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# **Education & Employment Committee**

**February 7, 2024  
10:00 AM  
Morris Hall (17 HOB)**

**Meeting Packet**

**Paul Renner  
Speaker**

**Ralph Massullo  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Education & Employment Committee

**Start Date and Time:** Wednesday, February 07, 2024 10:00 am  
**End Date and Time:** Wednesday, February 07, 2024 01:30 pm  
**Location:** Morris Hall (17 HOB)  
**Duration:** 3.50 hrs

**Consideration of the following bill(s):**

HB 315 Reading Achievement Initiative for Scholastic Excellence Program by Williams  
CS/HB 511 Graduate Program Admissions by Postsecondary Education & Workforce Subcommittee, Holcomb  
CS/HB 865 Youth Athletic Activities by Healthcare Regulation Subcommittee, Yeager  
HB 1291 Educator Preparation Programs by Snyder, Jacques  
CS/HB 1317 Patriotic Organizations by Choice & Innovation Subcommittee, Duggan

**Consideration of the following proposed committee substitute(s):**

PCS for CS/HB 1285 -- Education

To submit an electronic appearance form, and for information about attending or testifying at a committee meeting, please see the "Visiting the House" tab at [www.myfloridahouse.gov](http://www.myfloridahouse.gov).

**NOTICE FINALIZED on 02/05/2024 4:17PM by Pearson.Misty**



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 315 Reading Achievement Initiative for Scholastic Excellence Program

**SPONSOR(S):** Williams and others

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 46

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Education Quality Subcommittee	15 Y, 0 N	Dixon	Sanchez
2) PreK-12 Appropriations Subcommittee	15 Y, 0 N	Bailey	Potvin
3) Education & Employment Committee		Dixon	Hassell

### SUMMARY ANALYSIS

In July 2021, the Reading Achievement Initiative for Scholastic Excellence (RAISE) program was established within the Florida Department of Education to improve literacy outcomes for all students. Under the RAISE program, regional literacy support teams assist schools serving students in kindergarten through grade 5 that are underperforming based on school progress monitoring and statewide, standardized English Language Arts assessment results.

The RAISE program also includes a tutoring program whereby high school juniors and seniors meeting minimum criteria may serve as tutors during the school day for students in kindergarten through grade 3 enrolled at a school identified for the program. The hours that a high school student spends tutoring through the RAISE program may be counted as community-service hours to meet the requirements for graduation and the Florida Bright Futures Scholarship.

The bill authorizes school districts participating in the RAISE tutoring program to offer the program after the school day and to provide a stipend to instructional personnel and high school students serving as tutors during after-school hours.

The bill specifies that unpaid hours of tutoring continue to count towards meeting community service requirements for high school graduation and the Florida Bright Futures Scholarship.

The bill does not have a fiscal impact. See Fiscal Comments.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Reading Achievement Initiative for Scholastic Excellence

In 2021, the Florida Legislature established the Reading Achievement Initiative for Scholastic Excellence (RAISE) program within the Florida Department of Education (DOE).<sup>1</sup> The mission of the RAISE program is to improve policies and practices that support improved literacy outcomes for all students.<sup>2</sup> The program provides instructional supports to school districts, school administrators, and instructional personnel in implementing:<sup>3</sup>

- evidence-based reading instruction proven to accelerate progress of students exhibiting a reading deficiency;
- differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students' specific reading needs; and
- explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension with more extensive opportunities for guided practice, error correction, and feedback.

Under the RAISE program, the DOE established 20 literacy support regions and regional support teams in Florida to assist schools in improving low reading scores.<sup>4</sup> Eligible schools include:<sup>5</sup>

- schools serving students in kindergarten through grade 5 where 50 percent of the students score below a Level 3 on the statewide, standardized English Language Arts (ELA) assessment for any grade level; and
- schools where 50 percent or more of students in kindergarten through grade 3 are not on track to pass the grade 3 ELA assessment based on data from the coordinated screening and progress monitoring system.<sup>6</sup>

Schools identified for supports are required to implement a school improvement plan with strategies to improve reading performance.<sup>7</sup> The table below shows the number of schools which have been identified for supports under the RAISE program.

School Year	Number of Schools Identified Under the RAISE program
2023-2024 <sup>8</sup>	1,184
2022-2023 <sup>9</sup>	1,061

#### *Tutoring Program*

<sup>1</sup> Section 17, ch. 2021-9, Laws of Fla., codified at s.1008.365(2), F.S.

<sup>2</sup> Florida Department of Education, *Impact of House Bill 7011 on Schoolwide Improvement Plan Requirements for Schools Identified Under Reading Achievement Initiative for Scholastic Excellence (2021)*, available at <https://info.fldoe.org/docushare/dsweb/Get/Document-9270/dps-2021-146.pdf>.

<sup>3</sup> Section 1008.365(2)(a)-(c), F.S.

<sup>4</sup> Section 1008.365(3), F.S.; see also Florida Department of Education, *RAISE Regions*, available at <https://www.fldoe.org/core/fileparse.php/7539/urlt/JRFSRLDFINALMAP.pdf>.

<sup>5</sup> Section 1008.365(4), F.S.

<sup>6</sup> Section 1008.25(8), F.S. (requiring the DOE to procure and require the use of a statewide, standardized progress monitoring system for the Voluntary Prekindergarten Education Program and public schools with students in kindergarten through grade 8 beginning with the 2022-2023 school year).

<sup>7</sup> Section 1008.365(4), F.S.

<sup>8</sup> Florida Department of Education, *Identifying RAISE Schools for 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/7539/urlt/2223RAISE-SchID.pdf>.

<sup>9</sup> Florida Department of Education, *RAISE Schools Identification 2022-2023*, available at <https://www.fldoe.org/core/fileparse.php/7539/urlt/2223RAISE-SchID-DPS2022-123a.pdf>.

As part of the RAISE program, the DOE established a tutoring program and developed training to prepare eligible high school students to tutor students in kindergarten through grade 3. Participating high school students must be trained in effective reading tutoring practices and content, based on evidence-based practices grounded in the science of reading and aligned to the State Board of Education adopted ELA standards.<sup>10</sup>

To be eligible to participate in the tutoring program, a student must be a rising high school junior or senior and meet the following requirements:<sup>11</sup>

- have a cumulative grade point average of 3.0 or higher;
- have no history of out-of-school suspensions or expulsions;
- be on track to complete all core course requirements to graduate; and
- have written recommendations from at least two present or former high school teachers of record or extracurricular activity sponsors.

High school students that participate as tutors must be recruited, trained, and deployed by the school district. Tutoring must occur during the school day, on school district property, and under the supervision of instructional personnel who are school district employees.<sup>12</sup>

A high school student may earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring. The hours may be counted towards community service requirements for high school graduation and the Florida Bright Futures Scholarship Program.<sup>13</sup>

The DOE must designate a high school student who provides at least 75 verified hours of tutoring in the RAISE program as a New Worlds Scholar and award him or her a commemorative pin for this designation.<sup>14</sup>

#### *Florida Bright Futures Scholarship Program*

The Florida Bright Futures Scholarship Program is a lottery-funded scholarship program for Florida high school graduates who demonstrate high academic achievement and enroll in a degree, certificate, or applied technology program at an eligible Florida public or private postsecondary education institution.<sup>15</sup>

The Bright Futures Program consists of the:<sup>16</sup>

- Florida Academic Scholarship (FAS), which provides for an award equal to the amount necessary to pay 100 percent of tuition and applicable fees and an additional stipend for textbooks as specified in the General Appropriations Act;<sup>17</sup>
- Florida Medallion Scholarship (FMS), which provides for an award equal to the amount necessary to pay 75 percent of tuition and fees; however, an eligible FMS recipient enrolled at a Florida College System institution is eligible for an award amount equal to the amount necessary to pay 100 percent of tuition and fees;<sup>18</sup>
- Florida Gold Seal Vocational Scholarship (FGSV) and the Florida Gold Seal Career and Professional Education Scholarship (CAPE), which provide for an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete an applied technology diploma, associate in applied science or associate in science degree, or a postsecondary career certificate program.<sup>19</sup>

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<sup>10</sup> Section 1008.365(8), F.S. and Rule 6A-6.0531, F.A.C.; *see also*, Florida Department of Education, *RAISE Highschool Tutoring Program*, available at <https://www.fldoe.org/academics/standards/just-read-fl/tutoring.stml>.

<sup>11</sup> *Id.* at (8)(a).

<sup>12</sup> *Id.* at (8)(b).

<sup>13</sup> *Id.* at (8)(c).

<sup>14</sup> *Id.*

<sup>15</sup> Section 1009.53(1), F.S.

<sup>16</sup> Section 1009.53(2), F.S.

<sup>17</sup> Section 1009.534(2), F.S.

<sup>18</sup> Section 1009.535(2), F.S.

<sup>19</sup> Section 1009.532(3), F.S.; *see also* 2023-24 *Bright Futures Student Handbook, Chapter 2: What You Need to Know Now That You Are Eligible* (July 1, 2023), at 3-4, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter2.pdf>.

A Florida high school student who wishes to qualify for a Bright Futures Program award must graduate from a Florida public high school with a standard high school diploma, graduate from a private high school registered with the DOE, earn a general education diploma, complete a home education program, or graduate from a non-Florida high school.<sup>20</sup> The various awards also have separate requirements for completed credits, grade-point average (GPA), and scores on college entrance exams.<sup>21</sup> The table below shows the GPA, college entrance exam scores, number of volunteer service hours, and number of paid service hours needed for the FAS and FMS.<sup>22</sup>

Type of Award	High School Weighted Bright Futures GPA	College Entrance Exams by High School Graduation Year (ACT/CLT/SAT)	Volunteer Service Hours	Paid Service Hours	Combination of Volunteer/Paid Hours
Florida Academic Scholars (FAS)	3.50	2023-24 Graduates 29/96/1340	100 hours	100 hours	100 hours
		2024-25 Graduates 29/96/1340			
Florida Medallion Scholars (FMS)	3.00	2023-24 Graduates 25/84/1210	75 hours	100 hours	100 hours
		2024-25 Graduates 25/84/1210			

High school students must complete 30 volunteer service hours, 100 paid hours, or the combination of 100 total hours to be eligible for the Florida Gold Seal CAPE Scholarship and the Florida Gold Seal Vocational Scholarship.<sup>23</sup>

The district school board and administrators of a nonpublic school establish the activities and process for documentation of service hours. Except for credit earned through service-learning courses, students may not receive payment or academic credit for the service hours performed.<sup>24</sup>

In the 2022-23 academic year, 117,586 students received a disbursement from the Florida Bright Futures Scholarship and disbursements totaled \$598,468,957.<sup>25</sup>

### Effect of Proposed Changes

The bill authorizes school districts participating in the RAISE tutoring program to offer the program after the school day and to provide a stipend to instructional personnel and high school students serving as tutors during after-school hours.

The bill specifies that unpaid hours of tutoring continue to count towards meeting community service requirements for high school graduation and the Florida Bright Futures Scholarship.

### B. SECTION DIRECTORY:

**Section 1.** Amends s. 1008.365, F.S., authorizing tutoring provided through the tutoring program within the Reading Achievement Initiative for Scholastic Excellence Program to be

<sup>20</sup> Florida Department of Education, *2023-24 Bright Futures Student Handbook, Chapter 1: Initial Eligibility Requirements* (Aug. 2023), at 2-3, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>. A student living with a parent who is on military or public service assignment may graduate from a non-Florida high school.

<sup>21</sup> *Id.* at 3-8.

<sup>22</sup> *Id.* at 3.

<sup>23</sup> *Id.* at 6 and 8; see also section 100.536(1)(e), F.S.

<sup>24</sup> *Id.* at 4-5.

<sup>25</sup> Florida Student Financial Aid, *Florida Bright Futures Student Counts and Total Costs, Report A*, available at <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsA.pdf>.

provided after the school day; conforming provisions to changes made by the act; authorizing school districts that participate in the tutoring program to provide a stipend to instructional personnel and high school students serving as tutors for after-school tutoring.

**Section 2.** Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

Because the bill authorizes, but does not require, a school district to provide stipends to instructional personnel or high school students that provide RAISE tutoring during after-school hours, the bill has no fiscal impact.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

None.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.



1                                   A bill to be entitled  
 2           An act relating to the Reading Achievement Initiative  
 3           for Scholastic Excellence Program; amending s.  
 4           1008.365, F.S.; authorizing tutoring provided through  
 5           the tutoring program within the Reading Achievement  
 6           Initiative for Scholastic Excellence Program to be  
 7           provided after the school day; conforming provisions  
 8           to changes made by the act; authorizing school  
 9           districts that participate in the tutoring program to  
 10          provide a stipend to instructional personnel and high  
 11          school students serving as tutors for after-school  
 12          tutoring; providing an effective date.

13  
 14   Be It Enacted by the Legislature of the State of Florida:

15  
 16           Section 1. Subsection (8) of section 1008.365, Florida  
 17           Statutes, is amended to read:

18           1008.365 Reading Achievement Initiative for Scholastic  
 19           Excellence Act.—

20           (8) As part of the RAISE Program, the department shall  
 21           establish a tutoring program and develop training in effective  
 22           reading tutoring practices and content, based on evidence-based  
 23           practices grounded in the science of reading and aligned to the  
 24           English Language Arts standards under s. 1003.41, which prepares  
 25           eligible high school students to tutor students in kindergarten

26 | through grade 3 in schools identified under this section,  
27 | instilling in those students a love of reading and improving  
28 | their literacy skills.

29 |       (a) To be eligible to participate in the tutoring program,  
30 | a high school student must be a rising junior or senior who has  
31 | a cumulative grade point average of 3.0 or higher, has no  
32 | history of out-of-school suspensions or expulsions, is on track  
33 | to complete all core course requirements to graduate, and has  
34 | written recommendations from at least two of his or her present  
35 | or former high school teachers of record or extracurricular  
36 | activity sponsors.

37 |       (b) School districts that wish to participate in the  
38 | tutoring program must recruit, train, and deploy eligible high  
39 | school students using the materials developed under this  
40 | section. Tutoring must occur during or after the school day on  
41 | school district property in the presence and under the  
42 | supervision of instructional personnel who are school district  
43 | employees. A parent must give written permission for his or her  
44 | child to receive tutoring through the program.

45 |       (c) Tutoring may be part of a service-learning course  
46 | adopted pursuant to s. 1003.497. Students may earn up to three  
47 | elective credits for high school graduation based on the  
48 | verified number of hours the student spends tutoring under the  
49 | program. The hours of volunteer service must be documented in  
50 | writing, and the document must be signed by the student, the

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51 student's parent or guardian, and an administrator or designee  
52 of the school in which the tutoring occurred. Unpaid ~~The~~ hours  
53 which ~~that~~ a high school student devotes to tutoring may be  
54 counted toward meeting community service requirements for high  
55 school graduation and community service requirements for  
56 participation in the Florida Bright Futures Scholarship Program  
57 as provided in s. 1003.497(3)(b). The department shall designate  
58 a high school student who provides at least 75 verified hours of  
59 tutoring under the program as a New Worlds Scholar and award the  
60 student with a pin indicating such designation.

61 (d) School districts participating in the tutoring program  
62 may provide a stipend to instructional personnel and high school  
63 students serving as tutors for after-school tutoring.

64 Section 2. This act shall take effect July 1, 2024.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 511 Graduate Program Admissions

**SPONSOR(S):** Postsecondary Education & Workforce Subcommittee, Holcomb

**TIED BILLS:** None. **IDEN./SIM. BILLS:** CS/CS/SB 494

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Postsecondary Education & Workforce Subcommittee	16 Y, 0 N, As CS	Blalock	Kiner
2) Education & Employment Committee		Blalock	Hassell

**SUMMARY ANALYSIS**

The bill requires an institution of higher education to waive the Graduate Record Examination (GRE) and Graduate Management Admission Test (GMAT) for servicemembers and for persons who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and were discharged or released under any condition other than dishonorable.

The bill has an indeterminate fiscal impact. See Fiscal Comments.

The bill takes effect July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Graduate Record Examination

The Graduate Record Examination (GRE) is the world's most widely used admissions test for graduate and professional schools.<sup>1</sup> The GRE General Test and GRE Subject Tests are taken by individuals applying to graduate, business, and law programs. For more than 70 years, GRE scores have been used by admissions and fellowship panels at thousands of graduate programs around the world to supplement an applicant's undergraduate grades and other qualifications for graduate study.<sup>2</sup>

The GRE General Test measures verbal reasoning, quantitative reasoning, critical thinking, and analytical writing skills. The test closely aligns with the types of skills that are required for success in today's demanding graduate programs, including business and law.<sup>3</sup>

The GRE Subject Tests measure achievement in specific subject areas and assume undergraduate majors or extensive background in those disciplines. These tests are available in Mathematics, Physics, and Psychology.<sup>4</sup>

The GRE General Test fee is \$220. The GRE Subject Test fee is \$150.<sup>5</sup>

##### Graduate Management Admission Test

The Graduate Management Admission Council (GMAC) was established in 1953 to solve a common problem schools faced: the need for a standardized exam to accurately assess a candidate's ability to perform in the rigors of a graduate management degree program. After thorough research and development, the Graduate Management Admission Test (GMAT) exam was created by business schools for business schools. It was specifically designed to assist with the business school admissions process.<sup>6</sup> The GMAT is the most widely used exam for admission to graduate business and management programs.<sup>7</sup>

The GMAT exam is designed to test skills that are highly important to business and management programs. It assesses analytical writing and problem-solving abilities, along with the data sufficiency, logic, and critical reasoning skills that are vital to real-world business and management success. Additionally, the GMAT exam assesses Integrated Reasoning, a section designed to measure a test taker's ability to evaluate information presented in new formats and from multiple sources—skills necessary for management students to succeed in a technologically advanced and data-rich world.<sup>8</sup>

The GMAT Exam fee is \$275 if taken at a test center and \$300 if taken online.<sup>9</sup>

##### Graduate Program Admissions

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<sup>1</sup> ETS, *GRE*, <https://www.ets.org/gre.html> (last visited Jan. 15, 2024).

<sup>2</sup> ETS, *GRE Information Bulletin* (2023), available at <https://www.ets.org/pdfs/gre/gre-info-bulletin.pdf>, at 4.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> ETS, *GRE Test Takers*, <https://www.ets.org/gre/test-takers.html> (last visited Jan. 12, 2024).

<sup>6</sup> Graduate Management Admission Council (GMAC), *GMAT History*, <https://www.mba.com/exams/gmat-exam/about/gmat-history> (last visited Jan. 15, 2024).

<sup>7</sup> GMAC, *GMAT Exam*, <https://www.mba.com/exams/gmat-exam> (last visited Jan. 15, 2024).

<sup>8</sup> GMAC, *About the GMAT Exam*, <https://www.gmac.com/gmat-other-assessments/about-the-gmat-exam> (last visited Jan. 15, 2024).

<sup>9</sup> GMAC, *Exam Payment*, <https://www.mba.com/exams/gmat-exam/register/exam-payment> (last visited Jan. 12, 2024).

The State University System of Florida (SUS)<sup>10</sup> offers opportunities for graduate study in over 1,000 academic programs.<sup>11</sup> The Board of Governors has established that it is the responsibility of the universities and university boards of trustees to establish their own standards for graduate school admission.<sup>12</sup> Admission decisions for graduate programs are typically made at the program or department level, in concert with the admission criteria adopted by each university. These criteria are typically published on the university admissions office website.<sup>13</sup>

### GRE and GMAT Waivers

As a response to the COVID pandemic, many SUS institutions temporarily waived GRE requirements for the majority of graduate programs' admission criteria. This temporary waiver is still in effect for many of the SUS institutions. For example, Florida Atlantic University will waive the GRE and GMAT scores for all applicants seeking entry to most graduate programs, up to and including the entry term of Spring 2024.<sup>14</sup> Florida State University (FSU) is extending its temporary GRE waiver through Fall 2026 for most Master's and Specialist's programs.<sup>15</sup>

Additionally, some graduate programs offer GRE or GMAT waivers for applicants who fulfill specified criteria, typically involving meeting certain academic, research, or work-related benchmarks. Applicants for the Master of Science in Management program at the University of South Florida (USF) can request a GRE/GMAT waiver if the applicant has 3 years of professional or managerial experience or has earned a bachelor's degree from USF, a Florida preeminent institution, or an Association of American Universities (AAU) school and has a cumulative GPA of 3.5 or higher.<sup>16</sup>

At FSU, for business school master's degree programs, GRE or GMAT scores are accepted but not required. This broader policy follows the university waiving the GMAT requirement for highly qualified applicants with stellar academic backgrounds or significant work experience. The GMAT is still required for those applying for doctoral degrees within the College of Business.<sup>17</sup>

At the University of Florida, for the full-time MBA program, applicants are still required to submit a GMAT or GRE test score, with the GMAT preferred. For a professional MBA program (Executive, Online, South Florida, and Weekend Professional), a GMAT or GRE score is not required, but applicants may submit a score if they feel that doing so will make their application more competitive. If a test score is submitted, the admissions committee will use the score as an additional data point for consideration. An applicant will not be penalized if a test score is not provided or if a submitted test score is below the admissions range. Instead of requiring a test score, the admissions committee will rely on other indicators of ability when reviewing an applicant's file, including, but not limited to, career trajectory and professional success, leadership experience, and previous academic performance. All applicants are reviewed holistically and the most competitive applicants showcase strength in all areas.<sup>18</sup>

### GRE and GMAT Waivers for Military Applicants

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<sup>10</sup> Section 1000.21(8), F.S.

<sup>11</sup> State University System of Florida (SUS), *Graduate & Professional Admissions*, <https://www.flbog.edu/universities/admissions-transfers/graduate-professional-admissions/> (last visited Jan. 15, 2024).

<sup>12</sup> Board of Governors Regulations 6.001 and 6.003. SUS, *Active Regulations: Chapter 6*, [https://www.flbog.edu/regulations/active-regulations/?fwp\\_chapters=chapter-06](https://www.flbog.edu/regulations/active-regulations/?fwp_chapters=chapter-06) (last visited Jan. 15, 2024).

<sup>13</sup> SUS, *Graduate & Professional Admissions*, <https://www.flbog.edu/universities/admissions-transfers/graduate-professional-admissions/> (last visited Jan. 15, 2024).

<sup>14</sup> Florida Atlantic University, Graduate College, *Prospective Graduate Students*, <https://www.fau.edu/graduate/admissions/prospective-graduate-students/> (last visited Jan. 15, 2024).

<sup>15</sup> Florida State University (FSU), The Graduate School, *Master's Degree Programs*, <https://gradschool.fsu.edu/academics-research/degree-programs/masters-degree-programs> (last visited Jan. 15, 2024).

<sup>16</sup> University of South Florida, Muma College of Business, *Application Process*, <https://www.usf.edu/business/graduate/ms-management/application-process.aspx> (last visited Jan. 15, 2024).

<sup>17</sup> FSU, College of Business, *GMAT Now Optional for All Business Master's Programs*, <https://business.fsu.edu/article/gmat-now-optional-all-business-masters-programs> (last visited Jan. 15, 2024).

<sup>18</sup> University of Florida, Warrington College of Business, *Apply to UF MBA*, <https://warrington.ufl.edu/mba/apply/> (last visited Jan. 15, 2024).

In addition to GRE and GMAT waivers available for all applicants, many universities nationwide provide waivers specifically for military applicants. The universities with GMAT waivers for military applicants recognize that military service provides real-world leadership and decision-making experience that may serve as a better indicator of likely success in an MBA program than a test score. MBA programs require teamwork and collaboration, as does military service.<sup>19</sup> The Ohio State University's Fisher College of Business offers a GMAT/GRE waiver for military candidates and cites the value of "the leadership and diverse perspective veterans and active-military provide."<sup>20</sup>

Waivers exempting military applicants from GRE requirements for graduate program admissions are not as prevalent as GMAT waivers. However, some graduate programs like the Harris School of Public Policy at the University of Chicago provide waivers for applicants who have completed five years of active duty national military service.<sup>21</sup> Similarly, the School of Computing and Information Science at the University of Maine offers a GRE waiver for some graduate degree programs for military members and veterans with five or more years of military experience, provided they meet academic minimums.<sup>22</sup>

### Effect of Proposed Changes

The bill requires an institution of higher education to waive the GRE and GMAT for servicemembers who apply for admission to a graduate program that requires the examination. The bill also requires an institution of higher education to waive the GRE and GMAT for persons who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and were discharged or released under any condition other than dishonorable and who apply to a graduate program that requires such examination.

The bill provides definitions, including:

- "Graduate program" means an advanced academic degree program in a specialized field of study, including, but not limited to, a master's or doctoral degree program, which degree is pursued after one has obtained a bachelor's degree.
- "Institution of higher education" means a state university.<sup>23</sup>
- "Servicemember" means any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces.<sup>24</sup>

### B. SECTION DIRECTORY:

**Section 1:** Creates s. 1004.032, F.S.; defining terms; requiring an institution of higher education to waive certain examination requirements for a servicemember or a person who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and was discharged or released under any condition other than dishonorable and who applies for admission to a graduate program that requires such examination.

**Section 2:** Providing an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

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<sup>19</sup> Veterans.com, *GMAT Waivers for Military & Veterans*, <https://veteran.com/gmat-waivers/> (last visited Jan. 15, 2024).

<sup>20</sup> The Ohio State University, Fisher College of Business, Graduate Programs, *Military & Veterans*, <https://fisher.osu.edu/graduate/military-veterans> (last visited Jan. 15, 2024).

<sup>21</sup> The University of Chicago, Harris School of Public Policy, *GRE Requirements and Waivers*, <https://harris.uchicago.edu/admissions/blog/gre-requirements-and-waivers> (last visited Jan. 15, 2024).

<sup>22</sup> The University of Maine, School of Computing and Information Science, *GRE Waiver Request* (2019), available at <https://online.umaine.edu/wp-content/uploads/sites/72/2019/11/GREWaiverRequestInSCIS.pdf>.

<sup>23</sup> Section 1000.21(5) and (8), F.S. provides a list of all Florida College System institutions and state universities, respectively.

<sup>24</sup> Section 250.01(19), F.S.



A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

See Fiscal Comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments.

D. FISCAL COMMENTS:

The bill may have an indeterminate positive fiscal impact on servicemembers and veterans due to the cost savings associated with the waiver of the GMAT and GRE requirement. This cost savings is estimated at \$275-\$300 per servicemember or veteran applying to a graduate program that requires the GMAT and \$220 per servicemember or veteran applying to a graduate program that requires the GRE. The bill may have a corresponding indeterminate negative fiscal impact on testing providers of the GMAT and GRE.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On January 25, 2024, the Postsecondary Education & Workforce Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment:

- removes reference to a Florida College System institution from the definition of “institution of higher education;” and
- expands the GRE and GMAT waivers to include graduate program applicants who served in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and who were discharged or released under any condition other than dishonorable.

The analysis is drafted to the committee substitute adopted by the Postsecondary Education & Workforce Subcommittee.

1   A bill to be entitled  
 2           An act relating to graduate program admissions;  
 3           creating s. 1004.032, F.S.; defining terms; requiring  
 4           an institution of higher education to waive certain  
 5           examination requirements for a servicemember or a  
 6           person who served in the United States Armed Forces,  
 7           the Florida National Guard, or the United States  
 8           Reserve Forces and was discharged or released under  
 9           any condition other than dishonorable and who applies  
 10          for admission to a graduate program that requires such  
 11          examination; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15           Section 1.   Section 1004.032, Florida Statutes, is created  
 16          to read:

17                1004.032 Graduate program admission for servicemembers.-

18                (1) As used in this section, the term:

19                   (a) "GMAT" means the Graduate Management Admission Test.

20                   (b) "Graduate program" means an advanced academic degree  
 21 program in a specialized field of study, including, but not  
 22 limited to, a master's or doctoral degree program, which degree  
 23 is pursued after one has obtained a bachelor's degree.

24                   (c) "GRE" means the Graduate Record Examination.

25                   (d) "Institution of higher education" means a state

26 university as defined in s. 1000.21(8).

27 (e) "Servicemember" has the same meaning as in s. 250.01.

28 (2)(a) An institution of higher education shall waive the  
 29 GRE or GMAT requirement for a servicemember who applies for  
 30 admission to a graduate program that requires such examination.

31 (b) An institution of higher education shall waive the GRE  
 32 or GMAT requirement for a person who served in the United States  
 33 Armed Forces, the Florida National Guard, or the United States  
 34 Reserve Forces and was discharged or released under any  
 35 condition other than dishonorable and who applies for admission  
 36 to a graduate program that requires such examination.

37 Section 2. This act shall take effect July 1, 2024.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Education & Employment  
2 Committee

3 Representative Holcomb offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove lines 28-36 and insert:

7 (2) An institution of higher education shall waive the GRE  
8 or GMAT requirement for a servicemember who applies for  
9 admission to a graduate program that requires such examination.

10  
11 -----

12 **T I T L E A M E N D M E N T**

13 Remove lines 5-9 and insert:

14 examination requirements for a servicemember who applies



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 865 Youth Athletic Activities  
**SPONSOR(S):** Healthcare Regulation Subcommittee, Yeager  
**TIED BILLS:** None. **IDEN./SIM. BILLS:** CS/SB 830

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Healthcare Regulation Subcommittee	16 Y, 0 N, As CS	Guzzo	McElroy
2) PreK-12 Appropriations Subcommittee	15 Y, 0 N	Bailey	Potvin
3) Education & Employment Committee		Wolff	Hassell

### SUMMARY ANALYSIS

Sudden cardiac arrest is the leading cause of death for student athletes. Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA) to have a school employee or volunteer trained in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED) present at athletic activities, including competitions, practices, workouts, and conditioning sessions. However, public schools who are not members of the FHSAA are not required to comply with these standards.

The bill requires all athletic coaches employed by public schools to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

The bill has an indeterminate fiscal impact. See Fiscal Comments, *infra*.

The bill provides an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Background

##### **Cardiac Arrest**

Heart disease is the leading cause of death in the United States.<sup>1</sup> Sudden cardiac arrest is the leading cause of death for student athletes.<sup>2</sup>

Sudden cardiac arrest is the sudden loss of all heart activity due to an irregular heart rhythm. It can come on suddenly or in the wake of other symptoms. More than 356,000 cardiac arrests occur outside a hospital in the United States each year,<sup>3</sup> 7,037 are cardiac arrests in children.<sup>4</sup>

Sudden cardiac arrest is often fatal if the individual does not receive timely emergency treatment.<sup>5</sup> Emergency treatment for sudden cardiac arrest includes cardiopulmonary resuscitation (CPR) and shocks to the heart with an automated external defibrillator (AED).

##### **Cardiopulmonary Resuscitation**

Though the vast majority of cardiac arrests occur at home, approximately 15 percent of adult cardiac arrests and 12 percent of juvenile cardiac arrests occur in public.<sup>6</sup> Bystander cardiopulmonary resuscitation (CPR) can double or triple a person's chances of survival if started immediately.<sup>7</sup> However, only 46 percent of cardiac arrests receive CPR from bystanders.<sup>8</sup> Bystanders often choose not to perform CPR because they are not trained or they are concerned about causing additional injury to a patient, especially if the patient is elderly, female, or adolescent.<sup>9</sup>

##### Automated External Defibrillator

An AED is a computerized defibrillator that automatically analyzes the heart rhythm in people who are experiencing cardiac arrest. If the AED detects cardiac arrest, it delivers an electrical shock to the heart to restore its normal rhythm.<sup>10</sup> Sudden cardiac arrest has an 85 percent survival rate when an AED is applied within three minutes of a collapse.<sup>11</sup>

##### *Public Schools*

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<sup>1</sup> Center for Disease Control and Prevention, *Heart Disease*, <https://www.cdc.gov/heartdisease/facts.htm> (last visited February 5, 2024).

<sup>2</sup> Mayo Clinic, *Sudden Death in Young People: Heart Problems Often Blamed*, <https://www.mayoclinic.org/diseases-conditions/sudden-cardiac-arrest/in-depth/sudden-death/art-20047571> (last visited February 5, 2024).

<sup>3</sup> *Id.*

<sup>4</sup> American Academy of Pediatrics, *Advocating for Life Support Training of Children, Parents, Caregivers, School Personnel, and the Public*, <https://pediatrics.aappublications.org/content/141/6/e20180705#ref-1> (last visited February 5, 2024).

<sup>5</sup> American Heart Association, *About Cardiac Arrest*, <https://www.heart.org/en/health-topics/cardiac-arrest/about-cardiac-arrest> (last visited February 5, 2024).

<sup>6</sup> American Heart Association, *Why Women Fear Performing CPR on Women—and What to Do About It*, <https://www.heart.org/en/news/2020/11/23/why-people-fear-performing-cpr-on-women-and-what-to-do-about-it> (last visited February 5, 2024).

<sup>7</sup> *Id.*

<sup>8</sup> CPR Select, *CPR Success Rate: How Effective is CPR?*, available at <https://www.mycprcertificationonline.com/blog/cpr-success-rate> (last visited February 5, 2024).

<sup>9</sup> Heart Cert, *Why Don't Bystanders Perform CPR?* available at <https://heartcertcpr.com/news/why-dont-bystanders-perform-cpr/#:~:text=Bystanders%20Fear%20Causing%20Additional%20Injury&text=The%20second%20most%20common%20reason,of%20CPR%20training%20and%20ability.&text=An%20additional%20reason%20given%20was,receive%20CPR%20from%20a%20bystander> (last visited February 5, 2024).

<sup>10</sup> U.S. Food & Drug Administration, *How AEDs in Public Places Can Restart Hearts*, available at <https://www.fda.gov/consumers/consumer-updates/how-aeds-public-places-can-restart-hearts> (last visited February 5, 2024).

<sup>11</sup> Karl Weenig, M.D., National Federation of State High School Associations, *Emergency Action Plans Should be Reviewed, Rehearsed Annually* (Jan. 8, 2024) available at <https://www.nfhs.org/articles/emergency-action-plans-should-be-reviewed-rehearsed-annually/#:~:text=It%20has%20been%20well%20documented,three%20minutes%20of%20a%20collapse> (last visited February 5, 2024).



As part of student wellness and physical education policies, Florida law encourages school districts to provide basic training in first aid, including CPR, for all students in grade 6 and grade 8.<sup>12</sup> School districts are required to provide basic training in first aid, including CPR, for all students in grade 9 and grade 11.<sup>13</sup> The CPR instruction must be based on a one-hour, nationally recognized program that uses current evidence-based emergency cardiovascular care guidelines.<sup>14</sup> Florida law also requires the instruction to allow students to practice psychomotor skills associated with performing CPR and how to use an AED when a school district has the necessary equipment to provide AED instruction.<sup>15</sup> School districts are encouraged to pursue private and public partnerships to provide the requisite training or funding.<sup>16</sup>

Given concerns regarding the health and safety of student-athletes, Florida law requires public schools that are members of the Florida High School Athletic Association (FHSAA)<sup>17</sup> to meet certain requirements relating to CPR and the use of an AED, to include requiring a school employee or volunteer trained in CPR and use of an AED to be present at athletic activities, including competitions, practices, workouts, and conditioning sessions.<sup>18</sup> FHSAA member public schools are also required to have an operational AED available in a clearly marked, publicized location for all athletic contests, practices, workouts, and conditioning sessions.<sup>19</sup> The location of the AED must be registered with a local emergency medical services medical director.<sup>20</sup> Each employee or volunteer required to complete the training must annually be notified in writing of the location of each defibrillator on school grounds.<sup>21</sup>

Public schools who are not members of the FHSAA are not required to comply with the above standards. There are currently over 800 public school members of the FHSAA.<sup>22</sup> According to the Florida Department of Education, in 2022-23, there were 570 public middle schools, 641 public high schools, and 626 public combination schools in Florida.

### *Athletic Coaching Certification*

The athletic coaching certificate covers full-time and part-time employment as a public school's athletic coach.<sup>23</sup> The Department of Education issues two types of athletic coaching certificates – one is valid for 5 years and may be issued for subsequent 5-year periods while the other is valid for 3 years and may be issued only once.<sup>24</sup> The 3-year certificate merely requires the applicant to complete the application and pass a level 2 background screening.<sup>25</sup> The 5-year certificate requires submission of the application, passage of a level 2 background screening, and completion of a training course that includes the following:

- Nine (9) semester hours in athletic coaching to include:
  - Three (3) semester hours in care and prevention of athletic injuries and the effects and dangers of drug use including performance enhancing drugs;
  - Three (3) semester hours in coaching theory;
  - A course in theory and practice of coaching a specific sport; and
- A valid cardiopulmonary resuscitation course completion card or certificate issued by the American Heart Association or the American Red Cross or an equivalent cardiopulmonary resuscitation course completion card or certificate issued by an entity approved by the Florida Department of Health.<sup>26</sup>

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<sup>12</sup> S. 1003.453(3), F.S.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> The term "high school" includes grades 6-12.

<sup>18</sup> Section 1006.165(1)(b), F.S.

<sup>19</sup> Section 1006.165(1)(a), F.S.

<sup>20</sup> Section 1006.165(1)(c), F.S.

<sup>21</sup> *Id.*

<sup>22</sup> FHSAA, Membership, *What is Membership in the FHSAA?*, available at <https://fhsaa.com/sports/2020/1/30/Membership.aspx> (last visited February 5, 2024).

<sup>23</sup> Section 1012.55(2)(a), F.S.

<sup>24</sup> Rule 6A-4.004(5), F.A.C. (validity periods expressed in school fiscal years).

<sup>25</sup> Rule 6A-4.004(7)(a), F.A.C.

<sup>26</sup> See r. 6A-4.0282(2)-(3), F.A.C.

## Effect of the Bill

The bill requires athletic coaches employed by all public schools, not just schools that are members of the FHSAA, to hold and maintain certification in CPR, first aid, and the use of an AED. The certification must be consistent with national evidence-based emergency cardiovascular care guidelines.

### B. SECTION DIRECTORY:

**Section 1:** Amends s. 1012.55, relating to positions for which certificates required.

**Section 2:** Provides an effective date of July 1, 2024.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

For public schools not currently a member of the FHSSA, the bill may have an indeterminate fiscal impact resulting from the costs associated with training athletic coaches in CPR and in the use of an AED. Since current law requires public schools that are members of the FHSAA to have a school employee or volunteer trained in CPR and in the use of an AED present at all athletic activities, it is likely their athletic coaches have already completed the training.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

#### 1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

#### 2. Other:

None.

### B. RULE-MAKING AUTHORITY:

The Department of Education has sufficient rule-making authority to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On January 25, 2024, the Healthcare Regulation Subcommittee adopted a Proposed Committee Substitute (PCS) and reported the bill favorable as a committee substitute. The PCS differed from the original bill in the following way:

- Removed provisions related to training requirements for athletics personnel working in high-risk youth athletic activities.

The analysis is drafted to the committee substitute adopted by the Healthcare Regulation Subcommittee.

1                                   A bill to be entitled  
 2           An act relating to youth athletic activities; amending  
 3           s. 1012.55, F.S.; revising the requirements for  
 4           certain athletic coaches to include certification in  
 5           cardiopulmonary resuscitation, first aid, and the use  
 6           of an automatic external defibrillator; providing  
 7           requirements for such certification; providing an  
 8           effective date.

9  
 10 Be It Enacted by the Legislature of the State of Florida:

11  
 12           Section 1. Paragraph (a) of subsection (2) of section  
 13 1012.55, Florida Statutes, is amended to read:

14           1012.55 Positions for which certificates required.—

15           (2)(a)1. Each person who is employed and renders service  
 16 as an athletic coach in any public school in any district of  
 17 this state shall:

18           a. Hold a valid temporary or professional certificate or  
 19 an athletic coaching certificate. The athletic coaching  
 20 certificate may be used for either part-time or full-time  
 21 positions.

22           b. Hold and maintain a certification in cardiopulmonary  
 23 resuscitation, first aid, and the use of an automatic external  
 24 defibrillator. The certification must be consistent with  
 25 national evidence-based emergency cardiovascular care

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26 | guidelines.

27 |       2. The provisions of this subsection do not apply to any  
28 | athletic coach who voluntarily renders service and who is not  
29 | employed by any public school district of this state.

30 |       Section 2. This act shall take effect July 1, 2024.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 1291 Educator Preparation Programs

**SPONSOR(S):** Snyder and others

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 1372

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Postsecondary Education & Workforce Subcommittee	12 Y, 6 N	Wolff	Kiner
2) Education & Employment Committee		Wolff	Hassell

**SUMMARY ANALYSIS**

Teacher Preparation Programs and Educator Preparation Institutes (EPI) are two Department of Education approved pathways for individuals to receive the education necessary to become certified teachers in Florida. School leader preparation programs enable aspiring school leaders to obtain their certificate in educational leadership.

The bill prohibits teacher preparation programs, EPIs, and Level I and Level II school leader preparation programs from distorting significant historical events or including a curriculum or instruction that teaches identity politics, violates the Florida Educational Equity Act, or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

The bill requires all teacher preparation programs and EPIs to afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence. The bill requires Level I and Level II school leader preparation programs to afford candidates the opportunity to demonstrate mastery of program content, including instructional leadership strategies, coaching development, school safety, and continuous improvement efforts.

The bill does not appear to have a fiscal impact.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Florida Educational Equity Act

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

The FEEA specifies, in part, that:

- No individual may, on the basis of race, color, national origin, sex, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.<sup>1</sup>
- The criteria for admission to a program or course may not have the effect of restricting access by persons of a particular race, color, national origin, sex, disability, religion, or marital status.<sup>2</sup>

The FEEA includes in its prohibition of discrimination on the basis of race, color, national origin, or sex, subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:<sup>3</sup>

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

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<sup>1</sup> Section 1000.05(2)(a), F.S.

<sup>2</sup> Section 1000.05(2)(b), F.S.

<sup>3</sup> Section 1000.05(4)(a), F.S. A federal district court has issued a preliminary injunction to prohibit the Board of Governors from enforcing ss. 1000.05(4)(a)-(b), F.S., and to prohibit the University of South Florida Board of Trustees from enforcing ss. 1000.05(4)(a)1.-3., 5., and 7., and s. 1000.05(4)(b), F.S. *See Pernell v. Florida Bd. of Governors of State Univ. Sys.*, No. 4:22CV304-MW-MAF (N.D. Fla. Nov. 17, 2022) (order granting preliminary injunction), *motion to stay injunction pending appeal denied*, No. 22-13992-J (11th Cir. Mar. 16, 2023).



## Teacher Preparation Programs

Teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve the state education goals.<sup>4</sup> State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school districts, and private providers by which candidates for educator certification can, depending on the type of program, demonstrate mastery of general knowledge, professional preparation and education competence, and/or subject area knowledge for purposes of attaining an educator certificate.<sup>5</sup>

There are various state-approved teacher preparation programs that individuals may use to receive the training needed to attain an educator certificate, including:<sup>6</sup>

- Initial Teacher Preparation programs in public and private colleges and universities requiring candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Program completers qualify for a professional educator certificate.<sup>7</sup>
- Educator Preparation Institutes (EPs) offering alternative certification programs by postsecondary institutions and qualified private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge, and mastery of professional preparation and education competence.
- District professional development certification and education competency programs. Such programs are cohesive competency-based professional preparation certification programs offered by school districts, charter schools, and charter management districts by which the instructional staff can satisfy the mastery of professional preparation and education competence requirements.<sup>8</sup> In addition to completing the district program, candidates must demonstrate mastery of general knowledge<sup>9</sup> and subject area knowledge.<sup>10</sup>

### *Teacher Preparation Program Uniform Core Curricula*

Each candidate enrolled in a teacher preparation program must receive instruction and be assessed on the uniform core curricula in his or her area of program concentration during course work and field experiences. A candidate for certification in a coverage area that includes reading instruction or interventions in kindergarten through grade six must successfully complete all competencies for a reading endorsement.<sup>11</sup>

The SBE must establish, in rule, uniform core curricula for each state-approved teacher preparation program including, but not limited to:<sup>12</sup>

- Candidate instruction and assessment in the Florida Educator Accomplished Practices (FEAP)<sup>13</sup> across content areas;

---

<sup>4</sup> Section 1004.04(1)(b), F.S.

<sup>5</sup> See Florida Department of Education, *Professional Development in Florida*, <http://www.fldoe.org/teaching/professional-dev/> (last visited Feb. 2, 2024). See also r. 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

<sup>6</sup> Florida DOE, *Educator Preparation*, <http://www.fldoe.org/teaching/preparation> (last visited Feb. 2, 2024). See also r. 6A-5.066, F.A.C.

<sup>7</sup> Rule 6A-5.066(1)(r), F.A.C.

<sup>8</sup> Section 1012.56(8)(a), F.S. There are 77 such programs in Florida. Florida Department of Education. *State-Approved Educator Preparation Programs, Approved Add-on Programs*, <https://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.stml> (last visited Feb. 2, 2024).

<sup>9</sup> See Florida DOE, *General Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.stml> (last visited Feb. 2, 2024).

<sup>10</sup> Florida DOE, *Subject Area Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.stml> (last visited Feb. 2, 2024).

<sup>11</sup> Section 1004.04(2)(c), F.S.

<sup>12</sup> Section 1004.04(2)(b)1.-10., F.S.

<sup>13</sup> Florida DOE, *Professional Development The Florida Educator Accomplished Practices (FEAP)*, <https://www.fldoe.org/teaching/professional-dev/the-fl-educator-accomplished-practices.stml> (last visited Feb. 2, 2024).

- The use of state-adopted content standards to guide curricula and instruction;<sup>14</sup>
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students;<sup>15</sup>
- Content literacy and mathematical practices;
- Strategies appropriate for instruction of English language learners;
- Strategies appropriate for instruction of students with disabilities;
- Strategies to differentiate instruction based on student needs;
- Strategies and practices to support evidence-based content aligned to state standards and grading practices;
- Strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support;
- Strategies to support the use of technology in education and distance learning; and
- Strategies and practices to support effective, research-based assessment and grading practices aligned to the state's academic standards.

In addition, before program completion, each candidate must demonstrate his or her ability to positively impact student learning growth in the candidate's area(s) of program concentration during a prekindergarten through grade 12 field experience and must pass each portion of the Florida Teacher Certification Examination required for a professional certificate in the area(s) of program concentration.<sup>16</sup>

There are 57 initial teacher preparation programs in Florida, at 10 state universities, 19 Florida College System institutions, and 28 private colleges and universities.<sup>17</sup>

#### *Educator Preparation Institutes (EPIs)*

Postsecondary institutions that are accredited or approved by the Department of Education (DOE) to award degrees and credits for educator certification may seek approval from the DOE to create EPIs for the purpose of providing all or any of the following:<sup>18</sup>

- Professional development instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements;
- Instruction to assist potential and existing substitute teachers in performing their duties;
- Instruction to assist paraprofessionals in meeting education and training requirements;
- Instruction for noneducation baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for mid-career professionals; and
- Instruction and professional development for part-time and full-time non-degreed teachers of career programs.

A private provider that has a proven history of delivering high-quality educator preparation may also seek approval to offer a competency-based certification program. The DOE approval must be based upon evidence provided from other state recipients of the provider's services and data showing the successful performance of completers based upon student achievement.<sup>19</sup>

Educator preparation institutes may offer competency-based certification programs specifically designed for non-education major baccalaureate degree holders to enable program participants to meet educator certification. The DOE must approve a certification program if the institute provides evidence

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<sup>14</sup> The SBE has adopted the state academic standards, which establish the core content of the curricula taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Rule 6A-1.09401(1), F.A.C.; s. 1003.41(1), F.S.

<sup>15</sup> The Just Read, Florida! Office must assist teacher preparation programs and EPIs with this requirement. Section 1001.215(11), F.S.

<sup>16</sup> Section 1004.04(2)(d), F.S.

<sup>17</sup> Florida Department of Education. *State-Approved Educator Preparation Programs, Colleges/Universities*, <https://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.stml> (last visited Feb. 2, 2024).

<sup>18</sup> Section 1004.85(2)(a), F.S.

<sup>19</sup> Section 1004.85(2)(b), F.S.

of the institute's capacity to implement a competency-based program that includes each of the following:<sup>20</sup>

- Participant instruction and assessment in the Florida Educator Accomplished Practices across content areas.
- The use of state-adopted student content standards to guide curriculum and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- Content literacy and mathematical practices.
- Strategies appropriate for instruction of English language learners.
- Strategies appropriate for instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- Strategies and practices to support evidence-based content aligned to state standards and grading practices.
- Strategies appropriate for the early identification of a student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.
- Strategies to support the use of technology in education and distance learning.
- An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in specified areas.
- Field experiences appropriate to the certification subject area.
- A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening and educator professional or temporary certification.

There are currently 38 state-approved EPI programs. Eighteen at Florida College System institutions, four at state universities, and 16 at private colleges or universities or private providers.<sup>21</sup>

### School Leader Preparation Programs

The DOE is required to approve all Level I and Level II school leader preparation programs that enable aspiring school leaders to obtain their certificate in educational leadership.<sup>22</sup> Level I programs lead to initial certification in educational leadership for the purpose for preparing individuals to serve as school administrators.<sup>23</sup> Level II programs build upon Level I training and lead to renewal certification as a school principal.<sup>24</sup> Postsecondary institutions, school districts, charter schools and charter management organizations are eligible to offer Level I and Level II school leadership programs.<sup>25</sup>

The school leadership programs are required to be competency-based, aligned to the principal leadership standards adopted by the SBE, and open to individuals employed by public schools, including charter schools and virtual schools.<sup>26</sup>

The purpose of school leader preparation programs is to:<sup>27</sup>

- Increase the supply of effective school leaders in the public schools of this state.
- Produce school leaders who are prepared to lead the state's diverse student population in meeting high standards for academic achievement.

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<sup>20</sup> Section 1004.85(3), F.S. *See also* s.1004.04(2), F.S.

<sup>21</sup> Florida Department of Education, *State-Approved EPI Programs*, available at <https://www.fldoe.org/core/fileparse.php/7502/urlt/State-ApprovedEPIProgram.pdf>.

<sup>22</sup> Section 1012.562, F.S.

<sup>23</sup> Section 1012.562, F.S.

<sup>24</sup> *Id.*

<sup>25</sup> Section 1012.562(2)(a) and (3)(a), F.S. *See also* r. 6A-5.081, F.A.C.

<sup>26</sup> Section 1012.562(2)(a) and (3)(a), F.S. *See also* r. 6A-5.081, F.A.C.

<sup>27</sup> Section 1012.562(1)(a)-(e), F.S.

- Enable school leaders to facilitate the development and retention of effective and highly effective classroom teachers.
- Produce leaders with the competencies and skills necessary to achieve the state's education goals.
- Sustain the state system of school improvement and education accountability.

Initial Level I programs are approved for 5 years. A school district, postsecondary institution, charter school or charter management organizations may apply to the DOE to establish a Level 1 program. To be approved, a Level I program must:<sup>28</sup>

- Provide competency-based training aligned to the principal leadership standards adopted by the SBE.
- If the program is provided by a postsecondary institution, partner with at least one school district.
- Describe the qualifications that will be used to determine program admission standards, including a candidate's instructional expertise and leadership potential.
- Describe how the training provided through the program will be aligned to the personnel evaluation criteria.

Initial approval and subsequent renewal of a Level II program is for a period of 5 years. A school district, charter school, or charter management organization may submit to the DOE an application to establish a Level II school leader preparation program or for program renewal. To be approved or renewed, a Level II program must:<sup>29</sup>

- Demonstrate that personnel accepted into the Level II program have:
  - Obtained their certificate in educational leadership.
  - Earned a highly effective or effective designation.
  - Satisfactorily performed instructional leadership responsibilities as measured by their evaluation system.
- Demonstrate that the Level II program:
  - Provides competency-based training aligned to the principal leadership standards adopted by the State Board of Education.
  - Provides training aligned to the personnel evaluation criteria and professional development under the William Cecil Golden Professional Learning Program for School Leaders.
  - Provides individualized instruction using a customized learning plan for each person enrolled in the program that is based on data from self-assessment, selection, and appraisal instruments.
  - Conducts program evaluations and implements program improvements using input from personnel who completed the Level I program and employers and data gathered from the Level 1 Program.

### Procedures for Review of Complaints

Currently, no Florida law, rule, or regulation provides for a complaint review process specific to teacher preparation programs, EPIs, and Level I and Level II school leader preparation programs. However, both the DOE and the Board of Governors (BOG) of the State University System have processes for filing complaints related to programs they oversee.<sup>30</sup>

The mission of the Equity and Civil Rights Compliance Team within the DOE is to provide quality and efficient services and technical assistance to the Florida College system (FCS) to promote access,

<sup>28</sup> Section 1012.562(2)(a), F.S.

<sup>29</sup> Section 1012.256 (3)(a)(b), F.S.

<sup>30</sup> See Florida Department of Education, *Concerns & Complaint Process*, <https://www.fldoe.org/schools/higher-ed/fl-college-system/about-us/concerns-complaints.shtml> (last visited Feb. 5, 2024) and Board of Governors, *File a Complaint*, <https://www.flbog.edu/about-us/inspector-general/file-a-complaint/> (last visited February 5, 2024).

affordability, and success for all students.<sup>31</sup> The DOE advises all individuals to address their complaints first at the institutional level, but should the issue remain unresolved, provides resources for individuals wishing to file a complaint with the DOE or with other state and federal oversight entities.<sup>32</sup>

The BOG also encourages all students to initially work with the institution to resolve all complaints.<sup>33</sup> However, if the student is unable to resolve the issue the BOG provides a student complaint form for submission of the issue to the state.<sup>34</sup> Similar to the DOE, the BOG also provides contact information for other state and federal oversight entities, should the student be unable to resolve the complaint at the institutional level.<sup>35</sup>

Additionally, the curriculum of each program is reviewed as part of the program approval and reapproval process.<sup>36</sup> Failure to comply with statutory and rule requirements related to such curricula would be sufficient grounds for a complaint as described above and such violation, if proven, could result in a revocation of program approval.<sup>37</sup>

## Effect of Proposed Changes

The bill prohibits teacher preparation programs, EPIs, and Level I and Level II school leader preparation programs from distorting significant historical events or include a curriculum or instruction that teaches identity politics, violates the FEEA, or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

The bill requires all teacher preparation programs and EPIs to afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence. The bill requires Level I and Level II school leader preparation programs to afford candidates the opportunity to demonstrate mastery of program content, including instructional leadership strategies, coaching development, school safety, and continuous improvement efforts.

### B. SECTION DIRECTORY:

- Section 1:** Amends s. 1004.04, F.S.; prohibiting the courses and curriculum of teacher preparation programs from distorting certain events and including certain curriculum and instruction; requiring teacher preparation programs to afford candidates certain opportunities.
- Section 2:** Amends s. 1004.85, F.S.; prohibiting the courses and curriculum of postsecondary educator preparation institutes from distorting certain events and including certain curriculum and instruction; requiring postsecondary educator preparation institutes to afford candidates certain opportunities.
- Section 3:** Amends s. 1012.562, F.S.; prohibiting the courses and curriculum of school leader preparation programs from distorting certain events and including certain curriculum and instruction; requiring school leader preparation programs to afford candidates certain opportunities.
- Section 4:** Provides an effective date.

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<sup>31</sup> Florida Department of Education, *Concerns & Complaint Process*, <https://www.fldoe.org/schools/higher-ed/fl-college-system/about-us/concerns-complaints.shtml> (last visited Feb. 5, 2024).

<sup>32</sup> *Id.*

<sup>33</sup> Board of Governors, *File a Complaint*, <https://www.flbog.edu/about-us/inspector-general/file-a-complaint/> (last visited February 5, 2024).

<sup>34</sup> Board of Governors, *Board of Governors Assistance for Solving Problems*, <https://www.flbog.edu/universities/parents-students/board-of-governors-assistance-for-solving-problems/> (last visited February 2, 2024).

<sup>35</sup> Board of Governors, *File a Complaint*, <https://www.flbog.edu/about-us/inspector-general/file-a-complaint/> (last visited February 5, 2024).

<sup>36</sup> See ss. 1004.04, 1004.85, and 1012.562, F.S. and r. 6A-5.066, F.A.C.

<sup>37</sup> *Id.*

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

The bill does not provide the SBE additional rulemaking authority but existing rules may need to be repealed or amended to incorporate the provisions of the bill.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.

1                                   A bill to be entitled  
 2           An act relating to educator preparation programs;  
 3           amending ss. 1004.04, 1004.85, and 1012.562, F.S.;  
 4           prohibiting the courses and curriculum of teacher  
 5           preparation programs, postsecondary educator  
 6           preparation institutes, and school leader preparation  
 7           programs from distorting certain events and including  
 8           certain curriculum and instruction; requiring teacher  
 9           preparation programs, postsecondary educator  
 10          preparation institutes, and school leader preparation  
 11          programs to afford candidates certain opportunities;  
 12          providing an effective date.

13  
 14   Be It Enacted by the Legislature of the State of Florida:

15  
 16           Section 1. Paragraph (e) is added to subsection (2) of  
 17   section 1004.04, Florida Statutes, to read:

18           1004.04 Public accountability and state approval for  
 19   teacher preparation programs.—

20           (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

21           (e) Teacher preparation program courses:

22           1. May not distort significant historical events or  
 23   include a curriculum or instruction that teaches identity  
 24   politics, violates s. 1000.05, or is based on theories that  
 25   systemic racism, sexism, oppression, and privilege are inherent

26 | in the institutions of the United States and were created to  
 27 | maintain social, political, and economic inequities.

28 | 2. Must afford candidates the opportunity to think  
 29 | critically, achieve mastery of academic program content, learn  
 30 | instructional strategies, and demonstrate competence.

31 | Section 2. Paragraph (a) of subsection (2) of section  
 32 | 1004.85, Florida Statutes, is amended to read:

33 | 1004.85 Postsecondary educator preparation institutes.—

34 | (2)(a) Postsecondary institutions that are accredited or  
 35 | approved as described in State Board of Education rule may seek  
 36 | approval from the Department of Education to create educator  
 37 | preparation institutes for the purpose of providing any or all  
 38 | of the following:

39 | 1. Professional learning instruction to assist teachers in  
 40 | improving classroom instruction and in meeting certification or  
 41 | recertification requirements.

42 | 2. Instruction to assist potential and existing substitute  
 43 | teachers in performing their duties.

44 | 3. Instruction to assist paraprofessionals in meeting  
 45 | education and training requirements.

46 | 4. Instruction for baccalaureate degree holders to become  
 47 | certified teachers as provided in this section in order to  
 48 | increase routes to the classroom for professionals who hold a  
 49 | baccalaureate degree and college graduates who were not  
 50 | education majors.



51           5. Instruction and professional learning for part-time and  
52 full-time nondegreed teachers of career programs under s.  
53 1012.39(1)(c).

54           6.a. Instruction that does not distort significant  
55 historical events or include a curriculum or instruction that  
56 teaches identity politics, violates s. 1000.05, or is based on  
57 theories that systemic racism, sexism, oppression, and privilege  
58 are inherent in the institutions of the United States and were  
59 created to maintain social, political, and economic inequities.

60           b. Courses and instruction within the educator preparation  
61 institute must afford candidates the opportunity to think  
62 critically, achieve mastery of academic program content, learn  
63 instructional strategies, and demonstrate competence.

64           Section 3. Subsection (3) of section 1012.562, Florida  
65 Statutes, is renumbered as subsection (4), and a new subsection  
66 (3) is added to that section, to read:

67           1012.562 Public accountability and state approval of  
68 school leader preparation programs.—The Department of Education  
69 shall establish a process for the approval of Level I and Level  
70 II school leader preparation programs that will enable aspiring  
71 school leaders to obtain their certificate in educational  
72 leadership under s. 1012.56. School leader preparation programs  
73 must be competency-based, aligned to the principal leadership  
74 standards adopted by the state board, and open to individuals  
75 employed by public schools, including charter schools and

76 virtual schools. Level I programs lead to initial certification  
77 in educational leadership for the purpose of preparing  
78 individuals to serve as school administrators. Level II programs  
79 build upon Level I training and lead to renewal certification as  
80 a school principal.

81 (3) (a) School leader preparation programs may not distort  
82 significant historical events or include curriculum or  
83 instruction that teaches identity politics, violates s. 1000.05,  
84 or is based on theories that systemic racism, sexism,  
85 oppression, and privilege are inherent in the institutions of  
86 the United States and were created to maintain social,  
87 political, and economic inequities.

88 (b) School leader preparation programs must afford  
89 candidates the opportunity to demonstrate mastery of program  
90 content, including instructional leadership strategies, coaching  
91 development, school safety, and continuous improvement efforts.

92 Section 4. This act shall take effect July 1, 2024.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

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1 Committee/Subcommittee hearing bill: Education & Employment  
2 Committee

3 Representative Snyder offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 54-91 and insert:

7 6. Instruction that does not distort significant  
8 historical events or include a curriculum or instruction that  
9 teaches identity politics, violates s. 1000.05, or is based on  
10 theories that systemic racism, sexism, oppression, and privilege  
11 are inherent in the institutions of the United States and were  
12 created to maintain social, political, and economic inequities.  
13 Courses and instruction within the educator preparation  
14 institute must afford candidates the opportunity to think  
15 critically, achieve mastery of academic program content, learn  
16 instructional strategies, and demonstrate competence.

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Amendment No. 1

17 Section 3. Paragraph (b) of subsection (8) of section  
18 1012.56, Florida Statutes, is redesignated as paragraph (c),  
19 paragraph (a) of subsection (7) is amended, and a new paragraph  
20 (b) is added to subsection (8) of that section, to read:

21 1012.56 Educator certification requirements.—

22 (7) TYPES AND TERMS OF CERTIFICATION.—

23 (a) The Department of Education shall issue a professional  
24 certificate for a period not to exceed 5 years to any applicant  
25 who fulfills one of the following:

26 1. Meets all the applicable requirements outlined in  
27 subsection (2).

28 2. For a professional certificate covering grades 6  
29 through 12:

30 a. Meets the applicable requirements of paragraphs (2) (a)-  
31 (h).

32 b. Holds a master's or higher degree in the area of  
33 science, technology, engineering, or mathematics.

34 c. Teaches a high school course in the subject of the  
35 advanced degree.

36 d. Is rated highly effective as determined by the  
37 teacher's performance evaluation under s. 1012.34, based in part  
38 on student performance as measured by a statewide, standardized  
39 assessment or an Advanced Placement, Advanced International  
40 Certificate of Education, or International Baccalaureate  
41 examination.

Amendment No. 1

42 e. Achieves a passing score on the Florida professional  
43 education competency examination required by state board rule.

44 3. Meets the applicable requirements of paragraphs (2) (a)-  
45 (h) and completes a professional learning certification program  
46 approved by the department pursuant to paragraph (8) (c) ~~(8) (b)~~-  
47 or an educator preparation institute approved by the department  
48 pursuant to s. 1004.85. An applicant who completes one of these  
49 programs and is rated highly effective as determined by his or  
50 her performance evaluation under s. 1012.34 is not required to  
51 take or achieve a passing score on the professional education  
52 competency examination in order to be awarded a professional  
53 certificate.

54  
55 At least 1 year before an individual's temporary certificate is  
56 set to expire, the department shall electronically notify the  
57 individual of the date on which his or her certificate will  
58 expire and provide a list of each method by which the  
59 qualifications for a professional certificate can be completed.

60 (8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

61 (b) Professional learning certification program courses:

62 1. May not distort significant historical events or  
63 include curriculum or instruction that teaches identity  
64 politics, violates s. 1000.05, or is based on theories that  
65 systemic racism, sexism, oppression, and privilege are inherent

Amendment No. 1

66 in the institutions of the United States and were created to  
67 maintain social, political, and economic inequities.

68 2. Must afford candidates the opportunity to think  
69 critically, achieve mastery of academic program content, learn  
70 instructional strategies, and demonstrate competence.

71 Section 4. Subsection (4) of section 1012.562, Florida  
72 Statutes, is renumbered as subsection (5), and a new subsection  
73 (4) is added to that section to read:

74 1012.562 Public accountability and state approval of  
75 school leader preparation programs.—The Department of Education  
76 shall establish a process for the approval of Level I and Level  
77 II school leader preparation programs that will enable aspiring  
78 school leaders to obtain their certificate in educational  
79 leadership under s. 1012.56. School leader preparation programs  
80 must be competency-based, aligned to the principal leadership  
81 standards adopted by the state board, and open to individuals  
82 employed by public schools, including charter schools and  
83 virtual schools. Level I programs lead to initial certification  
84 in educational leadership for the purpose of preparing  
85 individuals to serve as school administrators. Level II programs  
86 build upon Level I training and lead to renewal certification as  
87 a school principal.

88 (4) PROGRAM PROHIBITIONS; REQUIREMENTS.—

89 (a) School leader preparation programs may not distort  
90 significant historical events or include curriculum or

Amendment No. 1

91 instruction that teaches identity politics, violates s. 1000.05,  
92 or is based on theories that systemic racism, sexism,  
93 oppression, and privilege are inherent in the institutions of  
94 the United States and were created to maintain social,  
95 political, and economic inequities.

96 (b) School leader preparation programs must afford  
97 candidates the opportunity to demonstrate mastery of program  
98 content, including instructional leadership strategies, coaching  
99 development, school safety, and continuous improvement efforts.

101 -----  
102 **T I T L E A M E N D M E N T**

103 Remove lines 3-10 and insert:  
104 amending ss. 1004.04, 1004.85, 1012.56, and 1012.562,  
105 F.S.; prohibiting the courses and curriculum of  
106 teacher preparation programs, postsecondary educator  
107 preparation institutes, professional learning  
108 certification programs, and school leader preparation  
109 programs from distorting certain events and including  
110 certain curriculum and instruction; requiring teacher  
111 preparation programs, postsecondary educator  
112 preparation institutes, professional learning  
113 certification programs, and school leader preparation





**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 1317 Patriotic Organizations  
**SPONSOR(S):** Choice & Innovation Subcommittee, Duggan  
**TIED BILLS:** None. **IDEN./SIM. BILLS:** CS/SB 1016

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Choice & Innovation Subcommittee	14 Y, 0 N, As CS	Wolff	Sleap
2) Education & Employment Committee		Wolff	Hassell

**SUMMARY ANALYSIS**

The bill defines the term “patriotic organization” as a youth membership organization serving young people under the age of 21 that is listed in specified sections of Title 36, U.S.C., as it existed on January 1, 2020, with an educational purpose that promotes patriotism and civic involvement. The organizations covered by the bill are: Big Brothers-Big Sisters of America; Boy Scouts of America; Boys & Girls Clubs of America; Civil Air Patrol; Future Farmers of America; and Girl Scouts of the United States of America.

The bill authorizes, but does not require, a school district to allow a representative of a patriotic organization the opportunity, during school hours and instructional time, to speak with and distribute informational materials in a classroom setting to students to encourage participation in the patriotic organization and its activities and provide opportunities for a patriotic organization to have displays at schools within the district to provide opportunities for student recruitment.

However, if a school district authorizes such an activity, the bill requires the school district to provide a specific day and time for the patriotic organization to speak to students at schools within the district after the patriotic organization has provided reasonable notice of its intent to speak to students and provide displays. The bill clarifies that an approved patriotic organization may be allowed to use any school building or property, if such permitted activities are set to occur outside of the school day.

Additionally, the bill clarifies that a school district that allows a patriotic organization to speak with and distribute informational materials to students or use school buildings or property is not required to provide equal access to an organization that is not designated as a patriotic organization.

The bill does not appear to have a fiscal impact.

The effective date of the bill is July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Civics Education in Florida

The mission of Florida's K-20 education system is to “allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities.”<sup>1</sup> Civic literacy and preparing students to become civically engaged and knowledgeable adults who positively contribute to their communities is a priority of the Florida education system.<sup>2</sup>

##### *Secondary Education*

Florida law requires each district school board to provide instruction on the history, significance, and principles of the Declaration of Independence and the United States Constitution, flag education, and civil government.<sup>3</sup> Additional instruction in civic and character education on the qualities and responsibilities of patriotism and citizenship are also required.<sup>4</sup> The civic and character education instruction must include “kindness; respect for authority, life, liberty, and personal property; honesty; charity; racial, ethnic, and religious tolerance; and cooperation and, for grades 11 and 12, voting using the uniform primary and general election ballot.”<sup>5</sup> By July 1 of each year, each school district must submit a report to the Commissioner of Education that describes how instruction was provided for such topics during the previous school year.<sup>6</sup>

A district school board may also adopt rules requiring patriotic programs in schools that encourage respect for the government of the United States and its national anthem and flag.<sup>7</sup> Teachers or administrators in the schools may read or post historic material such as the United States Constitution, the Bill of Rights, and other foundational materials.<sup>8</sup>

Currently, Florida’s State Academic Standards for social studies include civics content in kindergarten through grade 12.<sup>9</sup> For middle grades, a student must successfully complete three middle school or higher courses in social studies in order to be promoted to high school.<sup>10</sup> One of the three courses must be at least a one-semester civics education course that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches; and the meaning and significance of documents such as the Articles of Confederation, the Declaration of Independence, and the United States Constitution.<sup>11</sup>

At the high school level, 24 credits are required for a standard high school diploma.<sup>12</sup> Three credits must be in social studies, including one credit each in United States History and World History; one-half

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<sup>1</sup> Section 1000.03(4), F.S.

<sup>2</sup> Section 1000.03(5)(c), F.S.

<sup>3</sup> Section 1003.42(2)(a)-(e), F.S.

<sup>4</sup> Section 1003.42(2)(t), F.S.

<sup>5</sup> *Id.*

<sup>6</sup> Rule 6A-1.094124(1)-(2), F.A.C.

<sup>7</sup> Section 1003.44(1), F.S.

<sup>8</sup> Section 1003.44(2), F.S.

<sup>9</sup> See CPALMS, *Browse and Search Standards*, <http://www.cpalms.org/Public/search/Standard> (last visited Feb. 2, 2024) (providing the Florida Academic Standards for each subject area, by grade level); see also, Florida’s State Academic Standards, *Social Studies* (2023), available at <https://www.fldoe.org/core/fileparse.php/20653/urlt/6-4.pdf> and r. 6A-1.09411 and 6A-1.09401, F.A.C.

<sup>10</sup> Section 1003.4156(1)(c), F.S.

<sup>11</sup> *Id.*

<sup>12</sup> Section 1003.4282(1)(a), F.S.

credit in economics; and one-half credit in United States Government.<sup>13</sup> Students taking the United States Government course are required to take the assessment of civic literacy and a student earning a passing score on the assessment are exempt from the postsecondary civic literacy assessment.<sup>14</sup> Students in the middle grades civics course and the high school United States History course must take an end-of-course assessment<sup>15</sup> that constitutes 30 percent of the student's final course grade.<sup>16</sup>

### *Service Learning*

To encourage civic engagement, career exploration, and the application of classroom curriculum in a student's community, the Department of Education encourages school districts to initiate, adopt, expand, and institutionalize service-learning programs, activities, and policies in kindergarten through grade 12.<sup>17</sup> Service-learning refers to a student-centered, research-based teaching and learning strategy that engages students in meaningful service activities in their school or communities.<sup>18</sup> The service activities are directly tied to academic curriculum, standards, and course, district, or state assessments.<sup>19</sup> The hours a high school student devotes to course-based service-learning activities may be counted toward meeting the service work requirements of the Florida Bright Futures Scholarship Program.<sup>20</sup>

### Patriotic Organizations

Federal law currently provides a listing of recognized patriotic and national observances, ceremonies, and organizations.<sup>21</sup> Specifically, the law provides a list of Patriotic and National Organizations, including, but not limited to:

- American Historical Association;
- The American Legion;
- Big Brothers-Big Sisters of America;
- Boy Scouts of America;
- Boys & Girls Clubs of America;
- Civil Air Patrol;
- Future Farmers of America;
- Girl Scouts of the United States of America;
- Little League Baseball, Inc.;
- National Academy of Sciences;
- United States Olympic and Paralympic Committee; and
- Veterans of Foreign Wars.<sup>22</sup>

### Boy Scouts of America Equal Access Act

The United States Department of Education (USDOE) Office for Civil Rights (OCR) enforces the Boy Scouts of America Equal Access Act (Boy Scouts Act) in public schools, Local Education Agencies (LEA), and State Education Agencies (SEA) that receive Federal funds through the USDOE. The Boy Scouts Act is part of the No Child Left Behind Act of 2001 that amended the Elementary and Secondary Education Act of 1965. Under the Boy Scouts Act, no public school, LEA, or SEA that provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities shall deny equal access to, or a fair opportunity to meet in, such facilities to any group officially

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<sup>13</sup> Section 1003.4282(3)(d), F.S.

<sup>14</sup> *Id.*

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

<sup>16</sup> Sections 1003.4156(1)(c) and 1003.4282(3)(d), F.S.

<sup>17</sup> Section 1003.497(1), F.S.

<sup>18</sup> *Id.*

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

<sup>20</sup> Section 1003.497(3)(b), F.S. *See* s. 1009.534(1), F.S.; s. 1009.535(1), F.S.; ss. 1009.536(1)(e) and (2)(b), F.S. for service work and paid work requirements.

<sup>21</sup> *See generally* Title 36, U.S.C.

<sup>22</sup> *See* 36 U.S.C. § 20101-240112.

affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code as a patriotic organization.<sup>23</sup>

## Effect of Proposed Changes

The bill defines the term “patriotic organization” as a youth membership organization serving young people under the age of 21 that is listed in specified sections of Title 36, U.S.C., as it existed on January 1, 2020, with an educational purpose that promotes patriotism and civic involvement. The organizations covered by the bill are:

- Big Brothers-Big Sisters of America;
- Boy Scouts of America;
- Boys & Girls Clubs of America;
- Civil Air Patrol;
- Future Farmers of America; and
- Girl Scouts of the United States of America.

The bill authorizes, but does not require, a school district to permit the following:

- Allow a representative of a patriotic organization the opportunity, during school hours and instructional time, to speak with and distribute informational materials in a classroom setting to students to encourage participation in the patriotic organization and its activities and inform students of how the patriotic organization may further the students' educational interests and civic involvement to better the students' school and community and themselves; and
- Provide opportunities for a patriotic organization to have displays at schools within the district to provide opportunities for student recruitment. Such displays may include informational flyers and the use of other existing communication channels.

However, if a school district authorizes such an activity, the bill requires the school district to provide a specific day and time for the patriotic organization to speak to students at schools within the district after the patriotic organization has provided reasonable notice of its intent to speak to students and provide displays. The bill clarifies that an approved patriotic organization may be allowed to use any school building or property, if such permitted activities are set to occur outside of the school day.

Additionally, the bill clarifies that a school district that allows a patriotic organization to speak with and distribute informational materials to students or use school buildings or property is not required to provide equal access to an organization that is not designated as a patriotic organization.

## B. SECTION DIRECTORY:

**Section 1:** Creates s. 1001.433, F.S.; defining the term "patriotic organization"; authorizing school districts to allow representatives of patriotic organizations certain opportunities to speak to students, distribute certain materials, and provide certain displays relating to the patriotic organizations; requiring certain school districts to provide the date and time for such patriotic organizations to speak with students, distribute materials, and provide certain displays; authorizing patriotic organizations to be provided certain access to school buildings and properties under certain circumstances; providing applicability.

**Section 2:** Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:  
None.

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<sup>23</sup> United States Department of Education, Office of Civil Rights, *Boy Scouts of America Equal Access Act*, <https://www2.ed.gov/about/offices/list/ocr/frontpage/pro-students/boyscouts-pr.html> (last visited Feb. 2, 2024).

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On January 25, 2024, the Choice & Innovation Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment:

- Narrowed the definition of “patriotic organization” to specified organizations.
- Clarified that material distributed by patriotic organizations must be informational material.

The analysis is drafted to the committee substitute adopted by the Choice & Innovation Subcommittee.

1                   A bill to be entitled  
 2           An act relating to patriotic organizations; creating  
 3           s. 1001.433, F.S.; defining the term "patriotic  
 4           organization"; authorizing school districts to allow  
 5           representatives of patriotic organizations certain  
 6           opportunities to speak to students, distribute certain  
 7           materials, and provide certain displays relating to  
 8           the patriotic organizations; requiring certain school  
 9           districts to provide the date and time for such  
 10          patriotic organizations to speak with students,  
 11          distribute such materials, and provide certain  
 12          displays; authorizing patriotic organizations to be  
 13          provided certain access to school buildings and  
 14          properties under certain circumstances; providing  
 15          applicability; providing an effective date.

16  
 17 Be It Enacted by the Legislature of the State of Florida:

18  
 19           Section 1. Section 1001.433, Florida Statutes, is created  
 20 to read:

21           1001.433 Patriotic Organizations.-

22           (1) As used in this section, the term "patriotic  
 23 organization" means a youth membership organization serving  
 24 young people under the age of 21 that is listed in Title 36,  
 25 U.S.C. ss. 30101, 30901, 31101, 40301, 70901, and 80301, as it

26 existed on January 1, 2020, with an educational purpose that  
27 promotes patriotism and civic involvement.

28 (2) (a) Each school district may:

29 1. Allow a representative of a patriotic organization the  
30 opportunity, during school hours and instructional time, to  
31 speak with and distribute informational materials in a classroom  
32 setting to students to encourage participation in the patriotic  
33 organization and its activities and inform students of how the  
34 patriotic organization may further the students' educational  
35 interests and civic involvement to better the students' school  
36 and community and themselves.

37 2. Provide opportunities for a patriotic organization to  
38 have displays at schools within the district to provide  
39 opportunities for student recruitment. Such displays may include  
40 informational flyers and the use of other existing communication  
41 channels.

42 (b) If a school district authorizes a representative of a  
43 patriotic organization to speak with and distribute  
44 informational materials to students and provide displays  
45 pursuant to paragraph (a), the school district must provide a  
46 specific day and time for the patriotic organization to speak to  
47 students at schools within the district after the patriotic  
48 organization has provided reasonable notice of its intent to  
49 speak to students and provide displays.

50 (3) A patriotic organization may be allowed the use of any

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51 school building or property for the purposes of paragraphs  
52 (2)(a) and (b), if such activities occur outside of the school  
53 day.

54 (4) A school district that allows a patriotic organization  
55 to speak with and distribute informational materials to students  
56 or use school buildings or property pursuant to this section is  
57 not required to provide equal access to an organization that is  
58 not designated as a patriotic organization.

59 Section 2. This act shall take effect July 1, 2024.





## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** PCS for CS/HB 1285 Education  
**SPONSOR(S):** Education & Employment Committee  
**TIED BILLS:** None. **IDEN./SIM. BILLS:** CS/SB 996

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Education & Employment Committee		Blalock	Hassell

### SUMMARY ANALYSIS

The bill makes a number of changes to Florida's K-12 public schools, specifically the bill:

- requires virtual instruction providers and virtual charter schools to provide a list of students to be administered statewide assessments and progress monitoring to the school district, and specifies that unless an alternative testing site is mutually agreed upon, all assessments and progress monitoring must be taken at the school to which the student would be assigned according to district school board attendance policies;
- requires district school boards to make reasonable efforts to enter into dual enrollment articulation agreements with a Florida College System (FCS) institution which offers online dual enrollment courses;
- requires each school district and charter school to offer students in grades 11 and 12 the opportunity to take the Armed Services Vocational Aptitude Battery and consult with a military recruiter if the student chooses;
- expands Florida's support of military families by creating the Purple Star School District Program which recognizes school districts with at least 75 percent of schools designated as Purple Star Campuses;
- authorizes the Commissioner of Education to appoint and remove an executive director for the Education Practices Commission;
- revises district dropout prevention and academic intervention programs by requiring teachers assigned to such schools to be certified, revising the parental notification prior to student enrollment in the program, and requiring students in the program to have individualized student goals and progress monitoring;
- revises the deadlines for submission of turnaround plans and requirements under a turnaround option available to low performing schools, specifying the responsibilities of a school district and charter school who are implementing a turnaround plan for a public school which is reopening as a charter school, prohibiting a district from charging rental or leasing fees for the existing facility or withholding an administrative fee, and requiring the SBE to develop a standard charter school turnaround contract, facility lease, and mutual management agreement;
- requires that any changes made by the SBE to components in the school grades model or the school grading scale must go into effect, at the earliest, in the following school year;
- repeals the authority for school districts and charter schools to allow, for good cause, a student to participate in the same sport at another school during the same school year;
- allows a classical charter school to provide an enrollment preference to students who transfer from another classical school;
- exempts an owner or lessee of a property used to house a charter school from having to make an annual ad valorem tax exemption application, and provides penalties under certain circumstances related to the exemption.

At the postsecondary level, the bill:

- requires that for each adoption cycle, publishers and manufacturers must make sample copies of all state-adopted instructional materials available electronically for use by Florida's Educator Preparation Institutes;
- prohibits a public postsecondary institution from implicitly or explicitly prohibiting applicants or currently enrolled students from being employed, either full time or part time, as a condition of admission to or enrollment in any of the institution's schools, colleges, or programs;
- provides a single-document method for a student to prove residency for tuition purposes;
- transitions and extends the effective period for the amount paid by the Florida Prepaid College Board to state universities on behalf of qualified beneficiaries of advance payment contracts within the Florida Prepaid Program;
- authorizes an Associate in Arts (AA) specialized transfer degree for FCS institution students who need supplemental lower-level coursework above the 60 credit hours of the traditional AA degree in preparation for transfer to a baccalaureate degree program; and
- repeals the FCS Institution Employment Equity Accountability Program.

The bill does not appear to have a fiscal impact.

The bill takes effect July 1, 2024.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** pcs1285.EEC

**DATE:** 2/5/2024

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Virtual Instruction Programs

##### Present Situation

A virtual instruction program provides an interactive, technology-based learning environment in which students are separated from their teachers by time or space, or both.<sup>1</sup> Each school district must provide at least one option for part-time and full-time virtual instruction for students residing within the school district, and provide timely written notification to parents of at least one open enrollment period for full-time students.<sup>2</sup>

A school district virtual instruction program must consist of the following:

- Full-time and part-time virtual instruction for students enrolled in kindergarten through grade 12.
- Full-time or part-time virtual instruction for students enrolled in dropout prevention and academic intervention programs, Department of Juvenile Justice (DJJ) education programs, core-curricula courses to meet class size requirements, or Florida College System (FCS) institutions.<sup>3</sup>

Each school district must provide information to parents and students about students' right to participate in a virtual instruction program and in courses offered by the Florida Virtual School (FLVS).<sup>4</sup>

All students, including home education and private school students, are eligible to participate in district virtual instruction programs.<sup>5</sup> In order to provide students residing within the school district with the opportunity to participate in virtual instruction programs, a school district may:

- contract with the FLVS<sup>6</sup> or establish a franchise of the FLVS;
- contract with a provider approved by the Department of Education (DOE) for the provision of a full-time or part-time school district virtual instruction program;
- enter into an agreement with another school district to allow its students to participate in a virtual instruction program provided by the other school district;
- establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs; and
- enter into an agreement with a virtual charter school authorized by the school district.<sup>7</sup>

Contracts with the FLVS or other providers may include multidistrict contractual arrangements that may be executed by a regional consortium service organization<sup>8</sup> on behalf of its member school districts.<sup>9</sup> Additionally, a virtual charter school may enter into an agreement with a school district to allow participation of the virtual charter school's students in the school district's virtual instruction program.<sup>10</sup>

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<sup>1</sup> Section 1002.45(1)(a)3., F.S.

<sup>2</sup> Section 1002.45(1)(b), F.S.

<sup>3</sup> Section 1002.45(1)(b)1., F.S.

<sup>4</sup> Sections 1002.37(1) and (9)(a) and 1002.45(9), F.S.

<sup>5</sup> Section 1002.455, F.S.

<sup>6</sup> The Florida Virtual School is established for the development and delivery of online and distance learning education full-time and part-time to students enrolled in kindergarten through grade 12. The Commissioner of Education is required to monitor the school's performance and report the school's performance to the State Board of Education (SBE) and the Legislature. Section 1002.37(1)(a) and (9)(a), F.S., s. 1002.45(9), F.S.

<sup>7</sup> Section 1002.45(1)(c)1.-5., F.S.

<sup>8</sup> See s. 1001.451, F.S. School districts with 20,000 or fewer unweighted full-time equivalent students, lab schools, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization.

<sup>9</sup> Section 1002.45(1)(c), F.S. (flush left provision at the end of the subsection).

<sup>10</sup> Section 1002.45(1)(d)3., F.S.

Participating students must comply with the compulsory school attendance requirements as verified by the district. Students must also participate in the state assessment program and the coordinated screening and progress monitoring system.<sup>11</sup>

Statewide assessments and progress monitoring may be administered within the school district in which the student resides, or as specified in a contract between the school district and a qualified contractor, if applicable.<sup>12</sup> If requested by the approved virtual instruction program provider<sup>13</sup> or virtual charter school,<sup>14</sup> the district of residence must provide the student with access to the district's testing facilities.<sup>15</sup>

### Effect of Proposed Changes

The bill requires virtual instruction providers and virtual charter schools to provide a list of students to be administered statewide assessments and progress monitoring to the school district, including the students' names, Florida Education Identifiers, grade levels, assessments and progress monitoring to be administered, and contact information.

The bill specifies that unless an alternative testing site is mutually agreed upon by the virtual provider and the school district, or specified in a contract between the school district and a qualified contractor, all assessments and progress monitoring must be taken at the school to which the student would be assigned according to district school board attendance policies. The school district must provide the student with access to the school's or district's testing facilities and provide the student with the date and time of the administration of each assessment and progress monitoring.

## **Dual Enrollment**

### Present Situation

#### *Overview*

The dual enrollment program is an acceleration mechanism that allows an eligible secondary student or home education student to enroll and earn credit in a postsecondary course that is creditable toward both a high school diploma and an associate or baccalaureate degree or career certificate.<sup>16</sup> An eligible secondary student is a student who is enrolled in grades 6 through 12 in a Florida public school or eligible private school that provides a secondary curriculum.<sup>17</sup> Upon successful completion of a dual enrollment course, the student simultaneously receives high school and college, university, or career certificate credit. Students may also participate in dual enrollment for courses that will lead to an industry certification. Eligible students are permitted to enroll in dual enrollment courses conducted during and after school hours and during the summer term. Dual enrollment students are exempt from the payment of registration, tuition, and laboratory fees.<sup>18</sup>

#### *Articulation Agreements Between Public Postsecondary Institutions and School Districts*

As used in the Florida K-20 Education Code, "articulation" is the systematic coordination that provides the means by which students proceed toward their educational objectives in as rapid and student-friendly manner as their circumstances permit, from grade level to grade level, from elementary to middle to high school, to and through postsecondary education, and when transferring from one

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<sup>11</sup> Section 1002.45(5), F.S.

<sup>12</sup> Sections 1002.45(5)(b) and 1008.24(3), F.S.

<sup>13</sup> Section 1002.45(2), F.S.

<sup>14</sup> Section 1002.45(1)(d), F.S.

<sup>15</sup> Section 1002.45(5)(b), F.S.

<sup>16</sup> Section 1007.271(1), F.S.

<sup>17</sup> Section 1007.271(2), F.S.

<sup>18</sup> *Id.*

educational institution or program to another.<sup>19</sup> “Service area” refers to the county or counties served by each Florida College System (FCS) institution.<sup>20</sup>

Each public postsecondary institution and school district in its service area must jointly develop and implement a comprehensive dual enrollment articulation agreement.<sup>21</sup> The dual enrollment articulation agreement must be submitted annually to the DOE on or before August 1 and must include, but is not limited to, the following components:

- The available dual enrollment courses and programs.<sup>22</sup>
- A description of the processes by which students and parents are informed about and exercise options to participate in dual enrollment, including registration.<sup>23</sup>
- The type of high school credit earned for completion of a dual enrollment course.<sup>24</sup>
- A listing of any additional student eligibility criteria.<sup>25</sup>
- Each institution's responsibilities for student screening and performance monitoring, transmission of grades, program costs including instructional materials, and student transportation.<sup>26</sup>

District school boards may not refuse to enter into a dual enrollment articulation agreement with a local FCS institution that has the capacity to offer dual enrollment courses.<sup>27</sup>

### Effect of Proposed Changes

The bill requires district school boards to make reasonable efforts to enter into dual enrollment articulation agreements with a FCS institution which offers online dual enrollment courses.

## **The Purple Star Campus Program**

### Present Situation

The Purple Star Campus program was established by the Florida legislature in 2021<sup>28</sup> and further defined in State Board of Education (SBE) rule as the Purple Star School of Distinction Designation.<sup>29</sup> The purpose of the Purple Star School of Distinction Designation is to recognize schools that support the unique needs of military families, help military-connected students navigate critical challenges, and provide resources for military-connected students when transitioning to a new school environment.<sup>30</sup> As of November 2023, 197 Florida schools have earned the Purple Star School of Distinction Designation.<sup>31</sup>

For the purpose of this program, a “military student” means a student who is:

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<sup>19</sup> Section 1000.21(1), F.S.

<sup>20</sup> Section 1000.21(5)(a)-(bb), F.S.

<sup>21</sup> Section 1007.271(21), F.S.; see also Florida Department of Education (DOE), *Public School Dual Enrollment Articulation Agreements*, <https://www.fldoe.org/policy/articulation/public-school-dual-enrollment.shtml> (last visited Jan. 26, 2024).

<sup>22</sup> Section 1007.271(21)(c), F.S.

<sup>23</sup> Section 1007.271(21)(b), (d), and (i), F.S. Career centers, FCS institutions, and state universities must also delineate courses and programs for dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time. Section 1007.271(13)(b)1., F.S.

<sup>24</sup> Section 1007.271(21)(f), F.S.

<sup>25</sup> Section 1007.271(21)(e), F.S. Career centers, FCS institutions, and state universities must also identify eligibility criteria for home education student participation, not to exceed those required of other dually enrolled students. Section 1007.271(13)(b)2., F.S. Exceptions to the required grade point average may be granted on an individual student basis. Section 1007.271(21)(h), F.S.

<sup>26</sup> Section 1007.271(21)(l), (m), (n), and (o), F.S.

<sup>27</sup> Section 1007.271(4), F.S.

<sup>28</sup> Section 1, ch. 2021-65, L.O.F., codified at s. 1003.051, F.S.

<sup>29</sup> Rule 6A-1.0999, F.A.C.

<sup>30</sup> Florida Department of Education (DOE), *Purple Star School of Distinction Designation*, <https://www.fldoe.org/schools/family-community/activities-programs/parental-involvement/purple-star.shtml> (last visited Jan. 21, 2024).

<sup>31</sup> DOE, *Governor Ron DeSantis Announces 73 New Purple Star Schools to Provide Additional Resources for Military Families*, <https://www.fldoe.org/newsroom/latest-news/icymi-governor-ron-desantis-announces-73-new-purple-star-schools-to-provide-additional-resources-for-military-families.shtml> (last visited Jan. 21, 2024).

- enrolled in a school district, charter school, or any school or educational institution participating in an educational choice scholarship program;<sup>32</sup> and
- a dependent of a current member of the United States military serving on active duty in, or a former member of, the Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard; a reserve component of any branch of the United States military; or the Florida National Guard.<sup>33</sup>

At a minimum, the program requires a participating school to:

- Designate a staff member as a military liaison.
- Maintain a web page on the school's website which includes resources for military students and their families.
- Maintain a student-led transition program that assists military students in transitioning into the school.
- Offer professional development training opportunities for staff members on issues relating to military students.
- Reserve at least 5 percent of controlled open enrollment seats for military students.<sup>34</sup>

Once awarded, schools maintain their designation as a Purple Star School of Distinction for three school years.<sup>35</sup>

### Effect of Proposed Changes

The bill requires the DOE to create the Purple Star School District Program. At a minimum, the program must require a participating district to have at least 75% of schools in the district designated as Purple Star Campuses and maintain a web page on the district website with resources for military students and their families and links to each Purple Star Campus's web page with resources. The bill authorizes the DOE to establish additional program criteria to identify school districts that demonstrate a commitment to or provide critical coordination of services for military students and their families, including, but not limited to, establishing a council consisting of a representative from each Purple Star Campus in the district and one district-level representative to ensure the alignment of military student-focused policies and procedures within the district.

The bill authorizes the SBE to adopt rules to administer the program.

## **Armed Services Vocational Aptitude Battery & Military Recruiters**

### Present Situation

#### *Armed Services Vocational Aptitude Battery*

The Armed Services Vocational Aptitude Battery (ASVAB) is a multiple-choice test, administered by the United States Military Entrance Processing Command, used to determine qualification for enlistment in the United States Armed Forces.<sup>36</sup>

The ASVAB is a timed multi-aptitude test, administered at over 14,000 schools and Military Entrance Processing Stations nationwide and developed and maintained by the Department of Defense. It measures a young adult's strengths and potential for success in military training.<sup>37</sup>

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<sup>32</sup> Chapter 1002, F.S.

<sup>33</sup> Section 1003.051(1), F.S.

<sup>34</sup> Section 1003.051(2)(a), F.S.

<sup>35</sup> Rule 6A-1.0999, F.A.C.

<sup>36</sup> Official ASVAB, *ASVAB Fact Sheet* (2023), available at [https://www.officialasvab.com/wp-content/uploads/2023/06/ASVAB-Fact\\_Sheet.pdf](https://www.officialasvab.com/wp-content/uploads/2023/06/ASVAB-Fact_Sheet.pdf).

<sup>37</sup> Military.com, *The ASVAB Test*, <https://www.military.com/join-armed-forces/asvab> (last visited Jan. 21, 2024).

The ASVAB consists of 10 subtests and scores are used to determine the best jobs for those entering a branch of the military. Scores from four of the math and verbal domain subtests are used to determine an Armed Forces Qualification Test (AFQT) score, which determines eligibility for enlistment.<sup>38</sup>

Each branch of the military has different standards. The minimum scores each branch of the military requires depends on whether a potential recruit has a high school diploma or a high school equivalency diploma (GED). Those students with a GED need a higher AFQT score than students with a high school diploma. An AFQT score of 60 indicates that the examinee scored as well as or better than 60 percent of the nationally representative sample. For high school graduates earning a diploma, the requirements by military branch are as follows:<sup>39</sup>

- Air Force recruits are required to have a minimum AFQT score of 31.
- Army recruits are required to have a minimum AFQT score of 31.
- Coast Guard recruits are required to have a minimum AFQT score of 36.
- Marine recruits are required to have a minimum AFQT score of 31.
- National Guard recruits are required to have a minimum AFQT score of 31.
- Navy recruits are required to have a minimum AFQT score of 31.

AFQT scores are divided into five categories:<sup>40</sup>

- Category I - 93-99.
- Category II - 65-92.
- Category IIIa - 50-64.
- Category IIIb - 31-49.
- Category IVa - 21-30.
- Category IVb - 16-20.
- Category IVc - 10-15.
- Category V - 1-9.

Beginning with the 2022-2023 school year, the school grading formula for high schools was modified to include the percentage of students who earned an AFQT score that falls within Category II or higher on the ASVAB and earned a minimum of two credits in Junior Reserve Officers' Training Corps (JROTC) courses from the same branch of the United States Armed Forces.<sup>41</sup>

### *Military Recruiters and Access to Public School Campuses*

Under current law, a school district must grant military recruiters of the United States Armed Forces and United States Department of Homeland Security the same access to secondary school students, and to school facilities and grounds, which the district grants to postsecondary educational institutions or prospective employers of students.<sup>42</sup>

A school district must also grant military recruiters access to the names, addresses, and telephone listings of secondary school students as required by federal statute,<sup>43</sup> except the district must comply with a student's or parent's request under federal<sup>44</sup> or state<sup>45</sup> statute not to release the student's information without prior written parental consent.<sup>46</sup>

### Effect of Proposed Changes

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<sup>38</sup> US Military Careers, *How the ASVAB Score is Computed*, <https://www.liveabout.com/how-the-asvab-afqt-score-is-computed-3354094> (last visited Jan 21, 2024).

<sup>39</sup> Official ASVAB, *Enlistment Eligibility*, <https://www.officialasvab.com/applicants/enlistment-eligibility> (last visited Jan. 21, 2024).

<sup>40</sup> *Id.*

<sup>41</sup> Section 2, ch. 2020-75, L.O.F.; s. 1008.34(3)(b)2., F.S.

<sup>42</sup> Section 1003.451(3)(a), F.S.

<sup>43</sup> 20 U.S.C. § 7908(a)(1).

<sup>44</sup> 20 U.S.C. § 7908(a)(2).

<sup>45</sup> Section 1002.22, F.S.

<sup>46</sup> Section 1003.451(3)(b), F.S.

The bill requires each school district and charter school to offer students in grades 11 and 12 the opportunity to take the ASVAB and consult with a military recruiter if the student chooses. The ASVAB must be scheduled during normal school hours.

## **Dropout Prevention and Academic Intervention**

### Present Situation

#### *Overview*

Each district school board may establish dropout prevention and academic intervention programs at the elementary, middle, or high school level.<sup>47</sup> These programs must use instructional teaching methods appropriate to the specific needs of each student participating in the program.<sup>48</sup> Any school that establishes a dropout prevention and academic intervention program must reflect the program in its school improvement plan.<sup>49</sup>

Dropout prevention and academic intervention programs may differ from traditional programs and schools in scheduling, administrative structure, philosophy, curriculum, or setting and must employ alternative teaching methodologies, curricula, learning activities, and diagnostic and assessment procedures in order to meet the needs, interests, abilities, and talents of eligible students.<sup>50</sup>

Eligibility for participation in a dropout prevention and academic intervention program is limited to students in grades 1 through 12. School districts must report eligible students in the appropriate basic cost factor in the Florida Education Finance Program (FEFP). The strategies and supports provided to eligible students are funded through the General Appropriations Act and may include, but are not limited to, those services identified on the student's academic intervention plan.<sup>51</sup>

Students are eligible for dropout prevention and academic programs if they are academically unsuccessful, exhibit a pattern of excessive absenteeism or have been identified as a habitual truant, have a history of disruptive behavior in school or have committed an offense that warrants out-of-school suspension or expulsion from school, or have been identified by a school's early warning system.<sup>52</sup> Student participation in a dropout prevention and academic intervention program is voluntary. District school boards may, however, assign students to a program for disruptive students. A student must not be identified as eligible for dropout prevention and academic intervention program services based solely on being from a single-parent family.<sup>53</sup>

District school boards that receive state funding for dropout prevention and academic intervention must submit an annual report to the DOE documenting the extent of the district's success in using dropout prevention and academic intervention programs to improve the district's graduation rate, dropout rate, attendance rate, and retention/promotion rate.<sup>54</sup> In addition, school boards that provide a dropout prevention and academic intervention program must maintain records for each participating student documenting the student's eligibility, the length of the student's participation, the type of program to which the student was assigned or type of academic intervention services provided, and an evaluation of the student's academic and behavioral performance while in the program.<sup>55</sup>

District school boards must establish course standards for dropout prevention and academic intervention programs<sup>56</sup> and procedures to ensure that teachers assigned to these programs possess

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<sup>47</sup> Section 1003.53(2)(a), F.S.

<sup>48</sup> *Id.*

<sup>49</sup> Section 1003.53(2)(b), F.S.

<sup>50</sup> Section 1003.53(1)(a), F.S.

<sup>51</sup> Section 1003.53(1)(b), F.S.

<sup>52</sup> Section 1003.53(1)(c), F.S.

<sup>53</sup> Section 1003.53(1)(a), F.S.

<sup>54</sup> Section 1003.53(3), F.S.

<sup>55</sup> Section 1003.53(5), F.S.

<sup>56</sup> Rule 6A-6.0521, F.A.C.



the affective, pedagogical, and content-related skills necessary to meet the needs of students placed in the program.<sup>57</sup>

Prior to a student's placement in a dropout prevention and academic intervention program, the school principal must provide written notice by certified mail, return receipt requested, to the student's parent.<sup>58</sup> The student's parent must return acknowledgement of the written notice within three days of receipt. The notice must inform the parent that he or she is entitled to an administrative review of any action by school personnel relating to the student's placement.<sup>59</sup>

### Effect of Proposed Changes

The bill authorizes district school boards to assign students to a disciplinary program for disruptive students or an alternative school setting or other program in accordance with the state's policy of zero tolerance for crime and victimization.<sup>60</sup> The bill requires that, notwithstanding any other provision of law to the contrary, no student can be identified as eligible to receive services through the dropout prevention and academic intervention program solely based on having a disability. The bill requires that before placement in a dropout prevention and academic intervention program or the provision of an academic service, the school principal, or his or her designee, must provide written notice of placement or services to the student's parent; must make a reasonable effort to notify the student's parent by telephone or e-mail, or both; and must document this effort.

The bill provides that dropout prevention and academic intervention programs established by each district school board must utilize student services that lead to improved student behavior as appropriate to the specific needs of the student. The bill requires that each student enrolled in a dropout prevention and academic intervention program has an academic intervention plan developed to address eligibility for placement in the program and to provide individualized student goals and progress monitoring procedures. A student's academic intervention plan must be consistent with the student's individual education plan (IEP).

Finally, the bill requires that teachers assigned to dropout prevention and academic intervention programs are certified as required under the law and by rules of the SBE.<sup>61</sup>

## **School Improvement and Accountability**

### Present Situation

#### *School Turnaround Plans*

Florida's system of improving low-performing schools is referred to as "school improvement" (SI).<sup>62</sup> 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>63</sup> Intervention and support is required for traditional public schools earning a letter grade of "D" or "F" or producing a graduation rate of sixty-seven (67) percent or less.<sup>64</sup>

Intensive intervention and support strategies must be applied through turnaround plans<sup>65</sup> to schools earning two consecutive grades of "D" or a grade of "F".<sup>66</sup> In the first full school year after a school

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<sup>57</sup> Section 1003.53(4), F.S.

<sup>58</sup> Section 1003.53(5), F.S.

<sup>59</sup> *Id.*

<sup>60</sup> Section 1006.13, F.S.

<sup>61</sup> Section 1012.55(1), F.S.

<sup>62</sup> Section 1008.33(2) and (4), F.S.; rule 6A-1.099811, F.A.C.

<sup>63</sup> *See id.* 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>64</sup> Section 1008.33(3)(b), F.S.; *see also* rule 6A-1.099811(2)(aa), F.A.C.

<sup>65</sup> Rule 6A-1.099811(2)(bb), F.A.C.

<sup>66</sup> Section 1008.33(4)(a), F.S.

initially earns a grade of “D,” the school district must immediately implement intervention and support strategies.<sup>67</sup> For a school that initially earns a grade of “F” or a second consecutive grade of “D,” the school district must either continue implementing or immediately begin implementing intervention and support strategies<sup>68</sup> and provide the department with the memorandum of understanding by September 1 and a district-managed turnaround plan by October 1 for approval by the SBE.<sup>69</sup> The plan must be designed to improve a school’s grade to a “C” or better within two school years.<sup>70</sup>

The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, a combination of an extended school day and a summer program, or any other authorized option for SBE approval. A school district is not required to wait until a school earns a second consecutive grade of “D” to submit a turnaround plan for approval by the state board.

Upon SBE approval, the school district must implement the plan for the remainder of the school year and continue the plan for one full school year. The SBE may allow a school an additional year of implementation before the school must implement a turnaround option<sup>71</sup> if it determines that the school is likely to improve to a grade of “C” or higher after the first full school year of implementation.<sup>72</sup>

If the school’s grade does not improve to a “C” or higher after the additional year (its fourth consecutive grade below a “C”), or after the first full year of implementation if an additional year is not granted, the school must select from the following turnaround options:<sup>73</sup>

- Reassign students to another school and monitor the progress of each student.
- Close the school and reopen as one or more charter schools with a governing board that has a demonstrated record of effectiveness.
- Contract with an external operator that has a demonstrated record of effectiveness to operate the school.

Selection of an external operator may include one, or a combination of the following:<sup>74</sup>

- A district-managed charter school or a high-performing charter school network in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter.
- A contractual agreement that allows for a charter school network or any of its affiliated subsidiaries to provide individualized consultancy services tailored to address the identified needs of one or more schools under this section.

To exit the SI program, a school must meet one of the following requirements:<sup>75</sup>

- If the school’s SI status is determined by its school grade, the school must earn a grade of at least a “C”; or
- If the school’s SI status is solely based on its graduation rate, it must achieve a graduation rate higher than 67 percent.

If a school earning two consecutive grades of “D” or a grade of “F” does not improve to a grade of “C” or higher after two school years of implementing the turnaround option selected by the school district, the district must implement another turnaround option. Implementation must begin the school year following the implementation period of the existing turnaround option, unless the SBE determines that

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<sup>67</sup> Rule 6A-1.099811(3)(c), F.A.C.

<sup>68</sup> *Id.*

<sup>69</sup> Section 1008.33(4)(a), F.S.

<sup>70</sup> Rule 6A-1.099811(7)(a) and (13)(b), F.A.C. A Tier 2 SI school is any school that earns a single grade of “F” or consecutive grades of “D” in any school year in which the school received a grade and is in the first cycle of turnaround. Rule 6A-1.099811(3)(b), F.A.C.

<sup>71</sup> Section 1008.33(4)(b), F.S.

<sup>72</sup> Section 1008.33(4)(a), F.S.

<sup>73</sup> Section 1008.33(4)(b), F.S.; rule 6-A 1.099811(7)(b), F.A.C

<sup>74</sup> Section 1008.33(4)(b)3., F.S.

<sup>75</sup> Rule 6A-1.099811(16), F.A.C

the school is likely to improve to a grade of “C” or higher if additional time is provided to implement the existing turnaround option.<sup>76</sup>

### *School Grades*

School grades are used to explain a school’s performance in a familiar, easy-to-understand manner for parents and the public.<sup>77</sup> School grades are also used to determine whether a school must select or implement a turnaround option<sup>78</sup> or whether a school is eligible for school recognition funds as appropriated by the Legislature.<sup>79</sup>

Elementary, middle and high schools each share a basic model for determining school grades, based on the percentage of total points earned by a school for each component in the model. Middle and high school models include additional components beyond the basic model.<sup>80</sup> Combination school models include the additional components for the grades served (e.g., a school serving grades K-12 would include the additional components for the middle and high school models).

Each school must receive a school grade based on the school’s performance on the following components:<sup>81</sup>

- The percentage of eligible students passing statewide, standardized assessments in English Language Arts (ELA), mathematics, science, and social studies.
- The percentage of eligible students who make learning gains in ELA and mathematics as measured by statewide, standardized assessments.
- The percentage of eligible students in the lowest 25 percent in ELA and mathematics, as identified by prior year performance on statewide, standardized assessments, who make learning gains as measured by statewide, standardized assessments.
- For schools comprised of grade levels that include grade 3, the percentage of eligible students who score an achievement level 3 or higher on the grade 3 statewide, standardized ELA assessment.
- For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the Career and Professional Education (CAPE) Industry Certification Funding List pursuant to SBE rule.

For a school comprised of grades 9-12 or 10-12, the school’s grade is also based on the following components:<sup>82</sup>

- The 4-year high school graduation rate of the school.
- The percentage of students who were eligible to earn college and career credit in a specified acceleration mechanism, who earn a specified industry certification, or who participate in JROTC courses and earn a qualifying score on the ASVAB.

The SBE must periodically review the school grading scale to determine if the scale should be adjusted upward to meet raised expectations and encourage increased student performance. The SBE must notify the public of any adjustments and explain the reasons for the adjustment and the impact it will have on school grades.<sup>83</sup>

Florida launched a new, statewide coordinated screening and progress monitoring system during the 2022-2023 school year.<sup>84</sup> This assessment system provides teachers, students and parents with real-time, immediate, and actionable data at the beginning, middle, and end of the school year to drive

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<sup>76</sup> Section 1008.33(4)(d), F.S.

<sup>77</sup> Section 1008.34, F.S.

<sup>78</sup> See s. 1008.33(4), F.S.

<sup>79</sup> See s. 1008.36, F.S.

<sup>80</sup> See s. 1008.34(3)(b), F.S.; rule 6A-1.09981(4)(a)-(c), F.A.C.

<sup>81</sup> Section 1008.34(3)(b)1.a.-j., F.S.

<sup>82</sup> Section 1008.34(3)(b)2., F.S.

<sup>83</sup> Section 1008.34(3)(c)1., F.S.

<sup>84</sup> Section 1008.25(9), F.S.

student improvement.<sup>85</sup> To assist in the transition to school and district grades calculated based on the comprehensive, end-of-year progress monitoring assessment, the 2022-2023 school and district grades served as an informational baseline for schools and districts to work toward improved performance in future years.<sup>86</sup> No negative consequences could result from these grades, therefore:<sup>87</sup>

- Due to the absence of learning gains data in the 2022-2023 school year, the initial school grading scale for the 2022-2023 informational baseline grades was set so that the percentage of schools earning an “A,” “B,” “C,” “D,” and “F” was statistically equivalent to the 2021-2022 school grades results.
- A school could not be required to select and implement a turnaround option in the 2023-2024 school year based on the school’s 2022-2023 grade. However, a school using turnaround options which improved to a grade of “C” or higher during the 2022-2023 school year was released from implementing the turnaround option or selecting a different turnaround option.
- A school or approved virtual instruction program provider receiving the same or lower school grade for the 2022-2023 school year compared to the 2021-2022 school year was not subject to sanctions or penalties that would otherwise occur as a result of the 2022-2023 school grade or rating. A charter school system or school district designated as high performing could not lose the designation based on the 2022-2023 school grades of any of the schools within the charter school system or school district or based on the 2022-2023 district grade, as applicable.
- For purposes of determining grade 3 retention and high school graduation, student performance on the 2022-2023 comprehensive, end-of-year progress monitoring assessment was linked to 2021-2022 student performance expectations. In addition to the good cause exemptions, a student could be promoted to grade 4 for the 2023-2024 school year if he or she demonstrated an acceptable level of performance through means reasonably calculated by the school district to provide reliable evidence of the student’s performance.

In October 2023, the SBE considered and adopted two amendments to rules,<sup>88</sup> one setting performance standards, also known as cut scores, based on achievement data from the 2022-2023 school year<sup>89</sup> and the other adding a statutorily required, stand-alone component measuring the ELA achievement of grade 3 students.<sup>90</sup>

When learning gains data becomes available in the 2023-2024 school year, the SBE will review the school grading scale and determine if the scale should be adjusted.<sup>91</sup> Learning gains and consequences will return for the 2023-2024 calculation of school grades.<sup>92</sup>

## Effect of Proposed Changes

### *School Turnaround Plans*

The bill makes several changes relating to the procedures and prescribed options for a school which is required to implement a district-managed turnaround option or which has completed a cycle of turnaround and has not improved to a grade of “C” or higher.

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<sup>85</sup> DOE, *Approval of Amendment to Rule 6A-1.09422, F.A.C., Statewide, Standardized Assessment Program Requirements (2023)*, available at <https://www.fldoe.org/core/fileparse.php/20680/urlt/5-3.pdf>.

<sup>86</sup> Section 1008.34(7), F.S.

<sup>87</sup> Section 1008.34(7)(a)-(d), F.S.

<sup>88</sup> SBE, *State Board of Education Agenda - October 18, 2023*, <https://www.fldoe.org/policy/state-board-of-edu/meetings/2023/2023-10-18/> (last visited Feb. 4, 2024).

<sup>89</sup> DOE, *Approval of Amendment to Rule 6A-1.09422, F.A.C., Statewide, Standardized Assessment Program Requirements (2023)*, available at <https://www.fldoe.org/core/fileparse.php/20680/urlt/5-3.pdf>

<sup>90</sup> DOE, *Approval of Amendment to Rule 6A-1.09981, F.A.C., School and District Accountability (2023)*, available at <https://www.fldoe.org/core/fileparse.php/20680/urlt/6-3.pdf>.

<sup>91</sup> Section 1008.34(7)(a), F.S.

<sup>92</sup> DOE, *Approval of Amendment to Rule 6A-1.09422, F.A.C., Statewide, Standardized Assessment Program Requirements (2023)*, available at <https://www.fldoe.org/core/fileparse.php/20680/urlt/5-3.pdf>.

For a school which has earned a school grade of “F” or a second consecutive school grade of “D” and is required to implement a district-managed turnaround option, for the 2024-2025 school year, the submission deadlines for the memorandum of understanding and district-managed turnaround plan the school district must submit to the DOE remain the same, September 1 and October 1, respectively. Beginning with the 2025-2026 school year, both submission deadlines are moved to August 1. The bill requires that a district-managed turnaround plan must only include measurable academic benchmarks that put the school on a path to earning and maintaining a grade of “C” or higher.

For a school that has not improved to a grade of “C” or higher under a district-managed turnaround plan and has selected the turnaround option of closing and reopening as a charter school, the bill provides the following requirements for the school district and the charter school operator upon reopening as a charter school:

- The school district must continue to operate the school for the following school year and must execute a charter school turnaround contract by October 1 that will allow the charter school an opportunity to conduct an evaluation of the educational program and personnel currently assigned to the school during the year in preparation for assuming full operational control of the school and facility by July 1. The school district may not reduce or remove resources from the school during this time.
- The charter school operator must provide enrollment preference to students currently attending or who would have otherwise attended or been zoned for the school. The school district must consult and negotiate with the charter school every three years to determine whether realignment of the attendance zone is appropriate to ensure that students residing closest to the school are provided with an enrollment preference.
- The charter school operator must serve the existing grade levels served by the school at its current enrollment or higher, but may, at its discretion, serve additional grade levels.
- The school district may not charge rental or leasing fees for the existing facility or for the property normally inventoried to the school. The school and the school district must agree to reasonable maintenance provisions in order to maintain the facility in a manner similar to all other school facilities in the school district.
- The school district may not withhold an administrative fee for the provision of services identified in statute.<sup>93</sup>

The bill provides that ceasing implementation of a turnaround option because a school improves to a grade of “C” or higher, does not apply to a school district that has already executed a charter school turnaround contract.

Finally, the bill requires the SBE to adopt rules to implement these provisions and to develop a standard charter school turnaround contract, a standard facility lease, and a mutual management agreement.

### *School Grades*

The bill requires that beginning in the 2024-2025 school year, any changes made by the SBE to components in the school grades model or the school grading scale must go into effect, at the earliest, in the following school year.

## **Charter Schools**

### Present Situation

All charter schools in Florida are tuition-free public schools within the state’s public education system.<sup>94</sup> One of the guiding principles of charter schools is to “meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities

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<sup>93</sup> Section 1002.33(20)(a), F.S.

<sup>94</sup> Section 1002.33(1), F.S. Florida’s first charter school law was enacted in 1996. Chapter 96-186, L.O.F., *initially codified at s. 228.056, F.S., re-designated in 2002 as s. 1002.33, F.S.*

within the state's public school system."<sup>95</sup> Charter schools operate under a performance contract with a sponsor.<sup>96</sup> This performance contract is known as a "charter."<sup>97</sup>

### *Application and Charter*

An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under Florida law.<sup>98</sup> The school must be organized as, or be operated by a municipality, a public entity authorized under the law, or a nonprofit organization.<sup>99</sup> While a charter school must be a public or nonprofit entity, it may be managed by a for-profit education management organization.<sup>100</sup>

After a charter school application is approved, the initial startup shall commence at a time determined by the applicant.<sup>101</sup> The terms of the charter must be negotiated by the applicant and sponsor using the standard charter contract within 30 days after approval of the application.<sup>102</sup> The initial term of a charter is 5 years, excluding 2 planning years.<sup>103</sup> In addition to other requirements, the charter must include:<sup>104</sup>

- the types of students to be served, including ages and grade levels;
- the curriculum focus and instructional methods to be used;<sup>105</sup>
- baseline standards of student academic achievement, outcomes to be achieved and methods of measurement to be used;<sup>106</sup>
- the method for determining the strengths and needs of students and whether they are meeting educational goals<sup>107</sup> and for secondary charter schools,<sup>108</sup> the method to determine a student has satisfied the requirements for high school graduation;

In Florida, some charter schools are implementing a curriculum known as classical education which is centered on "the pursuit of wisdom and virtue by means of a rich and ordered course of study grounded in the liberal arts tradition."<sup>109</sup> There are currently 18 classical charter schools in Florida operating in 9 school districts.<sup>110</sup>

### *Enrollment Eligibility*

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<sup>95</sup> Section 1002.33(2)(a)1., F.S.

<sup>96</sup> Section 1002.33(1), (7), and (9)(a), F.S.

<sup>97</sup> Section 1002.33(7) and (9)(c), F.S.

<sup>98</sup> Section 1002.33(3)(a), F.S. *see also* Rule 6A-6.0786, F.A.C. and DOE, Charter Schools, *Model Application Forms*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-reference/> (last visited Jan. 26, 2024).

<sup>99</sup> Section 1002.33(12)(i), F.S.

<sup>100</sup> *Id.*

<sup>101</sup> Section 1002.33(6)(b), F.S.

<sup>102</sup> Section 1002.33(7) and (7)(b), F.S. The standard charter contract must incorporate the approved application and any addenda approved with the application.

<sup>103</sup> Section 1002.33(7)(a)(12), F.S.

<sup>104</sup> Section 1002.33(7)(a)1.-19., F.S.

<sup>105</sup> The charter must ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction to students who are reading below grade level. Additionally, to provide students with access to diverse instructional delivery models, charter schools may implement blended learning courses. Section 1002.33(7)(a)2.a.-b., F.S. Any changes to curriculum which are consistent with state standards are deemed approved under the charter unless the sponsor and the DOE determine in writing that the curriculum is inconsistent with state standards. Section 1002.33(7)(d), F.S.

<sup>106</sup> The district schoolboard is required to provide academic student performance data for students coming from the district school system to the charter, as well as rates of academic progress of comparable student populations in the district. Section 1002.33(7)(a)3. (flush-left provision at the end of the sub-subparagraph).

<sup>107</sup> Students in a charter school must, at a minimum, participate in Florida's statewide assessments. Section 1002.33(7)(a)4., F.S.

<sup>108</sup> In this context, the term "secondary education" is synonymous with "middle or high school" (grades 6 through 12). Generally, elementary schools serve students in kindergarten through grade 5, middle schools serve students in grades 6 through 8, and high schools serve students in grades 9 through 12. *See s.* 1003.01(2), F.S. (definition of "school").

<sup>109</sup> Thomas B. Fordham Institute, *Classical education is growing. Here's how to keep it that way.*,

<https://fordhaminstitute.org/national/commentary/classical-education-growing-heres-how-keep-it-way> (last visited Feb. 2, 2024).

<sup>110</sup> Email, DOE, Legislative Affairs (Feb. 2, 2024), on file with the Education & Employment Committee.

Charter schools are open to all students residing within a school district and students who are covered by an inter-district enrollment agreement.<sup>111</sup> A parent whose child is not subject to a current expulsion or suspension order may seek enrollment in, and transport his or her child to, any public school in the state, including a charter school, which has not reached capacity.<sup>112</sup> The charter school governing board shall determine capacity based upon its contract<sup>113</sup> and capacity determinations for the school, by grade level, must be updated every 12 weeks and be identified on the school website.<sup>114</sup> Prospective students must apply for enrollment in a charter school and if the number of applications exceeds the school's capacity, a random lottery must be used to determine which students are enrolled.<sup>115</sup> A charter school may give enrollment preference to:

- siblings of a student enrolled in the charter school;
- children of a member of the charter school governing board;
- children of charter school employees;
- children of an employee of the business partner of a charter school-in-the-workplace or a resident of the municipality where such charter school is located;
- children of a resident or employee of a municipality that operates a charter school-in-a-municipality or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school;
- students who successfully completed a Voluntary Prekindergarten Education Program (VPK) during the previous year provided by the charter school, the charter school's governing board, or a VPK provider that has a written agreement with the governing board;
- children of active-duty U.S. Armed Forces personnel;
- students who attended or are assigned to failing schools; and
- children of a safe-school officer at the school.<sup>116</sup>

### *Governing Board*

Each charter school must have a governing board. The board is responsible for:

- negotiating the school's charter agreement with its sponsor;
- exercising continuing oversight over the school's operations;
- adopting and maintaining an annual operating budget;
- ensuring that annual audits are conducted;
- submitting monthly financial statements to the sponsor and implementing corrective actions to remedy financial instability;
- submitting the school's annual progress report to the sponsor; and
- adopting policies which establish standards of ethical conduct for educational support employees, instructional personnel, and school administrators.<sup>117</sup>

### *Restriction on Employment of Relatives*

In a charter school operated by a private entity,<sup>118</sup> charter school personnel may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in the charter school in which the personnel are serving or over which the personnel exercises jurisdiction or control any individual who is a relative. An individual may not be appointed, employed,

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<sup>111</sup> Section 1002.33(10)(a), F.S. A charter school receiving federal Charter School Program grant funds must use a lottery if more students apply for admission to the charter school than can be admitted, unless students are enrolling in the immediate prior grade level of an "affiliated charter school." However, a charter school may use a weighted lottery under certain prescribed circumstances. *see* 20 U.S.C. s. 7221b(c)(3) and s. 7221i(2)(H). *see also* U.S. Department of Education, Office of Elementary & Secondary Education, *Dear Colleague Letter- ESSA flexibilities for CSP Grantees* (Nov. 15, 2017), available at <https://oese.ed.gov/files/2019/11/CSP-DCL-1.pdf>.

<sup>112</sup> Section 1002.31(2)(a), F.S.

<sup>113</sup> Section 1002.31(2)(b), F.S.

<sup>114</sup> *Id.*

<sup>115</sup> Section 1002.33(10)(b), F.S.

<sup>116</sup> Section 1002.33(10)(d)1.-8., F.S.

<sup>117</sup> Section 1002.33(7), (9)(g)-(k), and (12)(g)3. F.S.

<sup>118</sup> Section 1002.33(24)(a), F.S.

promoted, or advanced in or to a position in a charter school if such appointment, employment, promotion, or advancement has been advocated by charter school personnel who serve in or exercise jurisdiction or control over the charter school and who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by the governing board of which a relative of the individual is a member.<sup>119</sup>

“Charter school personnel” is defined as a charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decision-making authority and in whom is vested the authority, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in a charter school, including the authority as a member of a governing body of a charter school to vote on the appointment, employment, promotion, or advancement of individuals.<sup>120</sup>

“Relative” means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.<sup>121</sup>

### *Annual Application Required for Tax Exemption*

The Florida Constitution reserves to local governments the authority to levy ad valorem taxes on real and tangible personal property.<sup>122</sup> Ad valorem taxes<sup>123</sup> are levied annually by counties, cities, school districts, and some special districts based on the value of real and tangible personal property as of January 1 of each year.<sup>124</sup>

Each person or organization who meets the criteria for an ad valorem tax exemption may claim the exemption if the claimant held legal title to the real or personal property subject to the exemption on January 1.<sup>125</sup> The application for exemption must be filed with the property appraiser on or before March 1 and failure to make an application constitutes a waiver of the exemption for that year. The application must list and describe the property for which the exemption is being claimed and certify the ownership and use of the property. The claimant must reapply for the exemption on an annual basis, unless the property appraiser (subject to approval by a vote of the governing body of the county) has waived the annual application requirement for property after an initial application is made and the exemption granted.<sup>126</sup>

Educational institutions within the state and their property used by them or by any other exempt entity or educational institution exclusively for education purposes are exempt from taxation.<sup>127</sup> Property used for educational purposes by a charter school is generally exempt from property tax; however, the specific exemption involved is different depending on whether the charter school owns or leases the property.<sup>128</sup> If the property is owned by the charter school, the charter school applies for the exemption.<sup>129</sup> If the property is leased by the charter school, the landlord applies for the exemption.<sup>130</sup>

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<sup>119</sup> Section 1002.33(24)(b), F.S.

<sup>120</sup> Section 1002.33(24)(a)1., F.S.

<sup>121</sup> Section 1002.33(24)(a)2., F.S.

<sup>122</sup> Art. VII, ss. 1(a), 9(a), Fla. Const.

<sup>123</sup> An ad valorem tax means a tax based upon the assessed value of property. The term “property tax” may be used interchangeably with the term “ad valorem tax. S. 192.001(1), F.S.

<sup>124</sup> Section 192.001(12), F.S., defines “real property” as land, buildings, fixtures, and all other improvements to land. The terms “land,” “real estate,” “realty,” and “real property” may be used interchangeably. S. 192.001(11)(d), F.S., defines “tangible personal property” as all goods, chattels, and other articles of value (but does not include the vehicular items enumerated in Art. VII, s. 1(b) of the Florida Constitution and elsewhere defined) capable of manual possession and whose chief value is intrinsic to the article itself.

<sup>125</sup> Section 196.011(1)(a), F.S.

<sup>126</sup> Section 196.011(5) and (9)(a), F.S.

<sup>127</sup> Section 196.198, F.S.

<sup>128</sup> Compare ss. 196.198, F.S., and 196.1983, F.S.

<sup>129</sup> Section 196.198, F.S.

<sup>130</sup> Section 106.1983, F.S.



When a charter school purchases the property that it previously leased, the charter school must apply for a new exemption.

Under current law, the following organizations are exempt from having to make an annual application for a property tax exemption:

- houses of public worship, the lots on which they are located, personal property located therein or thereon, parsonages, burial grounds and tombs owned by houses of public worship, individually owned burial rights not held for speculation, or other such property not rented or hired out for other than religious or educational purposes at any time;
- household goods and personal effects of permanent residents of this state; and
- property of the state or any county, any municipality, any school district, or community college district thereof.<sup>131</sup>

A charter school is not exempt from having to make an annual ad valorem tax exemption application.

### Effect of Proposed Changes

#### *Enrollment Eligibility*

The bill authorizes a charter school to give enrollment preference to students who transfer from a Florida classical school to a charter classical school in the state. The bill defines a classical school as a traditional public school or charter school which implements a classical education school model that emphasizes the development of students in the principles of moral character and civic virtue through a well-rounded education in the liberal arts and sciences that is based on the classical trivium stages of grammar, logic, and rhetoric.

#### *Restriction on Employment of Relatives*

The bill removes “charter school owner” from the definition of “charter school personnel.” This is an outdated term as charter schools do not have owners, but instead have governing boards.

#### *Annual Application Required for Tax Exemption*

The bill exempts an owner or lessee of a property used to house a charter school from having to make an annual ad valorem tax exemption application. The bill provides that the owner or lessee of such property is required to notify the property appraiser promptly whenever the use of the property or the status or condition of the owner or lessee changes so as to change the exempt status of the property.

The bill provides penalties if any owner or lessee fails to notify the property appraiser and the property appraiser determines that for any year within the prior 10 years the owner or lessee was not entitled to receive such exemption. If this occurs, the owner or lessee of the property is subject to the taxes exempted as a result of such failure plus 15 percent interest per annum and a penalty of 50 percent of the taxes exempted.

The property appraiser making such determination must record in the public records of the county a notice of tax lien against any property owned by that person or entity in the county, and such property must be identified in the notice of tax lien. Such property is subject to the payment of all taxes and penalties. Such lien when filed shall attach to any property, identified in the notice of tax lien, owned by the person or entity who illegally or improperly received the exemption. If such person or entity no longer owns property in that county but owns property in some other county or counties in the state, the property appraiser will record a notice of tax lien in such other county or counties, identifying the property owned by such person or entity in such county or counties, and it will become a lien against that property.

### **Student Eligibility for Extracurricular Activities and Athletics**

## Present Situation

### *Background*

Florida law outlines numerous standards and requirements relating to student extracurricular activities and athletics.<sup>132</sup> Current law provides that “eligible to participate,” for purposes of extracurricular activities and athletics, includes a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests.<sup>133</sup> Additionally, a student must satisfy the following requirements to be deemed eligible to participate:<sup>134</sup>

- Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for a standard high school diploma.
- Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student’s parents, if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required for a standard high school diploma.<sup>135</sup>
- Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for a standard high school diploma during their junior or senior year.
- Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct.<sup>136</sup>

Any student who is exempt from attending a full school day based on rules adopted by the district school board must maintain the grade point average required of full school day students and pass each class for which he or she is enrolled.<sup>137</sup>

Any entity that governs interscholastic extracurricular activities of public schools is prohibited from discriminating against any eligible student based on their education choice of public, private, or home education.<sup>138</sup> No public school may join an organization that regulates interscholastic activities and discriminates against otherwise eligible students in public, private, or home education.<sup>139</sup>

A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment or a choice program from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.<sup>140</sup> However, a student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:<sup>141</sup>

- A dependent child of active duty military personnel whose move resulted from military orders.
- A child who was relocated due to a foster care placement in a different school zone.
- A child who moved as a result of a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- Authorized to participate for good cause in district or charter school policy.

### *Transfer Student’s Participation in Extracurricular Activities*

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<sup>132</sup> See ch. 1006, pt. 1, s. D, F.S.

<sup>133</sup> Section 1006.15(3)(a), F.S.

<sup>134</sup> *Id.*

<sup>135</sup> Any such academic performance contract must, at a minimum, require that the student attend summer school between grades 9 and 10 or grades 10 and 11, as appropriate. Section 1006.15(3)(a)2., F.S.

<sup>136</sup> Continued participation in extracurricular activities by a student convicted of felony or a delinquent act that would be a felony if committed by an adult, regardless of whether adjudication is withheld, shall be governed by published school district policies. Section 1006.15(3)(a)4., F.S.

<sup>137</sup> Section 1006.15(3)(b), F.S. Examples of such programs include double session schools or programs, experimental schools, or schools operating under emergency conditions.

<sup>138</sup> Section 1006.15(5), F.S.

<sup>139</sup> Section 1006.15(6), F.S.

<sup>140</sup> Sections 1002.31(6)(a) and 1006.15(3)(i)1., F.S.

<sup>141</sup> Sections 1002.31(6)(b) and 1006.15(3)(i)2., F.S.

A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached its maximum size and if the coach or sponsor for the activity determines that the student has the requisite skill and ability to participate. The Florida High School Athletic Association and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with established qualifying requirements.<sup>142</sup>

A transfer student may not participate in a sport if he or she participated in that same sport at another school during that school year, except when the student is:<sup>143</sup>

- A dependent child of active duty military personnel whose move resulted from military orders.
- A child who was relocated due to a foster care placement in a different school zone.
- A child who moved as a result of a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- Authorized to participate for good cause in district or charter school policy.

## **Effect of Proposed Changes**

The bill removes the authorization for a school district or charter school's policy on good cause to be used to allow a student participating in controlled open enrollment or a choice program or transferring to another school during the school year to participate in a sport if he or she participated in the same sport at another school during that same school year.

## **K-12 Instructional Materials**

### Present Situation

#### *Duties of Publishers & Manufacturers Regarding K-12 Instructional Materials*

Whether operating pursuant to the state's instructional materials program or a district instructional materials program, publishers and manufacturers of instructional materials must, among other things:

- submit electronic sample copies of the instructional material;
- submit evidence that the provided materials address the required state standards and are accessible through the district's digital classrooms plan and a variety of electronic, digital, and mobile devices;
- furnish instructional materials at a price not to exceed the lowest price offered in other states;
- automatically reduce the price of instructional materials or provide materials free of charge if provided to other states at a reduced rate or free of charge;
- keep the materials revised, free from all errors, and up-to-date; and
- disclose the authors of the instructional materials.<sup>144</sup>

In addition, publishers and manufacturers of instructional materials are prohibited from offering any emolument, money, or other valuable thing or any inducement, to any district school board official or state instructional materials reviewer to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional materials. Violating this prohibition is a second degree misdemeanor and will result in a ban from practicing business in the state for one calendar year.<sup>145</sup>

#### *Educator Preparation Institutes*

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<sup>142</sup> Section 1006.15(9)(a), F.S.

<sup>143</sup> Section 1006.15(9)(b), F.S.

<sup>144</sup> Sections 1006.283(2)(b)7. and 1006.38, F.S. With regard to the state's instructional materials program, publishers and manufacturers must maintain a depository in Florida for the in-state distribution of instructional materials to school districts from the depository or contract with a depository in the state. Section 1006.38(11)-(13), F.S.

<sup>145</sup> Section 1006.32(1) and (4), F.S. A second degree misdemeanor is punishable by a term of imprisonment not exceeding 60 days and a fine not exceeding \$500. Sections 775.082(4)(b) and 775.083(1)(e), F.S.

An educator preparation institute may be created by a postsecondary institution or a qualified private provider and approved by the DOE.<sup>146</sup> Postsecondary institutions that are accredited or approved as described in SBE rule may seek approval from the DOE to create educator preparation institutes for any or all of the following purposes:

- Professional learning instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements.
- Instruction to assist potential and existing substitute teachers in performing their duties.
- Instruction to assist paraprofessionals in meeting education and training requirements.
- Instruction for baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for professionals who hold a baccalaureate degree and college graduates who were not education majors.
- Instruction and professional learning for part-time and full-time nondegreed teachers of career programs.<sup>147</sup>

A private provider with a proven history of delivering high-quality teacher preparation, based on evidence provided from other state recipients of its services and data showing the successful performance of its completers based on student achievement, may seek approval to offer a competency-based certification program specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements.<sup>148</sup>

An educator preparation institute choosing to offer a competency-based certification program, whether a postsecondary institution or a qualified private provider, must implement a program developed by the institute and approved by the DOE for this purpose. Approved programs must be available for use by other approved educator preparation institutes.<sup>149</sup>

### Effect of Proposed Changes

The bill requires that for each adoption cycle, publishers and manufacturers of instructional materials, or their representatives, must make sample copies of all instructional materials on the Commissioner of Education's (commissioner) list of state-adopted instructional materials available electronically for use by educator preparation institutes to enable educators to practice teaching with currently adopted instructional materials aligned to the state's academic standards.

## **Education Practices Commission**

### Present Situation

The DOE's Office of Professional Practices Services (PPS) investigates misconduct by educators who hold a Florida Educator Certificate or a valid application for a Florida Educator Certificate. The PPS investigates when there are ultimate facts to support the educator has broken the law or violated the Principles of Professional Conduct.<sup>150</sup> These laws and rules outline the standards of conduct expected of certified educators in Florida.<sup>151</sup>

Penalties against an educator's certificate are not issued by the commissioner or the DOE; penalties are issued by the Education Practices Commission (commission). The commission is a quasi-judicial

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<sup>146</sup> Section 1004.85(1), F.S.

<sup>147</sup> Sections 1004.85(2)(a) and 1012.39(1)(c), F.S.

<sup>148</sup> Sections 1004.85(2)(b) and 1012.56, F.S.

<sup>149</sup> Section 1004.85(3), F.S.

<sup>150</sup> Rule 6A-10.081, F.A.C. contains the Principles of Professional Conduct for the Education Profession in Florida.

<sup>151</sup> DOE, *Role of Professional Practices Services*, <https://www.fldoe.org/teaching/professional-practices/role-of-professional-practices-service.stml> (lasted visited Jan. 21, 2024).

body of peers, law enforcement, and lay persons set forth in statute<sup>152</sup> that determines what penalty is issued in each case.<sup>153</sup>

Currently, the commission must employ an executive director by a vote of three-fourths of the membership who is exempt from career service and may be dismissed by a majority vote of the membership. The commission is assigned to the DOE for administrative purposes and, in the performance of its powers and duties, must not be subject to control, supervision, or direction by the DOE.<sup>154</sup>

The commission has the authority to make expenditures necessary to carry out its duties and responsibilities, including for personal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding. The expenditures of the commission are subject to the powers and duties of the Department of Financial Services.<sup>155</sup>

### Effect of Proposed Changes

The bill authorizes the commissioner, at his or her discretion, to appoint and remove an executive director for the commission. The bill requires the commission to be assigned to the DOE for fiscal accountability purposes and provides that the commission may make expenditures on legal services when necessary.

## **Working Students**

### Present Situation

Nationally, about 74 percent of part-time undergraduate students and 40 percent of full-time students in the United States were employed in 2020, according to the most recent data from the National Center for Education Statistics.<sup>156</sup> Being employed can help a student pay for classes and other living expenses; it can also be associated, either positively or negatively, with a student's academic performance.<sup>157</sup>

Overall, the percentages of undergraduates who worked at least 20 hours per week were higher for part-time students than for full-time students. Specifically, 40 percent of part-time students worked 35 or more hours, compared with 10 percent of full-time students. Additionally, 26 percent of part-time students worked 20 to 34 hours per week, compared with 15 percent of full-time students. In contrast, the percentages of undergraduates who worked less than 20 hours per week were higher for full-time students than for part-time students. Three percent of full-time undergraduates were employed less than 10 hours per week, and 9 percent were employed 10 to 19 hours per week. In comparison, 1 percent of part-time students were employed less than 10 hours per week and 6 percent were employed 10 to 19 hours per week.<sup>158</sup>

In Florida, some public postsecondary programs place implicit or explicit restrictions on student employment. For example, the Florida State University College of Law recommends that a full-time student not work more than 20 hours per week in any semester the student is enrolled in more than 12

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<sup>152</sup> Section 1012.79, F.S.

<sup>153</sup> DOE, *Role of Professional Practices Services*, <https://www.fldoe.org/teaching/professional-practices/role-of-professional-practices-service.stml> (last visited Jan. 21, 2024).

<sup>154</sup> Section 1012.79(5)-(6)(a), F.S.

<sup>155</sup> Sections 17.03 and 1012.79(9), F.S.

<sup>156</sup> National Center for Education Statistics, *College Student Employment* (May 2022), [https://nces.ed.gov/programs/coe/indicator/ssa/college-student-employment#:~:text=Many%20undergraduate%20students%20ages%2016,time%20students%20\(40%20percent](https://nces.ed.gov/programs/coe/indicator/ssa/college-student-employment#:~:text=Many%20undergraduate%20students%20ages%2016,time%20students%20(40%20percent) (last visited Jan 26, 2024).

<sup>157</sup> *Id.*

<sup>158</sup> *Id.*

class hours.<sup>159</sup> At Valencia College, prospective nursing students are advised that if they choose to work while in the program, a maximum of 15 hours of work per week is recommended due to the demands of the program.<sup>160</sup>

### *Foreign Country of Concern*

Under Florida statute, a “foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern.<sup>161</sup>

### Effect of Proposed Changes

The bill prohibits a public postsecondary institution from implicitly or explicitly prohibiting applicants or currently enrolled students from being employed, either full time or part time, as a condition of admission to or enrollment in any of the institution’s schools, colleges, or programs.

The prohibition on employment does not apply if the applicant or currently enrolled student is employed by an organization or agency that is affiliated or associated with a foreign country of concern.

### **Residency Status for Tuition Purposes**

#### Present Situation

Current law requires students to be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers, career centers operated by school districts, FCS institutions, and state universities. Students pay differing tuition rates based on their status as a resident or nonresident of Florida.<sup>162</sup>

Applicants to a postsecondary institution must meet certain qualifying standards in order to be classified as a resident of Florida for tuition purposes. The applicant, or in the case of a dependent child, his or her parents,<sup>163</sup> must establish legal residence in Florida and must have maintained legal residence for at least 12 consecutive months immediately prior to the applicant’s enrollment in a postsecondary institution.<sup>164</sup>

Each applicant must provide to the institution a statement of length of residence and establish that his or her presence in the state is for the purpose of maintaining a bona fide domicile and not as a temporary residence or residence incident to enrollment.<sup>165</sup>

Each institution of higher education must determine that an applicant granted admission as a Florida resident meets the residency requirements at the time of initial enrollment. The residency determination must be documented by the submission of written or electronic verification that includes two or more of the specified documents, with no single piece of evidence considered conclusive.<sup>166</sup>

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<sup>159</sup> See Florida State University College of Law, *Employment Policy for Full-time Students*, <https://law.fsu.edu/careers/employer-info/employment-policy-full-time-students> (last visited Jan. 26, 2024).

<sup>160</sup> See Valencia College- Nursing Program, *Frequently Asked Questions*, <https://valenciacollege.edu/academics/programs/health-sciences/nursing/frequently-asked-questions.php> (last visited Jan. 26, 2024).

<sup>161</sup> Section 288.860(1)(a), F.S.

<sup>162</sup> Sections 1009.22, 1009.23, and 1009.24, F.S. Out-of-state tuition is established by each university board of trustees, subject to the approval of the BOG. Section 1009.24(4)(c), F.S.

<sup>163</sup> Section 1009.21(1)(f), F.S. The term “parent” is defined to mean “either or both parents of a student, any guardian of a student, or any person in a parental relationship to a student.” The legal residence of a dependent child’s parents is prima facie evidence of the dependent child’s residence. Section 1009.21(4), F.S.

<sup>164</sup> Section 1009.21(2)(a)1., F.S. A legal resident, for purposes of tuition, is a person who has maintained his or her residence in Florida for the preceding year, has purchased a home which is occupied by him or her as his or her residence, or has established a domicile in Florida pursuant to s. 222.17, F.S. Section 1009.21(1)(d), F.S.

<sup>165</sup> Section 1009.21(2)(a)2., F.S.

<sup>166</sup> Section 1009.21(3)(c), F.S.

The documents must include at least one of the following:<sup>167</sup>

- A Florida voter's registration card.
- A Florida driver license.
- A State of Florida identification card.
- A Florida vehicle registration.
- Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual's parent if the individual is a dependent child.
- Proof of a homestead exemption in Florida.
- Transcripts from a Florida high school for multiple years if the Florida high school diploma or high school equivalency diploma was earned within the last 12 months.
- Proof of permanent full-time employment in Florida for at least 30 hours per week for a 12-month period.

The documents may include one or more of the following:<sup>168</sup>

- A declaration of domicile in Florida.
- A Florida professional or occupational license.
- Florida incorporation.
- A document evidencing family ties in Florida.
- Proof of membership in a Florida-based charitable or professional organization.
- Any other documentation that supports the student's request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.

### Effect of Proposed Changes

The bill authorizes proof of a homestead exemption in Florida to serve as a single, conclusive piece of evidence for a student to prove residency for tuition purposes.

## **Stanley G. Tate Florida Prepaid College Program**

### Present Situation

#### *Background*

The Stanley G. Tate Florida Prepaid College Program (Prepaid Program) was created to assist families to prepay the future cost of college tuition through advance payment contracts (Prepaid Plans).<sup>169</sup> At the time of purchase, Prepaid Plans guarantee the future payment of certain costs associated with attendance at a postsecondary institution.<sup>170</sup> Additionally, the benefits, in some cases, can be utilized at in-state private institutions and at out-of-state public and private colleges and universities that are able to accept Title IV funding (i.e., federal student aid).<sup>171</sup>

The administration of the prepaid program is overseen by the Florida Prepaid College Board (board).<sup>172</sup> In its role as the administrator of the trust fund, the board is responsible for managing it in a financially sound manner, ensuring stability based on actuarial principles.<sup>173</sup> Over the past 30 years, the board has managed the largest and most successful prepaid program among similar initiatives enabling more than 561,000 students to attend college using the prepaid plans.<sup>174</sup>

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<sup>167</sup> Section 1009.21(3)(c)1.a.-h., F.S.

<sup>168</sup> Section 1009.21(3)(c)2.a.-f., F.S.

<sup>169</sup> Section 1009.98(1)-(2), F.S.

<sup>170</sup> *Id.*

<sup>171</sup> Section 1009.98(3), F.S.

<sup>172</sup> Section 1009.971(1), F.S.

<sup>173</sup> Section 1009.971(4)(f), F.S.

<sup>174</sup> Florida Prepaid, *Our History*, <https://www.myfloridaprepaid.com/about-us/our-history/> (last visited Feb. 4, 2024).

## *The Florida Prepaid Program*

Families can choose from several plans allowing them to prepay the cost of college tuition, the tuition differential fee, registration fees, and local fees at a price that is less than the expected future cost.

These plans include:<sup>175</sup>

- 4-Year Florida University Plan
- 2 + 2 Florida Plan
- 4-Year Florida College Plan
- 2-Year Florida College Plan
- 1-Year Florida University Plan

## *Fees Associated with Postsecondary Institutions*

The costs associated with attending a postsecondary institution encompass tuition and various fees designed to contribute to the overall operational expenses of the institution.<sup>176</sup> One such fee, known as the tuition differential fee, is charged by 11 of the 12 state universities. The tuition differential fee is intended to promote improvements in the quality of undergraduate education and provide financial aid to undergraduate students who exhibit financial need.<sup>177</sup>

By statute, for the 2012-2013 fiscal year, the base rate for the tuition differential fee was established at \$37.03 per credit hour.<sup>178</sup> In subsequent years, the statute requires this base rate to be adjusted based on the amount assessed for the tuition differential in the preceding year. The adjustments are as follows:<sup>179</sup>

- If the actuarial reserve<sup>180</sup> is less than 5 percent of the expected liabilities of the trust fund, the board pays the state universities 5.5 percent above the base rate for the tuition differential fee in the preceding fiscal year.
- If the actuarial reserve is between 5 percent and 6 percent of the expected liabilities of the trust fund, the board pays the state universities 6 percent above the base rate for the tuition differential fee in the preceding fiscal year.
- If the actuarial reserve is between 6 percent and 7.5 percent of the expected liabilities of the trust fund, the board pays the state universities 6.5 percent above the base rate for the tuition differential fee in the preceding fiscal year.
- If the actuarial reserve is equal to or greater than 7.5 percent of the expected liabilities of the trust fund, the board pays the state universities 7 percent above the base rate for the tuition differential fee in the preceding fiscal year.

Qualified beneficiaries of Prepaid Plans purchased before July 1, 2007, are exempt from paying any tuition differential fee.<sup>181</sup>

Effective with the 2009-2010 academic year and thereafter, in addition to the differential fees, other fees are paid by the board to any state university on behalf of a qualified beneficiary of the Prepaid Plan, whose contract was purchased before July 1, 2024. Among these fees are:

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<sup>175</sup> Florida Prepaid, *Plans and Pricing*, <https://www.myfloridaprepaid.com/prepaid-plans/plans-and-pricing/> (last visited Feb. 4, 2024); see also Rule 19B-4.001, F.A.C.; Florida Prepaid College Board, Final Master Contract, at s.4.02-4.07 (2021) available at <https://www.flrules.org/gateway/reference.asp?No=Ref-13896>.

<sup>176</sup> Florida Prepaid, *All About Florida College and State University Fees*, <https://www.myfloridaprepaid.com/existing-customers/tuition-and-fees/> (last visited Feb. 4, 2024).

<sup>177</sup> Section 1009.24(16), F.S.; see also Final Master Contract, at s. 1.39 and State University System of Florida, *Tuition and Required Fees* (2023-2024), available at <https://www.flbog.edu/wp-content/uploads/2023/07/2023-2024-SUS-Tuition-and-Fees-Report-PDF-1.pdf>.

<sup>178</sup> Section 1009.98(10)(b), F.S.

<sup>179</sup> Section 1009.98(10)(b)2., F.S.

<sup>180</sup> Section 1009.98(10)(a)1. “Actuarial reserve” means the amount by which the expected value of the assets exceeds the expected value of the liabilities of the trust fund.

<sup>181</sup> Section 1009.98(10)(b)5., F.S.



- **Registration Fee:**<sup>182</sup>
  - If the actuarial reserve is less than 5 percent of the expected liabilities of the trust fund, the board will pay the state universities 5.5 percent above the amount assessed for registration fees in the preceding fiscal year.
  - If the actuarial reserve is between 5 percent and 6 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6 percent above the amount assessed for registration fees in the preceding fiscal year.
  - If the actuarial reserve is between 6 percent and 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6.5 percent above the amount assessed for registration fees in the preceding fiscal year.
  - If the actuarial reserve is equal to or greater than 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 7 percent above the amount assessed for registration fees in the preceding fiscal year, whichever is greater.
- **Local Fees:** The board is required to pay the state universities 5 percent above the amount assessed for local fees in the preceding fiscal year.<sup>183</sup>

Regardless of the specific amount assessed for registration fees, tuition differential, local fees, or dormitory fees, the board's payment to a state university on behalf of a qualified beneficiary, covered by a Prepaid Plan purchased before July 1, 2024, cannot exceed 100 percent of the total fees charged by the state university.<sup>184</sup> The board will pay state universities the actual amount assessed for the registration fees, the tuition differential, local fees and dormitory fees for Prepaid Plans purchased on or before July 1, 2024.<sup>185</sup>

Regardless of credit hours used for fee assessment, the board's payment for Prepaid Plans purchased before July 1, 2024, cannot exceed the actual number of credit hours taken by the qualified beneficiary at the state university.<sup>186</sup>

### Effect of Proposed Changes

The bill transitions the effective period for the amount paid by the Florida Prepaid College Board to state universities on behalf of qualified beneficiaries of advance payment contracts within the Prepaid Florida Program from 2009-2010 to 2022-2023. Additionally, it extends the applicability of the contracts to those purchased before July 1, 2034.

The bill clarifies that the base rate is the amount assessed.

The bill also removes obsolete language in regards to the differential fee amount paid for the 2012-2013 fiscal year.

## **Florida College System-Transfer Degrees**

### Present Situation

#### *Overview*

Florida's 28 state and community colleges offer a wide range of academic opportunities for students throughout the state. At FCS institutions, students are able to complete degree programs including Bachelor of Science and Bachelor of Applied Science, Associate in Arts (AA), Associate in Science (AS), Associate in Applied Science (AAS), and career and technical certificate programs.<sup>187</sup>

<sup>182</sup> Section 1009.98(10)(b)1., F.S.

<sup>183</sup> Section 1009.98(10)(b)3., F.S.

<sup>184</sup> Section 1009.98(10)(c) and (d), F.S.

<sup>185</sup> Section 1009.98(10)(f), F.S.

<sup>186</sup> Section 1009.98(10)(e), F.S.

<sup>187</sup> DOE, Florida College System (FCS), *Academics*, <https://www.fldoe.org/schools/higher-ed/fl-college-system/academics/> (last visited Feb. 4, 2024).

## Associate in Arts Degree

The AA degree is designed for students who plan to transfer from a FCS institution to a baccalaureate degree program, either at a FCS or a state university system (SUS) institution.<sup>188</sup> The AA degree requirements consist of 60 total credit hours and include 36 credit hours of general education and 24 credit hours of electives.<sup>189</sup> Students should choose elective courses required for admission to their intended program of study or major at the desired college or university. The Common Prerequisites Manual<sup>190</sup> is a catalog of lower-level courses that are prerequisites for entrance into baccalaureate programs offered by FCS and SUS institutions. Students are encouraged to discuss their intended program of study with an academic advisor at their college to ensure they are meeting all requirements to transfer upon completing their AA degree.<sup>191</sup>

A baccalaureate degree must be no more than 120 semester hours of college credit, unless prior approval has been granted by the BOG or the SBE, as applicable, and include 36 semester hours of general education coursework.<sup>192</sup>

### General Education Core Courses

Students entering a FCS or SUS institution are required to complete at least one identified general education core course in each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. All public postsecondary educational institutions are required to accept these courses as meeting general education core course requirements.<sup>193</sup>

General education core course options consist of a maximum of five courses in each identified subject area, but may exceed that limit with the approval of the SBE or the BOG. The general education core courses are established in SBE rule<sup>194</sup> and BOG regulation.<sup>195</sup>

### Transfer of General Education Courses

Each public postsecondary institution must accept transfer general education core courses taken at another institution. After completing the general education core course requirements, the remaining courses and credits that fulfill the total 36-hour general education requirement for an AA or baccalaureate degree are at the discretion of the FCS or SUS institution.<sup>196</sup>

General education programs in Florida, while consistent with the general education core requirements and the total of 36 hours for completion, vary in the selection of institutionally-required courses. Students who transfer with an AA or AS degree or who have completed their block of 36 general education hours do not have to meet the receiving institution's general education program requirements. If a student does not complete the total 36-hour general education curriculum prior to transfer, each course, outside of courses taken as general education courses, will be reviewed individually to determine if it meets the general education requirements of the new institution.<sup>197</sup>

### Articulation Coordinating Committee

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<sup>188</sup> *Id.*

<sup>189</sup> Section 1007.25(9), F.S.

<sup>190</sup> Florida Shines, *Common Prerequisites Manual*, <https://cpm.flvc.org/advance-search> (last visited Jan. 21, 2024).

<sup>191</sup> DOE, FCS, *Academics*, <https://www.fldoe.org/schools/higher-ed/fl-college-system/academics/> (last visited Jan. 21, 2024).

<sup>192</sup> Section 1007.25(10), F.S. and Board of Governors (BOG) Regulation 6.017

<sup>193</sup> Section 1007.25, F.S. Beginning with the 2022-2023 academic year, the general education core course requirement is extended to students in an Associate in Applied Science (AAS) and Associate in Science (AS) degree program.

<sup>194</sup> Rule 6A-14.0303, F.A.C.

<sup>195</sup> BOG Regulation 8.005.

<sup>196</sup> *Id.* and r. 6A -14.0303(5), F.A.C.

<sup>197</sup> DOE, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 15, available at

<https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>. See also r. 6A-10.024(2)(c), F.A.C.

The commissioner, in consultation with the Chancellor of the SUS, establishes the Articulation Coordinating Committee (ACC), whose primary role is to recommend statewide articulation policies.<sup>198</sup> Specifically, the ACC must monitor articulation between education systems, propose guidelines for articulation agreements, publish lists of general education and common prerequisite courses, establish dual enrollment course equivalencies to high school credit, and annually review the Statewide Articulation Agreement.<sup>199</sup> The Office of K-20 Articulation within the DOE provides administrative support to the ACC.<sup>200</sup>

### *Statewide Articulation Agreements*

Each state university board of trustees, FCS board of trustees, and district school board must plan and adopt policies and procedures to provide articulated programs so that students can proceed toward their educational objectives as rapidly as their circumstances permit.<sup>201</sup>

Statewide articulation agreements help facilitate the seamless transition of students across and among Florida's educational entities. These agreements are intended to be a minimum guarantee of articulated credit and do not preclude institutions from granting additional credit based on local agreements.<sup>202</sup>

### Effect of Proposed Changes

The bill creates a new AA specialized transfer degree. The specialized transfer degrees are designed for FCS institution students who need supplemental lower-level coursework above the 60 credit hours of the traditional AA degree in preparation for transfer to a baccalaureate degree program. An AA specialized transfer degree must include 36 semester hours of general education coursework and require 60 semester hours or more of college credit.

The bill requires the SBE to establish criteria for the review and approval of new specialized transfer degrees. The approval process must require:

1. A FCS institution to submit a notice of its intent to propose a new AA specialized degree program to the Division of Florida Colleges. The notice must include the recommended credit hours, the rationale for the specialization, the demand for students entering the field, and the coursework being proposed to be included beyond the 60 semester hours required for the general transfer degree, if applicable. Notices of intent may be submitted by a FCS institution at any time.
2. The Division of Florida Colleges to forward the notice of intent within 10 business days after receipt to all FCS institutions and the Chancellor of the SUS, who must forward the notice to all state universities. State universities and FCS institutions have 60 days after receipt of the notice to submit comments to the proposed AA specialized transfer degree.
3. After the submission of comments, the requesting FCS institution to submit a proposal that, at a minimum, includes:
  - a. Evidence that the coursework for the AA specialized transfer degree includes demonstration of competency in a foreign language<sup>203</sup> and demonstration of civic literacy competency.<sup>204</sup>
  - b. Demonstration that all required coursework will count toward the AA degree or the baccalaureate degree.
  - c. An analysis of demand and unmet need for students entering the specialized field of study at the baccalaureate level.
  - d. Justification for the program length if it exceeds 60 credit hours, including references

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<sup>198</sup> Section 1007.01(3), F.S.

<sup>199</sup> Section 1007.01(3)(a) and (b), F.S.

<sup>200</sup> Section 1007.01(3), F.S.; s. 20.15(3)(h), F.S.

<sup>201</sup> Rule 6A-10.024(1), F.A.C.

<sup>202</sup> DOE, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 20-21, available at

<https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>. See also r. 6A-10.024(2)(c), F.A.C.

<sup>203</sup> Section 1007.262, F.S.

<sup>204</sup> Section 1007.25(5), F.S.

to the Common Prerequisite Manual or other requirements for the baccalaureate degree. This includes documentation of alignment between the exit requirements of a FCS institution and the admissions requirements of a baccalaureate program at a state university to which students would typically transfer.

- e. Articulation agreements for graduates of the AA specialized transfer degree.
- f. Responses to the comments received.

The Division of Florida Colleges must review the proposal and, within 30 days after receipt, provide written notification to the FCS institution of any deficiencies and provide the institution with an opportunity to correct the deficiencies. Within 45 days after receipt of a completed proposal by the Division of Florida Colleges, the commissioner must recommend approval or disapproval of the new specialized transfer degree to the SBE. The SBE must consider the recommendation at its next meeting.

Upon approval of an AA specialized transfer degree by the SBE, a FCS institution may offer the degree and must report data on student and program performance in a manner prescribed by the DOE.

The bill requires the SBE to adopt rules to prescribe format and content requirements and submission procedures for notices of intent, proposals, and compliance reviews for the AA specialized transfer degree.

## **Florida College System Institution Employment Equity Accountability Program**

### Present Situation

Each FCS institution must include in its annual equity update a plan for increasing the representation of women and minorities in senior-level administrative positions and in full-time faculty positions, and for increasing the representation of women and minorities who have attained continuing-contract status.<sup>205</sup> The plan must include specific measurable goals and objectives, specific strategies and timelines for accomplishing these goals and objectives, and comparable national standards as provided by the DOE.<sup>206</sup> FCS institution presidents and the heads of each major administrative division must be evaluated annually on the progress made toward meeting the goals and objectives of the FCS institution's employment accountability plan.<sup>207</sup>

On or before May 1 of each year, each FCS institution president must submit an annual employment accountability plan to the commissioner and the SBE.<sup>208</sup> The SBE must submit an annual equity progress report to the President of the Senate and the Speaker of the House of Representatives on or before January 1 of each year.<sup>209</sup>

No law requires such a report of Florida's public K-12 institutions or SUS institutions and it conflicts with the current requirements of the Florida Educational Equity Act.<sup>210</sup>

### Effect of Proposed Changes

The bill repeals the FCS Institution Employment Equity Accountability Program.

## **B. SECTION DIRECTORY:**

**Section 1:** Amends s. 192.0105, F.S.; conforming cross-references.

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<sup>205</sup> Section 1012.86(1), F.S.

<sup>206</sup> *Id.*

<sup>207</sup> Section 1012.86(3), F.S.

<sup>208</sup> Section 1012.86(2), F.S.

<sup>209</sup> Section 1012.86(4), F.S.

<sup>210</sup> DOE, *Recommendations to Reduce Regulation in Public Schools* (2023), at 22, available at

[https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf). *see also* s. 1000.05, F.S.

- Section 2:** Amends s. 192.048, F.S.; conforming cross-references.
- Section 3:** Amends s. 196.082, F.S.; conforming cross-references.
- Section 4:** Amends s. 196.011, F.S.; providing that an annual application for exemption on property used to house a charter school is not necessary; requiring the owner or lessee of such property to notify the property appraiser in specified circumstances; providing penalties.
- Section 5:** Amends s. 1002.31, F.S.; conforming provisions to changes made by the act.
- Section 6:** Amends s. 1002.33, F.S.; authorizing charter schools to give enrollment preference to certain transfer students; defining the term “classical school”; revising the definition of the term “charter school personnel”.
- Section 7:** Amends s. 1002.45, F.S.; providing approved virtual instruction program provider, virtual charter school, and school district responsibilities relating to statewide assessments and progress monitoring for certain students.
- Section 8:** Creates s. 1003.052, F.S.; establishing the Purple Star School District Program; providing requirements for such program; authorizing the Department of Education to establish additional program criteria; authorizing the State Board of Education to adopt rules.
- Section 9:** Amends s. 1003.451, F.S.; requiring school districts and charter schools to provide certain students with an opportunity to take the Armed Services Vocational Aptitude Battery Test and consult with a military recruiter; providing requirements for the scheduling of such test.
- Section 10:** Amends s. 1003.53, F.S.; revising requirements for the assignment of students to disciplinary programs and alternative school settings or other programs; revising requirements for dropout prevention and academic intervention programs; requiring such programs to include academic intervention plans for students; providing requirements for such plans; providing that specified provisions apply to all dropout prevention and academic intervention programs; requiring school principals or their designees to make a reasonable effort to notify parents by specified means and to document such effort.
- Section 11:** Creates s. 1004.051, F.S.; prohibiting a public postsecondary institution from implicitly or explicitly prohibiting specified students from being employed; providing nonapplicability.
- Section 12:** Amends s. 1006.15, F.S.; revising the criteria authorizing certain students to participate in specified sports.
- Section 13:** Amends s. 1006.38, F.S.; requiring instructional materials publishers and manufacturers or their representatives to make sample copies of specified instructional materials available electronically for use by certain institutes for a specified purpose.
- Section 14:** Amends s. 1007.25, F.S.; creating associate in arts specialized transfer degrees; providing requirements for such degrees; providing a process for the approval of such degree programs; providing for rulemaking.
- Section 15:** Amends s. 1007.271, F.S.; requiring district school boards to make reasonable efforts to enter into specified agreements with a Florida College System institution for certain online courses.
- Section 16:** Amends s. 1008.33, F.S.; revising the date by which a memorandum of understanding relating to schools in turnaround status must be provided to the department; revising requirements for district-managed turnaround plans; providing requirements for

turnaround schools that close and reopen as charter schools and school districts in which such schools reside; providing that specified provisions do not apply to certain turnaround schools; requiring the state board to adopt rules for a charter school turnaround contract and specified leases and agreements.

- Section 17:** Amends s. 1008.34, F.S.; requiring changes to the school grades model or school grading scale to take effect after a specified period of time.
- Section 18:** Amends s. 1009.21, F.S.; providing that a specified document is a single, conclusive piece of evidence to prove residency for tuition purposes.
- Section 19:** Amends s. 1009.98, F.S.; revising the definition of the term "tuition differential"; revising provisions relating to certain payments by the Florida Prepaid College Board.
- Section 20:** Amends s. 1012.79, F.S.; authorizing the Commissioner of Education to appoint an executive director of the Education Practices Commission; revising the purpose of the commission; authorizing the commission to expend funds for legal services.
- Section 21:** Repeals s. 1012.86, F.S., relating to the Florida College System institution employment equity accountability program.
- Section 22:** Amends s. 1001.64, F.S.; conforming provisions to changes made by the act.
- Section 23:** Amends s. 1001.65, F.S.; conforming provisions to changes made by the act.
- Section 24:** Providing an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill authorizes the State Board of Education (SBE) to adopt rules to administer the Purple Star School District Program. The bill requires the SBE to adopt rules for the Associate in Arts specialized transfer degree and to adopt standardized forms and agreements relating to public school improvement. Existing SBE rules and BOG regulations may also need to be repealed or amended to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

1                   A bill to be entitled  
2           An act relating to education; amending ss. 192.0105,  
3           192.048, and 196.082, F.S.; conforming cross-  
4           references; amending s. 196.011, F.S.; providing that  
5           an annual application for exemption on property used  
6           to house a charter school is not necessary; requiring  
7           the owner or lessee of such property to notify the  
8           property appraiser in specified circumstances;  
9           providing penalties; amending s. 1002.31, F.S.;  
10          conforming provisions to changes made by the act;  
11          amending s. 1002.33, F.S.; authorizing charter schools  
12          to give enrollment preference to certain transfer  
13          students; defining the term "classical school";  
14          revising the definition of the term "charter school  
15          personnel"; amending s. 1002.45, F.S.; providing  
16          approved virtual instruction program provider, virtual  
17          charter school, and school district responsibilities  
18          relating to statewide assessments and progress  
19          monitoring for certain students; creating s. 1003.052,  
20          F.S.; establishing the Purple Star School District  
21          Program; providing requirements for such program;  
22          authorizing the Department of Education to establish  
23          additional program criteria; authorizing the State  
24          Board of Education to adopt rules; amending s.  
25          1003.451, F.S.; requiring school districts and charter



26 | schools to provide certain students with an  
27 | opportunity to take the Armed Services Vocational  
28 | Aptitude Battery Test and consult with a military  
29 | recruiter; providing requirements for the scheduling  
30 | of such test; amending s. 1003.53, F.S.; revising  
31 | requirements for the assignment of students to  
32 | disciplinary programs and alternative school settings  
33 | or other programs; revising requirements for dropout  
34 | prevention and academic intervention programs;  
35 | requiring such programs to include academic  
36 | intervention plans for students; providing  
37 | requirements for such plans; providing that specified  
38 | provisions apply to all dropout prevention and  
39 | academic intervention programs; requiring school  
40 | principals or their designees to make a reasonable  
41 | effort to notify parents by specified means and to  
42 | document such effort; creating s. 1004.051, F.S.;  
43 | prohibiting a public postsecondary institution from  
44 | implicitly or explicitly prohibiting specified  
45 | students from being employed; providing  
46 | nonapplicability; amending s. 1006.15, F.S.; revising  
47 | the criteria authorizing certain students to  
48 | participate in specified sports; amending s. 1006.38,  
49 | F.S.; requiring instructional materials publishers and  
50 | manufacturers or their representatives to make sample

51 | copies of specified instructional materials available  
52 | electronically for use by certain institutes for a  
53 | specified purpose; amending s. 1007.25, F.S.; creating  
54 | associate in arts specialized transfer degrees;  
55 | providing requirements for such degrees; providing a  
56 | process for the approval of such degree programs;  
57 | providing for rulemaking; amending s. 1007.271, F.S.;  
58 | requiring district school boards to make reasonable  
59 | efforts to enter into specified agreements with a  
60 | Florida College System institution for certain online  
61 | courses; amending s. 1008.33, F.S.; revising the date  
62 | by which a memorandum of understanding relating to  
63 | schools in turnaround status must be provided to the  
64 | department; revising requirements for district-managed  
65 | turnaround plans; providing requirements for  
66 | turnaround schools that close and reopen as charter  
67 | schools and school districts in which such schools  
68 | reside; providing that specified provisions do not  
69 | apply to certain turnaround schools; requiring the  
70 | state board to adopt rules for a charter school  
71 | turnaround contract and specified leases and  
72 | agreements; amending s. 1008.34, F.S.; requiring  
73 | changes to the school grades model or school grading  
74 | scale to take effect after a specified period of time;  
75 | amending s. 1009.21, F.S.; providing that a specified

76 document is a single, conclusive piece of evidence to  
 77 prove residency for tuition purposes; amending s.  
 78 1009.98, F.S.; revising the definition of the term  
 79 "tuition differential"; revising provisions relating  
 80 to certain payments by the Florida Prepaid College  
 81 Board; amending s. 1012.79, F.S.; authorizing the  
 82 Commissioner of Education to appoint an executive  
 83 director of the Education Practices Commission;  
 84 revising the purpose of the commission; authorizing  
 85 the commission to expend funds for legal services;  
 86 repealing s. 1012.86, F.S., relating to the Florida  
 87 College System institution employment equity  
 88 accountability program; amending ss. 1001.64 and  
 89 1001.65, F.S.; conforming provisions to changes made  
 90 by the act; providing an effective date.

91

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

93

94 Section 1. Paragraph (f) of subsection (1) and paragraphs  
 95 (b) and (c) of subsection (2) of section 192.0105, Florida  
 96 Statutes, are amended to read:

97 192.0105 Taxpayer rights.—There is created a Florida  
 98 Taxpayer's Bill of Rights for property taxes and assessments to  
 99 guarantee that the rights, privacy, and property of the  
 100 taxpayers of this state are adequately safeguarded and protected

101 during tax levy, assessment, collection, and enforcement  
 102 processes administered under the revenue laws of this state. The  
 103 Taxpayer's Bill of Rights compiles, in one document, brief but  
 104 comprehensive statements that summarize the rights and  
 105 obligations of the property appraisers, tax collectors, clerks  
 106 of the court, local governing boards, the Department of Revenue,  
 107 and taxpayers. Additional rights afforded to payors of taxes and  
 108 assessments imposed under the revenue laws of this state are  
 109 provided in s. 213.015. The rights afforded taxpayers to assure  
 110 that their privacy and property are safeguarded and protected  
 111 during tax levy, assessment, and collection are available only  
 112 insofar as they are implemented in other parts of the Florida  
 113 Statutes or rules of the Department of Revenue. The rights so  
 114 guaranteed to state taxpayers in the Florida Statutes and the  
 115 departmental rules include:

116 (1) THE RIGHT TO KNOW.—

117 (f) The right of an exemption recipient to be sent a  
 118 renewal application for that exemption, the right to a receipt  
 119 for homestead exemption claim when filed, and the right to  
 120 notice of denial of the exemption (see ss. 196.011(7)  
 121 ~~196.011(6)~~, 196.131(1), 196.151, and 196.193(1)(c) and (5)).

122  
 123 Notwithstanding the right to information contained in this  
 124 subsection, under s. 197.122 property owners are held to know  
 125 that property taxes are due and payable annually and are charged

126 with a duty to ascertain the amount of current and delinquent  
 127 taxes and obtain the necessary information from the applicable  
 128 governmental officials.

129 (2) THE RIGHT TO DUE PROCESS.—

130 (b) The right to petition the value adjustment board over  
 131 objections to assessments, denial of exemption, denial of  
 132 agricultural classification, denial of historic classification,  
 133 denial of high-water recharge classification, disapproval of tax  
 134 deferral, and any penalties on deferred taxes imposed for  
 135 incorrect information willfully filed. Payment of estimated  
 136 taxes does not preclude the right of the taxpayer to challenge  
 137 his or her assessment (see ss. 194.011(3), 196.011(7) and  
 138 (10)(a) ~~196.011(6) and (9)(a)~~, 196.151, 196.193(1)(c) and (5),  
 139 193.461(2), 193.503(7), 193.625(2), 197.2425, 197.301(2), and  
 140 197.2301(11)).

141 (c) The right to file a petition for exemption or  
 142 agricultural classification with the value adjustment board when  
 143 an application deadline is missed, upon demonstration of  
 144 particular extenuating circumstances for filing late (see ss.  
 145 193.461(3)(a) and 196.011(1), (8), (9), and (10)(e) ~~(7), (8),~~  
 146 ~~and (9)(e)~~).

147 Section 2. Paragraphs (b), (c), and (d) of subsection (1)  
 148 of section 192.048, Florida Statutes, are amended to read:

149 192.048 Electronic transmission.—

150 (1) Subject to subsection (2), the following documents may

151 | be transmitted electronically rather than by regular mail:

152 |       (b) The tax exemption renewal application required under  
 153 | s. 196.011(7)(a) ~~s. 196.011(6)(a)~~.

154 |       (c) The tax exemption renewal application required under  
 155 | s. 196.011(7)(b) ~~s. 196.011(6)(b)~~.

156 |       (d) A notification of an intent to deny a tax exemption  
 157 | required under s. 196.011(10)(e) ~~s. 196.011(9)(e)~~.

158 |       Section 3. Subsections (3) and (4) of section 196.082,  
 159 | Florida Statutes, are amended to read:

160 |       196.082 Discounts for disabled veterans; surviving spouse  
 161 | carryover.—

162 |       (3) If the partially or totally and permanently disabled  
 163 | veteran predeceases his or her spouse and if, upon the death of  
 164 | the veteran, the spouse holds the legal or beneficial title to  
 165 | the homestead and permanently resides thereon as specified in s.  
 166 | 196.031, the discount from ad valorem tax that the veteran  
 167 | received carries over to the benefit of the veteran's spouse  
 168 | until such time as he or she remarries or sells or otherwise  
 169 | disposes of the property. If the spouse sells or otherwise  
 170 | disposes of the property, a discount not to exceed the dollar  
 171 | amount granted from the most recent ad valorem tax roll may be  
 172 | transferred to his or her new residence, as long as it is used  
 173 | as his or her primary residence and he or she does not remarry.  
 174 | An applicant who is qualified to receive a discount under this  
 175 | section and who fails to file an application by March 1 may file

176 an application for the discount and may file a petition pursuant  
 177 to s. 194.011(3) with the value adjustment board requesting that  
 178 the discount be granted. Such application and petition shall be  
 179 subject to the same procedures as for exemptions set forth in s.  
 180 196.011(9) ~~s. 196.011(8)~~.

181 (4) To qualify for the discount granted under this  
 182 section, an applicant must submit to the county property  
 183 appraiser by March 1:

184 (a) An official letter from the United States Department  
 185 of Veterans Affairs which states the percentage of the veteran's  
 186 service-connected disability and evidence that reasonably  
 187 identifies the disability as combat-related;

188 (b) A copy of the veteran's honorable discharge; and

189 (c) Proof of age as of January 1 of the year to which the  
 190 discount will apply.

191  
 192 Any applicant who is qualified to receive a discount under this  
 193 section and who fails to file an application by March 1 may file  
 194 an application for the discount and may file, pursuant to s.  
 195 194.011(3), a petition with the value adjustment board  
 196 requesting that the discount be granted. Such application and  
 197 petition shall be subject to the same procedures as for  
 198 exemptions set forth in s. 196.011(9) ~~s. 196.011(8)~~.

199 Section 4. Subsections (5) through (12) of section  
 200 196.011, Florida Statutes, are renumbered as subsections (6)

201 through (13), respectively, present subsections (1), (10), and  
 202 (11) are amended, and a new subsection (5) is added to that  
 203 section, to read:

204 196.011 Annual application required for exemption.—

205 (1) (a) Except as provided in s. 196.081(1) (b), every  
 206 person or organization who, on January 1, has the legal title to  
 207 real or personal property, except inventory, which is entitled  
 208 by law to exemption from taxation as a result of its ownership  
 209 and use shall, on or before March 1 of each year, file an  
 210 application for exemption with the county property appraiser,  
 211 listing and describing the property for which exemption is  
 212 claimed and certifying its ownership and use. The Department of  
 213 Revenue shall prescribe the forms upon which the application is  
 214 made. Failure to make application, when required, on or before  
 215 March 1 of any year shall constitute a waiver of the exemption  
 216 privilege for that year, except as provided in subsection (8)  
 217 ~~(7)~~ or subsection (9) ~~(8)~~.

218 (b) The form to apply for an exemption under s. 196.031,  
 219 s. 196.081, s. 196.091, s. 196.101, s. 196.102, s. 196.173, or  
 220 s. 196.202 must include a space for the applicant to list the  
 221 social security number of the applicant and of the applicant's  
 222 spouse, if any. If an applicant files a timely and otherwise  
 223 complete application, and omits the required social security  
 224 numbers, the application is incomplete. In that event, the  
 225 property appraiser shall contact the applicant, who may refile a



226 complete application by April 1. Failure to file a complete  
 227 application by that date constitutes a waiver of the exemption  
 228 privilege for that year, except as provided in subsection (8)  
 229 ~~(7)~~ or subsection (9) ~~(8)~~.

230 (5) It shall not be necessary to make annual application  
 231 for exemption on property used to house a charter school  
 232 pursuant to s. 196.1983. The owner or lessee of any property  
 233 used to house a charter school pursuant to s. 196.1983 who is  
 234 not required to file an annual application shall notify the  
 235 property appraiser promptly whenever the use of the property or  
 236 the status or condition of the owner or lessee changes so as to  
 237 change the exempt status of the property. If any owner or lessee  
 238 fails to so notify the property appraiser and the property  
 239 appraiser determines that for any year within the prior 10 years  
 240 the owner or lessee was not entitled to receive such exemption,  
 241 the owner or lessee of the property is subject to the taxes  
 242 exempted as a result of such failure plus 15 percent interest  
 243 per annum and a penalty of 50 percent of the taxes exempted. The  
 244 property appraiser making such determination shall record in the  
 245 public records of the county a notice of tax lien against any  
 246 property owned by that person or entity in the county, and such  
 247 property must be identified in the notice of tax lien. Such  
 248 property is subject to the payment of all taxes and penalties.  
 249 Such lien when filed shall attach to any property, identified in  
 250 the notice of tax lien, owned by the person or entity who

251 illegally or improperly received the exemption. If such person  
 252 or entity no longer owns property in that county but owns  
 253 property in some other county or counties in the state, the  
 254 property appraiser shall record a notice of tax lien in such  
 255 other county or counties, identifying the property owned by such  
 256 person or entity in such county or counties, and it shall become  
 257 a lien against such property in such county or counties.

258 (11)~~(10)~~ At the option of the property appraiser and  
 259 notwithstanding any other provision of this section, initial or  
 260 original applications for homestead exemption for the succeeding  
 261 year may be accepted and granted after March 1. Reapplication on  
 262 a short form as authorized by subsection (6) ~~(5)~~ shall be  
 263 required if the county has not waived the requirement of an  
 264 annual application. Once the initial or original application and  
 265 reapplication have been granted, the property may qualify for  
 266 the exemption in each succeeding year pursuant to the provisions  
 267 of subsection (7) ~~(6)~~ or subsection (10) ~~(9)~~.

268 (12)~~(11)~~ For exemptions enumerated in paragraph (1)(b),  
 269 social security numbers of the applicant and the applicant's  
 270 spouse, if any, are required and must be submitted to the  
 271 department. Applications filed pursuant to subsection (6) ~~(5)~~ or  
 272 subsection (7) ~~(6)~~ shall include social security numbers of the  
 273 applicant and the applicant's spouse, if any. For counties where  
 274 the annual application requirement has been waived, property  
 275 appraisers may require refiling of an application to obtain such

276 information.

277 Section 5. Paragraph (b) of subsection (6) of section  
278 1002.31, Florida Statutes, is amended to read:

279 1002.31 Controlled open enrollment; public school parental  
280 choice.—

281 (6)

282 (b) A student may not participate in a sport if the  
283 student participated in that same sport at another school during  
284 that school year, unless the student meets one of the following  
285 criteria:

286 1. Dependent children of active duty military personnel  
287 whose move resulted from military orders.

288 2. Children who have been relocated due to a foster care  
289 placement in a different school zone.

290 3. Children who move due to a court-ordered change in  
291 custody due to separation or divorce, or the serious illness or  
292 death of a custodial parent.

293 ~~4. Authorized for good cause in district or charter school~~  
294 ~~policy.~~

295 Section 6. Paragraph (d) of subsection (10) and paragraph  
296 (a) of subsection (24) of section 1002.33, Florida Statutes, are  
297 amended to read:

298 1002.33 Charter schools.—

299 (10) ELIGIBLE STUDENTS.—

300 (d) A charter school may give enrollment preference to the

301 following student populations:

302       1. Students who are siblings of a student enrolled in the  
303 charter school.

304       2. Students who are the children of a member of the  
305 governing board of the charter school.

306       3. Students who are the children of an employee of the  
307 charter school.

308       4. Students who are the children of:

309           a. An employee of the business partner of a charter  
310 school-in-the-workplace established under paragraph (15)(b) or a  
311 resident of the municipality in which such charter school is  
312 located; or

313           b. A resident or employee of a municipality that operates  
314 a charter school-in-a-municipality pursuant to paragraph (15)(c)  
315 or allows a charter school to use a school facility or portion  
316 of land provided by the municipality for the operation of the  
317 charter school.

318       5. Students who have successfully completed, during the  
319 previous year, a voluntary prekindergarten education program  
320 under ss. 1002.51-1002.79 provided by the charter school, the  
321 charter school's governing board, or a voluntary prekindergarten  
322 provider that has a written agreement with the governing board.

323       6. Students who are the children of an active duty member  
324 of any branch of the United States Armed Forces.

325       7. Students who attended or are assigned to failing

326 schools pursuant to s. 1002.38(2).

327 8. Students who are the children of a safe-school officer,  
328 as defined in s. 1006.12, at the school.

329 9. Students who transfer from a classical school in the  
330 state to a charter classical school in the state. For purposes  
331 of this subparagraph, the term "classical school" means a  
332 traditional public school or charter school which implements a  
333 classical education school model that emphasizes the development  
334 of students in the principles of moral character and civic  
335 virtue through a well-rounded education in the liberal arts and  
336 sciences that is based on the classical trivium stages of  
337 grammar, logic, and rhetoric.

338 (24) RESTRICTION ON EMPLOYMENT OF RELATIVES.—

339 (a) This subsection applies to charter school personnel in  
340 a charter school operated by a private entity. As used in this  
341 subsection, the term:

342 1. "Charter school personnel" means a ~~charter school~~  
343 ~~owner~~, president, chairperson of the governing board of  
344 directors, superintendent, governing board member, principal,  
345 assistant principal, or any other person employed by the charter  
346 school who has equivalent decisionmaking authority and in whom  
347 is vested the authority, or to whom the authority has been  
348 delegated, to appoint, employ, promote, or advance individuals  
349 or to recommend individuals for appointment, employment,  
350 promotion, or advancement in connection with employment in a

351 charter school, including the authority as a member of a  
 352 governing body of a charter school to vote on the appointment,  
 353 employment, promotion, or advancement of individuals.

354 2. "Relative" means father, mother, son, daughter,  
 355 brother, sister, uncle, aunt, first cousin, nephew, niece,  
 356 husband, wife, father-in-law, mother-in-law, son-in-law,  
 357 daughter-in-law, brother-in-law, sister-in-law, stepfather,  
 358 stepmother, stepson, stepdaughter, stepbrother, stepsister, half  
 359 brother, or half sister.

360  
 361 Charter school personnel in schools operated by a municipality  
 362 or other public entity are subject to s. 112.3135.

363 Section 7. Paragraph (b) of subsection (5) of section  
 364 1002.45, Florida Statutes, is amended to read:

365 1002.45 Virtual instruction programs.—

366 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student  
 367 enrolled in the school district's virtual instruction program  
 368 authorized pursuant to paragraph (1)(c) must:

369 (b) Take statewide assessments pursuant to s. 1008.22 and  
 370 participate in the coordinated screening and progress monitoring  
 371 system under s. 1008.25(9). Statewide assessments and progress  
 372 monitoring may be administered within the school district in  
 373 which such student resides, ~~or as specified in the contract~~  
 374 under ~~in accordance with~~ s. 1008.24(3). If requested by the  
 375 approved virtual instruction program provider or virtual charter

376 school, the district of residence must provide the student with  
377 access to the district's testing facilities. It is the  
378 responsibility of the approved virtual instruction program  
379 provider or virtual charter school to provide a list of students  
380 to be administered statewide assessments and progress monitoring  
381 to the school district, including the students' names, Florida  
382 Education Identifiers, grade levels, assessments and progress  
383 monitoring to be administered, and contact information. Unless  
384 an alternative testing site is mutually agreed to by the  
385 approved virtual instruction program provider or virtual charter  
386 school and the school district, or as specified in the contract  
387 under s. 1008.24, all assessments and progress monitoring must  
388 be taken at the school to which the student would be assigned  
389 according to district school board attendance policies. A school  
390 district must provide the student with access to the school's or  
391 district's testing facilities and provide the student with the  
392 date and time of the administration of each assessment and  
393 progress monitoring.

394 Section 8. Section 1003.052, Florida Statutes, is created  
395 to read:

396 1003.052 The Purple Star School District Program.—

397 (1)(a) The Department of Education shall establish the  
398 Purple Star School District Program. At a minimum, the program  
399 must require a participating school district to:

400 1. Have at least 75 percent of the schools within the

401 district be designated as Purple Star Campuses under s.  
 402 1003.051.

403 2. Maintain a web page on the district's website which  
 404 includes resources for military students and their families and  
 405 a link to each Purple Star Campus's web page that meets the  
 406 requirements of s. 1003.051(2)(a)2.

407 (b) The department may establish additional program  
 408 criteria to identify school districts that demonstrate a  
 409 commitment to or provide critical coordination of services for  
 410 military students and their families, including, but not limited  
 411 to, establishing a council consisting of a representative from  
 412 each Purple Star Campus in the district and one district-level  
 413 representative to ensure the alignment of military student-  
 414 focused policies and procedures within the district.

415 (2) The State Board of Education may adopt rules to  
 416 administer this section.

417 Section 9. Subsection (4) of section 1003.451, Florida  
 418 Statutes, is renumbered as subsection (5), and a new subsection  
 419 (4) is added to that section to read:

420 1003.451 Junior Reserve Officers' Training Corps; military  
 421 recruiters; access to public school campuses; Armed Services  
 422 Vocational Aptitude Battery Test (ASVAB).—

423 (4) Each school district and charter school shall provide  
 424 students in grades 11 and 12 an opportunity to take the Armed  
 425 Services Vocational Aptitude Battery Test (ASVAB) and consult



426 with a military recruiter if the student selects. To optimize  
427 student participation, the ASVAB must be scheduled during normal  
428 school hours.

429 Section 10. Paragraphs (a) and (c) of subsection (1) and  
430 subsections (2) through (7) of section 1003.53, Florida  
431 Statutes, are amended to read:

432 1003.53 Dropout prevention and academic intervention.—

433 (1)(a) Dropout prevention and academic intervention  
434 programs may differ from traditional educational programs and  
435 schools in scheduling, administrative structure, philosophy,  
436 curriculum, or setting and shall employ alternative teaching  
437 methodologies, curricula, learning activities, and diagnostic  
438 and assessment procedures in order to meet the needs, interests,  
439 abilities, and talents of eligible students. The educational  
440 program shall provide curricula, character development and law  
441 education, and related services that support the program goals  
442 and lead to improved performance in the areas of academic  
443 achievement, attendance, and discipline. Student participation  
444 in such programs shall be voluntary. District school boards may,  
445 however, assign students to a disciplinary program for  
446 disruptive students or an alternative school setting or other  
447 program pursuant to s. 1006.13. Notwithstanding any other  
448 provision of law to the contrary, no student shall be identified  
449 as being eligible to receive services ~~funded~~ through the dropout  
450 prevention and academic intervention program based solely on the

451 student being from a single-parent family or having a  
452 disability.

453 (c) A student shall be identified as being eligible to  
454 receive services ~~funded~~ through the dropout prevention and  
455 academic intervention program based upon one of the following  
456 criteria:

457 1. The student is academically unsuccessful as evidenced  
458 by low test scores, retention, failing grades, low grade point  
459 average, falling behind in earning credits, or not meeting the  
460 state or district achievement levels in reading, mathematics, or  
461 writing.

462 2. The student has a pattern of excessive absenteeism or  
463 has been identified as a habitual truant.

464 3. The student has a history of disruptive behavior in  
465 school or has committed an offense that warrants out-of-school  
466 suspension or expulsion from school according to the district  
467 school board's code of student conduct. For the purposes of this  
468 program, "disruptive behavior" is behavior that:

469 a. Interferes with the student's own learning or the  
470 educational process of others and requires attention and  
471 assistance beyond that which the traditional program can provide  
472 or results in frequent conflicts of a disruptive nature while  
473 the student is under the jurisdiction of the school either in or  
474 out of the classroom; or

475 b. Severely threatens the general welfare of students or

476 | others with whom the student comes into contact.

477 |         4. The student is identified by a school's early warning  
478 | system pursuant to s. 1001.42(18) (b).

479 |         (2) (a) Each district school board may establish dropout  
480 | prevention and academic intervention programs at the elementary,  
481 | middle, junior high school, or high school level. Programs  
482 | designed to eliminate patterns of excessive absenteeism or  
483 | habitual truancy shall emphasize academic performance and may  
484 | provide specific instruction in the areas of career education,  
485 | preemployment training, and behavioral management. Such programs  
486 | shall utilize instructional teaching methods and student  
487 | services that lead to improved student behavior as appropriate  
488 | to the specific needs of the student.

489 |         (b) Each school that establishes a dropout prevention and  
490 | academic intervention program at that school site shall reflect  
491 | that program in the school improvement plan as required under s.  
492 | 1001.42(18).

493 |         (c) For each student enrolled in a dropout prevention and  
494 | academic intervention program, an academic intervention plan  
495 | shall be developed to address eligibility for placement in the  
496 | program and to provide individualized student goals and progress  
497 | monitoring procedures. A student's academic intervention plan  
498 | must be consistent with the student's individual education plan  
499 | (IEP).

500 |         (3) Each district school board providing ~~receiving~~ state

501 ~~funding for~~ dropout prevention and academic intervention  
502 programs ~~through the General Appropriations Act~~ shall submit  
503 information through an annual report to the Department of  
504 Education's database documenting the extent to which each of the  
505 district's dropout prevention and academic intervention programs  
506 has been successful in the areas of graduation rate, dropout  
507 rate, attendance rate, and retention/promotion rate. The  
508 department shall compile this information into an annual report  
509 which shall be submitted to the presiding officers of the  
510 Legislature by February 15.

511 (4) Each district school board shall establish course  
512 standards, as defined by rule of the State Board of Education,  
513 for dropout prevention and academic intervention programs and  
514 procedures for ensuring that teachers assigned to the programs  
515 are certified pursuant to s. 1012.55 and possess the affective,  
516 pedagogical, and content-related skills necessary to meet the  
517 needs of these students.

518 (5) Each district school board providing a dropout  
519 prevention and academic intervention program pursuant to this  
520 section shall maintain for each participating student records  
521 documenting the student's eligibility, the length of  
522 participation, the type of program to which the student was  
523 assigned or the type of academic intervention services provided,  
524 and an evaluation of the student's academic and behavioral  
525 performance while in the program. Before ~~The school principal or~~

526 ~~his or her designee shall, prior to~~ placement in a dropout  
527 prevention and academic intervention program or the provision of  
528 an academic service, the school principal or his or her designee  
529 shall provide written notice of placement or services ~~by~~  
530 ~~certified mail, return receipt requested,~~ to the student's  
531 parent; shall make a reasonable effort to notify the student's  
532 parent by telephone or e-mail, or both; and must document such  
533 effort. The parent of the student shall sign an acknowledgment  
534 of the notice of placement or service and return the signed  
535 acknowledgment to the principal within 3 days after receipt of  
536 the notice. The parents of a student assigned to such a dropout  
537 prevention and academic intervention program shall be notified  
538 in writing and entitled to an administrative review of any  
539 action by school personnel relating to such placement pursuant  
540 to ~~the provisions of~~ chapter 120.

541 (6) District school board dropout prevention and academic  
542 intervention programs shall be coordinated with social service,  
543 law enforcement, prosecutorial, and juvenile justice agencies  
544 and juvenile assessment centers in the school district.  
545 Notwithstanding ~~the provisions of~~ s. 1002.22, these agencies are  
546 authorized to exchange information contained in student records  
547 and juvenile justice records. Such information is confidential  
548 and exempt from ~~the provisions of~~ s. 119.07(1). District school  
549 boards and other agencies receiving such information shall use  
550 the information only for official purposes connected with the

551 certification of students for admission to and for the  
 552 administration of the dropout prevention and academic  
 553 intervention program, and shall maintain the confidentiality of  
 554 such information unless otherwise provided by law or rule.

555 (7) The State Board of Education shall have the authority  
 556 pursuant to ss. 120.536(1) and 120.54 to adopt rules necessary  
 557 to implement ~~the provisions of~~ this section; such rules shall  
 558 require the minimum amount of necessary paperwork and reporting.

559 Section 11. Section 1004.051, Florida Statutes, is created  
 560 to read:

561 1004.051 Regulation of working students.-

562 (1) A public postsecondary institution may not, as a  
 563 condition of admission to or enrollment in any of the  
 564 institution's schools, colleges, or programs, implicitly or  
 565 explicitly prohibit an applicant or currently enrolled student  
 566 from being employed, either full time or part time.

567 (2) This section does not apply if the applicant or  
 568 currently enrolled student is employed by an organization or  
 569 agency that is affiliated or associated with a foreign country  
 570 of concern as defined in s. 288.860(1).

571 Section 12. Paragraph (i) of subsection (3) and paragraph  
 572 (b) of subsection (9) of section 1006.15, Florida Statutes, are  
 573 amended to read:

574 1006.15 Student standards for participation in  
 575 interscholastic and intrascholastic extracurricular student

576 activities; regulation.—

577 (3)

578 (i)1. A school district or charter school may not delay  
 579 eligibility or otherwise prevent a student participating in  
 580 controlled open enrollment, or a choice program, from being  
 581 immediately eligible to participate in interscholastic and  
 582 intrascholastic extracurricular activities.

583 2. A student may not participate in a sport if the student  
 584 participated in that same sport at another school during that  
 585 school year, unless the student meets one of the following  
 586 criteria:

587 a. Dependent children of active duty military personnel  
 588 whose move resulted from military orders.

589 b. Children who have been relocated due to a foster care  
 590 placement in a different school zone.

591 c. Children who move due to a court-ordered change in  
 592 custody due to separation or divorce, or the serious illness or  
 593 death of a custodial parent.

594 ~~d. Authorized for good cause in district or charter school~~  
 595 ~~policy.~~

596 (9)

597 (b) A student may not participate in a sport if the  
 598 student participated in that same sport at another school during  
 599 that school year, unless the student meets one of the following  
 600 criteria:

601           1. Dependent children of active duty military personnel  
 602 whose move resulted from military orders.

603           2. Children who have been relocated due to a foster care  
 604 placement in a different school zone.

605           3. Children who move due to a court-ordered change in  
 606 custody due to separation or divorce, or the serious illness or  
 607 death of a custodial parent.

608           ~~4. Authorized for good cause in district or charter school~~  
 609 ~~policy.~~

610           Section 13. Subsections (3) through (16) of section  
 611 1006.38, Florida Statutes, are renumbered as subsections (4)  
 612 through (17), respectively, present subsections (14) and (16)  
 613 are amended, and a new subsection (3) is added to that section,  
 614 to read:

615           1006.38 Duties, responsibilities, and requirements of  
 616 instructional materials publishers and manufacturers.—This  
 617 section applies to both the state and district approval  
 618 processes. Publishers and manufacturers of instructional  
 619 materials, or their representatives, shall:

620           (3) For each adoption cycle, make sample copies of all  
 621 instructional materials on the commissioner's list of state-  
 622 adopted instructional materials available electronically for use  
 623 by educator preparation institutes as defined in s. 1004.85(1)  
 624 to enable educators to practice teaching with currently adopted  
 625 instructional materials aligned to state academic standards.



626        ~~(15)~~~~(14)~~ Accurately and fully disclose only the names of  
 627 those persons who actually authored the instructional materials.  
 628 In addition to the penalties provided in subsection ~~(17)~~ ~~(16)~~,  
 629 the commissioner may remove from the list of state-adopted  
 630 instructional materials those instructional materials whose  
 631 publisher or manufacturer misleads the purchaser by falsely  
 632 representing genuine authorship.

633        ~~(17)~~~~(16)~~ Upon the willful failure of the publisher or  
 634 manufacturer to comply with the requirements of this section, be  
 635 liable to the department in the amount of three times the total  
 636 sum which the publisher or manufacturer was paid in excess of  
 637 the price required under subsections ~~(6)~~ ~~(5)~~ and ~~(7)~~ ~~(6)~~ and in  
 638 the amount of three times the total value of the instructional  
 639 materials and services which the district school board is  
 640 entitled to receive free of charge under subsection ~~(8)~~ ~~(7)~~.

641        Section 14. Subsections (9) and (12) of section 1007.25,  
 642 Florida Statutes, are amended to read:

643        1007.25 General education courses; common prerequisites;  
 644 other degree requirements.—

645        (9) (a) An associate in arts degree must ~~shall~~ require no  
 646 more than 60 semester hours of college credit and include 36  
 647 semester hours of general education coursework. Beginning with  
 648 students initially entering a Florida College System institution  
 649 or state university in the 2014-2015 academic year and  
 650 thereafter, coursework for an associate in arts degree must

651 ~~shall~~ include demonstration of competency in a foreign language  
652 pursuant to s. 1007.262. Except for developmental education  
653 required pursuant to s. 1008.30, all required coursework must  
654 ~~shall~~ count toward the associate in arts degree or the  
655 baccalaureate degree.

656 (b) An associate in arts specialized transfer degree must  
657 include 36 semester hours of general education coursework and  
658 require 60 semester hours or more of college credit. Specialized  
659 transfer degrees are designed for Florida College System  
660 institution students who need supplemental lower-level  
661 coursework in preparation for transfer to another institution.  
662 The State Board of Education shall establish criteria for the  
663 review and approval of new specialized transfer degrees. The  
664 approval process must require:

665 1. A Florida College System institution to submit a notice  
666 of its intent to propose a new associate in arts specialized  
667 degree program to the Division of Florida Colleges. The notice  
668 must include the recommended credit hours, the rationale for the  
669 specialization, the demand for students entering the field, and  
670 the coursework being proposed to be included beyond the 60  
671 semester hours required for the general transfer degree, if  
672 applicable. Notices of intent may be submitted by a Florida  
673 College System institution at any time.

674 2. The Division of Florida Colleges to forward the notice  
675 of intent within 10 business days after receipt to all Florida

676 College System institutions and the Chancellor of the State  
677 University System, who shall forward the notice to all state  
678 universities. State universities and Florida College System  
679 institutions shall have 60 days after receipt of the notice to  
680 submit comments to the proposed associate in arts specialized  
681 transfer degree.

682 3. After the submission of comments pursuant to  
683 subparagraph 2., the requesting Florida College System  
684 institution to submit a proposal that, at a minimum, includes:

685 a. Evidence that the coursework for the associate in arts  
686 specialized transfer degree includes demonstration of competency  
687 in a foreign language pursuant to s. 1007.262 and demonstration  
688 of civic literacy competency as provided in subsection (5).

689 b. Demonstration that all required coursework will count  
690 toward the associate in arts degree or the baccalaureate degree.

691 c. An analysis of demand and unmet need for students  
692 entering the specialized field of study at the baccalaureate  
693 level.

694 d. Justification for the program length if it exceeds 60  
695 credit hours, including references to the common prerequisite  
696 manual or other requirements for the baccalaureate degree. This  
697 includes documentation of alignment between the exit  
698 requirements of a Florida College System institution and the  
699 admissions requirements of a baccalaureate program at a state  
700 university to which students would typically transfer.

701 e. Articulation agreements for graduates of the associate  
 702 in arts specialized transfer degree.

703 f. Responses to the comments received under subparagraph  
 704 2.

705 (c) The Division of Florida Colleges shall review the  
 706 proposal and, within 30 days after receipt, shall provide  
 707 written notification to the Florida College System institution  
 708 of any deficiencies and provide the institution with an  
 709 opportunity to correct the deficiencies. Within 45 days after  
 710 receipt of a completed proposal by the Division of Florida  
 711 Colleges, the Commissioner of Education shall recommend approval  
 712 or disapproval of the new specialized transfer degree to the  
 713 State Board of Education. The State Board of Education shall  
 714 consider the recommendation at its next meeting.

715 (d) Upon approval of an associate in arts specialized  
 716 transfer degree by the State Board of Education, a Florida  
 717 College System institution may offer the degree and shall report  
 718 data on student and program performance in a manner prescribed  
 719 by the Department of Education.

720 (e) The State Board of Education shall adopt rules  
 721 pursuant to ss. 120.536(1) and 120.54 to prescribe format and  
 722 content requirements and submission procedures for notices of  
 723 intent, proposals, and compliance reviews under this subsection.

724 (12) A student who received an associate in arts degree  
 725 ~~for successfully completing 60 semester credit hours~~ may

726 continue to earn additional credits at a Florida College System  
 727 institution. The university must provide credit toward the  
 728 student's baccalaureate degree for an additional Florida College  
 729 System institution course if, according to the statewide course  
 730 numbering, the Florida College System institution course is a  
 731 course listed in the university catalog as required for the  
 732 degree or as prerequisite to a course required for the degree.  
 733 Of the courses required for the degree, at least half of the  
 734 credit hours required for the degree must ~~shall~~ be achievable  
 735 through courses designated as lower division, except in degree  
 736 programs approved by the State Board of Education for programs  
 737 offered by Florida College System institutions and by the Board  
 738 of Governors for programs offered by state universities.

739 Section 15. Subsection (4) of section 1007.271, Florida  
 740 Statutes, is amended to read:

741 1007.271 Dual enrollment programs.—

742 (4) (a) District school boards may not refuse to enter into  
 743 a dual enrollment articulation agreement with a local Florida  
 744 College System institution if that Florida College System  
 745 institution has the capacity to offer dual enrollment courses.

746 (b) District school boards must make reasonable efforts to  
 747 enter into dual enrollment articulation agreements with a  
 748 Florida College System institution which offers online dual  
 749 enrollment courses.

750 Section 16. Subsections (4) and (5) of section 1008.33,

751 Florida Statutes, are amended to read:

752 1008.33 Authority to enforce public school improvement.—

753 (4) (a) The state board shall apply intensive intervention

754 and support strategies tailored to the needs of schools earning

755 two consecutive grades of "D" or a grade of "F." In the first

756 full school year after a school initially earns a grade of "D,"

757 the school district must immediately implement intervention and

758 support strategies prescribed in rule under paragraph (3) (c).

759 For a school that initially earns a grade of "F" or a second

760 consecutive grade of "D," the school district must either

761 continue implementing or immediately begin implementing

762 intervention and support strategies prescribed in rule under

763 paragraph (3) (c) and, for the 2024-2025 school year, provide the

764 department, by September 1, with the memorandum of understanding

765 negotiated pursuant to s. 1001.42 (21) and, by October 1, a

766 district-managed turnaround plan for approval by the state

767 board. For the 2025-2026 school year and thereafter, the school

768 district must provide the department, by August 1, with the

769 memorandum of understanding negotiated pursuant to s.

770 1001.42 (21) and a district-managed turnaround plan for approval

771 by the state board. The plan must include measurable academic

772 benchmarks that put the school on a path to earning and

773 maintaining a grade of "C" or higher ~~The district-managed~~

774 ~~turnaround plan may include a proposal for the district to~~

775 ~~implement an extended school day, a summer program, a~~

776 ~~combination of an extended school day and a summer program, or~~  
777 ~~any other option authorized under paragraph (b) for state board~~  
778 ~~approval. A school district is not required to wait until a~~  
779 ~~school earns a second consecutive grade of "D" to submit a~~  
780 ~~turnaround plan for approval by the state board under this~~  
781 ~~paragraph.~~ Upon approval by the state board, the school district  
782 must implement the plan for the remainder of the school year and  
783 continue the plan for 1 full school year. The state board may  
784 allow a school an additional year of implementation before the  
785 school must implement a turnaround option required under  
786 paragraph (b) if it determines that the school is likely to  
787 improve to a grade of "C" or higher after the first full school  
788 year of implementation.

789 (b) Unless an additional year of implementation is  
790 provided pursuant to paragraph (a), a school that completes a  
791 plan cycle under paragraph (a) and does not improve to a grade  
792 of "C" or higher must ~~implement one of the following:~~

793 1. Reassign students to another school and monitor the  
794 progress of each reassigned student;

795 2. Close the school and reopen the school as one or more  
796 charter schools, each with a governing board that has a  
797 demonstrated record of effectiveness. Upon reopening as a  
798 charter school:

799 a. The school district shall continue to operate the  
800 school for the following school year and no later than October 1

801 execute a charter school turnaround contract that will allow the  
802 charter school an opportunity to conduct an evaluation of the  
803 educational program and personnel currently assigned to the  
804 school during the year in preparation for assuming full  
805 operational control of the school and facility by July 1. The  
806 school district may not reduce or remove resources from the  
807 school during this time.

808 b. The charter school operator must provide enrollment  
809 preference to students currently attending or who would have  
810 otherwise attended or been zoned for the school. The school  
811 district shall consult and negotiate with the charter school  
812 every 3 years to determine whether realignment of the attendance  
813 zone is appropriate to ensure that students residing closest to  
814 the school are provided with an enrollment preference.

815 c. The charter school operator must serve the existing  
816 grade levels served by the school at its current enrollment or  
817 higher, but may, at its discretion, serve additional grade  
818 levels.

819 d. The school district may not charge rental or leasing  
820 fees for the existing facility or for the property normally  
821 inventoried to the school. The charter school and the school  
822 district shall agree to reasonable maintenance provisions in  
823 order to maintain the facility in a manner similar to all other  
824 school facilities in the school district.

825 e. The school district may not withhold an administrative



826 fee for the provision of services identified in s.  
 827 1002.33(20)(a); or

828 3. Contract with an outside entity that has a demonstrated  
 829 record of effectiveness to provide turnaround services  
 830 identified in state board rule, which may include school  
 831 leadership, educational modalities, teacher and leadership  
 832 professional development, curriculum, operation and management  
 833 services, school-based administrative staffing, budgeting,  
 834 scheduling, other educational service provider functions, or any  
 835 combination thereof. Selection of an outside entity may include  
 836 one or a combination of the following:

837 a. An external operator, which may be a district-managed  
 838 charter school or a high-performing charter school network in  
 839 which all instructional personnel are not employees of the  
 840 school district, but are employees of an independent governing  
 841 board composed of members who did not participate in the review  
 842 or approval of the charter.

843 b. A contractual agreement that allows for a charter  
 844 school network or any of its affiliated subsidiaries to provide  
 845 individualized consultancy services tailored to address the  
 846 identified needs of one or more schools under this section.

847  
 848 A school district and outside entity under this subparagraph  
 849 must enter, at minimum, a 2-year, performance-based contract.  
 850 The contract must include school performance and growth metrics

851 the outside entity must meet on an annual basis. The state board  
852 may require the school district to modify or cancel the  
853 contract.

854 (c) Implementation of the turnaround option is no longer  
855 required if the school improves to a grade of "C" or higher,  
856 unless the school district has already executed a charter school  
857 turnaround contract pursuant to this section.

858 (d) If a school earning two consecutive grades of "D" or a  
859 grade of "F" does not improve to a grade of "C" or higher after  
860 2 school years of implementing the turnaround option selected by  
861 the school district under paragraph (b), the school district  
862 must implement another turnaround option. Implementation of the  
863 turnaround option must begin the school year following the  
864 implementation period of the existing turnaround option, unless  
865 the state board determines that the school is likely to improve  
866 to a grade of "C" or higher if additional time is provided to  
867 implement the existing turnaround option.

868 (5) The state board shall adopt rules pursuant to ss.  
869 120.536(1) and 120.54 to administer this section. The rules  
870 shall include timelines for submission of implementation plans,  
871 approval criteria for implementation plans, ~~and~~ timelines for  
872 implementing intervention and support strategies, a standard  
873 charter school turnaround contract, a standard facility lease,  
874 and a mutual management agreement. The state board shall consult  
875 with education stakeholders in developing the rules.

876 Section 17. Paragraph (c) of subsection (3) of section  
 877 1008.34, Florida Statutes, is amended to read:

878 1008.34 School grading system; school report cards;  
 879 district grade.—

880 (3) DESIGNATION OF SCHOOL GRADES.—

881 (c)1. The calculation of a school grade shall be based on  
 882 the percentage of points earned from the components listed in  
 883 subparagraph (b)1. and, if applicable, subparagraph (b)2. The  
 884 State Board of Education shall adopt in rule a school grading  
 885 scale that sets the percentage of points needed to earn each of  
 886 the school grades listed in subsection (2). There shall be at  
 887 least five percentage points separating the percentage  
 888 thresholds needed to earn each of the school grades. The state  
 889 board shall annually review the percentage of school grades of  
 890 "A" and "B" for the school year to determine whether to adjust  
 891 the school grading scale upward for the following school year's  
 892 school grades. The first adjustment would occur no earlier than  
 893 the 2023-2024 school year. An adjustment must be made if the  
 894 percentage of schools earning a grade of "A" or "B" in the  
 895 current year represents 75 percent or more of all graded schools  
 896 within a particular school type, which consists of elementary,  
 897 middle, high, and combination. The adjustment must reset the  
 898 minimum required percentage of points for each grade of "A,"  
 899 "B," "C," or "D" at the next highest percentage ending in the  
 900 numeral 5 or 0, whichever is closest to the current percentage.

901 Annual reviews of the percentage of schools earning a grade of  
902 "A" or "B" and adjustments to the required points must be  
903 suspended when the following grading scale for a specific school  
904 type is achieved:

905       a. Ninety percent or more of the points for a grade of  
906 "A."

907       b. Eighty to eighty-nine percent of the points for a grade  
908 of "B."

909       c. Seventy to seventy-nine percent of the points for a  
910 grade of "C."

911       d. Sixty to sixty-nine percent of the points for a grade  
912 of "D."

913  
914 When the state board adjusts the grading scale upward, the state  
915 board must inform the public of the degree of the adjustment and  
916 its anticipated impact on school grades. Beginning in the 2024-  
917 2025 school year, any changes made by the state board to  
918 components in the school grades model or to the school grading  
919 scale shall take effect, at the earliest, in the following  
920 school year.

921       2. The calculation of school grades may not include any  
922 provision that would raise or lower the school's grade beyond  
923 the percentage of points earned. Extra weight may not be added  
924 in the calculation of any components.

925       Section 18. Paragraph (c) of subsection (3) of section

926 | 1009.21, Florida Statutes, is amended to read:

927 |       1009.21 Determination of resident status for tuition  
 928 | purposes.—Students shall be classified as residents or  
 929 | nonresidents for the purpose of assessing tuition in  
 930 | postsecondary educational programs offered by charter technical  
 931 | career centers or career centers operated by school districts,  
 932 | in Florida College System institutions, and in state  
 933 | universities.

934 |       (3)

935 |       (c) Each institution of higher education shall  
 936 | affirmatively determine that an applicant who has been granted  
 937 | admission to that institution as a Florida resident meets the  
 938 | residency requirements of this section at the time of initial  
 939 | enrollment. The residency determination must be documented by  
 940 | the submission of written or electronic verification that  
 941 | includes two or more of the documents identified in this  
 942 | paragraph, unless the document provided is the document in sub-  
 943 | subparagraph 1.f., which is deemed a single, conclusive piece of  
 944 | evidence proving residency. ~~No single piece of evidence shall be~~  
 945 | ~~conclusive.~~

946 |       1. The documents must include at least one of the  
 947 | following:

- 948 |       a. A Florida voter's registration card.
- 949 |       b. A Florida driver license.
- 950 |       c. A State of Florida identification card.

- 951           d. A Florida vehicle registration.
- 952           e. Proof of a permanent home in Florida which is occupied
- 953 as a primary residence by the individual or by the individual's
- 954 parent if the individual is a dependent child.
- 955           f. Proof of a homestead exemption in Florida.
- 956           g. Transcripts from a Florida high school for multiple
- 957 years if the Florida high school diploma or high school
- 958 equivalency diploma was earned within the last 12 months.
- 959           h. Proof of permanent full-time employment in Florida for
- 960 at least 30 hours per week for a 12-month period.
- 961           2. The documents may include one or more of the following:
- 962           a. A declaration of domicile in Florida.
- 963           b. A Florida professional or occupational license.
- 964           c. Florida incorporation.
- 965           d. A document evidencing family ties in Florida.
- 966           e. Proof of membership in a Florida-based charitable or
- 967 professional organization.
- 968           f. Any other documentation that supports the student's
- 969 request for resident status, including, but not limited to,
- 970 utility bills and proof of 12 consecutive months of payments; a
- 971 lease agreement and proof of 12 consecutive months of payments;
- 972 or an official state, federal, or court document evidencing
- 973 legal ties to Florida.
- 974           Section 19. Paragraphs (a) through (f) of subsection (10)
- 975 of section 1009.98, Florida Statutes, are amended to read:

976 | 1009.98 Stanley G. Tate Florida Prepaid College Program.—

977 | (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

978 | (a) As used in this subsection, the term:

979 | 1. "Actuarial reserve" means the amount by which the  
 980 | expected value of the assets exceeds the expected value of the  
 981 | liabilities of the trust fund.

982 | 2. "Dormitory fees" means the fees included under advance  
 983 | payment contracts pursuant to paragraph (2) (d).

984 | 3. "Fiscal year" means the fiscal year of the state  
 985 | pursuant to s. 215.01.

986 | 4. "Local fees" means the fees covered by an advance  
 987 | payment contract provided pursuant to subparagraph (2) (b)2.

988 | 5. "Tuition differential" means the fee covered by advance  
 989 | payment contracts sold pursuant to subparagraph (2) (b)3. ~~The~~  
 990 | ~~base rate for the tuition differential fee for the 2012-2013~~  
 991 | ~~fiscal year is established at \$37.03 per credit hour. The base~~  
 992 | ~~rate for the tuition differential in subsequent years is the~~  
 993 | ~~amount assessed for the tuition differential for the preceding~~  
 994 | ~~year adjusted pursuant to subparagraph (b)2.~~

995 | (b) Effective with the 2022-2023 ~~2009-2010~~ academic year  
 996 | and thereafter, and notwithstanding s. 1009.24, the amount paid  
 997 | by the board to any state university on behalf of a qualified  
 998 | beneficiary of an advance payment contract whose contract was  
 999 | purchased before July 1, 2034 ~~July 1, 2024~~, shall be:

1000 | 1. As to registration fees, if the actuarial reserve is

1001 less than 5 percent of the expected liabilities of the trust  
 1002 fund, the board shall pay the state universities 5.5 percent  
 1003 above the amount assessed for registration fees in the preceding  
 1004 fiscal year. If the actuarial reserve is between 5 percent and 6  
 1005 percent of the expected liabilities of the trust fund, the board  
 1006 shall pay the state universities 6 percent above the amount  
 1007 assessed for registration fees in the preceding fiscal year. If  
 1008 the actuarial reserve is between 6 percent and 7.5 percent of  
 1009 the expected liabilities of the trust fund, the board shall pay  
 1010 the state universities 6.5 percent above the amount assessed for  
 1011 registration fees in the preceding fiscal year. If the actuarial  
 1012 reserve is equal to or greater than 7.5 percent of the expected  
 1013 liabilities of the trust fund, the board shall pay the state  
 1014 universities 7 percent above the amount assessed for  
 1015 registration fees in the preceding fiscal year, whichever is  
 1016 greater.

1017 2. As to the tuition differential, if the actuarial  
 1018 reserve is less than 5 percent of the expected liabilities of  
 1019 the trust fund, the board shall pay the state universities 5.5  
 1020 percent above the amount assessed ~~base rate~~ for the tuition  
 1021 differential fee in the preceding fiscal year. If the actuarial  
 1022 reserve is between 5 percent and 6 percent of the expected  
 1023 liabilities of the trust fund, the board shall pay the state  
 1024 universities 6 percent above the amount assessed ~~base rate~~ for  
 1025 the tuition differential fee in the preceding fiscal year. If



1026 the actuarial reserve is between 6 percent and 7.5 percent of  
1027 the expected liabilities of the trust fund, the board shall pay  
1028 the state universities 6.5 percent above the amount assessed  
1029 ~~base rate~~ for the tuition differential fee in the preceding  
1030 fiscal year. If the actuarial reserve is equal to or greater  
1031 than 7.5 percent of the expected liabilities of the trust fund,  
1032 the board shall pay the state universities 7 percent above the  
1033 amount assessed ~~base rate~~ for the tuition differential fee in  
1034 the preceding fiscal year.

1035 3. As to local fees, the board shall pay the state  
1036 universities 5 percent above the amount assessed for local fees  
1037 in the preceding fiscal year.

1038 4. As to dormitory fees, the board shall pay the state  
1039 universities 6 percent above the amount assessed for dormitory  
1040 fees in the preceding fiscal year.

1041 5. Qualified beneficiaries of advance payment contracts  
1042 purchased before July 1, 2007, are exempt from paying any  
1043 tuition differential fee.

1044 (c) Notwithstanding the amount assessed for registration  
1045 fees, the tuition differential, or local fees, the amount paid  
1046 by the board to any state university on behalf of a qualified  
1047 beneficiary of an advance payment contract purchased before July  
1048 1, 2034 ~~July 1, 2024~~, may not exceed 100 percent of the amount  
1049 charged by the state university for the aggregate sum of those  
1050 fees.

1051 (d) Notwithstanding the amount assessed for dormitory  
 1052 fees, the amount paid by the board to any state university on  
 1053 behalf of a qualified beneficiary of an advance payment contract  
 1054 purchased before July 1, 2034 ~~July 1, 2024~~, may not exceed 100  
 1055 percent of the amount charged by the state university for  
 1056 dormitory fees.

1057 (e) Notwithstanding the number of credit hours used by a  
 1058 state university to assess the amount for registration fees,  
 1059 tuition, tuition differential, or local fees, the amount paid by  
 1060 the board to any state university on behalf of a qualified  
 1061 beneficiary of an advance payment contract purchased before July  
 1062 1, 2034 ~~July 1, 2024~~, may not exceed the number of credit hours  
 1063 taken by that qualified beneficiary at the state university.

1064 (f) The board shall pay state universities the actual  
 1065 amount assessed in accordance with law for registration fees,  
 1066 the tuition differential, local fees, and dormitory fees for  
 1067 advance payment contracts purchased on or after July 1, 2034  
 1068 ~~July 1, 2024~~.

1069 Section 20. Subsection (5), paragraph (a) of subsection  
 1070 (6), and subsection (9) of section 1012.79, Florida Statutes,  
 1071 are amended to read:

1072 1012.79 Education Practices Commission; organization.—

1073 (5) The Commissioner of Education may, at his or her  
 1074 discretion, appoint and remove ~~commission, by a vote of three-~~  
 1075 ~~fourths of the membership, shall employ~~ an executive director,

1076 | who shall be exempt from career service. ~~The executive director~~  
 1077 | ~~may be dismissed by a majority vote of the membership.~~

1078 |         (6) (a) The commission shall be assigned to the Department  
 1079 | of Education for administrative and fiscal accountability  
 1080 | purposes. The commission, in the performance of its powers and  
 1081 | duties, may ~~shall~~ not be subject to control, supervision, or  
 1082 | direction by the Department of Education.

1083 |         (9) The commission shall make such expenditures as may be  
 1084 | necessary in exercising its authority and powers and carrying  
 1085 | out its duties and responsibilities, including expenditures for  
 1086 | personal services, legal services ~~general counsel or access to~~  
 1087 | ~~counsel~~, and rent at the seat of government and elsewhere; for  
 1088 | books of reference, periodicals, furniture, equipment, and  
 1089 | supplies; and for printing and binding. The expenditures of the  
 1090 | commission shall be subject to the powers and duties of the  
 1091 | Department of Financial Services as provided in s. 17.03.

1092 |         Section 21. Section 1012.86, Florida Statutes, is  
 1093 | repealed.

1094 |         Section 22. Subsection (19) of section 1001.64, Florida  
 1095 | Statutes, is amended to read:

1096 |         1001.64 Florida College System institution boards of  
 1097 | trustees; powers and duties.—

1098 |         (19) Each board of trustees shall appoint, suspend, or  
 1099 | remove the president of the Florida College System institution.  
 1100 | The board of trustees may appoint a search committee. The board

1101 of trustees shall conduct annual evaluations of the president in  
 1102 accordance with rules of the State Board of Education and submit  
 1103 such evaluations to the State Board of Education for review. The  
 1104 evaluation must address the achievement of the performance goals  
 1105 established by the accountability process implemented pursuant  
 1106 to s. 1008.45 and the performance of the president in achieving  
 1107 the annual and long-term goals and objectives ~~established in the~~  
 1108 ~~Florida College System institution's employment accountability~~  
 1109 ~~program implemented pursuant to s. 1012.86.~~

1110 Section 23. Subsection (22) of section 1001.65, Florida  
 1111 Statutes, is amended to read:

1112 1001.65 Florida College System institution presidents;  
 1113 powers and duties.—The president is the chief executive officer  
 1114 of the Florida College System institution, shall be corporate  
 1115 secretary of the Florida College System institution board of  
 1116 trustees, and is responsible for the operation and  
 1117 administration of the Florida College System institution. Each  
 1118 Florida College System institution president shall:

1119 ~~(22) Submit an annual employment accountability plan to~~  
 1120 ~~the Department of Education pursuant to the provisions of s.~~  
 1121 ~~1012.86.~~

1122 Section 24. This act shall take effect July 1, 2024.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Education & Employment  
2 Committee

3 Representative Canady offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 277-294

7

8

9

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10 **T I T L E A M E N D M E N T**

11 Remove lines 9-10 and insert:

12 providing penalties;

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Education & Employment  
2 Committee

3 Representative Canady offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 571-609

7

8

9

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10 **T I T L E A M E N D M E N T**

11 Remove lines 46-48 and insert:

12 nonapplicability; amending s. 1006.38,