The Family Empowerment Scholarship (FES) program provides children of families in Florida with educational options to achieve success in their education, including children of families with limited financial resources, children of law enforcement and military families, and children with disabilities.<sup>157</sup> The FES program includes two types of scholarships to assist eligible students to pay for the tuition and fees associated with attendance at a private school or transportation to another public school (FES-EO), and to provide access to additional education options for a student with a disability by covering the cost of a variety of approved items, including: contracted services, curriculum, instructional materials, tutoring, specified education programs, and specialized services (FES-UA).<sup>158</sup>

A student is eligible for an FES-UA scholarship if the student:

- Is a resident of Florida.

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<sup>156</sup> Section 1002.31, F.S.

<sup>157</sup> Section 1002.394, F.S.; *see also* Rule 6A-6.0952, F.A.C.

<sup>158</sup> Section 1002.394(3), F.S.



- Is three or four years of age on or before September 1 of the year in which the student applies for program participation or is eligible to enroll in kindergarten through grade 12 in a Florida public school.
- Has a disability as provided for in law.<sup>159</sup>
- Is the subject of an Individualized Education Plane (IEP) written in accordance with rules of the State Board of Education (SBE) or with the applicable rules of another state or has received a diagnosis of a disability from a licensed physician, a licensed psychologist, or a physician with a specified out-of-state license.<sup>160</sup>

A parent of a student with a disability who is applying for the FES-UA scholarship and who does not have an IEP or is seeking a reevaluation of an existing IEP may request an IEP meeting and evaluation from the school district. Upon receiving the request, the district must notify the parent that it is required to complete the IEP and matrix of services within 30 days.<sup>161</sup>

The school district must conduct a meeting, develop an IEP, and complete the matrix of services within this 30-day period. It is required to accept the diagnosis and consider the service plan provided by the licensed professional making the diagnosis. The matrix must assign the student to a level of service based on the criteria in place before the 2000-2001 school year.<sup>162</sup>

For nonpublic school students without an IEP, the district may use evaluation reports and care plans from licensed professionals to complete the matrix of services.<sup>163</sup>

In the 2023-2024 school year, over 92,000 students were funded through the FES-UA Scholarship program.<sup>164</sup>

#### Federal Requirements for an IEP

The parent of a child or a school district may initiate a request for an initial evaluation to determine if the child is a child with a disability. Once the request is made the initial evaluation must be conducted within 60 days of receiving parental consent for the evaluation, unless a state establishes a timeframe within which the evaluation must be conducted, within the 60 day timeframe.<sup>165</sup> In addition, the initial evaluation must consist of procedures to determine if the child has a disability and to determine the educational needs of the child. Once the initial evaluation is complete and if the child is determined to have a disability, a school district must meet within 30 days to develop an IEP.<sup>166</sup>

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<sup>159</sup> Section 1002.394(1), F.S.

<sup>160</sup> Section 1002.394(3), F.S.

<sup>161</sup> Section 1002.394(7), F.S.

<sup>162</sup> *Id.*

<sup>163</sup> *Id.*

<sup>164</sup> Step up for Students, 2025-2026 SFO Renewal Application, available at <https://www.fldoe.org/core/fileparse.php/20808/urlt/9-2.pdf>, A.A.A., 2025-2026 SFO Renewal Application, available at <https://www.fldoe.org/core/fileparse.php/20808/urlt/8-2.pdf>. (last visited Mar. 5, 2025)

<sup>165</sup> 34 C.F.R. § 300.301

<sup>166</sup> 34 C.F.R. § 300.323

### ***Effect of Proposed Changes***

#### **Controlled Open Enrollment**

The bill modifies s. 1002.32, F.S., to authorize district school boards to determine how to make capacity determinations for controlled open enrollment and reduce the required capacity determinations from every 12 weeks to twice annually.

#### **Family Empowerment Scholarship**

The bill amends s. 1002.394, F.S., to better align to 60 days the timeline for developing an Individualized Education Program (IEP) for students receiving a Family Empowerment Scholarship for Students with Unique Abilities (FES-UA) between federal requirements and the timeline used by school districts for public school students.

### **Early Learning**

#### ***Present Situation***

Since the inception of the Voluntary Prekindergarten (VPK) program, public schools have been instrumental in delivering the program. Public schools deliver both the 540 hour school year VPK program<sup>167</sup> and the 300 hour summer VPK program.<sup>168</sup> Historically, public schools comprise just over 20 percent of the overall VPK programs during the entire program year.<sup>169</sup>

Public schools are required to contract through the early learning coalitions (ELCs) and are subject to the same requirements as non-public programs in terms of implementing instructional standards, personnel requirements, and program accountability. While both public schools and private providers offer the school year prekindergarten program, public school districts are required to offer the summer VPK program, consisting of 300 hours of instruction, to any parent who enrolls his or her child in the program.<sup>170</sup>

In general, VPK programs in public schools are subject to the same oversight as private VPK programs, including requirements for use of the state contract, instructor to child ratios, instructor training, attendance and reporting, accountability, and methods regarding reimbursement for the VPK program. ELCs are required to monitor the compliance of public school VPK programs in their county or multi-county service region for both school year<sup>171</sup> and summer<sup>172</sup> VPK programs.

### ***Effect of Proposed Changes***

The bill modifies ss. 1002.61 and 1002.63, F.S., to remove the requirement, for both school year and summer VPK programs, that ELCs verify statutory compliance by school district-operated

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<sup>167</sup> Section 1002.63(1), F.S.

<sup>168</sup> Section 1002.61(1), F.S.

<sup>169</sup> 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. 5, 2025).

<sup>170</sup> Section 1002.53(6), F.S.

<sup>171</sup> Section 1002.63(9), F.S.

<sup>172</sup> Section 1002.61(10) F.S.

VPK programs. This aligns oversight of the school district operated VPK programs with other district-operated educational programs.

The bill removes the requirement in s. 1002.71, F.S., that each district school board's attendance policy must require parents to sign monthly attendance forms and retain those forms for two years. The school district will be required to certify attendance on the single point of entry system that is used for payment of VPK program attendance. The revision offers flexibility to school districts to utilize existing attendance tracking methods without duplication due to required forms.

## **State Board of Education/Department of Education Oversight**

### ***Present Situation***

The State Board of Education (SBE) is the chief implementing and coordinating body of public education in Florida except for the State University System, and it is required to focus on high-level policy decisions.<sup>173</sup> The SBE has authority to adopt rules pursuant to the Administrative Procedures Act (APA)<sup>174</sup> to implement its statutory duties to improve the state system of Early Learning-20 public education except for the State University System. The SBE is authorized to delegate its general powers to the Commissioner of Education (commissioner) or the directors of the divisions of the Department of Education (DOE).<sup>175</sup>

The APA provides uniform procedures for the exercise of specified government authority.<sup>176</sup> An agency is required to comply with the APA rulemaking procedures when developing rules.<sup>177</sup> A "rule" under the APA is defined as each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule.<sup>178</sup>

The SBE is required to adopt cohesive rules pursuant to the APA, within statutory authority.<sup>179</sup> An agency may adopt only rules that implement or interpret the specific powers and duties granted by the enabling statute. No agency is authorized to adopt a rule only because it is reasonably related to the purpose of the enabling legislation. An invalid exercise of delegated legislative authority means action that goes beyond the powers, functions, and duties delegated by the Legislature.<sup>180</sup>

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<sup>173</sup> Section 1001.02(1), F.S. The Florida Constitution provides that the state board of education is a body corporate and have such supervision of the system of free public education as is provided by law. FL. CONST. art. 9, s. 2.

<sup>174</sup> Chapter 120, F.S.

<sup>175</sup> Section 1001.02(1), F.S.

<sup>176</sup> Section 120.515, F.S.

<sup>177</sup> Section 120.54(1), F.S.

<sup>178</sup> Section 120.52(16), F.S.

<sup>179</sup> Section 1001.02(2), F.S.

<sup>180</sup> Section 120.52(8), F.S.

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.<sup>181</sup> The commissioner is appointed by the SBE and serves as the executive director of the DOE.<sup>182</sup> The DOE assists in providing professional leadership and guidance and in carrying out the policies, procedures, and duties authorized by law or by the SBE.<sup>183</sup>

The APA also provides a process for any substantially affected person to seek a declaratory statement regarding an agency's opinion as to the applicability of a statutory provision, or of any rule or order of the agency, as it applies to the petitioner's particular set of circumstances. The petition seeking a declaratory statement must state with particularity the petitioner's set of circumstances and specify the statutory provision, rule, or order that the petitioner believes may apply to the set of circumstances.<sup>184</sup>

The agency is required to give notice of the filing of each petition in the next available issue of the Florida Administrative Register and transmit copies of each petition to the Administrative Procedures Committee. The agency must issue a declaratory statement or deny the petition within 90 days after the filing of the petition and notice the statement in the next available issue of the Florida Administrative Register. Agency disposition of petitions are final agency action.<sup>185</sup>

### *Effect of Proposed Changes*

The bill amends s. 1001.02, F.S., to clarify that the SBE is authorized to adopt rules within statutory authority as specifically provided by law.

The bill expands s. 1001.23, F.S., to add to the specific powers and duties of the DOE. The additional requirements may provide clarity to district school boards in the implementation of state law. The bill requires the DOE to annually:

- By August 1, inform district school superintendents that they may receive a declaratory statement pursuant to the APA regarding the DOE's opinion as to the applicability to a school district of a statutory or rule provision as it applies to the district's particular set of circumstances.
- Maintain and make available to school districts a list of all requirements in statute and rule relating to required actions by district school boards or superintendents. The list must include but is not limited to, required parent notifications, information that must be posted to the district website, and reporting, filing, and certification requirements.

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

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<sup>181</sup> Section 1001.20(1), F.S.

<sup>182</sup> Section 20.15(2), F.S.

<sup>183</sup> Section 1001.20(2), F.S.

<sup>184</sup> Section 120.565, F.S.

<sup>185</sup> Section 120.565(3), F.S. The term "Administrative Procedures Committee" means a committee designated by joint rule of the Legislature or by agreement between the President of the Senate and the Speaker of the House of Representatives. Section 1.01(16), F.S.

**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:

This bill does not have a fiscal impact on state revenues or expenditures. However, the bill reduces regulations and increases flexibility in policymaking which could result in a cost savings for the school districts.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 120.81, 1001.02, 1001.23, 1001.42, 1002.20, 1002.31, 1002.33, 1002.394, 1002.451, 1002.61, 1002.63, 1002.71,

1003.03, 1003.26, 1003.4282, 1003.433, 1006.1494, 1006.40, 1008.212, 1008.22, 1008.25, 1008.33, 1010.20, 1011.035, 1011.14, 1011.60, 1011.62, 1011.6202, 1011.69, 1011.71, 1012.22, 1012.335, 1012.34, 1012.39, 1012.555, 1012.56, 1012.585, 1013.19, 1013.35, 1013.41, 1013.45, 1013.62, 1013.64, 163.3180, 1002.68, 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98.

This bill repeals section 1013.451 of the Florida Statutes.

**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.

By Senator Simon

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1 A bill to be entitled  
 2 An act relating to administrative efficiency in public  
 3 schools; amending s. 120.81, F.S.; exempting district  
 4 school boards from requirements for adopting certain  
 5 rules; amending s. 1001.02, F.S.; revising a duty of  
 6 the State Board of Education to adopt certain rules;  
 7 amending s. 1001.23, F.S.; requiring the Department of  
 8 Education to annually inform district school  
 9 superintendents by a specified date that they are  
 10 authorized to petition to receive a specified  
 11 declaratory statement; requiring the department to  
 12 annually maintain and provide school districts with a  
 13 list of statutory and rule requirements; providing  
 14 requirements for such list; amending s. 1001.42, F.S.;  
 15 deleting a requirement for a district school board to  
 16 employ an internal auditor in certain circumstances;  
 17 amending s. 1002.20, F.S.; deleting a requirement that  
 18 the school financial report be included in the student  
 19 handbook; requiring the department to produce  
 20 specified reports relating to school accountability  
 21 and make such reports available on the department's  
 22 website; requiring each school district to provide a  
 23 link to such reports; amending s. 1002.31, F.S.;  
 24 revising how often a school district or charter school  
 25 must update its school capacity determination;  
 26 deleting a requirement relating to school capacity  
 27 determination by district school boards; conforming a  
 28 cross-reference; amending s. 1002.33, F.S.; conforming  
 29 a provision relating to a 5-year facilities plan;

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30 amending s. 1002.394, F.S.; revising the timeframe for  
 31 a school district to develop an IEP and matrix of  
 32 services after receipt of a parent's request; amending  
 33 s. 1002.451, F.S.; requiring innovation schools of  
 34 technology to comply with specified provisions  
 35 relating to instructional multiyear contracts, in  
 36 addition to annual contracts, for instructional  
 37 personnel in addition to annual contracts; amending s.  
 38 1002.61, F.S.; removing public schools from a  
 39 requirement for early learning coalitions to verify  
 40 compliance with law; amending s. 1002.63, F.S.;  
 41 deleting a requirement for an early learning coalition  
 42 to verify that certain public schools comply with  
 43 specified provisions; amending s. 1002.71, F.S.;  
 44 revising requirements relating to district school  
 45 board attendance policies for Voluntary  
 46 Prekindergarten Education Programs; requiring a school  
 47 district to certify its attendance records for a  
 48 Voluntary Prekindergarten Education Program; amending  
 49 s. 1003.03, F.S.; deleting a requirement for district  
 50 school boards to provide an accountability plan to the  
 51 Commissioner of Education under certain conditions;  
 52 amending s. 1003.26, F.S.; authorizing a district  
 53 school board to determine a timeframe for purposes of  
 54 addressing a student's absences; amending s.  
 55 1003.4282, F.S.; revising requirements for assessments  
 56 needed for a student to earn a high school diploma;  
 57 deleting a requirement for a student who transfers  
 58 into a public high school to take specified

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59 assessments; revising the courses for which the  
 60 transferring course final grade must be honored for a  
 61 transfer student under certain conditions; amending s.  
 62 1003.433, F.S.; deleting requirements that must be met  
 63 by students who transfer to a public school for 11th  
 64 or 12th grade; amending s. 1006.1494, F.S.; providing  
 65 that provisions relating to student online personal  
 66 information protection do not impose requirements for  
 67 a K-12 school, school district, or school board;  
 68 amending s. 1006.40, F.S.; revising the timeframe  
 69 within which certain instructional materials must be  
 70 purchased; amending s. 1008.212, F.S.; providing that  
 71 certain assessments are not subject to specified  
 72 requirements; revising a deadline for IEP teams to  
 73 submit requests for extraordinary exemptions; amending  
 74 s. 1008.22, F.S.; requiring the Commissioner of  
 75 Education to notify school districts of the assessment  
 76 schedule for a specified time interval; deleting  
 77 requirements relating to a uniform calendar that must  
 78 be published by the commissioner each year; revising  
 79 an annual timeframe for each school district to  
 80 establish schedules for the administration of  
 81 statewide, standardized assessments; requiring each  
 82 school district to publish certain information  
 83 regarding such schedules on its website; conforming  
 84 provisions to changes made by the act; amending s.  
 85 1008.25, F.S.; specifying the score needed on any  
 86 administration of the coordinated screening and  
 87 progress monitoring system for a student to be

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88 promoted to grade 4; conforming cross-references;  
 89 amending s. 1008.33, F.S.; prohibiting a school from  
 90 being required to use a certain parameter as the sole  
 91 determining factor to recruit instructional personnel;  
 92 providing requirements for a rule adopted by the State  
 93 Board of Education; amending s. 1010.20, F.S.;  
 94 requiring charter schools to respond to monitoring  
 95 questions from the department; amending s. 1011.035,  
 96 F.S.; deleting a requirement that each district school  
 97 board budget posted on the school board's website  
 98 include a graphical representation of specified  
 99 information; revising website requirements; amending  
 100 s. 1011.14, F.S.; revising the types of facilities for  
 101 which district school boards may incur certain  
 102 financial obligations; amending s. 1011.60, F.S.;  
 103 revising circumstances under which the State Board of  
 104 Education may alter the length of school terms for  
 105 certain school districts; amending s. 1011.62, F.S.;  
 106 deleting a requirement that certain full-time  
 107 equivalent bonuses under the Florida Education Finance  
 108 Program be paid only to teachers who are employed by  
 109 the district when the bonus is calculated; amending s.  
 110 1011.6202, F.S.; requiring schools participating in  
 111 the Principal Autonomy Program Initiative to comply  
 112 with specified provisions relating to instructional  
 113 multiyear contracts, in addition to annual contracts,  
 114 for instructional personnel; amending s. 1011.69,  
 115 F.S.; deleting a requirement relating to Title I fund  
 116 allocations to schools; providing a new category of

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117 funding school districts are authorized to withhold;  
 118 revising a category of funding a school district is  
 119 authorized to withhold; requiring the department to  
 120 make certain funds available to local education  
 121 agencies; amending s. 1011.71, F.S.; revising  
 122 specified vehicles that may be purchased or leased  
 123 using specified revenue; revising the types of  
 124 facilities payments that may be made from such  
 125 revenue; amending s. 1012.22, F.S.; providing  
 126 requirements for advanced degrees which may be used to  
 127 set salary schedules for instructional personnel and  
 128 school administrators hired after a specified date;  
 129 specifying district school board activities that may  
 130 not be precluded by collective bargaining; amending s.  
 131 1012.335, F.S.; defining the term "instructional  
 132 multiyear contract"; providing requirements for the  
 133 award of an instructional multiyear contract;  
 134 requiring that an employee awarded an instructional  
 135 multiyear contract be returned to an annual contract  
 136 under certain conditions; making conforming and  
 137 technical changes; amending s. 1012.34, F.S.;  
 138 requiring that procedures and requirements established  
 139 by the district school superintendent for performance  
 140 evaluations be approved by the district school board;  
 141 requiring the district school superintendent to submit  
 142 evaluation systems to the department under certain  
 143 circumstances; deleting a requirement for the  
 144 department to approve and monitor each school  
 145 district's evaluation systems; revising the portion of

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146 a performance evaluation that is based on student  
 147 performance; deleting certain performance evaluation  
 148 requirements; providing that student performance may  
 149 not be the sole determinant for incentive pay for  
 150 instructional personnel or school administrators;  
 151 amending s. 1012.39, F.S.; revising an occupational  
 152 experience qualification requirement for nondegreed  
 153 teachers of career programs; deleting a training  
 154 requirement for full-time nondegreed teachers of  
 155 career programs; amending s. 1012.555, F.S.; revising  
 156 eligibility requirements for individuals to  
 157 participate in the Teacher Apprenticeship Program;  
 158 amending employment requirements for paraprofessionals  
 159 to serve as an apprentice teacher; amending s.  
 160 1012.56, F.S.; specifying individuals who must  
 161 demonstrate mastery of general knowledge for educator  
 162 certification; authorizing school districts and  
 163 consortia of school districts to issue temporary  
 164 certificates under certain conditions; conforming a  
 165 cross-reference; amending s. 1012.585, F.S.; revising  
 166 the validity period for professional certificates;  
 167 providing eligibility requirements for 5-year and 10-  
 168 year professional certificates; revising requirements  
 169 for the renewal of professional certificates; amending  
 170 s. 1013.19, F.S.; requiring that proceeds from certain  
 171 sales or leases of property be used for specified  
 172 purposes by boards of trustees for Florida College  
 173 System institutions or state universities; amending s.  
 174 1013.35, F.S.; deleting definitions; revising

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175 requirements for the contents of a district school  
 176 board's tentative district educational facilities  
 177 plan; deleting provisions relating to district school  
 178 boards coordinating with local governments to ensure  
 179 consistency between school district and local  
 180 government plans; authorizing, rather than requiring,  
 181 local governments to review tentative district  
 182 educational facilities plans; making conforming  
 183 changes; amending s. 1013.41, F.S.; revising  
 184 requirements for an educational facilities plan;  
 185 revising the duties of the Office of Educational  
 186 Facilities; amending s. 1013.45, F.S.; specifying that  
 187 Florida College System institution and state  
 188 university boards of trustees are required to use an  
 189 architect for the development of certain plans;  
 190 deleting district school board requirements for  
 191 certain construction plans; repealing s. 1013.451,  
 192 F.S., relating to life-cycle costs comparisons;  
 193 amending s. 1013.62, F.S.; conforming a cross-  
 194 reference; amending s. 1013.64, F.S.; revising  
 195 determinations of allocations from the Public  
 196 Education Capital Outlay and Debt Service Trust Fund;  
 197 revising criteria for construction project funding  
 198 from a specified account; revising district school  
 199 board requirements relating to educational plant  
 200 construction; amending ss. 163.3180, 1002.68,  
 201 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98,  
 202 F.S.; conforming cross-references; providing effective  
 203 dates.

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204  
 205 Be It Enacted by the Legislature of the State of Florida:  
 206  
 207 Section 1. Paragraph (a) of subsection (1) of section  
 208 120.81, Florida Statutes, is amended to read:  
 209 120.81 Exceptions and special requirements; general areas.—  
 210 (1) EDUCATIONAL UNITS.—  
 211 (a) District school boards are not subject to the  
 212 requirements for rules in this chapter when making and adopting  
 213 rules with public input at a public meeting. Notwithstanding s.  
 214 120.536(1) and the flush left provisions of s. 120.52(8),  
 215 district school boards may adopt rules to implement their  
 216 general powers under s. 1001.41.  
 217 Section 2. Paragraph (n) of subsection (2) of section  
 218 1001.02, Florida Statutes, is amended to read:  
 219 1001.02 General powers of State Board of Education.—  
 220 (2) The State Board of Education has the following duties:  
 221 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and  
 222 120.54, within statutory authority as specifically provided by  
 223 law.  
 224 Section 3. Subsections (5) and (6) are added to section  
 225 1001.23, Florida Statutes, to read:  
 226 1001.23 Specific powers and duties of the Department of  
 227 Education.—In addition to all other duties assigned to it by law  
 228 or by rule of the State Board of Education, the department  
 229 shall:  
 230 (5) Annually by August 1, inform district school  
 231 superintendents that pursuant to s. 120.565, the superintendents  
 232 may receive a declaratory statement, within 90 days after

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233 submitting a petition to receive such statement, regarding the  
 234 department's opinion as to the applicability of a statutory or  
 235 rule provision to a school district as it applies to the  
 236 district's particular set of circumstances.

237 (6) Annually maintain and make available to school  
 238 districts a list of all requirements in statute and rule  
 239 relating to required actions by district school boards or  
 240 superintendents. The list must include, but is not limited to,  
 241 required parent notifications; information that must be posted  
 242 to the district website; and reporting, filing, and  
 243 certification requirements.

244 Section 4. Paragraph (1) of subsection (12) of section  
 245 1001.42, Florida Statutes, is amended to read:

246 1001.42 Powers and duties of district school board.—The  
 247 district school board, acting as a board, shall exercise all  
 248 powers and perform all duties listed below:

249 (12) FINANCE.—Take steps to assure students adequate  
 250 educational facilities through the financial procedure  
 251 authorized in chapters 1010 and 1011 and as prescribed below:

252 ~~(1) Internal auditor. May or, in the case of a school~~  
 253 ~~district receiving annual federal, state, and local funds in~~  
 254 ~~excess of \$500 million, shall employ an internal auditor. The~~  
 255 ~~scope of the internal auditor shall not be restricted and shall~~  
 256 ~~include every functional and program area of the school system.~~

257 ~~1. The internal auditor shall perform ongoing financial~~  
 258 ~~verification of the financial records of the school district, a~~  
 259 ~~comprehensive risk assessment of all areas of the school system~~  
 260 ~~every 5 years, and other audits and reviews as the district~~  
 261 ~~school board directs for determining;~~

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262 ~~a. The adequacy of internal controls designed to prevent~~  
 263 ~~and detect fraud, waste, and abuse as defined in s. 11.45(1).~~  
 264 ~~b. Compliance with applicable laws, rules, contracts, grant~~  
 265 ~~agreements, district school board-approved policies, and best~~  
 266 ~~practices.~~  
 267 ~~e. The efficiency of operations.~~  
 268 ~~d. The reliability of financial records and reports.~~  
 269 ~~e. The safeguarding of assets.~~  
 270 ~~f. Financial solvency.~~  
 271 ~~g. Projected revenues and expenditures.~~  
 272 ~~h. The rate of change in the general fund balance.~~

273 ~~2. The internal auditor shall prepare audit reports of his~~  
 274 ~~or her findings and report directly to the district school board~~  
 275 ~~or its designee.~~

276 ~~3. Any person responsible for furnishing or producing any~~  
 277 ~~book, record, paper, document, data, or sufficient information~~  
 278 ~~necessary to conduct a proper audit or examination which the~~  
 279 ~~internal auditor is by law authorized to perform is subject to~~  
 280 ~~the provisions of s. 11.47(3) and (4).~~

281 Section 5. Subsection (16) of section 1002.20, Florida  
 282 Statutes, is amended to read:

283 1002.20 K-12 student and parent rights.—Parents of public  
 284 school students must receive accurate and timely information  
 285 regarding their child's academic progress and must be informed  
 286 of ways they can help their child to succeed in school. K-12  
 287 students and their parents are afforded numerous statutory  
 288 rights including, but not limited to, the following:

289 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING  
 290 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students

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291 have the right to an easy-to-read report card about the school's  
 292 grade designation or, if applicable under s. 1008.341, the  
 293 school's improvement rating, and the school's accountability  
 294 report, including the school financial report as required under  
 295 s. 1010.215. The school financial report must be provided to the  
 296 parents and indicate the average amount of money expended per  
 297 student in the school, ~~which must also be included in the~~  
 298 ~~student handbook or a similar publication.~~ The department shall  
 299 produce the reports required under this subsection and make the  
 300 reports for each school available on the department's website in  
 301 a prominent location. Each public school district must provide a  
 302 link on its website to such reports for parent access.

303 Section 6. Paragraph (b) of subsection (2) and subsection  
 304 (5) of section 1002.31, Florida Statutes, are amended to read:  
 305 1002.31 Controlled open enrollment; public school parental  
 306 choice.—

(2)

308 (b) Each school district and charter school capacity  
 309 determinations for its schools, by grade level, must be updated  
 310 at least twice annually every 12 weeks and be identified on the  
 311 school district and charter school's websites. ~~In determining~~  
 312 ~~the capacity of each district school, the district school board~~  
 313 ~~shall incorporate the specifications, plans, elements, and~~  
 314 ~~commitments contained in the school district educational~~  
 315 ~~facilities plan and the long-term work programs required under~~  
 316 ~~s. 1013.35.~~ Each charter school governing board shall determine  
 317 capacity based upon its charter school contract. Each virtual  
 318 charter school and each school district with a contract with an  
 319 approved virtual instruction program provider shall determine

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320 capacity based upon the enrollment requirements established  
 321 under s. 1002.45(1)(d)4.

322 (5) For a school or program that is a public school of  
 323 choice under this section, the calculation for compliance with  
 324 maximum class size ~~pursuant to s. 1003.03(4)~~ is the average  
 325 number of students at the school level.

326 Section 7. Paragraph (g) of subsection (18) of section  
 327 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

330 (g) Each school district shall annually provide to the  
 331 Department of Education ~~as part of its 5 year work plan~~ the  
 332 number of existing vacant classrooms in each school that the  
 333 district does not intend to use or does not project will be  
 334 needed for educational purposes for the following school year.  
 335 The department may recommend that a district make such space  
 336 available to an appropriate charter school.

337 Section 8. Paragraph (b) of subsection (7) of section  
 338 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(7) SCHOOL DISTRICT OBLIGATIONS.—

341 (b)1. The parent of a student with a disability who does  
 342 not have an IEP in accordance with subparagraph (3)(b)4. or who  
 343 seeks a reevaluation of an existing IEP may request an IEP  
 344 meeting and evaluation from the school district in order to  
 345 obtain or revise a matrix of services. The school district shall  
 346 notify a parent who has made a request for an IEP that the  
 347 district is required to complete the IEP and matrix of services  
 348 within 60 ~~30~~ days after receiving notice of the parent's

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349 request. The school district shall conduct a meeting and develop  
 350 an IEP and a matrix of services within ~~60~~ 30 days after receipt  
 351 of the parent's request in accordance with State Board of  
 352 Education rules. The district must accept the diagnosis and  
 353 consider the service plan of the licensed professional providing  
 354 the diagnosis pursuant to subparagraph (3)(b)4. The school  
 355 district must complete a matrix that assigns the student to one  
 356 of the levels of service as they existed before the 2000-2001  
 357 school year. For a nonpublic school student without an IEP, the  
 358 school district is authorized to use evaluation reports and  
 359 plans of care developed by the licensed professionals under  
 360 subparagraph (4)(b)3. to complete the matrix of services.

361 2.a. The school district must provide the student's parent  
 362 and the department with the student's matrix level within 10  
 363 calendar days after its completion.

364 b. The department shall notify the parent and the  
 365 organization of the amount of the funds awarded within 10 days  
 366 after receiving the school district's notification of the  
 367 student's matrix level.

368 c. A school district may change a matrix of services only  
 369 if the change is a result of an IEP reevaluation or to correct a  
 370 technical, typographical, or calculation error.

371 Section 9. Paragraph (a) of subsection (5) of section  
 372 1002.451, Florida Statutes, is amended to read:

373 1002.451 District innovation school of technology program.—

374 (5) EXEMPTION FROM STATUTES.—

375 (a) An innovation school of technology is exempt from  
 376 chapters 1000-1013. However, an innovation school of technology  
 377 shall comply with the following provisions of those chapters:

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- 378 1. Laws pertaining to the following:
- 379 a. Schools of technology, including this section.
- 380 b. Student assessment program and school grading system.
- 381 c. Services to students who have disabilities.
- 382 d. Civil rights, including s. 1000.05, relating to  
 383 discrimination.
- 384 e. Student health, safety, and welfare.
- 385 2. Laws governing the election and compensation of district  
 386 school board members and election or appointment and  
 387 compensation of district school superintendents.
- 388 3. Section 1003.03, governing maximum class size, except  
 389 that the calculation for compliance pursuant to s. 1003.03 is  
 390 the average at the school level.
- 391 4. Sections 1012.22(1)(c) and 1012.27(2), relating to  
 392 compensation and salary schedules.
- 393 5. Section 1012.33(5), relating to workforce reductions,  
 394 for annual contracts for instructional personnel. This  
 395 subparagraph does not apply to at-will employees.
- 396 6. Section 1012.335, relating to contracts with  
 397 instructional personnel hired on or after July 1, 2011, for  
 398 annual or instructional multiyear contracts for instructional  
 399 personnel. This subparagraph does not apply to at-will  
 400 employees.
- 401 7. Section 1012.34, relating to requirements for  
 402 performance evaluations of instructional personnel and school  
 403 administrators.
- 404 Section 10. Paragraph (a) of subsection (10) of section  
 405 1002.61, Florida Statutes, is amended to read:  
 406 1002.61 Summer prekindergarten program delivered by public

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407 schools and private prekindergarten providers.-

408 (10) (a) Each early learning coalition shall verify that  
 409 each private prekindergarten provider ~~and public school~~  
 410 delivering the Voluntary Prekindergarten Education Program  
 411 within the coalition's county or multicounty region complies  
 412 with this part.

413 Section 11. Subsection (9) of section 1002.63, Florida  
 414 Statutes, is amended to read:

415 1002.63 School-year prekindergarten program delivered by  
 416 public schools.-

417 (9) (a) ~~Each early learning coalition shall verify that each~~  
 418 ~~public school delivering the Voluntary Prekindergarten Education~~  
 419 ~~Program within the coalition's service area complies with this~~  
 420 ~~part.~~

421 ~~(b)~~ If a public school fails or refuses to comply with this  
 422 part or engages in misconduct, the department must ~~shall~~ require  
 423 that the school district ~~to~~ remove the school from eligibility  
 424 to deliver the Voluntary Prekindergarten Education Program and  
 425 receive state funds under this part for a period of at least 2  
 426 years but no more than 5 years.

427 Section 12. Paragraph (b) of subsection (6) and subsection  
 428 (7) of section 1002.71, Florida Statutes, are amended to read:

429 1002.71 Funding; financial and attendance reporting.-

430 (6)

431 (b)1. Each private prekindergarten provider's ~~and district~~  
 432 ~~school board's~~ attendance policy must require the parent of each  
 433 student in the Voluntary Prekindergarten Education Program to  
 434 verify, each month, the student's attendance on the prior  
 435 month's certified student attendance.

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436 2. The parent must submit the verification of the student's  
 437 attendance to the private prekindergarten provider ~~or public~~  
 438 ~~school~~ on forms prescribed by the department. The forms must  
 439 include, in addition to the verification of the student's  
 440 attendance, a certification, in substantially the following  
 441 form, that the parent continues to choose the private  
 442 prekindergarten provider or public school in accordance with s.  
 443 1002.53 and directs that payments for the program be made to the  
 444 provider or school:

445  
 446 VERIFICATION OF STUDENT'S ATTENDANCE  
 447 AND CERTIFICATION OF PARENTAL CHOICE  
 448

449 I, ...(Name of Parent)..., swear (or affirm) that my child,  
 450 ...(Name of Student)..., attended the Voluntary Prekindergarten  
 451 Education Program on the days listed above and certify that I  
 452 continue to choose ...(Name of Provider or School)... to deliver  
 453 the program for my child and direct that program funds be paid  
 454 to the provider or school for my child.

455 ...(Signature of Parent)...

456 ...(Date)...

457  
 458 3. The private prekindergarten provider ~~or public school~~  
 459 must keep each original signed form for at least 2 years. Each  
 460 private prekindergarten provider must permit the early learning  
 461 coalition, ~~and each public school must permit the school~~  
 462 ~~district,~~ to inspect the original signed forms during normal  
 463 business hours. The department shall adopt procedures for early  
 464 learning coalitions ~~and school districts~~ to review the original

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465 signed forms against the certified student attendance. The  
 466 review procedures must ~~shall~~ provide for the use of selective  
 467 inspection techniques, including, but not limited to, random  
 468 sampling. Each early learning coalition ~~and the school districts~~  
 469 must comply with the review procedures.

470 (7) The department shall require that administrative  
 471 expenditures be kept to the minimum necessary for efficient and  
 472 effective administration of the Voluntary Prekindergarten  
 473 Education Program. Administrative policies and procedures must  
 474 ~~shall be revised~~, to the maximum extent practicable, be revised  
 475 to incorporate the use of automation and electronic submission  
 476 of forms, including those required for child eligibility and  
 477 enrollment, provider and class registration, and monthly  
 478 certification of attendance for payment. A school district may  
 479 use its automated daily attendance reporting system for the  
 480 purpose of maintaining and transmitting attendance records to  
 481 the early learning coalition in a mutually agreed-upon format.  
 482 Each school district shall certify the correctness of attendance  
 483 data submitted to the single point of entry system described in  
 484 paragraph (5) (a) as required by the department. In addition,  
 485 actions must ~~shall~~ be taken to reduce paperwork, eliminate the  
 486 duplication of reports, and eliminate other duplicative  
 487 activities. Each early learning coalition may retain and expend  
 488 no more than 5.0 percent of the funds paid by the coalition to  
 489 private prekindergarten providers and public schools under  
 490 paragraph (5) (b). Funds retained by an early learning coalition  
 491 under this subsection may be used only for administering the  
 492 Voluntary Prekindergarten Education Program and may not be used  
 493 for the school readiness program or other programs.

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494 Section 13. Subsection (4) of section 1003.03, Florida  
 495 Statutes, is amended to read:

496 1003.03 Maximum class size.—

497 ~~(4) ACCOUNTABILITY. Each district that has not complied~~  
 498 ~~with the requirements in subsection (1), based on the October~~  
 499 ~~student membership survey, shall submit to the commissioner by~~  
 500 ~~February 1 a plan certified by the district school board that~~  
 501 ~~describes the specific actions the district will take in order~~  
 502 ~~to fully comply with the requirements in subsection (1) by~~  
 503 ~~October of the following school year.~~

504 Section 14. Paragraph (b) of subsection (1) of section  
 505 1003.26, Florida Statutes, is amended to read:

506 1003.26 Enforcement of school attendance.—The Legislature  
 507 finds that poor academic performance is associated with  
 508 nonattendance and that school districts must take an active role  
 509 in promoting and enforcing attendance as a means of improving  
 510 student performance. It is the policy of the state that each  
 511 district school superintendent be responsible for enforcing  
 512 school attendance of all students subject to the compulsory  
 513 school age in the school district and supporting enforcement of  
 514 school attendance by local law enforcement agencies. The  
 515 responsibility includes recommending policies and procedures to  
 516 the district school board that require public schools to respond  
 517 in a timely manner to every unexcused absence, and every absence  
 518 for which the reason is unknown, of students enrolled in the  
 519 schools. District school board policies shall require the parent  
 520 of a student to justify each absence of the student, and that  
 521 justification will be evaluated based on adopted district school  
 522 board policies that define excused and unexcused absences. The

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523 policies must provide that public schools track excused and  
 524 unexcused absences and contact the home in the case of an  
 525 unexcused absence from school, or an absence from school for  
 526 which the reason is unknown, to prevent the development of  
 527 patterns of nonattendance. The Legislature finds that early  
 528 intervention in school attendance is the most effective way of  
 529 producing good attendance habits that will lead to improved  
 530 student learning and achievement. Each public school shall  
 531 implement the following steps to promote and enforce regular  
 532 school attendance:

533 (1) CONTACT, REFER, AND ENFORCE.—

534 (b) If a student has had at least five unexcused absences,  
 535 or absences for which the reasons are unknown, within a calendar  
 536 month or 10 unexcused absences, or absences for which the  
 537 reasons are unknown, within a 90-calendar-day period, or a  
 538 period of time less than 90 days as determined by the district  
 539 school board, the student's primary teacher must ~~shall~~ report to  
 540 the school principal or his or her designee that the student may  
 541 be exhibiting a pattern of nonattendance. The principal shall,  
 542 unless there is clear evidence that the absences are not a  
 543 pattern of nonattendance, refer the case to the school's child  
 544 study team to determine if early patterns of truancy are  
 545 developing. If the child study team finds that a pattern of  
 546 nonattendance is developing, whether the absences are excused or  
 547 not, a meeting with the parent must be scheduled to identify  
 548 potential remedies, and the principal must ~~shall~~ notify the  
 549 district school superintendent and the school district contact  
 550 for home education programs that the referred student is  
 551 exhibiting a pattern of nonattendance.

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552 Section 15. Effective upon becoming a law, paragraphs (a)  
 553 and (b) of subsection (3), paragraph (c) of subsection (5), and  
 554 subsection (6) of section 1003.4282, Florida Statutes, are  
 555 amended to read:

556 1003.4282 Requirements for a standard high school diploma.—

557 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT  
 558 REQUIREMENTS.—

559 (a) *Four credits in English Language Arts (ELA).*—The four  
 560 credits must be in ELA I, II, III, and IV. A student's  
 561 performance on the statewide, standardized grade 10 ELA  
 562 assessment constitutes 30 percent of the student's final course  
 563 grade. A student must pass the statewide, standardized grade 10  
 564 ELA assessment, or earn a concordant score, in order to earn a  
 565 standard high school diploma.

566 (b) *Four credits in mathematics.*—

567 1. A student must earn one credit in Algebra I and one  
 568 credit in Geometry. A student's performance on the statewide,  
 569 standardized Algebra I end-of-course (EOC) assessment  
 570 constitutes 30 percent of the student's final course grade. ~~A~~  
 571 ~~student must pass the statewide, standardized Algebra I EOC~~  
 572 ~~assessment, or earn a comparative score, in order to earn a~~  
 573 ~~standard high school diploma.~~ A student's performance on the  
 574 statewide, standardized Geometry EOC assessment constitutes 30  
 575 percent of the student's final course grade.

576 2. A student who earns an industry certification for which  
 577 there is a statewide college credit articulation agreement  
 578 approved by the State Board of Education may substitute the  
 579 certification for one mathematics credit. Substitution may occur  
 580 for up to two mathematics credits, except for Algebra I and

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581 Geometry. A student may earn two mathematics credits by  
 582 successfully completing Algebra I through two full-year courses.  
 583 A certified school counselor or the principal's designee shall  
 584 ~~must~~ advise the student that admission to a state university may  
 585 require the student to earn 3 additional mathematics credits  
 586 that are at least as rigorous as Algebra I.

587 3. A student who earns a computer science credit may  
 588 substitute the credit for up to one credit of the mathematics  
 589 requirement, with the exception of Algebra I and Geometry, if  
 590 the commissioner identifies the computer science credit as being  
 591 equivalent in rigor to the mathematics credit. An identified  
 592 computer science credit may not be used to substitute for both a  
 593 mathematics and a science credit. A student who earns an  
 594 industry certification in 3D rapid prototype printing may  
 595 satisfy up to two credits of the mathematics requirement, with  
 596 the exception of Algebra I, if the commissioner identifies the  
 597 certification as being equivalent in rigor to the mathematics  
 598 credit or credits.

599 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

600 (c) A student who earns the required 24 credits, or the  
 601 required 18 credits under s. 1002.3105(5), but fails to ~~pass the~~  
 602 ~~assessments required under s. 1008.22(3) or~~ achieve a 2.0 GPA  
 603 shall be awarded a certificate of completion in a form  
 604 prescribed by the State Board of Education. However, a student  
 605 who is otherwise entitled to a certificate of completion may  
 606 elect to remain in high school either as a full-time student or  
 607 a part-time student for up to 1 additional year and receive  
 608 special instruction designed to remedy his or her identified  
 609 deficiencies.

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610 (6) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—~~Beginning with~~  
 611 ~~the 2012-2013 school year, if a student transfers to a Florida~~  
 612 ~~public high school from out of country, out of state, a private~~  
 613 ~~school, a personalized education program, or a home education~~  
 614 ~~program and the student's transcript shows a credit in Algebra~~  
 615 ~~I, the student must pass the statewide, standardized Algebra I~~  
 616 ~~EOC assessment in order to earn a standard high school diploma~~  
 617 ~~unless the student earned a comparative score, passed a~~  
 618 ~~statewide assessment in Algebra I administered by the~~  
 619 ~~transferring entity, or passed the statewide mathematics~~  
 620 ~~assessment the transferring entity uses to satisfy the~~  
 621 ~~requirements of the Elementary and Secondary Education Act, as~~  
 622 ~~amended by the Every Student Succeeds Act (ESSA), 20 U.S.C. ss.~~  
 623 ~~6301 et seq. If a student's transcript shows a credit in high~~  
 624 ~~school reading or English Language Arts II or III, in order to~~  
 625 ~~earn a standard high school diploma, the student must take and~~  
 626 ~~pass the statewide, standardized grade 10 ELA assessment, or~~  
 627 ~~earn a concordant score. If a transfer student's transcript~~  
 628 ~~shows a final course grade and course credit in Algebra I,~~  
 629 ~~Geometry, Biology I, ~~or~~ United States History, or the equivalent~~  
 630 ~~of a grade 10 ELA course, the transferring course final grade~~  
 631 ~~and credit must shall be honored without the student taking the~~  
 632 ~~requisite statewide, standardized EOC assessment and without the~~  
 633 ~~assessment results constituting 30 percent of the student's~~  
 634 ~~final course grade.~~

635 Section 16. Effective upon becoming a law, section  
 636 1003.433, Florida Statutes, is amended to read:

637 1003.433 Learning opportunities for out-of-state and out-  
 638 of-country transfer students and students needing additional

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639 instruction to meet high school graduation requirements.-

640 ~~(1) Students who enter a Florida public school at the 11th~~  
 641 ~~or 12th grade from out of state or out of country may shall not~~  
 642 ~~be required to spend additional time in a Florida public school~~  
 643 ~~in order to meet the high school course requirements if the~~  
 644 ~~student has met all requirements of the school district, state,~~  
 645 ~~or country from which he or she is transferring. Such students~~  
 646 ~~who are not proficient in English should receive immediate and~~  
 647 ~~intensive instruction in English language acquisition. However,~~  
 648 ~~to receive a standard high school diploma, a transfer student~~  
 649 ~~must earn a 2.0 grade point average and meet the requirements~~  
 650 ~~under s. 1008.22.~~

651 ~~(2) Students who earn the required 24 credits for the~~  
 652 ~~standard high school diploma except for passage of any must-pass~~  
 653 ~~assessment under s. 1003.4282 or s. 1008.22 or an alternate~~  
 654 ~~assessment by the end of grade 12 must be provided the following~~  
 655 ~~learning opportunities:~~

656 ~~(a) Participation in an accelerated high school equivalency~~  
 657 ~~diploma preparation program during the summer.~~

658 ~~(b) Upon receipt of a certificate of completion, be allowed~~  
 659 ~~to take the College Placement Test and be admitted to~~  
 660 ~~developmental education or credit courses at a Florida College~~  
 661 ~~System institution, as appropriate.~~

662 ~~(c) Participation in an adult general education program as~~  
 663 ~~provided in s. 1004.93 for such time as the student requires to~~  
 664 ~~master English, reading, mathematics, or any other subject~~  
 665 ~~required for high school graduation. A student attending an~~  
 666 ~~adult general education program shall have the opportunity to~~  
 667 ~~take any must-pass assessment under s. 1003.4282 or s. 1008.22~~

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668 ~~an unlimited number of times in order to receive a standard high~~  
 669 ~~school diploma.~~

670 ~~(3) Students who have been enrolled in an ESOL program for~~  
 671 ~~less than 2 school years and have met all requirements for the~~  
 672 ~~standard high school diploma except for passage of any must-pass~~  
 673 ~~assessment under s. 1003.4282 or s. 1008.22 or alternate~~  
 674 ~~assessment may:~~

675 ~~(a) Receive immersion English language instruction during~~  
 676 ~~the summer following their senior year. Students receiving such~~  
 677 ~~instruction are eligible to take the required assessment or~~  
 678 ~~alternate assessment and receive a standard high school diploma~~  
 679 ~~upon passage of the required assessment or alternate assessment.~~  
 680 ~~This paragraph shall be implemented to the extent funding is~~  
 681 ~~provided in the General Appropriations Act.~~

682 ~~(b) Beginning with the 2022-2023 school year, meet the~~  
 683 ~~requirement to pass the statewide, standardized grade 10 English~~  
 684 ~~Language Arts assessment by satisfactorily demonstrating grade-~~  
 685 ~~level expectations on formative assessments, in accordance with~~  
 686 ~~state board rule.~~

687 Section 17. Paragraph (j) is added to subsection (6) of  
 688 section 1006.1494, Florida Statutes, to read:

689 1006.1494 Student online personal information protection.-

690 (6) This section does not do any of the following:

691 (j) Impose requirements for a K-12 school, school district,  
 692 or district school board.

693

694 The State Board of Education may adopt rules to implement this  
 695 section.

696 Section 18. Subsection (2) of section 1006.40, Florida

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697 Statutes, is amended to read:

698 1006.40 Purchase of instructional materials.—

699 (2) Each district school board must purchase current  
700 instructional materials to provide each student in kindergarten  
701 through grade 12 with a major tool of instruction in core  
702 courses of the subject areas of mathematics, language arts,  
703 science, social studies, reading, and literature. Such purchase  
704 must be made within the first 5 ~~3~~ years after the effective date  
705 of the adoption cycle unless a district school board or a  
706 consortium of school districts has implemented an instructional  
707 materials program pursuant to s. 1006.283.

708 Section 19. Subsections (2) and (3) of section 1008.212,  
709 Florida Statutes, are amended to read:

710 1008.212 Students with disabilities; extraordinary  
711 exemption.—

712 (2) A student with a disability for whom the individual  
713 education plan (IEP) team determines is prevented by a  
714 circumstance or condition from physically demonstrating the  
715 mastery of skills that have been acquired and are measured by  
716 the statewide standardized assessment, a statewide standardized  
717 end-of-course assessment, or an alternate assessment pursuant to  
718 s. 1008.22(3)(d) shall be granted an extraordinary exemption  
719 from the administration of the assessment. A learning,  
720 emotional, behavioral, or significant cognitive disability, or  
721 the receipt of services through the homebound or hospitalized  
722 program in accordance with rule 6A-6.03020, Florida  
723 Administrative Code, is not, in and of itself, an adequate  
724 criterion for the granting of an extraordinary exemption. The  
725 first two administrations of the coordinated screening and

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726 progress monitoring system under s. 1008.25(9) or any alternate  
727 assessments used in lieu of such administrations are not subject  
728 to the requirements of this section.

729 (3) The IEP team, which must include the parent, may submit  
730 to the district school superintendent a written request for an  
731 extraordinary exemption at any time during the school year,  
732 subject to deadlines established by the district school  
733 superintendent but not later than 60 days before the current  
734 year's assessment administration for which the request is made.  
735 A request must include all of the following:

736 (a) A written description of the student's disabilities,  
737 including a specific description of the student's impaired  
738 sensory, manual, or speaking skills.

739 (b) Written documentation of the most recent evaluation  
740 data.

741 (c) Written documentation, if available, of the most recent  
742 administration of the statewide standardized assessment, an end-  
743 of-course assessment, or an alternate assessment.

744 (d) A written description of the condition's effect on the  
745 student's participation in the statewide standardized  
746 assessment, an end-of-course assessment, or an alternate  
747 assessment.

748 (e) Written evidence that the student has had the  
749 opportunity to learn the skills being tested.

750 (f) Written evidence that the student has been provided  
751 appropriate instructional accommodations.

752 (g) Written evidence as to whether the student has had the  
753 opportunity to be assessed using the instructional  
754 accommodations on the student's IEP which are allowable in the

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755 administration of the statewide standardized assessment, an end-  
 756 of-course assessment, or an alternate assessment in prior  
 757 assessments.

758 (h) Written evidence of the circumstance or condition as  
 759 defined in subsection (1).

760 Section 20. Paragraphs (a), (b), and (d) of subsection (7)  
 761 of section 1008.22, Florida Statutes, are amended to read:

762 1008.22 Student assessment program for public schools.—  
 763 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—  
 764 (a) The Commissioner of Education shall establish schedules  
 765 for the administration of statewide, standardized assessments  
 766 and the reporting of student assessment results. The  
 767 commissioner shall consider the observance of religious and  
 768 school holidays when developing the schedules. By January 1 of  
 769 each year, the commissioner shall notify each school district in  
 770 writing and publish on the department's website the assessment  
 771 schedule for, at a minimum, the next 2 school years. The  
 772 assessment and reporting schedules must provide the earliest  
 773 possible reporting of student assessment results to the school  
 774 districts. Assessment results for the statewide, standardized  
 775 ELA and Mathematics assessments and all statewide, standardized  
 776 EOC assessments must be made available no later than June 30,  
 777 except for results for the grade 3 statewide, standardized ELA  
 778 assessment, which must be made available no later than May 31.  
 779 Beginning with the 2023-2024 school year, assessment results for  
 780 the statewide, standardized ELA and Mathematics assessments must  
 781 be available no later than May 31. School districts shall  
 782 administer statewide, standardized assessments in accordance  
 783 with the schedule established by the commissioner.

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784 ~~(b) By January of each year, the commissioner shall publish~~  
 785 ~~on the department's website a uniform calendar that includes the~~  
 786 ~~assessment and reporting schedules for, at a minimum, the next 2~~  
 787 ~~school years. The uniform calendar must be provided to school~~  
 788 ~~districts in an electronic format that allows each school~~  
 789 ~~district and public school to populate the calendar with, at~~  
 790 ~~minimum, the following information for reporting the district~~  
 791 ~~assessment schedules under paragraph (d):~~

792 ~~1. Whether the assessment is a district-required assessment~~  
 793 ~~or a state-required assessment.~~

794 ~~2. The specific date or dates that each assessment will be~~  
 795 ~~administered, including administrations of the coordinated~~  
 796 ~~screening and progress monitoring system under s. 1008.25(9)(b).~~

797 ~~3. The time allotted to administer each assessment.~~

798 ~~4. Whether the assessment is a computer-based assessment or~~  
 799 ~~a paper-based assessment.~~

800 ~~5. The grade level or subject area associated with the~~  
 801 ~~assessment.~~

802 ~~6. The date that the assessment results are expected to be~~  
 803 ~~available to teachers and parents.~~

804 ~~7. The type of assessment, the purpose of the assessment,~~  
 805 ~~and the use of the assessment results.~~

806 ~~8. A glossary of assessment terminology.~~

807 ~~9. Estimates of average time for administering state-~~  
 808 ~~required and district-required assessments, by grade level.~~

809 (c)(d) Each school district shall, by November 1 of each  
 810 year, establish schedules for the administration of any  
 811 statewide, standardized assessments and district-required  
 812 assessments and approve the schedules as an agenda item at a

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813 district school board meeting. Each school district shall  
 814 publish ~~the~~ testing schedules on its website which specify  
 815 whether an assessment is a state-required or district-required  
 816 assessment and the grade bands or subject areas associated with  
 817 the assessments using the uniform calendar, including all  
 818 information required under paragraph (b), and submit the  
 819 schedules to the Department of Education by October 1 of each  
 820 year. Each public school shall publish schedules for statewide,  
 821 standardized assessments and district-required assessments on  
 822 its website using the uniform calendar, including all  
 823 information required under paragraph (b). The school board-  
 824 approved assessment uniform calendar must be included in the  
 825 parent guide required by s. 1002.23(5).

826 Section 21. Paragraph (c) of subsection (5) and paragraphs  
 827 (b), (c), and (d) of subsection (9) of section 1008.25, Florida  
 828 Statutes, are amended to read:

829 1008.25 Public school student progression; student support;  
 830 coordinated screening and progress monitoring; reporting  
 831 requirements.-

832 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.-

833 (c) To be promoted to grade 4, a student must score a Level  
 834 2 or higher in English Language Arts for grade 3 on any  
 835 administration of the coordinated screening and progress  
 836 monitoring system, which includes ~~on~~ the statewide, standardized  
 837 English Language Arts assessment required under s. 1008.22 ~~for~~  
 838 ~~grade 3~~. If a student's reading deficiency is not remedied by  
 839 the end of grade 3, as demonstrated by scoring Level 2 or higher  
 840 on the mid-year or final administration of the coordinated  
 841 screening and progress monitoring system, which includes the

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842 statewide, standardized assessment required under s. 1008.22 for  
 843 grade 3, the student must be retained.

844 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.-

845 (b) Beginning with the 2022-2023 school year, private  
 846 Voluntary Prekindergarten Education Program providers and public  
 847 schools must participate in the coordinated screening and  
 848 progress monitoring system pursuant to this paragraph.

849 1. For students in the school-year Voluntary  
 850 Prekindergarten Education Program through grade 2, the  
 851 coordinated screening and progress monitoring system must be  
 852 administered at least three times within a school year, with the  
 853 first administration occurring no later than the first 30  
 854 instructional days after a student's enrollment or the start of  
 855 the school year, the second administration occurring midyear,  
 856 and the third administration occurring within the last 30 days  
 857 of the school year pursuant to state board rule. The state board  
 858 may adopt alternate timeframes to address nontraditional school  
 859 year calendars to ensure the coordinated screening and progress  
 860 monitoring program is administered a minimum of three times  
 861 within a year.

862 2. For students in the summer prekindergarten program, the  
 863 coordinated screening and progress monitoring system must be  
 864 administered two times, with the first administration occurring  
 865 no later than the first 10 instructional days after a student's  
 866 enrollment or the start of the summer prekindergarten program,  
 867 and the final administration occurring within the last 10 days  
 868 of the summer prekindergarten program pursuant to state board  
 869 rule.

870 3. For grades 3 through 10 English Language Arts and grades

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 871 3 through 8 Mathematics, the coordinated screening and progress  
 872 monitoring system must be administered at the beginning, middle,  
 873 and end of the school year pursuant to state board rule. The  
 874 end-of-year administration of the coordinated screening and  
 875 progress monitoring system must be a comprehensive progress  
 876 monitoring assessment administered in accordance with the  
 877 scheduling requirements under s. 1008.22(7)(b) ~~s. 1008.22(7)(e)~~.

(c) To facilitate timely interventions and supports  
 879 pursuant to subsection (4), the system must provide results from  
 880 the first two administrations of the progress monitoring to a  
 881 student's teacher or prekindergarten instructor within 1 week  
 882 and to the student's parent within 2 weeks after the  
 883 administration of the progress monitoring. Delivery of results  
 884 from the comprehensive, end-of-year progress monitoring ELA  
 885 assessment for grades 3 through 10 and Mathematics assessment  
 886 for grades 3 through 8 must be in accordance with s.  
 887 1008.22(7)(g) ~~s. 1008.22(7)(h)~~.

1. A student's results from the coordinated screening and  
 889 progress monitoring system must be recorded in a written, easy-  
 890 to-comprehend individual student report. Each school district  
 891 shall provide a parent secure access to his or her child's  
 892 individual student reports through a web-based portal as part of  
 893 its student information system. Each early learning coalition  
 894 shall provide parents the individual student report in a format  
 895 determined by state board rule.

2. In addition to the information under subparagraph (a)5.,  
 897 the report must also include parent resources that explain the  
 898 purpose of progress monitoring, assist the parent in  
 899 interpreting progress monitoring results, and support informed

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 900 parent involvement. Parent resources may include personalized  
 901 video formats.

3. The department shall annually update school districts  
 903 and early learning coalitions on new system features and  
 904 functionality and collaboratively identify with school districts  
 905 and early learning coalitions strategies for meaningfully  
 906 reporting to parents results from the coordinated screening and  
 907 progress monitoring system. The department shall develop ways to  
 908 increase the utilization, by instructional staff and parents, of  
 909 student assessment data and resources.

4. An individual student report must be provided in a  
 911 printed format upon a parent's request.

(d) Screening and progress monitoring system results,  
 913 including the number of students who demonstrate characteristics  
 914 of dyslexia and dyscalculia, shall be reported to the department  
 915 pursuant to state board rule and maintained in the department's  
 916 Education Data Warehouse. Results must be provided to a  
 917 student's teacher and parent in a timely manner as required in  
 918 s. 1008.22(7)(f) ~~s. 1008.22(7)(g)~~.

Section 22. Paragraph (c) of subsection (3) and subsection  
 920 (5) of section 1008.33, Florida Statutes, are amended to read:  
 921 1008.33 Authority to enforce public school improvement.—  
 922 (3)

(c) The state board shall adopt by rule a differentiated  
 924 matrix of intervention and support strategies for assisting  
 925 traditional public schools identified under this section and  
 926 rules for implementing s. 1002.33(9)(n), relating to charter  
 927 schools. The intervention and support strategies must address  
 928 student performance and may include improvement planning;

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929 leadership quality improvement; educator quality improvement;  
 930 professional learning; curriculum review, pacing, and alignment  
 931 across grade levels to improve background knowledge in social  
 932 studies, science, and the arts; and the use of continuous  
 933 improvement and monitoring plans and processes. In addition, the  
 934 state board may prescribe reporting requirements to review and  
 935 monitor the progress of the schools. The rule must define the  
 936 intervention and support strategies for school improvement for  
 937 schools earning a grade of "D" or "F" and the roles for the  
 938 district and department. A school may not be required to use the  
 939 measure of student learning growth in s. 1012.34(7) as the sole  
 940 determinant to recruit instructional personnel. The rule must  
 941 create a timeline for a school district's school improvement  
 942 plan or district-managed turnaround plan to be approved and for  
 943 the school improvement funds under Title I to be released to the  
 944 school district. The timeline established in rule for the  
 945 release of school improvement funding under Title I may not  
 946 exceed 20 calendar days after the approval of the school  
 947 improvement plan or district-managed turnaround plan.

948 (5) The state board shall adopt rules pursuant to ss.  
 949 120.536(1) and 120.54 to administer this section. The rules  
 950 shall include timelines for submission of implementation plans,  
 951 approval criteria for implementation plans, timelines for  
 952 releasing Title I funding, implementing intervention and support  
 953 strategies, a standard charter school turnaround contract, a  
 954 standard facility lease, and a mutual management agreement. The  
 955 state board shall consult with education stakeholders in  
 956 developing the rules.

957 Section 23. Paragraph (e) is added to subsection (2) of

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958 section 1010.20, Florida Statutes, to read:

959 1010.20 Cost accounting and reporting for school  
 960 districts.-

961 (2) COST REPORTING.-

962 (e) Each charter school shall receive and respond to  
 963 monitoring questions from the department.

964 Section 24. Subsections (2) and (4) of section 1011.035,  
 965 Florida Statutes, are amended to read:

966 1011.035 School district fiscal transparency.-

967 (2) Each district school board shall post on its website:

968 (a) A plain language version of each proposed, tentative,  
 969 and official budget which describes each budget item in terms  
 970 that are easily understandable to the public and ~~includes~~

971 ~~(a) Graphical representations, for each public school~~  
 972 ~~within the district and for the school district, of the~~  
 973 ~~following:~~

974 1. ~~Summary financial efficiency data.~~

975 2. ~~Fiscal trend information for the previous 3 years on:~~  
 976 a. ~~The ratio of full-time equivalent students to full-time~~  
 977 ~~equivalent instructional personnel.~~

978 b. ~~The ratio of full-time equivalent students to full-time~~  
 979 ~~equivalent administrative personnel.~~

980 c. ~~The total operating expenditures per full-time~~  
 981 ~~equivalent student.~~

982 d. ~~The total instructional expenditures per full-time~~  
 983 ~~equivalent student.~~

984 e. ~~The general administrative expenditures as a percentage~~  
 985 ~~of total budget.~~

986 f. ~~The rate of change in the general fund's ending fund~~

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987 ~~balance not classified as restricted.~~

988 (b) A link to the web-based fiscal transparency tool  
989 developed by the department pursuant to s. 1010.20 to enable  
990 taxpayers to evaluate the financial efficiency of the school  
991 district and compare the financial efficiency of the school  
992 district with other similarly situated school districts.

993  
994 This information must be prominently posted on the school  
995 district's website in a manner that is readily accessible to the  
996 public.

997 (4) The website should contain links to:

998 ~~(a) Help explain or provide background information on  
999 various budget items that are required by state or federal law.~~

1000 ~~(b) Allow users to navigate to related sites to view  
1001 supporting details.~~

1002 ~~(e)~~ enable taxpayers, parents, and education advocates to  
1003 send e-mails asking questions about the budget and enable others  
1004 to view the questions and responses.

1005 Section 25. Subsection (1) of section 1011.14, Florida  
1006 Statutes, is amended to read:

1007 1011.14 Obligations for a period of 1 year.—District school  
1008 boards are authorized only under the following conditions to  
1009 create obligations by way of anticipation of budgeted revenues  
1010 accruing on a current basis without pledging the credit of the  
1011 district or requiring future levy of taxes for certain purposes  
1012 for a period of 1 year; however, such obligations may be  
1013 extended from year to year with the consent of the lender for a  
1014 period not to exceed 4 years, or for a total of 5 years  
1015 including the initial year of the loan:

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1016 (1) PURPOSES.—The purposes for which such obligations may  
1017 be incurred within the intent of this section shall include only  
1018 the purchase of school buses, land, and equipment for  
1019 educational purposes; the erection of, alteration to, or  
1020 addition to educational plants, ancillary plants, and auxiliary  
1021 facilities; and the adjustment of insurance on educational  
1022 property on a 5-year plan, as provided by rules of the State  
1023 Board of Education.

1024 Section 26. Subsection (2) of section 1011.60, Florida  
1025 Statutes, is amended to read:

1026 1011.60 Minimum requirements of the Florida Education  
1027 Finance Program.—Each district which participates in the state  
1028 appropriations for the Florida Education Finance Program shall  
1029 provide evidence of its effort to maintain an adequate school  
1030 program throughout the district and shall meet at least the  
1031 following requirements:

1032 (2) MINIMUM TERM.—Operate all schools for a term of 180  
1033 actual teaching days or the equivalent on an hourly basis as  
1034 specified by rules of the State Board of Education each school  
1035 year. The State Board of Education may prescribe procedures for  
1036 altering, and, upon written application, may alter, this  
1037 requirement during a national, state, or local emergency as it  
1038 may apply to an individual school or schools in any district or  
1039 districts if the district school board certifies to the  
1040 Commissioner of Education that if, in the opinion of the board,  
1041 it is not necessary ~~feasible~~ to make up lost days or hours, and  
1042 the apportionment may, at the discretion of the Commissioner of  
1043 Education and if the board determines that the reduction of  
1044 school days or hours is caused by the existence of a bona fide

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1045 emergency, be reduced for such district or districts in  
1046 proportion to the decrease in the length of term in any such  
1047 school or schools. A strike, as defined in s. 447.203(6), by  
1048 employees of the school district may not be considered an  
1049 emergency.

1050 Section 27. Paragraph (o) of subsection (1) of section  
1051 1011.62, Florida Statutes, is amended to read:

1052 1011.62 Funds for operation of schools.—If the annual  
1053 allocation from the Florida Education Finance Program to each  
1054 district for operation of schools is not determined in the  
1055 annual appropriations act or the substantive bill implementing  
1056 the annual appropriations act, it shall be determined as  
1057 follows:

1058 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
1059 OPERATION.—The following procedure shall be followed in  
1060 determining the annual allocation to each district for  
1061 operation:

1062 (o) *Calculation of additional full-time equivalent*  
1063 *membership based on successful completion of a career-themed*  
1064 *course pursuant to ss. 1003.491-1003.493, or courses with*  
1065 *embedded CAPE industry certifications or CAPE Digital Tool*  
1066 *certificates, and issuance of industry certification identified*  
1067 *on the CAPE Industry Certification Funding List pursuant to*  
1068 *rules adopted by the State Board of Education or CAPE Digital*  
1069 *Tool certificates pursuant to s. 1003.4203.—*

1070 1.a. A value of 0.025 full-time equivalent student  
1071 membership shall be calculated for CAPE Digital Tool  
1072 certificates earned by students in elementary and middle school  
1073 grades.

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1074 b. A value of 0.1 or 0.2 full-time equivalent student  
1075 membership shall be calculated for each student who completes a  
1076 course as defined in s. 1003.493(1)(b) or courses with embedded  
1077 CAPE industry certifications and who is issued an industry  
1078 certification identified annually on the CAPE Industry  
1079 Certification Funding List approved under rules adopted by the  
1080 State Board of Education. A value of 0.2 full-time equivalent  
1081 membership shall be calculated for each student who is issued a  
1082 CAPE industry certification that has a statewide articulation  
1083 agreement for college credit approved by the State Board of  
1084 Education. For CAPE industry certifications that do not  
1085 articulate for college credit, the Department of Education shall  
1086 assign a full-time equivalent value of 0.1 for each  
1087 certification. Middle grades students who earn additional FTE  
1088 membership for a CAPE Digital Tool certificate pursuant to sub-  
1089 subparagraph a. may not rely solely on the previously funded  
1090 examination to satisfy the requirements for earning an industry  
1091 certification under this sub-subparagraph. The State Board of  
1092 Education shall include the assigned values on the CAPE Industry  
1093 Certification Funding List under rules adopted by the state  
1094 board. Such value shall be added to the total full-time  
1095 equivalent student membership for grades 6 through 12 in the  
1096 subsequent year. CAPE industry certifications earned through  
1097 dual enrollment must be reported and funded pursuant to s.  
1098 1011.80. However, if a student earns a certification through a  
1099 dual enrollment course and the certification is not a fundable  
1100 certification on the postsecondary certification funding list,  
1101 or the dual enrollment certification is earned as a result of an  
1102 agreement between a school district and a nonpublic

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1103 postsecondary institution, the bonus value shall be funded in  
 1104 the same manner as other nondual enrollment course industry  
 1105 certifications. In such cases, the school district may provide  
 1106 for an agreement between the high school and the technical  
 1107 center, or the school district and the postsecondary institution  
 1108 may enter into an agreement for equitable distribution of the  
 1109 bonus funds.

1110 c. A value of 0.3 full-time equivalent student membership  
 1111 shall be calculated for student completion of at least three  
 1112 courses and an industry certification in a single career and  
 1113 technical education program or program of study.

1114 d. A value of 0.5 full-time equivalent student membership  
 1115 shall be calculated for CAPE Acceleration Industry  
 1116 Certifications that articulate for 15 to 29 college credit  
 1117 hours, and 1.0 full-time equivalent student membership shall be  
 1118 calculated for CAPE Acceleration Industry Certifications that  
 1119 articulate for 30 or more college credit hours pursuant to CAPE  
 1120 Acceleration Industry Certifications approved by the  
 1121 commissioner pursuant to ss. 1003.4203(4) and 1008.44.

1122 2. Each district must allocate at least 80 percent of the  
 1123 funds provided for CAPE industry certification, in accordance  
 1124 with this paragraph, to the program that generated the funds,  
 1125 and any remaining funds provided for CAPE industry certification  
 1126 for school district career and technical education programs.  
 1127 This allocation may not be used to supplant funds provided for  
 1128 basic operation of the program.

1129 3. For CAPE industry certifications earned in the 2013-2014  
 1130 school year and in subsequent years, the school district shall  
 1131 distribute to each classroom teacher who provided direct

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1132 instruction toward the attainment of a CAPE industry  
 1133 certification that qualified for additional full-time equivalent  
 1134 membership under subparagraph 1.:

1135 a. A bonus of \$25 for each student taught by a teacher who  
 1136 provided instruction in a course that led to the attainment of a  
 1137 CAPE industry certification on the CAPE Industry Certification  
 1138 Funding List with a weight of 0.1.

1139 b. A bonus of \$50 for each student taught by a teacher who  
 1140 provided instruction in a course that led to the attainment of a  
 1141 CAPE industry certification on the CAPE Industry Certification  
 1142 Funding List with a weight of 0.2.

1143 c. A bonus of \$75 for each student taught by a teacher who  
 1144 provided instruction in a course that led to the attainment of a  
 1145 CAPE industry certification on the CAPE Industry Certification  
 1146 Funding List with a weight of 0.3.

1147 d. A bonus of \$100 for each student taught by a teacher who  
 1148 provided instruction in a course that led to the attainment of a  
 1149 CAPE industry certification on the CAPE Industry Certification  
 1150 Funding List with a weight of 0.5 or 1.0.

1151 ~~Bonuses awarded pursuant to this paragraph shall be provided to~~  
 1152 ~~teachers who are employed by the district in the year in which~~  
 1153 ~~the additional FTE membership calculation is included in the~~  
 1154 ~~calculation.~~ Bonuses shall be calculated based upon the  
 1155 associated weight of a CAPE industry certification on the CAPE  
 1156 Industry Certification Funding List for the year in which the  
 1157 certification is earned by the student. Any bonus awarded to a  
 1158 teacher pursuant to this paragraph is in addition to any regular  
 1159 wage or other bonus the teacher received or is scheduled to  
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1161 receive. A bonus may not be awarded to a teacher who fails to  
 1162 maintain the security of any CAPE industry certification  
 1163 examination or who otherwise violates the security or  
 1164 administration protocol of any assessment instrument that may  
 1165 result in a bonus being awarded to the teacher under this  
 1166 paragraph.

1167 Section 28. Paragraph (b) of subsection (3) of section  
 1168 1011.6202, Florida Statutes, is amended to read:

1169 1011.6202 Principal Autonomy Program Initiative.—The  
 1170 Principal Autonomy Program Initiative is created within the  
 1171 Department of Education. The purpose of the program is to  
 1172 provide a highly effective principal of a participating school  
 1173 with increased autonomy and authority to operate his or her  
 1174 school, as well as other schools, in a way that produces  
 1175 significant improvements in student achievement and school  
 1176 management while complying with constitutional requirements. The  
 1177 State Board of Education may, upon approval of a principal  
 1178 autonomy proposal, enter into a performance contract with the  
 1179 district school board for participation in the program.

1180 (3) EXEMPTION FROM LAWS.—

1181 (b) A participating school or a school operated by a  
 1182 principal pursuant to subsection (5) shall comply with the  
 1183 provisions of chapters 1000-1013, and rules of the state board  
 1184 that implement those provisions, pertaining to the following:

1185 1. Those laws relating to the election and compensation of  
 1186 district school board members, the election or appointment and  
 1187 compensation of district school superintendents, public meetings  
 1188 and public records requirements, financial disclosure, and  
 1189 conflicts of interest.

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1190 2. Those laws relating to the student assessment program  
 1191 and school grading system, including chapter 1008.

1192 3. Those laws relating to the provision of services to  
 1193 students with disabilities.

1194 4. Those laws relating to civil rights, including s.  
 1195 1000.05, relating to discrimination.

1196 5. Those laws relating to student health, safety, and  
 1197 welfare.

1198 6. Section 1001.42(4)(f), relating to the uniform opening  
 1199 date for public schools.

1200 7. Section 1003.03, governing maximum class size, except  
 1201 that the calculation for compliance pursuant to s. 1003.03 is  
 1202 the average at the school level for a participating school.

1203 8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
 1204 compensation and salary schedules.

1205 9. Section 1012.33(5), relating to workforce reductions for  
 1206 annual contracts for instructional personnel. This subparagraph  
 1207 does not apply to at-will employees.

1208 10. Section 1012.335, relating to annual or instructional  
 1209 multiyear contracts for instructional personnel hired on or  
 1210 after July 1, 2011. This subparagraph does not apply to at-will  
 1211 employees.

1212 11. Section 1012.34, relating to personnel evaluation  
 1213 procedures and criteria.

1214 12. Those laws pertaining to educational facilities,  
 1215 including chapter 1013, except that s. 1013.20, relating to  
 1216 covered walkways for relocatables, is eligible for exemption.

1217 13. Those laws pertaining to participating school  
 1218 districts, including this section and ss. 1011.69(2) and

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1219 1012.28(8).

1220 Section 29. Subsection (4) of section 1011.69, Florida

1221 Statutes, is amended, and subsection (5) is added to that

1222 section, to read:

1223 1011.69 Equity in School-Level Funding Act.—

1224 (4) After providing Title I, Part A, Basic funds to schools

1225 above the 75 percent poverty threshold, which may include high

1226 schools above the 50 percent threshold as permitted by federal

1227 law, school districts shall provide any remaining Title I, Part

1228 A, Basic funds directly to all eligible schools as provided in

1229 this subsection. For purposes of this subsection, an eligible

1230 school is a school that is eligible to receive Title I funds,

1231 including a charter school. ~~The threshold for identifying~~

1232 ~~eligible schools may not exceed the threshold established by a~~

1233 ~~school district for the 2016-2017 school year or the statewide~~

1234 ~~percentage of economically disadvantaged students, as determined~~

1235 ~~annually.~~

1236 (a) Prior to the allocation of Title I funds to eligible

1237 schools, a school district may withhold funds only as follows:

1238 1. One percent for parent involvement, in addition to the

1239 one percent the district must reserve under federal law for

1240 allocations to eligible schools for parent involvement;

1241 2. A necessary and reasonable amount for administration

1242 which includes the district's indirect cost rate, not to exceed

1243 a total of 10 percent;

1244 3. A reasonable and necessary amount to provide:

1245 a. Homeless programs;

1246 b. Delinquent and neglected programs;

1247 c. Prekindergarten programs and activities;

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1248 d. Private school equitable services; and

1249 e. Transportation for foster care children to their school

1250 of origin or choice programs;

1251 4. Up to 5 percent to provide financial incentives and

1252 rewards to teachers who serve students in eligible schools,

1253 including charter schools, identified for comprehensive support

1254 and improvement activities or targeted support and improvement

1255 activities, for the purpose of attracting and retaining

1256 qualified and effective teachers, including teachers of any

1257 subject or grade level for whom a measurement under s.

1258 1012.34(7) or a state-approved Alternative Student Growth Model

1259 is unavailable; and

1260 ~~5.4.~~ A necessary and reasonable amount, ~~not to exceed 1~~

1261 ~~percent,~~ for eligible schools, including charter schools, to

1262 provide educational services in accordance with the approved

1263 Title I plan.

1264 (b) All remaining Title I funds shall be distributed to all

1265 eligible schools in accordance with federal law and regulation.

1266 An eligible school may use funds under this subsection to

1267 participate in discretionary educational services provided by

1268 the school district. Any funds provided by an eligible school to

1269 participate in discretionary educational services provided by

1270 the school district are not subject to the requirements of this

1271 subsection.

1272 (c) Any funds carried forward by the school district are

1273 not subject to the requirements of this subsection.

1274 (5) The Department of Education shall make funds from Title

1275 I, Title II, and Title III programs available to local education

1276 agencies for the full period of availability provided in federal

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1277 law.

1278 Section 30. Paragraphs (c), (e), and (h) of subsection (2)  
1279 of section 1011.71, Florida Statutes, are amended to read:

1280 1011.71 District school tax.—

1281 (2) In addition to the maximum millage levy as provided in  
1282 subsection (1), each school board may levy not more than 1.5  
1283 mills against the taxable value for school purposes for charter  
1284 schools pursuant to s. 1013.62(1) and (3) and for district  
1285 schools to fund:

1286 (c) The purchase, lease-purchase, or lease of school buses  
1287 or other motor vehicles regularly used for the transportation of  
1288 prekindergarten disability program and K-12 public school  
1289 students to and from school or to and from school activities,  
1290 and owned, operated, rented, contracted, or leased by any  
1291 district school board.

1292 (e) Payments for educational plants, ancillary plants, and  
1293 auxiliary facilities and sites due under a lease-purchase  
1294 agreement entered into by a district school board pursuant to s.  
1295 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate,  
1296 an amount equal to three-fourths of the proceeds from the  
1297 millage levied by a district school board pursuant to this  
1298 subsection. The three-fourths limit is waived for lease-purchase  
1299 agreements entered into before June 30, 2009, by a district  
1300 school board pursuant to this paragraph. If payments under  
1301 lease-purchase agreements in the aggregate, including lease-  
1302 purchase agreements entered into before June 30, 2009, exceed  
1303 three-fourths of the proceeds from the millage levied pursuant  
1304 to this subsection, the district school board may not withhold  
1305 the administrative fees authorized by s. 1002.33(20) from any

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1306 charter school operating in the school district.

1307 (h) Payment of costs of leasing relocatable educational  
1308 plants, ancillary plants, and auxiliary facilities, of renting  
1309 or leasing educational plants, ancillary plants, and auxiliary  
1310 facilities and sites pursuant to s. 1013.15(2), or of renting or  
1311 leasing buildings or space within existing buildings pursuant to  
1312 s. 1013.15(4).

1313 Section 31. Paragraph (c) of subsection (1) and paragraph  
1314 (a) of subsection (3) of section 1012.22, Florida Statutes, are  
1315 amended to read:

1316 1012.22 Public school personnel; powers and duties of the  
1317 district school board.—The district school board shall:

1318 (1) Designate positions to be filled, prescribe  
1319 qualifications for those positions, and provide for the  
1320 appointment, compensation, promotion, suspension, and dismissal  
1321 of employees as follows, subject to the requirements of this  
1322 chapter:

1323 (c) *Compensation and salary schedules.*—

1324 1. Definitions.—As used in this paragraph:

1325 a. "Adjustment" means an addition to the base salary  
1326 schedule that is not a bonus and becomes part of the employee's  
1327 permanent base salary and shall be considered compensation under  
1328 s. 121.021(22).

1329 b. "Grandfathered salary schedule" means the salary  
1330 schedule or schedules adopted by a district school board before  
1331 July 1, 2014, pursuant to subparagraph 4.

1332 c. "Instructional personnel" means instructional personnel  
1333 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
1334 teachers.

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1335 d. "Performance salary schedule" means the salary schedule  
1336 or schedules adopted by a district school board pursuant to  
1337 subparagraph 5.

1338 e. "Salary schedule" means the schedule or schedules used  
1339 to provide the base salary for district school board personnel.

1340 f. "School administrator" means a school administrator as  
1341 defined in s. 1012.01(3)(c).

1342 g. "Supplement" means an annual addition to the base salary  
1343 for the term of the negotiated supplement as long as the  
1344 employee continues his or her employment for the purpose of the  
1345 supplement. A supplement does not become part of the employee's  
1346 continuing base salary but shall be considered compensation  
1347 under s. 121.021(22).

1348 2. Cost-of-living adjustment.—A district school board may  
1349 provide a cost-of-living salary adjustment if the adjustment:

1350 a. Does not discriminate among comparable classes of  
1351 employees based upon the salary schedule under which they are  
1352 compensated.

1353 b. Does not exceed 50 percent of the annual adjustment  
1354 provided to instructional personnel rated as effective.

1355 3. Advanced degrees.—A district school board may use  
1356 advanced degrees in setting a salary schedule for instructional  
1357 personnel or school administrators if the advanced degree is  
1358 held in the individual's area of certification. For purposes of  
1359 the salary schedule, an advanced degree may include a doctorate  
1360 or master's degree in the area of certification, or a doctorate  
1361 or master's degree with a minimum of 18 graduate semester hours  
1362 in the area of certification.

1363 4. Grandfathered salary schedule.—

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1364 a. The district school board shall adopt a salary schedule  
1365 or salary schedules to be used as the basis for paying all  
1366 school employees hired before July 1, 2014. Instructional  
1367 personnel on annual contract as of July 1, 2014, shall be placed  
1368 on the performance salary schedule adopted under subparagraph 4.  
1369 ~~5.~~ Instructional personnel on continuing contract or  
1370 professional service contract may opt into the performance  
1371 salary schedule if the employee relinquishes such contract and  
1372 agrees to be employed on an annual contract under s. 1012.335.  
1373 Such an employee shall be placed on the performance salary  
1374 schedule and may not return to continuing contract or  
1375 professional service contract status. Any employee who opts into  
1376 the performance salary schedule may not return to the  
1377 grandfathered salary schedule.

1378 b. In determining the grandfathered salary schedule for  
1379 instructional personnel, a district school board must base a  
1380 portion of each employee's compensation upon performance  
1381 demonstrated under s. 1012.34 and shall provide differentiated  
1382 pay for both instructional personnel and school administrators  
1383 based upon district-determined factors, including, but not  
1384 limited to, additional responsibilities, school demographics,  
1385 critical shortage areas, and level of job performance  
1386 difficulties.

1387 5. Performance salary schedule.—By July 1, 2014, the  
1388 district school board shall adopt a performance salary schedule  
1389 that provides annual salary adjustments for instructional  
1390 personnel and school administrators based upon performance  
1391 determined under s. 1012.34. Employees hired on or after July 1,  
1392 2014, or employees who choose to move from the grandfathered

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1393 salary schedule to the performance salary schedule shall be  
1394 compensated pursuant to the performance salary schedule once  
1395 they have received the appropriate performance evaluation for  
1396 this purpose.

1397 a. Base salary.—The base salary shall be established as  
1398 follows:

1399 (I) The base salary for instructional personnel or school  
1400 administrators who opt into the performance salary schedule  
1401 shall be the salary paid in the prior year, including  
1402 adjustments only.

1403 (II) Instructional personnel or school administrators new  
1404 to the district, returning to the district after a break in  
1405 service without an authorized leave of absence, or appointed for  
1406 the first time to a position in the district in the capacity of  
1407 instructional personnel or school administrator shall be placed  
1408 on the performance salary schedule.

1409 b. Salary adjustments.—Salary adjustments for highly  
1410 effective or effective performance shall be established as  
1411 follows:

1412 (I) The annual salary adjustment under the performance  
1413 salary schedule for an employee rated as highly effective must  
1414 be at least 25 percent greater than the highest annual salary  
1415 adjustment available to an employee of the same classification  
1416 through any other salary schedule adopted by the district.

1417 (II) The annual salary adjustment under the performance  
1418 salary schedule for an employee rated as effective must be equal  
1419 to at least 50 percent and no more than 75 percent of the annual  
1420 adjustment provided for a highly effective employee of the same  
1421 classification.

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1422 (III) A salary schedule may ~~shall~~ not provide an annual  
1423 salary adjustment for an employee who receives a rating other  
1424 than highly effective or effective for the year.

1425 c. Salary supplements.—In addition to the salary  
1426 adjustments, each district school board shall provide for salary  
1427 supplements for activities that must include, but are not  
1428 limited to:

1429 (I) Assignment to a Title I eligible school.

1430 (II) Assignment to a school that earned a grade of "F" or  
1431 three consecutive grades of "D" pursuant to s. 1008.34 such that  
1432 the supplement remains in force for at least 1 year following  
1433 improved performance in that school.

1434 (III) Certification and teaching in critical teacher  
1435 shortage areas. Statewide critical teacher shortage areas shall  
1436 be identified by the State Board of Education under s. 1012.07.  
1437 However, the district school board may identify other areas of  
1438 critical shortage within the school district for purposes of  
1439 this sub-sub-subparagraph and may remove areas identified by the  
1440 state board which do not apply within the school district.

1441 (IV) Assignment of additional academic responsibilities.

1442  
1443 If budget constraints in any given year limit a district school  
1444 board's ability to fully fund all adopted salary schedules, the  
1445 performance salary schedule may ~~shall~~ not be reduced on the  
1446 basis of total cost or the value of individual awards in a  
1447 manner that is proportionally greater than reductions to any  
1448 other salary schedules adopted by the district. Any compensation  
1449 for longevity of service awarded to instructional personnel who  
1450 are on any other salary schedule must be included in calculating

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1451 the salary adjustments required by sub-subparagraph b.  
 1452 (3) (a) *Collective bargaining.*—Notwithstanding provisions of  
 1453 chapter 447 related to district school board collective  
 1454 bargaining, collective bargaining may not preclude a district  
 1455 school board from carrying out its constitutional and statutory  
 1456 duties related to the following:

- 1457 1. Providing incentives to effective and highly effective  
 1458 teachers.
- 1459 2. Implementing intervention and support strategies under  
 1460 s. 1008.33 to address the causes of low student performance and  
 1461 improve student academic performance and attendance.
- 1462 3. Implementing student discipline provisions required by  
 1463 law, including a review of a student's abilities, past  
 1464 performance, behavior, and needs.
- 1465 4. Implementing school safety plans and requirements.
- 1466 5. Implementing staff and student recognition programs.
- 1467 6. Distributing correspondence to parents, teachers, and  
 1468 community members related to the daily operation of schools and  
 1469 the district.
- 1470 7. Providing any required notice or copies of information  
 1471 related to the district school board or district operations  
 1472 which is readily available on the school district's website.
- 1473 8. The school district's calendar.
- 1474 9. Providing salary supplements pursuant to sub-sub-  
 1475 subparagraph (1) (c) 5.c. (III).

1476 Section 32. Present paragraphs (b) and (c) of subsection  
 1477 (1) of section 1012.335, Florida Statutes, are redesignated as  
 1478 paragraphs (c) and (d), respectively, a new paragraph (b) is  
 1479 added to that subsection, paragraphs (d) and (e) are added to

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1480 subsection (2) of that section, and subsections (3) and (4) of  
 1481 that section are amended, to read:  
 1482 1012.335 Contracts with instructional personnel hired on or  
 1483 after July 1, 2011.—  
 1484 (1) DEFINITIONS.—As used in this section, the term:  
 1485 (b) "Instructional multiyear contract," beginning July 1,  
 1486 2026, means an employment contract for a period not to exceed 3  
 1487 years which the district school board may choose to award upon  
 1488 completion of a probationary contract and at least one annual  
 1489 contract.

1490 (2) EMPLOYMENT.—  
 1491 (d) An instructional multiyear contract may be awarded,  
 1492 beginning July 1, 2026, only if the employee:

- 1493 1. Holds an active professional certificate or temporary  
 1494 certificate issued pursuant to s. 1012.56 and rules of the State  
 1495 Board of Education;
- 1496 2. Has been recommended by the district school  
 1497 superintendent for the instructional multiyear contract based  
 1498 upon the individual's evaluation under s. 1012.34 and approved  
 1499 by the district school board; and
- 1500 3. Has not received an annual performance evaluation rating  
 1501 of unsatisfactory or needs improvement under s. 1012.34.

1502 (e) An employee awarded an instructional multiyear contract  
 1503 who receives an annual performance evaluation rating of  
 1504 unsatisfactory or needs improvement under s. 1012.34 must be  
 1505 returned to an annual contract in the following school year.  
 1506 Such evaluation rating must be included with the evaluation  
 1507 ratings under subsequent annual contracts for determinations of  
 1508 just cause under s. 1012.33.



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1509 (3) VIOLATION OF ANNUAL OR INSTRUCTIONAL MULTIYEAR  
 1510 CONTRACT.—Instructional personnel who accept a written offer  
 1511 from the district school board and who leave their positions  
 1512 without prior release from the district school board are subject  
 1513 to the jurisdiction of the Education Practices Commission.

1514 (4) SUSPENSION OR DISMISSAL OF INSTRUCTIONAL PERSONNEL ON  
 1515 ANNUAL OR INSTRUCTIONAL MULTIYEAR CONTRACT.—Any instructional  
 1516 personnel with an annual or instructional multiyear contract may  
 1517 be suspended or dismissed at any time during the term of the  
 1518 contract for just cause as provided in subsection (5). The  
 1519 district school board shall notify the employee in writing  
 1520 whenever charges are made and may suspend such person without  
 1521 pay. However, if the charges are not sustained, the employee  
 1522 must shall be immediately reinstated and his or her back pay  
 1523 must shall be paid. If the employee wishes to contest the  
 1524 charges, he or she must, within 15 days after receipt of the  
 1525 written notice, submit a written request for a hearing to the  
 1526 district school board. A direct hearing must shall be conducted  
 1527 by the district school board or a subcommittee thereof within 60  
 1528 days after receipt of the written appeal. The hearing must shall  
 1529 be conducted in accordance with ss. 120.569 and 120.57. A  
 1530 majority vote of the membership of the district school board  
 1531 shall be required to sustain the district school  
 1532 superintendent's recommendation. The district school board's  
 1533 determination is final as to the sufficiency or insufficiency of  
 1534 the grounds for suspension without pay or dismissal. Any such  
 1535 decision adverse to the employee may be appealed by the employee  
 1536 pursuant to s. 120.68.

1537 Section 33. Paragraphs (a) and (b) of subsection (1) and

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1538 paragraph (a) of subsection (3) of section 1012.34, Florida  
 1539 Statutes, are amended, and paragraph (c) is added to subsection  
 1540 (7) of that section, to read:

1541 1012.34 Personnel evaluation procedures and criteria.—

1542 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

1543 (a) For the purpose of increasing student academic  
 1544 performance by improving the quality of instructional,  
 1545 administrative, and supervisory services in the public schools  
 1546 of this the state, the district school superintendent shall  
 1547 establish procedures for evaluating the performance of duties  
 1548 and responsibilities of all instructional, administrative, and  
 1549 supervisory personnel employed by the school district. The  
 1550 procedures and requirements in subsection (3) must be  
 1551 established by the district school superintendent and approved  
 1552 by the district school board, must set the standards of service  
 1553 to be offered to the public within the meaning of s. 447.209,  
 1554 and are not subject to collective bargaining. The district  
 1555 school superintendent shall provide instructional personnel the  
 1556 opportunity to review their class rosters for accuracy and to  
 1557 correct any mistakes. The district school superintendent shall  
 1558 report accurate class rosters for the purpose of calculating  
 1559 district and statewide student performance and annually report  
 1560 the evaluation results of instructional personnel and school  
 1561 administrators to the Department of Education in addition to the  
 1562 information required under subsection (5).

1563 (b) The district school superintendent shall submit the  
 1564 district instructional personnel and school administrator  
 1565 evaluation systems to the department whenever the evaluation  
 1566 systems in subsection (2) are amended department must approve

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1567 ~~each school district's instructional personnel and school~~  
 1568 ~~administrator evaluation systems. The department shall monitor~~  
 1569 ~~each district's implementation of its instructional personnel~~  
 1570 ~~and school administrator evaluation systems for compliance with~~  
 1571 ~~the requirements of this section.~~

1572 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
 1573 personnel and school administrator performance evaluations must  
 1574 be based upon the performance of students assigned to their  
 1575 classrooms or schools, as provided in this section. Pursuant to  
 1576 this section, a school district's performance evaluation system  
 1577 is not limited to basing unsatisfactory performance of  
 1578 instructional personnel and school administrators solely upon  
 1579 student performance, but may include other criteria to evaluate  
 1580 instructional personnel and school administrators' performance,  
 1581 or any combination of student performance and other criteria.  
 1582 Evaluation procedures and criteria must comply with, but are not  
 1583 limited to, the following:

1584 (a) A performance evaluation must be conducted for each  
 1585 employee at least once a year, except that a classroom teacher,  
 1586 as defined in s. 1012.01(2)(a), excluding substitute teachers,  
 1587 who is newly hired by the district school board must be observed  
 1588 and evaluated at least twice in the first year of teaching in  
 1589 the school district. The performance evaluation must be based  
 1590 upon sound educational principles and contemporary research in  
 1591 effective educational practices. The evaluation criteria must  
 1592 include:

1593 1. Performance of students.—At least one-half ~~one-third~~ of  
 1594 a performance evaluation must be based upon data and indicators  
 1595 of student performance, as determined by each school district.

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1596 ~~This portion of the evaluation must include growth or~~  
 1597 ~~achievement data of the teacher's students or, for a school~~  
 1598 ~~administrator, the students attending the school over the course~~  
 1599 ~~of at least 3 years. If less than 3 years of data are available,~~  
 1600 ~~the years for which data are available must be used. The~~  
 1601 ~~proportion of growth or achievement data may be determined by~~  
 1602 ~~instructional assignment.~~

1603 2. ~~Instructional practice.~~ For instructional personnel, at  
 1604 ~~least one-third of the performance evaluation must be based upon~~  
 1605 ~~instructional practice. Evaluation criteria used when annually~~  
 1606 ~~observing classroom teachers, as defined in s. 1012.01(2)(a),~~  
 1607 ~~excluding substitute teachers, must include indicators based~~  
 1608 ~~upon each of the Florida Educator Accomplished Practices adopted~~  
 1609 ~~by the State Board of Education. For instructional personnel who~~  
 1610 ~~are not classroom teachers, evaluation criteria must be based~~  
 1611 ~~upon indicators of the Florida Educator Accomplished Practices~~  
 1612 ~~and may include specific job expectations related to student~~  
 1613 ~~support. This section does not preclude a school administrator~~  
 1614 ~~from visiting and observing classroom teachers throughout the~~  
 1615 ~~school year for purposes of providing mentorship, training,~~  
 1616 ~~instructional feedback, or professional learning.~~

1617 3. ~~Instructional leadership.~~ For school administrators, at  
 1618 ~~least one-third of the performance evaluation must be based on~~  
 1619 ~~instructional leadership. Evaluation criteria for instructional~~  
 1620 ~~leadership must include indicators based upon each of the~~  
 1621 ~~leadership standards adopted by the State Board of Education~~  
 1622 ~~under s. 1012.986, including performance measures related to the~~  
 1623 ~~effectiveness of classroom teachers in the school, the~~  
 1624 ~~administrator's appropriate use of evaluation criteria and~~

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1625 ~~procedures, recruitment and retention of effective and highly~~  
 1626 ~~effective classroom teachers, improvement in the percentage of~~  
 1627 ~~instructional personnel evaluated at the highly effective or~~  
 1628 ~~effective level, and other leadership practices that result in~~  
 1629 ~~student learning growth. The system may include a means to give~~  
 1630 ~~parents and instructional personnel an opportunity to provide~~  
 1631 ~~input into the administrator's performance evaluation.~~

1632 4. Other indicators of performance.—For instructional  
 1633 personnel and school administrators, the remainder of a  
 1634 performance evaluation may include, but is not limited to,  
 1635 professional and job responsibilities as recommended by the  
 1636 State Board of Education or identified by the district school  
 1637 board and, for instructional personnel, peer reviews,  
 1638 objectively reliable survey information from students and  
 1639 parents based on teaching practices that are consistently  
 1640 associated with higher student achievement, and other valid and  
 1641 reliable measures of instructional practice.

1642 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

1643 (c) The measurement of student learning growth under  
 1644 paragraph (a) may not be the sole determinant for any incentive  
 1645 pay for instructional personnel or school administrators.

1646 Section 34. Paragraph (c) of subsection (1) of section  
 1647 1012.39, Florida Statutes, is amended to read:

1648 1012.39 Employment of substitute teachers, teachers of  
 1649 adult education, nondegreed teachers of career education, and  
 1650 career specialists; students performing clinical field  
 1651 experience.—

1652 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and  
 1653 1012.57, or any other provision of law or rule to the contrary,

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1654 each district school board shall establish the minimal  
 1655 qualifications for:

1656 (c) Part-time and full-time nondegreed teachers of career  
 1657 programs. Qualifications must be established for nondegreed  
 1658 teachers of career and technical education courses for program  
 1659 clusters that are recognized in the state and are based  
 1660 primarily on successful occupational experience rather than  
 1661 academic training. The qualifications for such teachers must  
 1662 require:

1663 1. The filing of a complete set of fingerprints in the same  
 1664 manner as required by s. 1012.32. Faculty employed solely to  
 1665 conduct postsecondary instruction may be exempted from this  
 1666 requirement.

1667 2. Documentation of education and successful occupational  
 1668 experience, including documentation of:

1669 a. A high school diploma or the equivalent.

1670 b. Completion of a minimum level, established by the  
 1671 district school board, 3 years of full-time successful  
 1672 occupational experience or the equivalent of part-time  
 1673 experience in the teaching specialization area. The district  
 1674 school board may establish alternative qualifications for  
 1675 teachers with an industry certification in the career area in  
 1676 which they teach.

1677 c. ~~For full-time teachers, completion of professional~~  
 1678 ~~education training in teaching methods, course construction,~~  
 1679 ~~lesson planning and evaluation, and teaching special needs~~  
 1680 ~~students. This training may be completed through coursework from~~  
 1681 ~~an accredited or approved institution or an approved district~~  
 1682 ~~teacher education program, or the local school district~~

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1683 ~~inservice master plan.~~1684 ~~a.~~ Documentation of industry certification when state or  
1685 national industry certifications are available and applicable.1686 Section 35. Paragraphs (a), (b), (d), and (e) of subsection  
1687 (2) of section 1012.555, Florida Statutes, are amended to read:

1688 1012.555 Teacher Apprenticeship Program.—

1689 (2)(a) An individual must meet the following minimum  
1690 eligibility requirements to participate in the apprenticeship  
1691 program:1692 1. Be enrolled in or have completed ~~Have received~~ an  
1693 associate degree program at ~~from~~ an accredited postsecondary  
1694 institution.1695 2. Have earned a cumulative grade point average of 2.5 in  
1696 that degree program.1697 3. Have successfully passed a background screening as  
1698 provided in s. 1012.32.1699 4. Have received a temporary apprenticeship certificate as  
1700 provided in s. 1012.56(7)(d).1701 (b) As a condition of participating in the program, an  
1702 apprentice teacher must commit to spending at least the first 2  
1703 years in the classroom of a mentor teacher using team teaching  
1704 strategies identified in s. 1003.03(4)(b) ~~s. 1003.03(5)(b)~~ and  
1705 fulfilling the on-the-job training component of the registered  
1706 apprenticeship and its associated standards.1707 (d) An apprentice teacher must be appointed by the district  
1708 school board or work in the district as an education  
1709 paraprofessional and must be paid in accordance with s. 446.032  
1710 and rules adopted by the State Board of Education.

1711 (e) An apprentice teacher may change schools or districts

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1712 after the first year of his or her apprenticeship if the  
1713 receiving hiring school or district has agreed to fund the  
1714 remaining year of the apprenticeship.1715 Section 36. Paragraph (g) of subsection (2), subsections  
1716 (3) and (7), and paragraph (a) of subsection (8) of section  
1717 1012.56, Florida Statutes, are amended to read:

1718 1012.56 Educator certification requirements.—

1719 (2) ELIGIBILITY CRITERIA.—To be eligible to seek  
1720 certification, a person must:1721 (g) Demonstrate mastery of general knowledge pursuant to  
1722 subsection (3), if the person serves as a classroom teacher as  
1723 defined in s. 1012.01(2)(a).1724 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of  
1725 demonstrating mastery of general knowledge are:1726 (a) Achievement of passing scores on the general knowledge  
1727 examination required by state board rule;1728 (b) Documentation of a valid professional standard teaching  
1729 certificate issued by another state;1730 (c) Documentation of a valid certificate issued by the  
1731 National Board for Professional Teaching Standards or a national  
1732 educator credentialing board approved by the State Board of  
1733 Education;1734 (d) Documentation of two semesters of successful, full-time  
1735 or part-time teaching in a Florida College System institution,  
1736 state university, or private college or university that awards  
1737 an associate or higher degree and is an accredited institution  
1738 or an institution of higher education identified by the  
1739 Department of Education as having a quality program;

1740 (e) Achievement of passing scores, identified in state

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1741 board rule, on national or international examinations that test  
 1742 comparable content and relevant standards in verbal, analytical  
 1743 writing, and quantitative reasoning skills, including, but not  
 1744 limited to, the verbal, analytical writing, and quantitative  
 1745 reasoning portions of the Graduate Record Examination and the  
 1746 SAT, ACT, and Classic Learning Test. Passing scores identified  
 1747 in state board rule must be at approximately the same level of  
 1748 rigor as is required to pass the general knowledge examinations;  
 1749 ~~or~~

1750 (f) Documentation of receipt of a master's or higher degree  
 1751 from an accredited postsecondary educational institution that  
 1752 the Department of Education has identified as having a quality  
 1753 program resulting in a baccalaureate degree or higher.  
 1754

1755 A school district that employs an individual who does not  
 1756 achieve passing scores on any subtest of the general knowledge  
 1757 examination must provide information regarding the availability  
 1758 of state-level and district-level supports and instruction to  
 1759 assist him or her in achieving a passing score. Such information  
 1760 must include, but need not be limited to, state-level test  
 1761 information guides, school district test preparation resources,  
 1762 and preparation courses offered by state universities and  
 1763 Florida College System institutions. The requirement of mastery  
 1764 of general knowledge shall be waived for an individual who has  
 1765 been provided 3 years of supports and instruction and who has  
 1766 been rated effective or highly effective under s. 1012.34 for  
 1767 each of the last 3 years.

1768 (7) TYPES AND TERMS OF CERTIFICATION.—

1769 (a) The Department of Education shall issue a professional

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1770 certificate for a period not to exceed 5 years to any applicant  
 1771 who fulfills one of the following:  
 1772 1. Meets all the applicable requirements outlined in  
 1773 subsection (2).  
 1774 2. For a professional certificate covering grades 6 through  
 1775 12:  
 1776 a. Meets the applicable requirements of paragraphs (2)(a)-  
 1777 (h).  
 1778 b. Holds a master's or higher degree in the area of  
 1779 science, technology, engineering, or mathematics.  
 1780 c. Teaches a high school course in the subject of the  
 1781 advanced degree.  
 1782 d. Is rated highly effective as determined by the teacher's  
 1783 performance evaluation under s. 1012.34, based in part on  
 1784 student performance as measured by a statewide, standardized  
 1785 assessment or an Advanced Placement, Advanced International  
 1786 Certificate of Education, or International Baccalaureate  
 1787 examination.  
 1788 e. Achieves a passing score on the Florida professional  
 1789 education competency examination required by state board rule.  
 1790 3. Meets the applicable requirements of paragraphs (2)(a)-  
 1791 (h) and completes a professional learning certification program  
 1792 approved by the department pursuant to paragraph (8)(c) or an  
 1793 educator preparation institute approved by the department  
 1794 pursuant to s. 1004.85. An applicant who completes one of these  
 1795 programs and is rated highly effective as determined by his or  
 1796 her performance evaluation under s. 1012.34 is not required to  
 1797 take or achieve a passing score on the professional education  
 1798 competency examination in order to be awarded a professional

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1799 certificate.

1800 (b) The department shall issue a temporary certificate to

1801 any applicant who:

1802 1. Completes the requirements outlined in paragraphs

1803 (2) (a)-(f) and completes the subject area content requirements

1804 specified in state board rule or demonstrates mastery of subject

1805 area knowledge pursuant to subsection (5) and holds an

1806 accredited degree or a degree approved by the Department of

1807 Education at the level required for the subject area

1808 specialization in state board rule;

1809 2. For a subject area specialization for which the state

1810 board otherwise requires a bachelor's degree, documents 48

1811 months of active-duty military service with an honorable

1812 discharge or a medical separation; completes the requirements

1813 outlined in paragraphs (2) (a), (b), and (d)-(f); completes the

1814 subject area content requirements specified in state board rule

1815 or demonstrates mastery of subject area knowledge pursuant to

1816 subsection (5); and documents completion of 60 college credits

1817 with a minimum cumulative grade point average of 2.5 on a 4.0

1818 scale, as provided by one or more accredited institutions of

1819 higher learning or a nonaccredited institution of higher

1820 learning identified by the Department of Education as having a

1821 quality program resulting in a bachelor's degree or higher; or

1822 3. Is enrolled in a state-approved teacher preparation

1823 program under s. 1004.04; is actively completing the required

1824 program field experience or internship at a public school;

1825 completes the requirements outlined in paragraphs (2) (a), (b),

1826 and (d)-(f); completes the subject area content requirements

1827 specified in state board rule or demonstrates mastery of subject

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1828 area knowledge pursuant to subsection (5); and documents

1829 completion of 60 college credits with a minimum cumulative grade

1830 point average of 2.5 on a 4.0 scale, as provided by one or more

1831 accredited institutions of higher learning or a nonaccredited

1832 institution of higher learning identified by the Department of

1833 Education as having a quality program resulting in a bachelor's

1834 degree or higher.

1835 (c) The department shall issue one nonrenewable 2-year

1836 temporary certificate and one nonrenewable 5-year professional

1837 certificate to a qualified applicant who holds a bachelor's

1838 degree in the area of speech-language impairment to allow for

1839 completion of a master's degree program in speech-language

1840 impairment.

1841 (d) The department shall issue a temporary apprenticeship

1842 certificate to any applicant who:

1843 1. Meets the requirements of paragraphs (2) (a), (b), and

1844 (d)-(f).

1845 2. Completes the subject area content requirements

1846 specified in state board rule or demonstrates mastery of subject

1847 area knowledge as provided in subsection (5).

1848 (e) A person who is issued a temporary certificate under

1849 paragraph (b) must be assigned a teacher mentor for a minimum of

1850 2 school years after commencing employment. Each teacher mentor

1851 selected by the school district, charter school, or charter

1852 management organization must:

1853 1. Hold a valid professional certificate issued pursuant to

1854 this section;

1855 2. Have earned at least 3 years of teaching experience in

1856 prekindergarten through grade 12; and

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1857 3. Have earned an effective or highly effective rating on  
 1858 the prior year's performance evaluation under s. 1012.34.  
 1859 (f)1. A temporary certificate is valid for 5 school fiscal  
 1860 years, is limited to a one-time issuance, and is nonrenewable.  
 1861 2. A temporary apprenticeship certificate issued under  
 1862 paragraph (d) is valid for 5 school years, may be issued only  
 1863 once, and is nonrenewable.  
 1864 (g) A certificateholder may request that her or his  
 1865 certificate be placed in an inactive status. A certificate that  
 1866 has been inactive may be reactivated upon application to the  
 1867 department. The department shall prescribe, by rule,  
 1868 professional learning requirements as a condition of  
 1869 reactivating a certificate that has been inactive for more than  
 1870 1 year.  
 1871 (h) A school district or a regional education consortium  
 1872 may issue temporary certificates, based on the requirements in  
 1873 paragraph (b). School districts and regional education consortia  
 1874 must report the number of such certificates issued, and any  
 1875 additional information to the department, based on reporting  
 1876 requirements adopted by the State Board of Education.  
 1877  
 1878 At least 1 year before an individual's department-issued  
 1879 temporary certificate is set to expire, the department shall  
 1880 electronically notify the individual of the date on which his or  
 1881 her certificate will expire and provide a list of each method by  
 1882 which the qualifications for a professional certificate can be  
 1883 completed.  
 1884 (8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—  
 1885 (a) The Department of Education shall develop and each

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1886 school district, charter school, and charter management  
 1887 organization may provide a cohesive competency-based  
 1888 professional learning certification program by which  
 1889 instructional staff may satisfy the mastery of professional  
 1890 preparation and education competence requirements specified in  
 1891 subsection (6) and rules of the State Board of Education.  
 1892 Participants must hold a state-issued temporary certificate. A  
 1893 school district, charter school, or charter management  
 1894 organization that implements the program shall provide a  
 1895 competency-based certification program developed by the  
 1896 Department of Education or developed by the district, charter  
 1897 school, or charter management organization and approved by the  
 1898 Department of Education. These entities may collaborate with  
 1899 other supporting agencies or educational entities for  
 1900 implementation. The program shall include the following:  
 1901 1. A teacher mentorship and induction component.  
 1902 a. Each individual selected by the district, charter  
 1903 school, or charter management organization as a mentor:  
 1904 (I) Must hold a valid professional certificate issued  
 1905 pursuant to this section;  
 1906 (II) Must have earned at least 3 years of teaching  
 1907 experience in prekindergarten through grade 12;  
 1908 (III) Must have completed training in clinical supervision  
 1909 and participate in ongoing mentor training provided through the  
 1910 coordinated system of professional learning under s. 1012.98(4);  
 1911 (IV) Must have earned an effective or highly effective  
 1912 rating on the prior year's performance evaluation; and  
 1913 (V) May be a peer evaluator under the district's evaluation  
 1914 system approved under s. 1012.34.

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1915 b. The teacher mentorship and induction component must, at  
 1916 a minimum, provide routine opportunities for mentoring and  
 1917 induction activities, including ongoing professional learning as  
 1918 described in s. 1012.98 targeted to a teacher's needs,  
 1919 opportunities for a teacher to observe other teachers, co-  
 1920 teaching experiences, and reflection and follow-up ~~followup~~  
 1921 discussions. Professional learning must meet the criteria  
 1922 established in s. 1012.98(3). Mentorship and induction  
 1923 activities must be provided for an applicant's first year in the  
 1924 program and may be provided until the applicant attains his or  
 1925 her professional certificate in accordance with this section.

1926 2. An assessment of teaching performance aligned to the  
 1927 district's, charter school's, or charter management  
 1928 organization's system for personnel evaluation under s. 1012.34  
 1929 which provides for:

1930 a. An initial evaluation of each educator's competencies to  
 1931 determine an appropriate individualized professional learning  
 1932 plan.

1933 b. A summative evaluation to assure successful completion  
 1934 of the program.

1935 3. Professional education preparation content knowledge,  
 1936 which must be included in the mentoring and induction activities  
 1937 under subparagraph 1., that includes, but is not limited to, the  
 1938 following:

1939 a. The state academic standards provided under s. 1003.41,  
 1940 including scientifically researched and evidence-based reading  
 1941 instructional strategies grounded in the science of reading,  
 1942 content literacy, and mathematical practices, for each subject  
 1943 identified on the temporary certificate. Reading instructional

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1944 strategies for foundational skills shall include phonics  
 1945 instruction for decoding and encoding as the primary  
 1946 instructional strategy for word reading. Instructional  
 1947 strategies may not employ the three-cueing system model of  
 1948 reading or visual memory as a basis for teaching word reading.  
 1949 Instructional strategies may include visual information and  
 1950 strategies which improve background and experiential knowledge,  
 1951 add context, and increase oral language and vocabulary to  
 1952 support comprehension, but may not be used to teach word  
 1953 reading.

1954 b. The educator-accomplished practices approved by the  
 1955 state board.

1956 4. Required achievement of passing scores on the subject  
 1957 area and professional education competency examination required  
 1958 by State Board of Education rule. Mastery of general knowledge  
 1959 must be demonstrated as described in subsection (3).

1960 5. Beginning with candidates entering a program in the  
 1961 2022-2023 school year, a candidate for certification in a  
 1962 coverage area identified pursuant to s. 1012.585(3)(g) ~~or~~  
 1963 ~~1012.585(3)(f)~~ must successfully complete all competencies for a  
 1964 reading endorsement, including completion of the endorsement  
 1965 practicum.

1966 Section 37. Paragraph (a) of subsection (2), subsection  
 1967 (3), and paragraph (b) of subsection (5) of section 1012.585,  
 1968 Florida Statutes, are amended to read:

1969 1012.585 Process for renewal of professional certificates.—

1970 (2)(a) All professional certificates, except a nonrenewable  
 1971 professional certificate, are ~~shall be~~ renewable for successive  
 1972 periods not to exceed 10 ~~5~~ years after the date of submission of

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1973 documentation of completion of the requirements for renewal  
 1974 provided in subsection (3). Only one renewal may be granted  
 1975 during each 5-year or 10-year validity period of a professional  
 1976 certificate.

1977 1. An applicant who is rated highly effective, pursuant to  
 1978 s. 1012.34, in the first 4 years of the 5-year validity period  
 1979 of his or her professional certificate is eligible for a  
 1980 professional certificate valid for 10 years. An applicant must  
 1981 be issued at least one 5-year professional certificate to be  
 1982 eligible for a 10-year professional certificate. An applicant  
 1983 who does not meet the requirement of this subparagraph is  
 1984 eligible only to renew his or her 5-year professional  
 1985 certificate.

1986 2. An applicant who is rated effective or highly effective,  
 1987 pursuant to s. 1012.34, for the first 9 years of the 10-year  
 1988 validity period of his or her professional certificate is  
 1989 eligible to renew a professional certificate valid for 10 years.  
 1990 An applicant issued a 10-year professional certificate who does  
 1991 not meet the requirement of this subparagraph is eligible only  
 1992 for renewal of a professional certificate valid for 5 years.

1993 (3) For the renewal of a professional certificate, the  
 1994 following requirements must be met:

1995 (a) The applicant must:

1996 1. Earn a minimum of 6 college credits or 120 inservice  
 1997 points or a combination thereof for a certificate valid for 5  
 1998 years. The district school board may reduce the requirements by  
 1999 1 college credit or 20 inservice points for an applicant rated  
 2000 highly effective, pursuant to s. 1012.34, in at least 3 of the 5  
 2001 years of the 5-year validity period of his or her initial

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2002 professional certificate.

2003 2. Earn a minimum of 9 college credits or 180 inservice  
 2004 points or a combination thereof for a professional certificate  
 2005 valid for 10 years. A minimum of 5 college credits or 100  
 2006 inservice points or a combination thereof must be earned within  
 2007 the first 5 years of a professional certificate valid for 10  
 2008 years.

2009 (b) For each area of specialization to be retained on a  
 2010 certificate, the applicant must earn at least 3 of the required  
 2011 credit hours or equivalent inservice points in the  
 2012 specialization area. Education in "clinical educator" training  
 2013 pursuant to s. 1004.04(5)(b); participation in mentorship and  
 2014 induction activities, including as a mentor, pursuant to s.  
 2015 1012.56(8)(a); and credits or points that provide training in  
 2016 the area of scientifically researched, knowledge-based reading  
 2017 literacy grounded in the science of reading, including explicit,  
 2018 systematic, and sequential approaches to reading instruction,  
 2019 developing phonemic awareness, and implementing multisensory  
 2020 intervention strategies, and computational skills acquisition,  
 2021 exceptional student education, normal child development, and the  
 2022 disorders of development may be applied toward any  
 2023 specialization area. Credits or points that provide training in  
 2024 the areas of drug abuse, child abuse and neglect, strategies in  
 2025 teaching students having limited proficiency in English, or  
 2026 dropout prevention, or training in areas identified in the  
 2027 educational goals and performance standards adopted pursuant to  
 2028 ss. 1000.03(5) and 1008.345 may be applied toward any  
 2029 specialization area, except specialization areas identified by  
 2030 State Board of Education rule that include reading instruction

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2031 or intervention for any students in kindergarten through grade  
 2032 6. Each district school board shall include in its inservice  
 2033 master plan the ability for teachers to receive inservice points  
 2034 for supporting students in extracurricular career and technical  
 2035 education activities, such as career and technical student  
 2036 organization activities outside of regular school hours and  
 2037 training related to supervising students participating in a  
 2038 career and technical student organization. Credits or points  
 2039 earned through approved summer institutes may be applied toward  
 2040 the fulfillment of these requirements. Inservice points may also  
 2041 be earned by participation in professional growth components  
 2042 approved by the State Board of Education and specified pursuant  
 2043 to s. 1012.98 in the district's approved master plan for  
 2044 inservice educational training; however, such points may not be  
 2045 used to satisfy the specialization requirements of this  
 2046 paragraph.

2047 (c)~~(b)~~ In lieu of college course credit or inservice  
 2048 points, the applicant may renew a subject area specialization by  
 2049 passage of a state board approved Florida-developed subject area  
 2050 examination or, if a Florida subject area examination has not  
 2051 been developed, a standardized examination specified in state  
 2052 board rule.

2053 (d)~~(e)~~ If an applicant wishes to retain more than two  
 2054 specialization areas on the certificate, the applicant must  
 2055 ~~shall~~ be permitted two successive validity periods for renewal  
 2056 of all specialization areas, but must earn no fewer than 6  
 2057 college course credit hours or the equivalent inservice points  
 2058 in any one validity period.

2059 (e)~~(d)~~ The State Board of Education shall adopt rules for

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2060 the expanded use of training for renewal of the professional  
 2061 certificate for educators who are required to complete training  
 2062 in teaching students of limited English proficiency or students  
 2063 with disabilities and training in the teaching of reading as  
 2064 follows:

2065 1. A teacher who holds a professional certificate may use  
 2066 college credits or inservice points earned through training in  
 2067 teaching students of limited English proficiency or students  
 2068 with disabilities and training in the teaching of reading in  
 2069 excess of 6 semester hours during one certificate-validity  
 2070 period toward renewal of the professional certificate during the  
 2071 subsequent validity periods.

2072 2. A teacher who holds a temporary certificate may use  
 2073 college credits or inservice points earned through training in  
 2074 teaching students of limited English proficiency or students  
 2075 with disabilities and training in the teaching of reading toward  
 2076 renewal of the teacher's first professional certificate. Such  
 2077 training must not have been included within the degree program,  
 2078 and the teacher's temporary and professional certificates must  
 2079 be issued for consecutive school years.

2080 (f)~~(e)~~ Beginning July 1, 2014, an applicant for renewal of  
 2081 a professional certificate must earn a minimum of one college  
 2082 credit or the equivalent inservice points in the area of  
 2083 instruction for teaching students with disabilities. The  
 2084 requirement in this paragraph may not add to the total hours  
 2085 required by the department for continuing education or inservice  
 2086 training.

2087 (g)~~(f)~~ An applicant for renewal of a professional  
 2088 certificate in any area of certification identified by State

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2089 Board of Education rule that includes reading instruction or  
 2090 intervention for any students in kindergarten through grade 6,  
 2091 with a beginning validity date of July 1, 2020, or thereafter,  
 2092 must earn a minimum of 2 college credits or the equivalent  
 2093 inservice points in evidence-based instruction and interventions  
 2094 grounded in the science of reading specifically designed for  
 2095 students with characteristics of dyslexia, including the use of  
 2096 explicit, systematic, and sequential approaches to reading  
 2097 instruction, developing phonological and phonemic awareness,  
 2098 decoding, and implementing multisensory intervention strategies.  
 2099 Such training must be provided by teacher preparation programs  
 2100 under s. 1004.04 or s. 1004.85 or approved school district  
 2101 professional learning systems under s. 1012.98. The requirements  
 2102 in this paragraph may not add to the total hours required by the  
 2103 department for continuing education or inservice training.

2104 ~~(h)(g)~~ An applicant for renewal of a professional  
 2105 certificate in educational leadership from a Level I program  
 2106 under s. 1012.562(2) or Level II program under s. 1012.562(3),  
 2107 with a beginning validity date of July 1, 2025, or thereafter,  
 2108 must earn a minimum of 1 college credit or 20 inservice points  
 2109 in Florida's educational leadership standards, as established in  
 2110 rule by the State Board of Education. The requirement in this  
 2111 paragraph may not add to the total hours required by the  
 2112 department for continuing education or inservice training.

2113 ~~(i)(h)~~ A teacher may earn inservice points only once during  
 2114 each 5-year validity period for any mandatory training topic  
 2115 that is not linked to student learning or professional growth.

2116 (5) The State Board of Education shall adopt rules to allow  
 2117 the reinstatement of expired professional certificates. The

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2118 department may reinstate an expired professional certificate if  
 2119 the certificateholder:

2120 (b) Documents completion of 6 college credits during the 5  
 2121 years immediately preceding reinstatement of the expired  
 2122 certificate, completion of 120 inservice points, or a  
 2123 combination thereof, in an area specified in paragraph (3)(b)  
 2124 ~~(3)(a)~~ to include the credit required under paragraph (3)(f)  
 2125 ~~(3)(e)~~.

2126  
 2127 The requirements of this subsection may not be satisfied by  
 2128 subject area examinations or college credits completed for  
 2129 issuance of the certificate that has expired.

2130 Section 38. Section 1013.19, Florida Statutes, is amended  
 2131 to read:

2132 1013.19 Purchase, conveyance, or encumbrance of property  
 2133 interests above surface of land; joint-occupancy structures.—For  
 2134 the purpose of implementing jointly financed construction  
 2135 project agreements, or for the construction of combined  
 2136 occupancy structures, any board may purchase, own, convey, sell,  
 2137 lease, or encumber airspace or any other interests in property  
 2138 above the surface of the land, provided the lease of airspace  
 2139 for nonpublic use is for such reasonable rent, length of term,  
 2140 and conditions as the board in its discretion may determine. All  
 2141 proceeds from such sale or lease shall be used by a the board of  
 2142 trustees for a Florida College System institution or state  
 2143 university or boards receiving the proceeds solely for fixed  
 2144 capital outlay purposes. These purposes may include the  
 2145 renovation or remodeling of existing facilities owned by the  
 2146 board or the construction of new facilities; however, for a

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2147 Florida College System institution board or university board,  
 2148 such new facility must be authorized by the Legislature. It is  
 2149 declared that the use of such rental by the board for public  
 2150 purposes in accordance with its statutory authority is a public  
 2151 use. Airspace or any other interest in property held by the  
 2152 Board of Trustees of the Internal Improvement Trust Fund or the  
 2153 State Board of Education may not be divested or conveyed without  
 2154 approval of the respective board. Any building, including any  
 2155 building or facility component that is common to both nonpublic  
 2156 and educational portions thereof, constructed in airspace that  
 2157 is sold or leased for nonpublic use pursuant to this section is  
 2158 subject to all applicable state, county, and municipal  
 2159 regulations pertaining to land use, zoning, construction of  
 2160 buildings, fire protection, health, and safety to the same  
 2161 extent and in the same manner as such regulations would be  
 2162 applicable to the construction of a building for nonpublic use  
 2163 on the appurtenant land beneath the subject airspace. Any  
 2164 educational facility constructed or leased as a part of a joint-  
 2165 occupancy facility is subject to all rules and requirements of  
 2166 the respective boards or departments having jurisdiction over  
 2167 educational facilities. Any contract executed by a university  
 2168 board of trustees pursuant to this section is subject to the  
 2169 provisions of s. 1010.62.

2170 Section 39. Section 1013.35, Florida Statutes, is amended  
 2171 to read:

2172 1013.35 School district educational facilities plan;  
 2173 definitions; preparation, adoption, and amendment; long-term  
 2174 work programs.-

2175 (1) ~~DEFINITIONS. As used in this section, the term:~~

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2176 ~~(a) "Adopted educational facilities plan" means the~~  
 2177 ~~comprehensive planning document that is adopted annually by the~~  
 2178 ~~district school board as provided in subsection (2) and that~~  
 2179 ~~contains the educational plant survey.~~

2180 ~~(b) "District facilities work program" means the 5-year~~  
 2181 ~~listing of capital outlay projects adopted by the district~~  
 2182 ~~school board as provided in subparagraph (2)(a)2. and paragraph~~  
 2183 ~~(2)(b) as part of the district educational facilities plan,~~  
 2184 ~~which is required in order to:~~

2185 1. ~~Properly maintain the educational plant and ancillary~~  
 2186 ~~facilities of the district.~~

2187 2. ~~Provide an adequate number of satisfactory student~~  
 2188 ~~stations for the projected student enrollment of the district in~~  
 2189 ~~K-12 programs.~~

2190 ~~(c) "Tentative educational facilities plan" means the~~  
 2191 ~~comprehensive planning document prepared annually by the~~  
 2192 ~~district school board and submitted to the Office of Educational~~  
 2193 ~~Facilities and the affected general-purpose local governments.~~

2194 ~~(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL~~  
 2195 ~~FACILITIES PLAN.-~~

2196 ~~(a) Annually, before ~~prior~~ to the adoption of the district~~  
 2197 ~~school budget, each district school board shall prepare a~~  
 2198 ~~tentative district educational facilities plan that includes~~  
 2199 ~~long-range planning for facilities needs ~~over 5-year, 10-year,~~~~  
 2200 ~~and 20-year periods. The plan must be developed in coordination~~  
 2201 ~~with the general-purpose local governments and be consistent~~  
 2202 ~~with the local government comprehensive plans. The school~~  
 2203 ~~board's plan for provision of new schools must meet the needs of~~  
 2204 ~~all growing communities in the district, ranging from small~~

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2205 rural communities to large urban cities. The plan must include:

2206 1. ~~Projected student populations apportioned geographically~~

2207 ~~at the local level. The projections must be based on information~~

2208 ~~produced by the demographic, revenue, and education estimating~~

2209 ~~conferences pursuant to s. 216.136, where available, as modified~~

2210 ~~by the district based on development data and agreement with the~~

2211 ~~local governments and the Office of Educational Facilities. The~~

2212 ~~projections must be apportioned geographically with assistance~~

2213 ~~from the local governments using local development trend data~~

2214 ~~and the school district student enrollment data.~~

2215 2. ~~An inventory of existing school facilities. Any~~

2216 ~~anticipated expansions or closures of existing school sites over~~

2217 ~~the 5-year, 10-year, and 20-year periods must be identified. The~~

2218 ~~inventory must include an assessment of areas proximate to~~

2219 ~~existing schools and identification of the need for improvements~~

2220 ~~to infrastructure, safety, including safe access routes, and~~

2221 ~~conditions in the community. The plan must also provide a~~

2222 ~~listing of major repairs and renovation projects anticipated~~

2223 ~~over the period of the plan.~~

2224 3. ~~Projections of facilities space needs, which may not~~

2225 ~~exceed the norm space and occupant design criteria established~~

2226 ~~in the State Requirements for Educational Facilities.~~

2227 4. ~~Information on leased, loaned, and donated space and~~

2228 ~~relocatables used for conducting the district's instructional~~

2229 ~~programs.~~

2230 5. ~~The general location of public schools proposed to be~~

2231 ~~constructed over the 5-year, 10-year, and 20-year time periods,~~

2232 ~~including a listing of the proposed schools' site acreage needs~~

2233 ~~and anticipated capacity and maps showing the general locations.~~

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2234 The school board's identification of general locations of future

2235 school sites must be based on the school siting requirements of

2236 s. 163.3177(6) (a) and policies in the comprehensive plan which

2237 ~~provide guidance for appropriate locations for school sites.~~

2238 6. ~~The identification of options deemed reasonable and~~

2239 ~~approved by the school board which reduce the need for~~

2240 ~~additional permanent student stations. Such options may include,~~

2241 ~~but need not be limited to:~~

2242 a. ~~Acceptable capacity;~~

2243 b. ~~Redistricting;~~

2244 c. ~~Busing;~~

2245 d. ~~Year round schools;~~

2246 e. ~~Charter schools;~~

2247 f. ~~Magnet schools;~~ and

2248 g. ~~Public-private partnerships.~~

2249 7. ~~The criteria and method, jointly determined by the local~~

2250 ~~government and the school board, for determining the impact of~~

2251 ~~proposed development to public school capacity.~~

2252 (b) ~~The plan must also include a financially feasible~~

2253 ~~district facilities work program for a 5-year period. The work~~

2254 ~~program must include:~~

2255 1. ~~A schedule of major repair and renovation projects~~

2256 ~~necessary to maintain the educational facilities and ancillary~~

2257 ~~facilities of the district.~~

2258 2. ~~A schedule of capital outlay projects necessary to~~

2259 ~~ensure the availability of satisfactory student stations for the~~

2260 ~~projected student enrollment in K-12 programs. This schedule~~

2261 ~~shall consider:~~

2262 a. ~~The locations, capacities, and planned utilization rates~~

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2263 of current educational facilities of the district. The capacity  
 2264 of existing satisfactory facilities, as reported in the Florida  
 2265 Inventory of School Houses must be compared to the capital  
 2266 outlay full-time equivalent student enrollment as determined by  
 2267 the department, including all enrollment used in the calculation  
 2268 of the distribution formula in s. 1013.64.

2269 b. The proposed locations of planned facilities, whether  
 2270 those locations are consistent with the comprehensive plans of  
 2271 all affected local governments, and recommendations for  
 2272 infrastructure and other improvements to land adjacent to  
 2273 existing facilities. The provisions of ss. 1013.33(6), (7), and  
 2274 (8) and 1013.36 must be addressed for new facilities planned  
 2275 within the first 3 years of the work plan, as appropriate.

2276 e. Plans for the use and location of relocatable  
 2277 facilities, leased facilities, and charter school facilities.

2278 d. Plans for multitrack scheduling, grade level  
 2279 organization, block scheduling, or other alternatives that  
 2280 reduce the need for additional permanent student stations.

2281 e. Information concerning average class size and  
 2282 utilization rate by grade level within the district which will  
 2283 result if the tentative district facilities work program is  
 2284 fully implemented.

2285 f. The number and percentage of district students planned  
 2286 to be educated in relocatable facilities during each year of the  
 2287 tentative district facilities work program. For determining  
 2288 future needs, student capacity may not be assigned to any  
 2289 relocatable classroom that is scheduled for elimination or  
 2290 replacement with a permanent educational facility in the current  
 2291 year of the adopted district educational facilities plan and in

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2292 the district facilities work program adopted under this section.  
 2293 Those relocatable classrooms clearly identified and scheduled  
 2294 for replacement in a school board-adopted, financially feasible,  
 2295 5-year district facilities work program shall be counted at zero  
 2296 capacity at the time the work program is adopted and approved by  
 2297 the school board. However, if the district facilities work  
 2298 program is changed and the relocatable classrooms are not  
 2299 replaced as scheduled in the work program, the classrooms must  
 2300 be reentered into the system and be counted at actual capacity.  
 2301 Relocatable classrooms may not be perpetually added to the work  
 2302 program or continually extended for purposes of circumventing  
 2303 this section. All relocatable classrooms not identified and  
 2304 scheduled for replacement, including those owned, lease-  
 2305 purchased, or leased by the school district, must be counted at  
 2306 actual student capacity. The district educational facilities  
 2307 plan must identify the number of relocatable student stations  
 2308 scheduled for replacement during the 5-year survey period and  
 2309 the total dollar amount needed for that replacement.

2310 g. Plans for the closure of any school, including plans for  
 2311 disposition of the facility or usage of facility space, and  
 2312 anticipated revenues.

2313 h. Projects for which capital outlay and debt service funds  
 2314 accruing under s. 9(d), Art. XII of the State Constitution are  
 2315 to be used shall be identified separately in priority order on a  
 2316 project priority list within the district facilities work  
 2317 program.

2318 3. The projected cost for each project identified in the  
 2319 district facilities work program. For proposed projects for new  
 2320 student stations, a schedule shall be prepared comparing the

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2321 ~~planned cost and square footage for each new student station, by~~  
 2322 ~~elementary, middle, and high school levels, to the low, average,~~  
 2323 ~~and high cost of facilities constructed throughout the state~~  
 2324 ~~during the most recent fiscal year for which data is available~~  
 2325 ~~from the Department of Education.~~

2326 ~~4. A schedule of estimated capital outlay revenues from~~  
 2327 ~~each currently approved source which is estimated to be~~  
 2328 ~~available for expenditure on the projects included in the~~  
 2329 ~~district facilities work program.~~

2330 ~~5. A schedule indicating which projects included in the~~  
 2331 ~~district facilities work program will be funded from current~~  
 2332 ~~revenues projected in subparagraph 4.~~

2333 ~~6. A schedule of options for the generation of additional~~  
 2334 ~~revenues by the district for expenditure on projects identified~~  
 2335 ~~in the district facilities work program which are not funded~~  
 2336 ~~under subparagraph 5. Additional anticipated revenues may~~  
 2337 ~~include Classrooms First funds.~~

2338 ~~(c) To the extent available, the tentative district~~  
 2339 ~~educational facilities plan shall be based on information~~  
 2340 ~~produced by the demographic, revenue, and education estimating~~  
 2341 ~~conferences pursuant to s. 216.136.~~

2342 ~~(2)(d) Provision must shall be made for public comment~~  
 2343 ~~concerning the tentative district educational facilities plan.~~

2344 ~~(e) The district school board shall coordinate with each~~  
 2345 ~~affected local government to ensure consistency between the~~  
 2346 ~~tentative district educational facilities plan and the local~~  
 2347 ~~government comprehensive plans of the affected local governments~~  
 2348 ~~during the development of the tentative district educational~~  
 2349 ~~facilities plan.~~

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2350 ~~(3)(f)~~ Not less than once every 5 years, the district  
 2351 school board shall have an audit conducted of the district's  
 2352 educational planning and construction activities. An operational  
 2353 audit conducted by the Auditor General pursuant to s. 11.45  
 2354 satisfies this requirement.

2355 ~~(4)(3) SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL~~  
 2356 ~~FACILITIES PLAN TO LOCAL GOVERNMENT.~~ The district school board  
 2357 shall submit a copy of its tentative district educational  
 2358 facilities plan to all affected local governments before prior  
 2359 ~~to~~ adoption by the board. The affected local governments may  
 2360 ~~shall~~ review the tentative district educational facilities plan  
 2361 and comment to the district school board on the consistency of  
 2362 the plan with the local comprehensive plan, whether a  
 2363 comprehensive plan amendment will be necessary for any proposed  
 2364 educational facility, and whether the local government supports  
 2365 a necessary comprehensive plan amendment. If the local  
 2366 government does not support a comprehensive plan amendment for a  
 2367 proposed educational facility, the matter must shall be resolved  
 2368 pursuant to the interlocal agreement when required by ss.  
 2369 163.3177(6)(h), 163.31777, and 1013.33(2). The process for the  
 2370 submittal and review must shall be detailed in the interlocal  
 2371 agreement when required pursuant to ss. 163.3177(6)(h),  
 2372 163.31777, and 1013.33(2).

2373 ~~(5)(4) ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~  
 2374 Annually, the district school board shall consider and adopt the  
 2375 tentative district educational facilities plan ~~completed~~  
 2376 ~~pursuant to subsection (2)~~. Upon giving proper notice to the  
 2377 public and local governments and opportunity for public comment,  
 2378 the district school board may amend the plan to revise the

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2379 priority of projects, to add or delete projects, to reflect the  
2380 impact of change orders, or to reflect the approval of new  
2381 revenue sources which may become available. The adopted district  
2382 educational facilities plan ~~must shall~~:

2383 (a) Be a complete, balanced, and financially feasible  
2384 capital outlay financial plan for the district.

2385 (b) Set forth the proposed commitments and planned  
2386 expenditures of the district to address the educational  
2387 facilities needs of its students and to adequately provide for  
2388 the maintenance of the educational plant and ancillary  
2389 facilities, including safe access ways from neighborhoods to  
2390 schools.

2391 ~~(6)(5) EXECUTION OF ADOPTED DISTRICT EDUCATIONAL FACILITIES~~  
2392 ~~PLAN.~~ The first year of the adopted district educational  
2393 facilities plan constitutes ~~shall constitute~~ the capital outlay  
2394 budget required in s. 1013.61. ~~The adopted district educational~~  
2395 ~~facilities plan shall include the information required in~~  
2396 ~~subparagraphs (2)(b)1., 2., and 3., based upon projects actually~~  
2397 ~~funded in the plan.~~

2398 Section 40. Subsections (3) and (4) of section 1013.41,  
2399 Florida Statutes, are amended to read:

2400 1013.41 SMART schools; Classrooms First; legislative  
2401 purpose.—

2402 (3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the  
2403 purpose of the Legislature to create s. 1013.35, requiring each  
2404 school district annually to adopt an educational facilities plan  
2405 that provides an integrated long-range facilities plan—  
2406 ~~including the survey of projected needs and the 5-year work~~  
2407 ~~program.~~ The purpose of the educational facilities plan is to

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2408 keep the district school board, local governments, and the  
2409 public fully informed as to whether the district is using sound  
2410 policies and practices that meet the essential needs of students  
2411 and that warrant public confidence in district operations. The  
2412 educational facilities plan will be monitored by the Office of  
2413 Educational Facilities, which will also apply performance  
2414 standards pursuant to s. 1013.04.

2415 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of  
2416 the Legislature to require the Office of Educational Facilities  
2417 to assist school districts in building SMART schools utilizing  
2418 functional and frugal practices. The Office of Educational  
2419 Facilities shall ~~must~~ review district facilities ~~work programs~~  
2420 ~~and~~ projects and identify opportunities to maximize design and  
2421 construction savings; ~~develop school district facilities work~~  
2422 ~~program performance standards;~~ and provide for review and  
2423 recommendations to the Governor, the Legislature, and the State  
2424 Board of Education.

2425 Section 41. Subsection (4) of section 1013.45, Florida  
2426 Statutes, is amended to read:

2427 1013.45 Educational facilities contracting and construction  
2428 techniques for school districts and Florida College System  
2429 institutions.—

2430 (4) Except as otherwise provided in this section and s.  
2431 481.229, the services of a registered architect must be used by  
2432 Florida College System institution and state university boards  
2433 of trustees for the development of plans for the erection,  
2434 enlargement, or alteration of any educational facility. The  
2435 services of a registered architect are not required for a minor  
2436 renovation project for which the construction cost is less than

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2437 \$50,000 or for the placement or hookup of relocatable  
 2438 educational-facilities that conform to standards adopted under  
 2439 s. 1013.37. However, boards must provide compliance with  
 2440 building code requirements and ensure that these structures are  
 2441 adequately anchored for wind resistance as required by law. ~~A~~  
 2442 ~~district school board shall reuse existing construction~~  
 2443 ~~documents or design criteria packages if such reuse is feasible~~  
 2444 ~~and practical. If a school district's 5-year educational~~  
 2445 ~~facilities work plan includes the construction of two or more~~  
 2446 ~~new schools for students in the same grade group and program,~~  
 2447 ~~such as elementary, middle, or high school, the district school~~  
 2448 ~~board must require that prototype design and construction be~~  
 2449 ~~used for the construction of these schools.~~ Notwithstanding s.  
 2450 287.055, a board may purchase the architectural services for the  
 2451 design of educational or ancillary facilities under an existing  
 2452 contract agreement for professional services held by a district  
 2453 school board in the State of Florida, provided that the purchase  
 2454 is to the economic advantage of the purchasing board, the  
 2455 services conform to the standards prescribed by rules of the  
 2456 State Board of Education, and such reuse is not without notice  
 2457 to, and permission from, the architect of record whose plans or  
 2458 design criteria are being reused. Plans must be reviewed for  
 2459 compliance with the State Requirements for Educational  
 2460 Facilities. Rules adopted under this section must establish  
 2461 uniform prequalification, selection, bidding, and negotiation  
 2462 procedures applicable to construction management contracts and  
 2463 the design-build process. This section does not supersede any  
 2464 small, woman-owned, or minority-owned business enterprise  
 2465 preference program adopted by a board. Except as otherwise

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2466 provided in this section, the negotiation procedures applicable  
 2467 to construction management contracts and the design-build  
 2468 process must conform to the requirements of s. 287.055. A board  
 2469 may not modify any rules regarding construction management  
 2470 contracts or the design-build process.  
 2471 Section 42. Section 1013.451, Florida Statutes, is  
 2472 repealed.  
 2473 Section 43. Paragraph (a) of subsection (3) of section  
 2474 1013.62, Florida Statutes, is amended to read:  
 2475 1013.62 Charter schools capital outlay funding.—  
 2476 (3) If the school board levies the discretionary millage  
 2477 authorized in s. 1011.71(2), the department shall use the  
 2478 following calculation methodology to determine the amount of  
 2479 revenue that a school district must distribute to each eligible  
 2480 charter school:  
 2481 (a) Reduce the total discretionary millage revenue by the  
 2482 school district's annual debt service obligation incurred as of  
 2483 March 1, 2017, which has not been subsequently retired, and any  
 2484 amount of participation requirement pursuant to s.  
 2485 1013.64(2)(a)7. ~~s. 1013.64(2)(a)8.~~ that is being satisfied by  
 2486 revenues raised by the discretionary millage.  
 2487  
 2488 By October 1 of each year, each school district shall certify to  
 2489 the department the amount of debt service and participation  
 2490 requirement that complies with the requirement of paragraph (a)  
 2491 and can be reduced from the total discretionary millage revenue.  
 2492 The Auditor General shall verify compliance with the  
 2493 requirements of paragraph (a) and s. 1011.71(2)(e) during  
 2494 scheduled operational audits of school districts.

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2495 Section 44. Paragraph (e) of subsection (1), paragraph (a)  
 2496 of subsection (2), paragraph (d) of subsection (3), paragraph  
 2497 (b) of subsection (5), and paragraphs (b) through (e) of  
 2498 subsection (6) of section 1013.64, Florida Statutes, are amended  
 2499 to read:

2500 1013.64 Funds for comprehensive educational plant needs;  
 2501 construction cost maximums for school district capital  
 2502 projects.—Allocations from the Public Education Capital Outlay  
 2503 and Debt Service Trust Fund to the various boards for capital  
 2504 outlay projects shall be determined as follows:

2505 (1)

2506 (e) Remodeling projects must ~~shall~~ be based on the  
 2507 recommendations of a survey pursuant to s. 1013.31, or, for  
 2508 district school boards, as indicated by the relative need as  
 2509 determined by the Florida Inventory of School Houses and the  
 2510 capital outlay full-time equivalent enrollment in the district.

2511 (2) (a) The department shall establish, as a part of the  
 2512 Public Education Capital Outlay and Debt Service Trust Fund, a  
 2513 separate account, in an amount determined by the Legislature, to  
 2514 be known as the "Special Facility Construction Account." The  
 2515 Special Facility Construction Account shall be used to provide  
 2516 necessary construction funds to school districts which have  
 2517 urgent construction needs but which lack sufficient resources at  
 2518 present, and cannot reasonably anticipate sufficient resources  
 2519 within the period of the next 3 years, for these purposes from  
 2520 currently authorized sources of capital outlay revenue. A school  
 2521 district requesting funding from the Special Facility  
 2522 Construction Account shall submit one specific construction  
 2523 project, not to exceed one complete educational plant, to the

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2524 Special Facility Construction Committee. A district may not  
 2525 receive funding for more than one approved project in any 3-year  
 2526 period or while any portion of the district's participation  
 2527 requirement is outstanding. The first year of the 3-year period  
 2528 shall be the first year a district receives an appropriation.  
 2529 The department shall encourage a construction program that  
 2530 reduces the average size of schools in the district. The request  
 2531 must meet the following criteria to be considered by the  
 2532 committee:

2533 1. The project must be deemed a critical need and must be  
 2534 recommended for funding by the Special Facility Construction  
 2535 Committee. Before developing construction plans for the proposed  
 2536 facility, the district school board must request a  
 2537 preapplication review by the Special Facility Construction  
 2538 Committee or a project review subcommittee convened by the chair  
 2539 of the committee to include two representatives of the  
 2540 department and two staff members from school districts not  
 2541 eligible to participate in the program. A school district may  
 2542 request a preapplication review at any time; however, if the  
 2543 district school board seeks inclusion in the department's next  
 2544 annual capital outlay legislative budget request, the  
 2545 preapplication review request must be made before February 1.  
 2546 Within 90 days after receiving the preapplication review  
 2547 request, the committee or subcommittee must meet in the school  
 2548 district to review the project proposal and existing facilities.  
 2549 To determine whether the proposed project is a critical need,  
 2550 the committee or subcommittee shall consider, at a minimum, the  
 2551 capacity of all existing facilities within the district as  
 2552 determined by the Florida Inventory of School Houses; the

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2553 district's pattern of student growth; the district's existing  
 2554 and projected capital outlay full-time equivalent student  
 2555 enrollment as determined by the demographic, revenue, and  
 2556 education estimating conferences established in s. 216.136; the  
 2557 district's existing satisfactory student stations; the use of  
 2558 all existing district property and facilities; grade level  
 2559 configurations; and any other information that may affect the  
 2560 need for the proposed project.

2561 2. The construction project must be recommended ~~in the~~  
 2562 ~~most recent survey or survey amendment cooperatively prepared by~~  
 2563 ~~the district school board and the department,~~ and approved by  
 2564 the department under the rules of the State Board of Education.  
 2565 If a district school board employs a consultant in the  
 2566 preparation of a survey or survey amendment, the consultant may  
 2567 not be employed by or receive compensation from a third party  
 2568 that designs or constructs a project recommended by the survey.

2569 3. The construction project must appear on the district's  
 2570 approved project priority list under the rules of the State  
 2571 Board of Education.

2572 4. The district must have selected and had approved a site  
 2573 for the construction project in compliance with s. 1013.36 and  
 2574 the rules of the State Board of Education.

2575 5. The district shall have developed a district school  
 2576 board adopted list of facilities that do not exceed the norm for  
 2577 net square feet occupancy requirements under the State  
 2578 Requirements for Educational Facilities, using all possible  
 2579 programmatic combinations for multiple use of space to obtain  
 2580 maximum daily use of all spaces within the facility under  
 2581 consideration.

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2582 6. ~~Upon construction, the total cost per student station,~~  
 2583 ~~including change orders, must not exceed the cost per student~~  
 2584 ~~station as provided in subsection (6) unless approved by the~~  
 2585 ~~Special Facility Construction Committee. At the discretion of~~  
 2586 ~~the committee, costs that exceed the cost per student station~~  
 2587 ~~for special facilities may include legal and administrative~~  
 2588 ~~fees, the cost of site improvements or related offsite~~  
 2589 ~~improvements, the cost of complying with public shelter and~~  
 2590 ~~hurricane hardening requirements, cost overruns created by a~~  
 2591 ~~disaster as defined in s. 252.34(2), costs of security~~  
 2592 ~~enhancements approved by the school safety specialist, and~~  
 2593 ~~unforeseeable circumstances beyond the district's control.~~

2594 7. There shall be an agreement signed by the district  
 2595 school board stating that it will advertise for bids within 30  
 2596 days of receipt of its encumbrance authorization from the  
 2597 department.

2598 ~~7.8.~~ For construction projects for which Special Facilities  
 2599 Construction Account funding is sought before the 2019-2020  
 2600 fiscal year, the district shall, at the time of the request and  
 2601 for a continuing period necessary to meet the district's  
 2602 participation requirement, levy the maximum millage against its  
 2603 nonexempt assessed property value as allowed in s. 1011.71(2) or  
 2604 shall raise an equivalent amount of revenue from the school  
 2605 capital outlay surtax authorized under s. 212.055(6). Beginning  
 2606 with construction projects for which Special Facilities  
 2607 Construction Account funding is sought in the 2019-2020 fiscal  
 2608 year, the district shall, for a minimum of 3 years before  
 2609 submitting the request and for a continuing period necessary to  
 2610 meet its participation requirement, levy the maximum millage

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2611 against the district's nonexempt assessed property value as  
 2612 authorized under s. 1011.71(2) or shall raise an equivalent  
 2613 amount of revenue from the school capital outlay surtax  
 2614 authorized under s. 212.055(6). Any district with a new or  
 2615 active project, funded under the provisions of this subsection,  
 2616 shall be required to budget no more than the value of 1 mill per  
 2617 year to the project until the district's participation  
 2618 requirement relating to the local discretionary capital  
 2619 improvement millage or the equivalent amount of revenue from the  
 2620 school capital outlay surtax is satisfied.

2621 ~~8.9.~~ If a contract has not been signed 90 days after the  
 2622 advertising of bids, the funding for the specific project shall  
 2623 revert to the Special Facility New Construction Account to be  
 2624 reallocated to other projects on the list. However, an  
 2625 additional 90 days may be granted by the commissioner.

2626 ~~9.10.~~ The department shall certify the inability of the  
 2627 district to fund the ~~survey-recommended~~ project over a  
 2628 continuous 3-year period using projected capital outlay revenue  
 2629 derived from s. 9(d), Art. XII of the State Constitution, as  
 2630 amended, paragraph (3)(a) of this section, and s. 1011.71(2).

2631 ~~10.11.~~ The district shall have on file with the department  
 2632 an adopted resolution acknowledging its commitment to satisfy  
 2633 its participation requirement, which is equivalent to all  
 2634 unencumbered and future revenue acquired from s. 9(d), Art. XII  
 2635 of the State Constitution, as amended, paragraph (3)(a) of this  
 2636 section, and s. 1011.71(2), in the year of the initial  
 2637 appropriation and for the 2 years immediately following the  
 2638 initial appropriation.

2639 ~~11.12.~~ Phase I plans must be approved by the district

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2640 school board as being in compliance with the building and life  
 2641 safety codes before June 1 of the year the application is made.

2642 (3)

2643 (d) Funds accruing to a district school board from the  
 2644 provisions of this section shall be expended on needed projects  
 2645 as shown ~~by survey or surveys~~ under the rules of the State Board  
 2646 of Education.

2647 (5) District school boards shall identify each fund source  
 2648 and the use of each proportionate to the project cost, as  
 2649 identified in the bid document, to assure compliance with this  
 2650 section. The data shall be submitted to the department, which  
 2651 shall track this information as submitted by the boards. PECO  
 2652 funds shall not be expended as indicated in the following:

2653 (b) PECO funds shall not be used for the construction of  
 2654 football fields, bleachers, site lighting for athletic  
 2655 facilities, tennis courts, stadiums, racquetball courts, or any  
 2656 other competition-type facilities not required for physical  
 2657 education curriculum. Regional or intradistrict football  
 2658 stadiums may be constructed with these funds provided a minimum  
 2659 of two high schools and two middle schools are assigned to the  
 2660 facility ~~and the stadiums are survey recommended~~. Sophisticated  
 2661 auditoria shall be limited to magnet performing arts schools,  
 2662 with all other schools using basic lighting and sound systems as  
 2663 determined by rule. Local funds shall be used for enhancement of  
 2664 athletic and performing arts facilities.

2665 (6)

2666 (b)1. ~~A district school board may not use funds from the~~  
 2667 ~~following sources: Public Education Capital Outlay and Debt~~  
 2668 ~~Service Trust Fund; School District and Community College~~

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2669 ~~District Capital Outlay and Debt Service Trust Fund, Classrooms~~  
 2670 ~~First Program funds provided in s. 1013.68; nonvoted 1.5 mill~~  
 2671 ~~levy of ad valorem property taxes provided in s. 1011.71(2);~~  
 2672 ~~Classrooms for Kids Program funds provided in s. 1013.735;~~  
 2673 ~~District Effort Recognition Program funds provided in s.~~  
 2674 ~~1013.736; or High Growth District Capital Outlay Assistance~~  
 2675 ~~Grant Program funds provided in s. 1013.738 to pay for any~~  
 2676 ~~portion of the cost of any new construction of educational plant~~  
 2677 ~~space with a total cost per student station, including change~~  
 2678 ~~orders, which exceeds:~~

2679     a. ~~\$17,952 for an elementary school;~~  
 2680     b. ~~\$19,386 for a middle school; or~~  
 2681     c. ~~\$25,181 for a high school;~~

2682

2683 ~~(January 2006) as adjusted annually to reflect increases or~~  
 2684 ~~decreases in the Consumer Price Index. The department, in~~  
 2685 ~~conjunction with the Office of Economic and Demographic~~  
 2686 ~~Research, shall estimate review and adjust the cost per student~~  
 2687 ~~station limits to reflect actual construction costs by January~~  
 2688 ~~1, 2020, and annually thereafter. The adjusted cost per student~~  
 2689 ~~station shall be used by the department for computation of the~~  
 2690 ~~statewide average costs per student station for each~~  
 2691 ~~instructional level pursuant to paragraph (d). The department~~  
 2692 ~~may shall also collaborate with the Office of Economic and~~  
 2693 ~~Demographic Research to select an industry-recognized~~  
 2694 ~~construction index to reflect annual changes in the cost per~~  
 2695 ~~student station replace the Consumer Price Index by January 1,~~  
 2696 ~~2020, adjusted annually to reflect changes in the construction~~  
 2697 ~~index.~~

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2698     2. District school boards ~~School districts~~ shall maintain  
 2699 accurate documentation related to the costs of all new  
 2700 construction of educational plant space reported to the  
 2701 Department of Education pursuant to paragraph (c) ~~(d)~~. ~~The~~  
 2702 ~~Auditor General shall review the documentation maintained by the~~  
 2703 ~~school districts and verify compliance with the limits under~~  
 2704 ~~this paragraph during its scheduled operational audits of the~~  
 2705 ~~school district.~~

2706     3. ~~Except for educational facilities and sites subject to a~~  
 2707 ~~lease-purchase agreement entered pursuant to s. 1011.71(2)(c) or~~  
 2708 ~~funded solely through local impact fees, in addition to the~~  
 2709 ~~funding sources listed in subparagraph 1., a district school~~  
 2710 ~~board may not use funds from any sources for new construction of~~  
 2711 ~~educational plant space with a total cost per student station,~~  
 2712 ~~including change orders, which equals more than the current~~  
 2713 ~~adjusted amounts provided in sub-subparagraphs 1.a.-c. However,~~  
 2714 ~~if a contract has been executed for architectural and design~~  
 2715 ~~services or for construction management services before July 1,~~  
 2716 ~~2017, a district school board may use funds from any source for~~  
 2717 ~~the new construction of educational plant space and such funds~~  
 2718 ~~are exempt from the total cost per student station requirements.~~

2719     4. ~~A district school board must not use funds from the~~  
 2720 ~~Public Education Capital Outlay and Debt Service Trust Fund or~~  
 2721 ~~the School District and Community College District Capital~~  
 2722 ~~Outlay and Debt Service Trust Fund for any new construction of~~  
 2723 ~~an ancillary plant that exceeds 70 percent of the average cost~~  
 2724 ~~per square foot of new construction for all schools.~~

2725     (c) ~~Except as otherwise provided, new construction for~~  
 2726 ~~which a contract has been executed for architectural and design~~

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2727 ~~services or for construction management services by a district~~  
 2728 ~~school board on or after July 1, 2017, may not exceed the cost~~  
 2729 ~~per student station as provided in paragraph (b).~~

2730 ~~(d)~~ The department shall:

2731 1. Compute for each calendar year the statewide average  
 2732 construction costs for facilities serving each instructional  
 2733 level, for relocatable educational facilities, for  
 2734 administrative facilities, and for other ancillary and auxiliary  
 2735 facilities. The department shall compute the statewide average  
 2736 costs per student station for each instructional level.

2737 2. Annually review the actual completed construction costs  
 2738 of educational facilities in each school district. ~~For any~~  
 2739 ~~school district in which the total actual cost per student~~  
 2740 ~~station, including change orders, exceeds the statewide limits~~  
 2741 ~~established in paragraph (b), the school district shall report~~  
 2742 ~~to the department the actual cost per student station and the~~  
 2743 ~~reason for the school district's inability to adhere to the~~  
 2744 ~~limits established in paragraph (b). The department shall~~  
 2745 ~~collect all such reports and shall provide these reports to the~~  
 2746 ~~Auditor General for verification purposes.~~

2747 ~~Cost per student station includes contract costs, fees of~~  
 2748 ~~architects and engineers, and the cost of furniture and~~  
 2749 ~~equipment. Cost per student station does not include the cost of~~  
 2750 ~~purchasing or leasing the site for the construction, legal and~~  
 2751 ~~administrative costs, or the cost of related site or offsite~~  
 2752 ~~improvements. Cost per student station also does not include the~~  
 2753 ~~cost for securing entries, checkpoint construction, lighting~~  
 2754 ~~specifically designed for entry point security, security~~  
 2755

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2756 ~~cameras, automatic locks and locking devices, electronic~~  
 2757 ~~security systems, fencing designed to prevent intruder entry~~  
 2758 ~~into a building, bullet-proof glass, or other capital~~  
 2759 ~~construction items approved by the school safety specialist to~~  
 2760 ~~ensure building security for new educational, auxiliary, or~~  
 2761 ~~ancillary facilities.~~

2762 ~~(e) Notwithstanding the requirements of this subsection, an~~  
 2763 ~~unfinished construction project for new construction of~~  
 2764 ~~educational plant space that was started on or before July 1,~~  
 2765 ~~2028, is exempt from the total cost per student station~~  
 2766 ~~requirements established in paragraph (b).~~

2767 Section 45. Paragraph (e) of subsection (6) of section  
 2768 163.3180, Florida Statutes, is amended to read:

2769 163.3180 Concurrency.—

2770 (6)

2771 (e) A school district that includes relocatable facilities  
 2772 in its inventory of student stations shall include the capacity  
 2773 of such relocatable facilities ~~as provided in s.~~  
 2774 ~~1013.35(2)(b)2.f.~~, provided the relocatable facilities were  
 2775 purchased after 1998 and the relocatable facilities meet the  
 2776 standards for long-term use pursuant to s. 1013.20.

2777 Section 46. Paragraph (a) of subsection (5) of section  
 2778 1002.68, Florida Statutes, is amended to read:

2779 1002.68 Voluntary Prekindergarten Education Program  
 2780 accountability.—

2781 (5) (a) If a public school's or private prekindergarten  
 2782 provider's program assessment composite score for its  
 2783 prekindergarten classrooms fails to meet the minimum program  
 2784 assessment composite score for contracting adopted in rule by

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2785 the department, the private prekindergarten provider or public  
 2786 school may not participate in the Voluntary Prekindergarten  
 2787 Education Program beginning in the consecutive program year and  
 2788 thereafter until the public school or private prekindergarten  
 2789 provider meets the minimum composite score for contracting. A  
 2790 public school or private prekindergarten provider may request  
 2791 one program assessment per program year in order to requalify  
 2792 for participation in the Voluntary Prekindergarten Education  
 2793 Program, provided that the public school or private  
 2794 prekindergarten provider is not excluded from participation  
 2795 under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9) ~~1002.63(9)(b)~~,  
 2796 or paragraph (5)(b) of this section. If a public school or  
 2797 private prekindergarten provider would like an additional  
 2798 program assessment completed within the same program year, the  
 2799 public school or private prekindergarten provider shall be  
 2800 responsible for the cost of the program assessment.

2801 Section 47. Paragraphs (c) and (e) of subsection (2) of  
 2802 section 1003.631, Florida Statutes, are amended to read:

2803 1003.631 Schools of Excellence.—The Schools of Excellence  
 2804 Program is established to provide administrative flexibility to  
 2805 the state's top schools so that the instructional personnel and  
 2806 administrative staff at such schools can continue to serve their  
 2807 communities and increase student learning to the best of their  
 2808 professional ability.

2809 (2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence  
 2810 must be provided the following administrative flexibilities:

2811 (c) For instructional personnel, the substitution of 1  
 2812 school year of employment at a School of Excellence for 20  
 2813 inservice points toward the renewal of a professional

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2814 certificate, up to 60 inservice points in a 5-year cycle,  
 2815 ~~pursuant to s. 1012.585(3).~~  
 2816 (e) Calculation for compliance with maximum class size  
 2817 ~~pursuant to s. 1003.03(4)~~ based on the average number of  
 2818 students at the school level.  
 2819 Section 48. Paragraph (c) of subsection (2) and paragraph  
 2820 (b) of subsection (5) of section 1004.04, Florida Statutes, are  
 2821 amended to read:  
 2822 1004.04 Public accountability and state approval for  
 2823 teacher preparation programs.—  
 2824 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—  
 2825 (c) Each candidate must receive instruction and be assessed  
 2826 on the uniform core curricula in the candidate's area or areas  
 2827 of program concentration during course work and field  
 2828 experiences. Beginning with candidates entering a teacher  
 2829 preparation program in the 2022-2023 school year, a candidate  
 2830 for certification in a coverage area identified pursuant to s.  
 2831 1012.585(3)(g) ~~s. 1012.585(3)(f)~~ must successfully complete all  
 2832 competencies for a reading endorsement, including completion of  
 2833 the endorsement practicum through the candidate's field  
 2834 experience under subsection (5), in order to graduate from the  
 2835 program.  
 2836 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary  
 2837 instructors, school district personnel and instructional  
 2838 personnel, and school sites preparing instructional personnel  
 2839 through preservice field experience courses and internships  
 2840 shall meet special requirements. District school boards may pay  
 2841 student teachers during their internships.  
 2842 (b)1. All school district personnel and instructional

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2843 personnel who supervise or direct teacher preparation students  
 2844 during field experience courses or internships taking place in  
 2845 this state in which candidates demonstrate an impact on student  
 2846 learning growth must have:

2847 a. Evidence of "clinical educator" training;  
 2848 b. A valid professional certificate issued pursuant to s.  
 2849 1012.56;  
 2850 c. At least 3 years of teaching experience in  
 2851 prekindergarten through grade 12;  
 2852 d. Earned an effective or highly effective rating on the  
 2853 prior year's performance evaluation under s. 1012.34 or be a  
 2854 peer evaluator under the district's evaluation system approved  
 2855 under s. 1012.34; and  
 2856 e. Beginning with the 2022-2023 school year, for all such  
 2857 personnel who supervise or direct teacher preparation students  
 2858 during internships in kindergarten through grade 3 or who are  
 2859 enrolled in a teacher preparation program for a certificate area  
 2860 identified pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~, a  
 2861 certificate or endorsement in reading.

2862  
 2863 The State Board of Education shall approve the training  
 2864 requirements.

2865 2. All instructional personnel who supervise or direct  
 2866 teacher preparation students during field experience courses or  
 2867 internships in another state, in which a candidate demonstrates  
 2868 his or her impact on student learning growth, through a Florida  
 2869 online or distance program must have received "clinical  
 2870 educator" training or its equivalent in that state, hold a valid  
 2871 professional certificate issued by the state in which the field

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2872 experience takes place, and have at least 3 years of teaching  
 2873 experience in prekindergarten through grade 12.

2874 3. All instructional personnel who supervise or direct  
 2875 teacher preparation students during field experience courses or  
 2876 internships, in which a candidate demonstrates his or her impact  
 2877 on student learning growth, on a United States military base in  
 2878 another country through a Florida online or distance program  
 2879 must have received "clinical educator" training or its  
 2880 equivalent, hold a valid professional certificate issued by the  
 2881 United States Department of Defense or a state or territory of  
 2882 the United States, and have at least 3 years teaching experience  
 2883 in prekindergarten through grade 12.

2884 Section 49. Paragraph (b) of subsection (3) of section  
 2885 1004.85, Florida Statutes, is amended to read:  
 2886 1004.85 Postsecondary educator preparation institutes.—  
 2887 (3) Educator preparation institutes approved pursuant to  
 2888 this section may offer competency-based certification programs  
 2889 specifically designed for noneducation major baccalaureate  
 2890 degree holders to enable program participants to meet the  
 2891 educator certification requirements of s. 1012.56. An educator  
 2892 preparation institute choosing to offer a competency-based  
 2893 certification program pursuant to the provisions of this section  
 2894 must implement a program developed by the institute and approved  
 2895 by the department for this purpose. Approved programs shall be  
 2896 available for use by other approved educator preparation  
 2897 institutes.

2898 (b) Each program participant must:  
 2899 1. Meet certification requirements pursuant to s.  
 2900 1012.56(1) by obtaining a statement of status of eligibility in

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2901 the certification subject area of the educational plan and meet  
2902 the requirements of s. 1012.56(2) (a)-(f) before participating in  
2903 field experiences.

2904 2. Demonstrate competency and participate in field  
2905 experiences that are appropriate to his or her educational plan  
2906 prepared under paragraph (a). Beginning with candidates entering  
2907 an educator preparation institute in the 2022-2023 school year,  
2908 a candidate for certification in a coverage area identified  
2909 pursuant to s. 1012.585(3) (g) ~~s. 1012.585(3) (f)~~ must  
2910 successfully complete all competencies for a reading  
2911 endorsement, including completion of the endorsement practicum  
2912 through the candidate's field experience, in order to graduate  
2913 from the program.

2914 3. Before completion of the program, fully demonstrate his  
2915 or her ability to teach the subject area for which he or she is  
2916 seeking certification by documenting a positive impact on  
2917 student learning growth in a prekindergarten through grade 12  
2918 setting and, except as provided in s. 1012.56(7) (a)3., achieving  
2919 a passing score on the professional education competency  
2920 examination, the basic skills examination, and the subject area  
2921 examination for the subject area certification which is required  
2922 by state board rule.

2923 Section 50. Paragraph (b) of subsection (2) of section  
2924 1012.586, Florida Statutes, is amended to read:

2925 1012.586 Additions or changes to certificates; duplicate  
2926 certificates; reading endorsement pathways.—

2927 (2)

2928 (b) As part of adopting a pathway pursuant to paragraph  
2929 (a), the department shall review the competencies for the

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2930 reading endorsement and subject area examinations for educator  
2931 certificates identified pursuant to s. 1012.585(3) (g) ~~s.~~  
2932 ~~1012.585(3) (f)~~ for alignment with evidence-based instructional  
2933 and intervention strategies rooted in the science of reading and  
2934 identified pursuant to s. 1001.215(7) and recommend changes to  
2935 the State Board of Education. Recommended changes must address  
2936 identification of the characteristics of conditions such as  
2937 dyslexia, implementation of evidence-based classroom instruction  
2938 and interventions, including evidence-based reading instruction  
2939 and interventions specifically for students with characteristics  
2940 of dyslexia, and effective progress monitoring. By July 1, 2023,  
2941 each school district reading endorsement add-on program must be  
2942 resubmitted for approval by the department consistent with this  
2943 paragraph.

2944 Section 51. Paragraph (b) of subsection (5) of section  
2945 1012.98, Florida Statutes, is amended to read:

2946 1012.98 School Community Professional Learning Act.—

2947 (5) The Department of Education, school districts, schools,  
2948 Florida College System institutions, and state universities  
2949 share the responsibilities described in this section. These  
2950 responsibilities include the following:

2951 (b) Each school district shall develop a professional  
2952 learning system as specified in subsection (4). The system shall  
2953 be developed in consultation with teachers, teacher-educators of  
2954 Florida College System institutions and state universities,  
2955 business and community representatives, and local education  
2956 foundations, consortia, and professional organizations. The  
2957 professional learning system must:

2958 1. Be reviewed and approved by the department for

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2959 compliance with s. 1003.42(3) and this section. Effective March  
 2960 1, 2024, the department shall establish a calendar for the  
 2961 review and approval of all professional learning systems. A  
 2962 professional learning system must be reviewed and approved every  
 2963 5 years. Any substantial revisions to the system must be  
 2964 submitted to the department for review and approval. The  
 2965 department shall establish a format for the review and approval  
 2966 of a professional learning system.

2967 2. Be based on analyses of student achievement data and  
 2968 instructional strategies and methods that support rigorous,  
 2969 relevant, and challenging curricula for all students. Schools  
 2970 and districts, in developing and refining the professional  
 2971 learning system, shall also review and monitor school discipline  
 2972 data; school environment surveys; assessments of parental  
 2973 satisfaction; performance appraisal data of teachers, managers,  
 2974 and administrative personnel; and other performance indicators  
 2975 to identify school and student needs that can be met by improved  
 2976 professional performance.

2977 3. Provide inservice activities coupled with follow-up  
 2978 ~~followup~~ support appropriate to accomplish district-level and  
 2979 school-level improvement goals and standards. The inservice  
 2980 activities for instructional and school administrative personnel  
 2981 shall focus on analysis of student achievement data; ongoing  
 2982 formal and informal assessments of student achievement;  
 2983 identification and use of enhanced and differentiated  
 2984 instructional strategies that emphasize rigor, relevance, and  
 2985 reading in the content areas; enhancement of subject content  
 2986 expertise; integrated use of classroom technology that enhances  
 2987 teaching and learning; classroom management; parent involvement;

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2988 and school safety.

2989 4. Provide inservice activities and support targeted to the  
 2990 individual needs of new teachers participating in the  
 2991 professional learning certification and education competency  
 2992 program under s. 1012.56(8)(a).

2993 5. Include a professional learning catalog for inservice  
 2994 activities, pursuant to rules of the State Board of Education,  
 2995 for all district employees from all fund sources. The catalog  
 2996 must be updated annually by September 1, must be based on input  
 2997 from teachers and district and school instructional leaders, and  
 2998 must use the latest available student achievement data and  
 2999 research to enhance rigor and relevance in the classroom. Each  
 3000 district inservice catalog must be aligned to and support the  
 3001 school-based inservice catalog and school improvement plans  
 3002 pursuant to s. 1001.42(18). Each district inservice catalog must  
 3003 provide a description of the training that middle grades  
 3004 instructional personnel and school administrators receive on the  
 3005 district's code of student conduct adopted pursuant to s.  
 3006 1006.07; integrated digital instruction and competency-based  
 3007 instruction and CAPE Digital Tool certificates and CAPE industry  
 3008 certifications; classroom management; student behavior and  
 3009 interaction; extended learning opportunities for students; and  
 3010 instructional leadership. District plans must be approved by the  
 3011 district school board annually in order to ensure compliance  
 3012 with subsection (1) and to allow for dissemination of research-  
 3013 based best practices to other districts. District school boards  
 3014 shall submit verification of their approval to the Commissioner  
 3015 of Education no later than October 1, annually. Each school  
 3016 principal may establish and maintain an individual professional

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3017 learning plan for each instructional employee assigned to the  
 3018 school as a seamless component to the school improvement plans  
 3019 developed pursuant to s. 1001.42(18). An individual professional  
 3020 learning plan must be related to specific performance data for  
 3021 the students to whom the teacher is assigned, define the  
 3022 inservice objectives and specific measurable improvements  
 3023 expected in student performance as a result of the inservice  
 3024 activity, and include an evaluation component that determines  
 3025 the effectiveness of the professional learning plan.

3026 6. Include inservice activities for school administrative  
 3027 personnel, aligned to the state's educational leadership  
 3028 standards, which address updated skills necessary for  
 3029 instructional leadership and effective school management  
 3030 pursuant to s. 1012.986.

3031 7. Provide for systematic consultation with regional and  
 3032 state personnel designated to provide technical assistance and  
 3033 evaluation of local professional learning programs.

3034 8. Provide for delivery of professional learning by  
 3035 distance learning and other technology-based delivery systems to  
 3036 reach more educators at lower costs.

3037 9. Provide for the continuous evaluation of the quality and  
 3038 effectiveness of professional learning programs in order to  
 3039 eliminate ineffective programs and strategies and to expand  
 3040 effective ones. Evaluations must consider the impact of such  
 3041 activities on the performance of participating educators and  
 3042 their students' achievement and behavior.

3043 10. For all grades, emphasize:

3044 a. Interdisciplinary planning, collaboration, and  
 3045 instruction.

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3046 b. Alignment of curriculum and instructional materials to  
 3047 the state academic standards adopted pursuant to s. 1003.41.

3048 c. Use of small learning communities; problem-solving,  
 3049 inquiry-driven research and analytical approaches for students;  
 3050 strategies and tools based on student needs; competency-based  
 3051 instruction; integrated digital instruction; and project-based  
 3052 instruction.

3053

3054 Each school that includes any of grades 6, 7, or 8 shall include  
 3055 in its school improvement plan, required under s. 1001.42(18), a  
 3056 description of the specific strategies used by the school to  
 3057 implement each item listed in this subparagraph.

3058 11. Provide training to reading coaches, classroom  
 3059 teachers, and school administrators in effective methods of  
 3060 identifying characteristics of conditions such as dyslexia and  
 3061 other causes of diminished phonological processing skills;  
 3062 incorporating instructional techniques into the general  
 3063 education setting which are proven to improve reading  
 3064 performance for all students; and using predictive and other  
 3065 data to make instructional decisions based on individual student  
 3066 needs. The training must help teachers integrate phonemic  
 3067 awareness; phonics, word study, and spelling; reading fluency;  
 3068 vocabulary, including academic vocabulary; and text  
 3069 comprehension strategies into an explicit, systematic, and  
 3070 sequential approach to reading instruction, including  
 3071 multisensory intervention strategies. Such training for teaching  
 3072 foundational skills must be based on the science of reading and  
 3073 include phonics instruction for decoding and encoding as the  
 3074 primary instructional strategy for word reading. Instructional

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3075 strategies included in the training may not employ the three-  
3076 cueing system model of reading or visual memory as a basis for  
3077 teaching word reading. Such instructional strategies may include  
3078 visual information and strategies which improve background and  
3079 experiential knowledge, add context, and increase oral language  
3080 and vocabulary to support comprehension, but may not be used to  
3081 teach word reading. Each district must provide all elementary  
3082 grades instructional personnel access to training sufficient to  
3083 meet the requirements of s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~.

3084 Section 52. Except as otherwise expressly provided in this  
3085 act and except for this section, which shall take effect upon  
3086 becoming a law, this act shall take effect July 1, 2025.

**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.)

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Prepared By: The Professional Staff of the Appropriations Committee on Pre-K - 12 Education

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**BILL:** CS/SB 296

**INTRODUCER:** Education Pre-K - 12 Committee and Senator Bradley and others

**SUBJECT:** Middle School and High School Start Times

**DATE:** March 10, 2025      **REVISED:** \_\_\_\_\_

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

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 296 removes the requirement that by July 1, 2026, the instructional day at all district and charter middle schools may not start before 8 a.m. and high schools may not start before 8:30 a.m.

This bill does not have a fiscal impact on state revenues or expenditures. However, school districts will likely avoid a significant negative fiscal impact, due to the removal of school start time requirements beginning in the 2026-2027 school year. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2025.

**II. Present Situation:**

**District School Boards**

Each district school board is responsible for the establishment, organization, and operation of schools in the district's geographic area. Each district school board is required to adopt policies for the opening and closing of schools within the district, however the opening date of schools may not be earlier than August 10th of each year.<sup>1</sup>

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<sup>1</sup> Section 1001.42(4), F.S.

In 2023<sup>2</sup> district school boards were required to set specified start times for middle and high schools, with implementation required by July 1, 2026. After that date, middle schools cannot begin the instructional day before 8 a.m., and high schools cannot start before 8:30 a.m. Additionally, district school boards must inform their communities about the health, safety and academic impacts of sleep deprivation on middle and high school students. The law also requires district school boards to discuss local strategies for implementing the later school start times.<sup>3</sup> State Board of Education (SBE) rule requires that district school board policy must ensure that no more than one and one-half hours will elapse between the time a student boards a district operated bus and the start of the school day.<sup>4</sup>

### **Charter Schools**

Charter schools are tuition-free public schools established through an agreement or "charter" typically between the school and the local district school board. This agreement grants the charter school a degree of flexibility compared to traditional public schools in exchange for a commitment to higher standards of accountability. All charter schools in Florida are public schools and are part of the state's public education system. During the 2022-2023 school year, 382,367 students were enrolled in 726 charter schools across 46 districts.<sup>5</sup> Charter schools are granted exemptions from certain operational requirements related to facilities, administration, and finance. However, charter schools must comply with statutory requirements specified in law, including the requirements for middle and high school start times.<sup>6</sup>

### **School Start Times in Florida**

According to the Office of Program Policy Analysis and Government Accountability (OPPAGA), the average start time for all Florida high schools (541 schools) is 7:45 a.m. Forty-six percent of high schools start before 7:30 a.m., and 19 percent of high schools start between 7:30 a.m. and 8:00 a.m. There were 49 Florida school districts with at least one high school that started before 8:00 a.m. and of those, 22 districts had at least one high school that started before 7:30 a.m. For Florida middle schools (490 schools) the average start time is 9:03 a.m., with only eight percent of schools starting prior to 8:00 a.m.<sup>7</sup>

OPPAGA requested specific information from twelve districts that had either changed or were considering changing school start times to determine motivations and barriers. Eight of those school districts had recently changed some or all school start times while four school districts had considered changes to start time but did not make changes. Reported motivations among the respondents included:

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<sup>2</sup> Ch. 2023-78, Laws of Fla.

<sup>3</sup> Section 1001.42(4)(f), F.S.

<sup>4</sup> Rule 6A-3.0171(6), F.A.C.

<sup>5</sup> Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida's Charter Schools* (October 2023), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf> at 1 (last visited Mar. 5, 2025).

<sup>6</sup> Section 1002.33(16), F.S.

<sup>7</sup> Email, OPPAGA Report: *OPPAGA Research on School Start Times*, (Mar. 13, 2023) (on file with the Senate Committee on Education Pre-K-12).

- Transportation issues to improve on-time bus schedules, address driver shortages, reduce transit times, comply with Center for Disease Control (CDC) social distancing recommendations, and improve operational efficiencies.
- Student health and safety issues to improve general student health and to address the health needs of high school students, in particular.
- Student learning issues to promote student academic achievement, increase learning time lost due to weather-related closures, and increase the length of the elementary school day.<sup>8</sup>

Reported barriers that were confronted when considering start time changes included:

- Childcare and student supervision issues concerning care for siblings, childcare arrangements, limited school staff and concerns about child safety in dawn/pre-dawn hours.
- After-school activities issues concerning afterschool employment for high school students, effects on extended day programs, and the ability to attend afterschool activities.
- Transportation issues concerning the costs of adding bus routes and buses, rising bus driver wages and limited bus drivers, and capital funding issues.<sup>9</sup>

### **Current Responses to Start Time Legislation**

In response to the 2023 legislation that prescribed start times for middle schools and high schools, Florida school districts have already taken actionable steps to meet the requirements. Additionally, \$5 million was appropriated to assist school districts and charter schools in implementing the requirements. Possible uses for funding included:

- Development of plans.
- Transportation.
- Instructional planning.
- Other school-related resources.<sup>10</sup>

The DOE is required to provide a report to the Legislature before January 1, 2026, documenting the grant awards and their total expenditures as well as the effect of later start times on student and school performance, truancy, absenteeism, tardiness, drop-out rates, and mental and behavioral health.<sup>11</sup>

Information gathered from several informal surveys of Florida school districts revealed a mixture of:

- Districts that have not begun the process of changing start times or are waiting to see if there are legislative changes.
- Districts that are at the beginning stages of planning and discussing the needed changes with their communities.
- Districts that have taken active steps toward changing start times by conducting cost analyses, purchasing new software, and evaluating transportation needs.

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<sup>8</sup> *Id.*

<sup>9</sup> Email, OPPAGA Report: *OPPAGA Research on School Start Times*, (Mar. 13, 2023) (on file with the Senate Committee on Education Pre-K-12).

<sup>10</sup> Specific Appropriation 96, Ch. 2023-239, L.O.F.

<sup>11</sup> *Id.*

- Districts that either were already in compliance with the new start times or have already made the adjustments and are now in compliance with the law regarding middle school and high school start times.<sup>12</sup>

Specific comments provided through the surveys included:

“We have analyzed the impact of the change on our ability to serve students and have found that it would be cost prohibitive to do so in terms of both personnel and the number of school buses needed.”

“The district created a working group to help identify how internal and external stakeholders will be affected. The working group aimed to determine the operations changes and financial impacts. All board members have been briefed, and a work session has been scheduled to discuss the next steps.”

“The major obstacle for our district is school transportation and lack of supervision of students in the afternoon. As it stands now, our school start times would need to flip, meaning many of our youngest students who live in the most rural areas will be outside in the darkness waiting on the bus.”

“Disrupted Schedules for parents - Later start time can disrupt schedules for parents who work traditional hours.”

“Pushing back start times will either push back after school activity times, therefore causing students to go to bed later OR if after school activity times stay the same, students will miss additional class time due to being checked out early to participate in after school activities.”

“The new start times could force a two-tier transportation schedule which doubles the salary, wear and tear of the school buses and consumables such as fuel and DEF fluid”

“Currently, the same school bus driver completes a full middle and high school route and then completes a full elementary school route. With the proposed start time change, double the current number of bus drivers will be required to complete the routes at the same time. With the current challenges and severe shortage of school bus drivers, this presents a virtually insurmountable barrier from an operational standpoint.”

### **III. Effect of Proposed Changes:**

This bill repeals the provisions in s. 1001.42, F.S., that provided specific requirements related to middle school and high school start times.

The bill removes from the powers and duties of district school boards the requirement that, by July 1, 2026, the instructional day for middle schools may not begin earlier than 8 a.m. and the instructional day for high schools may not begin earlier than 8:30 a.m.

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<sup>12</sup> Emails, Small District Council Consortium and Florida Association of School District Superintendents, (Feb. 25, 2025) (on file with the Senate Committee on Education Pre-K-12).



Additionally, the bill removes the requirement of district school boards to discuss local strategies to implement the specified later school start times.

The bill takes effect on July 1, 2025.

**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:

This bill does not have a fiscal impact on state revenues or expenditures. However, school districts will likely avoid a significant negative fiscal impact, due to the removal of school start time requirements beginning in the 2026-2027 school year.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 1001.42 of the Florida Statutes.

**IX. Additional Information:**

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

**CS by Education Pre-K – 12 on March 3, 2025:**

The committee substitute maintains from the bill the repeal of specific middle school and high school start times and the date by which those times must be implemented. However, the amendment restores current law that requires each district school board and charter school to inform its community about issues related to sleep deprivation and school start times and consider the benefits of later start times when adopting middle and high school start times.

- B. **Amendments:**

None.

By the Committee on Education Pre-K - 12; and Senators Bradley,  
Yarborough, and Davis

581-02107-25

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1 A bill to be entitled  
2 An act relating to middle school and high school start  
3 times; amending s. 1001.42, F.S.; deleting a  
4 requirement that middle schools and high schools start  
5 by specified times beginning in a certain year;  
6 requiring district school boards to consider certain  
7 benefits relating to school start times when adopting  
8 middle school and high school start times; providing  
9 an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:  
12

13 Section 1. Paragraph (f) of subsection (4) of section  
14 1001.42, Florida Statutes, is amended to read:

15 1001.42 Powers and duties of district school board.—The  
16 district school board, acting as a board, shall exercise all  
17 powers and perform all duties listed below:

18 (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.—  
19 Adopt and provide for the execution of plans for the  
20 establishment, organization, and operation of the schools of the  
21 district, including, but not limited to, the following:

22 (f) *Opening and closing of schools; fixing uniform date;*  
23 *middle school and high school start times.*—Adopt policies for  
24 the opening and closing of schools, fix uniform dates, and  
25 middle school and high school start times.

26 1. The opening date for schools in the district may not be  
27 earlier than August 10 of each year.

28 2. ~~By July 1, 2026, the instructional day for middle~~  
29 ~~schools may not begin earlier than 8 a.m. and the instructional~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 ~~day for high schools may not begin earlier than 8:30 a.m.~~ Each  
31 district school board must inform its community, including  
32 parents, students, teachers, school administrators, athletic  
33 coaches, and other stakeholders, about the health, safety, and  
34 academic impacts of sleep deprivation on middle school and high  
35 school students and consider the benefits of a later school  
36 start time when adopting middle school and high ~~and discuss~~  
37 ~~local strategies to successfully implement the later school~~  
38 start times.

39 Section 2. This act shall take effect July 1, 2025.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.