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1  
2 An act relating to education; amending s. 435.02,  
3 F.S.; revising the definition of the term "specified  
4 agency"; amending s. 435.12, F.S.; requiring certain  
5 employees to submit to rescreening on a specified  
6 schedule; amending s. 464.0195, F.S.; revising the  
7 goals of the Florida Center for Nursing; amending s.  
8 800.101, F.S.; providing criminal penalties for  
9 certain actions relating to specified reports;  
10 amending ss. 943.0585 and 943.059, F.S.; prohibiting  
11 certain persons from denying criminal history records  
12 that have been expunged or sealed; amending s.  
13 1001.51, F.S.; requiring certain records and reports  
14 to include certain determinations relating to  
15 withholding certain information from a parent;  
16 requiring such determinations to be annually reviewed  
17 and redetermined; amending s. 1001.92, F.S.; revising  
18 a certain performance-based metric for state  
19 university performance funding; providing that a state  
20 university is ineligible to receive performance  
21 funding under certain circumstances; designating who  
22 may provide a substantiated finding; amending s.  
23 1002.31, F.S.; deleting obsolete language; revising  
24 the requirements for school district and charter  
25 school capacity determinations; providing requirements  
26 for the determination of capacity for certain virtual  
27 schools; revising requirements for a certain district  
28 school board process required for controlled open  
29 enrollment; amending s. 1002.33, F.S.; providing for a

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30 standard virtual charter contract and standard virtual  
31 charter renewal contract; revising charter  
32 requirements; requiring virtual charter schools to  
33 comply with specified provisions; amending s.  
34 1002.394, F.S.; revising Department of Education  
35 duties under the Family Empowerment Scholarship  
36 Program; revising requirements for a specified  
37 calculation; revising the scholarship amount for  
38 students enrolled in certain public schools or lab  
39 schools; revising terminology; revising the number of  
40 scholarships that may be awarded through the program;  
41 amending s. 1002.395, F.S.; revising duties of the  
42 department under the Florida Tax Credit Scholarship  
43 Program; authorizing administrative expenses to  
44 include certain contracts and strategies relating to  
45 the transportation of students; revising the  
46 scholarship amount for students enrolled in certain  
47 public schools or lab schools; amending s. 1002.40,  
48 F.S.; revising department duties under the Hope  
49 Scholarship Program; amending s. 1002.411, F.S.;  
50 renaming the "reading scholarship accounts" as the  
51 "New Worlds Reading Scholarship Accounts"; revising  
52 student eligibility requirements for reading  
53 scholarship accounts; providing that a school district  
54 may not prohibit instructional personnel from  
55 providing services during specified time periods;  
56 amending s. 1002.421, F.S.; revising background  
57 screening requirements for certain private schools;  
58 amending s. 1002.45, F.S.; revising and providing

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59 definitions; authorizing students who reside in the  
60 school district, rather than students enrolled in the  
61 school district, to participate in school district  
62 virtual instruction programs; deleting the purpose of  
63 specified programs; requiring each virtual instruction  
64 program, rather than full-time programs, to operate  
65 under its own Master School Identification Number;  
66 authorizing certain service organizations to execute  
67 specified contractual arrangements; revising school  
68 district responsibilities; requiring the State Board  
69 of Education to approve certain virtual instruction  
70 program providers; revising the requirements for  
71 approval of a virtual instruction program provider;  
72 providing additional requirements for school district  
73 contracts with approved virtual instruction program  
74 providers; revising the requirements for calculating  
75 student funding for students enrolled in certain  
76 virtual education programs; requiring approved virtual  
77 instruction program providers to receive a district  
78 grade; providing requirements for such grade; revising  
79 requirements for the automatic termination of an  
80 approved virtual instruction provider's contract;  
81 requiring the State Board of Education to adopt rules  
82 for a specified standard contract; amending s.  
83 1002.455, F.S.; revising the virtual instruction  
84 options available to certain students; requiring  
85 school districts enrolling certain students in virtual  
86 education programs to comply with specified enrollment  
87 requirements; amending s. 1002.81, F.S.; conforming a

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88 cross-reference; amending s. 1002.82, F.S.; requiring  
89 the department to establish procedures for the annual  
90 calculation of the prevailing market rate and the  
91 collection of certain data; conforming cross-  
92 references; amending s. 1002.84, F.S.; establishing  
93 the distribution methodology that early learning  
94 coalitions must use to distribute school readiness  
95 program funds to eligible providers; providing  
96 requirements for early learning coalitions; amending  
97 s. 1002.85, F.S.; revising the requirements for the  
98 school readiness program plan submitted to the  
99 department by early learning coalitions; amending s.  
100 1002.87, F.S.; conforming a cross-reference; amending  
101 s. 1002.89, F.S.; providing for the determination of  
102 school readiness program funding for early learning  
103 coalitions; providing requirements for such funding  
104 calculations; making technical changes; amending s.  
105 1002.895, F.S.; providing for the determination of the  
106 market rate schedule for the school readiness program;  
107 requiring the department to establish procedures for  
108 the annual collection of specified data; requiring the  
109 department to provide certain data to the Early  
110 Learning Programs Estimating Conference; creating s.  
111 1002.90, F.S.; requiring the principals of the  
112 conference to annually develop official cost-of-care  
113 information; providing requirements for conference  
114 principals; requiring the department to provide  
115 conference principals with specified data; requiring  
116 the conference to annually provide the official cost-

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117 of-care information to the Legislature by a specified  
118 date; amending s. 1002.92, F.S.; requiring certain  
119 child care facilities to annually provide specified  
120 data to the statewide child care and resource and  
121 referral network; amending s. 1002.995, F.S.;  
122 requiring the department to provide incentives to  
123 certain early learning personnel and instructors,  
124 subject to appropriation; amending s. 1003.485, F.S.;  
125 defining the term "micro-credential"; providing the  
126 purpose and contents of the of the New Worlds Reading  
127 Initiative; revising the responsibilities of the  
128 administrator of the initiative; requiring that  
129 students be provided with specified options upon  
130 enrollment; conforming cross-references; amending s.  
131 1003.498, F.S.; providing requirements for funding for  
132 certain virtual courses; amending s. 1003.52, F.S.;  
133 revising requirements for the funding of certain  
134 students in juvenile justice education programs;  
135 amending s. 1003.621, F.S.; conforming a cross-  
136 reference; amendings. 1004.015, F.S.; revising Board  
137 of Governors and State Board of Education duties in  
138 support of the Florida Talent Development Council;  
139 amending s. 1004.04, F.S.; revising teacher  
140 preparation program core curricula requirements;  
141 revising criteria for continued program approval;  
142 authorizing the State Board of Education to adopt  
143 rules that include certain criteria and authorize  
144 continued program approval; requiring that the rules  
145 establish certain continued program approval criteria;

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146 revising specified requirements relating to field  
147 experiences; creating s. 1004.6496, F.S.; authorizing  
148 the University of Florida Board of Trustees to use  
149 specified funds to establish the Hamilton Center for  
150 Classical and Civic Education within the university;  
151 providing the purpose for the center; establishing  
152 goals for the center; amending s. 1004.85, F.S.;

153 revising teacher preparation program core curricula  
154 requirements; requiring certain program candidates to  
155 complete a minimum period of field experience, as  
156 determined by the State Board of Education; revising  
157 criteria for continued program approval; authorizing  
158 the State Board of Education to adopt rules that  
159 include certain criteria and authorize continued  
160 program approval; requiring the State Board of  
161 Education to adopt rules that establish certain  
162 continued program approval criteria; amending s.  
163 1006.12, F.S.; conforming cross-references; amending  
164 s. 1006.22, F.S.; revising the requirements for the  
165 use of motor vehicles other than school buses for the  
166 transportation of students; amending s. 1006.27, F.S.;

167 creating the Driving Choice Grant Program within the  
168 department for specified purposes relating to the  
169 transportation of certain students; providing  
170 requirements for the program; requiring the department  
171 to publish on its website an interim and final report  
172 by specified dates; providing requirements for such  
173 reports; amending s. 1006.73, F.S.; requiring the  
174 Florida Postsecondary Academic Library Network to

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175 provide specified support for certain open education  
176 resources; establishing the Student Open Access  
177 Resource Repository and the Student Open Access  
178 Resource Grant Program; defining the term "open access  
179 resource"; requiring the chancellors of the State  
180 University System and the Florida College System to  
181 collaborate and take the lead in identifying and  
182 developing processes to coordinate and support the  
183 adaptation or development of open educational  
184 resources; requiring the network to support the  
185 adaptation or development of open educational  
186 resources teams; providing requirements for such teams  
187 and the network; providing requirements for the  
188 Student Open Access Resources Repository; authorizing  
189 the Florida Postsecondary Academic Library Network to  
190 award certain grants, subject to appropriation;  
191 providing requirements for the administration of and  
192 participation in the Student Open Access Resource  
193 Grant Program; requiring Florida College Systems and  
194 state universities to post courses that utilize open  
195 education resources and have zero textbook costs on  
196 their course registration systems and websites within  
197 a specified timeframe; providing requirements for  
198 posting such courses; authorizing a certain Zero  
199 Textbook Cost Indicator to be used for such purpose;  
200 revising reporting requirements for the host entity of  
201 the network; requiring the Board of Governors and the  
202 department to include certain funding increases in  
203 their annual legislative budget requests; amending s.

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204 1007.271, F.S.; requiring instructional materials to  
205 be made available to all dual enrollment students free  
206 of charge; creating s. 1007.36, F.S.; creating the  
207 Inclusive Transition and Employment Management Program  
208 within the department; providing the purpose of the  
209 program; amending s. 1008.33, F.S.; making technical  
210 changes; requiring a school district to take specified  
211 actions for a school that earns an initial school  
212 grade of "D"; revising the options available to a  
213 school district that must implement a turnaround plan  
214 for a school; authorizing a school district to submit  
215 a turnaround plan for a school that has earned an  
216 initial school grade of "D"; revising the options  
217 available to a school district with a school that  
218 implemented a turnaround plan and did not improve its  
219 school grade; amending s. 1008.34, F.S.; requiring the  
220 State Board of Education to annually review the  
221 percentage of schools earning certain school grades  
222 and determine if the school grading scale must be  
223 adjusted; providing requirements for such adjustments;  
224 requiring the state board to provide specified  
225 information to the public; requiring the department to  
226 annually, for certain years, collect certain data  
227 relating to statewide and district-required  
228 assessments and coordinated screening and progress  
229 monitoring; providing reporting requirements relating  
230 to the collection of such data; amending s. 1009.26,  
231 F.S.; deleting obsolete language; requiring the Board  
232 of Governors to establish two Programs of Strategic



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233 Emphasis in a specified category; amending s. 1009.30,  
234 F.S.; revising the criteria for reimbursement of  
235 eligible postsecondary institutions for tuition and  
236 related instructional materials costs for dual  
237 enrollment courses; revising participating institution  
238 reporting requirements under the program; requiring  
239 the department to reimburse each participating  
240 institution within a specified timeframe; amending s.  
241 1009.89, F.S.; requiring eligible institutions in the  
242 William L. Boyd, IV, Effective Access to Student  
243 Education Grant Program to post certain information on  
244 their websites; amending s. 1009.895, F.S.; revising  
245 the definition of the term "institution"; deleting the  
246 eligibility requirement that students complete the  
247 Free Application for Federal Student Aid; authorizing  
248 institutions to cover certain costs for students in  
249 the program; creating s. 1009.896, F.S.; providing a  
250 short title; providing legislative intent;  
251 establishing the Linking Industry to Nursing Education  
252 (LINE) Fund for specified purposes; providing  
253 definitions; requiring the fund to be administered by  
254 the Board of Governors and the department; providing  
255 for the matching of specified funds, subject to  
256 available funds, for institutions with an approved  
257 proposal; providing requirements for the use of  
258 program funds, proposal requirements, for the review  
259 of such proposal, and for participation in the  
260 program; providing annual reporting requirements;  
261 requiring the Board of Governors to adopt specified

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262 regulations and the State Board of Education to adopt  
263 specified rules; creating s. 1009.897, F.S.; creating  
264 a Prepping Institutions, Programs, Employers, and  
265 Learners through Incentives for Nursing Education  
266 (PIPELINE) Fund for specified purposes; defining the  
267 term "institution"; providing for allocations of  
268 performance-based funding to institutions, subject to  
269 appropriation; providing metrics for the award of such  
270 funding; requiring the Board of Governors to adopt  
271 regulations and the State Board of Education to adopt  
272 rules; amending s. 1010.20, F.S.; revising the  
273 percentage of certain funds school districts must  
274 spend on juvenile justice programs; amending s.  
275 1011.48, F.S.; revising requirements for certain fees  
276 charged by an educational research center for child  
277 development; amending s. 1011.62, F.S.; revising the  
278 calculation for the basic amount for current operation  
279 for kindergarten through grade 12; authorizing certain  
280 funds to be used to purchase certain computers and  
281 device hardware; revising full-time equivalent student  
282 membership amounts for purposes related to the  
283 sparsity supplement under the Florida Education  
284 Finance Program; providing that the evidence-based  
285 reading instruction allocation may be used to provide  
286 certain instruction to prekindergarten students;  
287 providing priority for expenditures to certain  
288 students; revising authorized expenditures; requiring  
289 that school district comprehensive reading plans be  
290 based on a root-cause analysis; establishing

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291 requirements for the analysis; revising requirements  
292 for instructional personnel who provide intensive  
293 reading interventions; deleting the comprehensive  
294 reading plan approval process; conforming provisions  
295 to changes made by the act; deleting the Florida  
296 digital classrooms allocation; deleting the funding  
297 compression and hold harmless allocation; amending s.  
298 1011.68, F.S.; revising the requirements for specified  
299 student transportation funds to be used to pay for  
300 transportation in specified vehicles; amending s.  
301 1011.71, F.S.; conforming cross-references; amending  
302 s. 1012.22, F.S.; conforming cross-references;  
303 requiring certain compensation to be included in  
304 calculating certain salary adjustments; amending s.  
305 1012.315, F.S.; revising screening standards for  
306 specified individuals; providing applicability;  
307 amending s. 1012.32, F.S.; revising the procedure for  
308 background screenings; deleting the right to appeal  
309 certain terminations; revising provisions specifying  
310 financial responsibility and reimbursement for  
311 background screenings; providing applicability;  
312 amending s. 1012.34, F.S.; providing that certain  
313 procedures relating to a school district's  
314 instructional, administrative, and supervisory  
315 personnel set the standards of service to be offered  
316 to the public and are not subject to collective  
317 bargaining; amending s. 1012.465, F.S.; conforming  
318 provisions to changes made by the act; amending s.  
319 1012.467, F.S.; repealing certain reciprocity

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320 provisions on a specified date; amending s. 1012.56,  
321 F.S.; prohibiting certain persons from having  
322 specified responsibilities before the results of a  
323 background screening are available; conforming  
324 provisions to changes made by the act; requiring  
325 certain provisions to be implemented by a certain  
326 date; amending s. 1012.584, F.S.; conforming cross-  
327 references; creating s. 1003.4204, F.S.; establishing  
328 the Safer, Smarter Schools Program in statute;  
329 amending s. 1013.40, F.S.; modifying planning and  
330 construction requirements for Florida College System  
331 institution facilities; providing effective dates.

332  
333 Be It Enacted by the Legislature of the State of Florida:

334  
335 Section 1. Effective January 1, 2023, subsection (5) of  
336 section 435.02, Florida Statutes, is amended to read:

337 435.02 Definitions.—For the purposes of this chapter, the  
338 term:

339 (5) "Specified agency" means the Department of Health, the  
340 Department of Children and Families, ~~the Division of Vocational~~  
341 ~~Rehabilitation within the Department of Education,~~ the Agency  
342 for Health Care Administration, the Department of Elderly  
343 Affairs, the Department of Juvenile Justice, the Agency for  
344 Persons with Disabilities, the Department of Education, each  
345 district unit under s. 1001.30, special district units under s.  
346 1011.24, the Florida School for the Deaf and the Blind under s.  
347 1002.36, the Florida Virtual School under s. 1002.37, virtual  
348 instruction programs under s. 1002.45, charter schools under s.

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349 1002.33, hope operators under s. 1002.333, private schools  
350 participating in an educational scholarship program established  
351 pursuant to chapter 1002, alternative schools under s. 1008.341,  
352 regional workforce boards providing services as defined in s.  
353 445.002(3), and local licensing agencies approved pursuant to s.  
354 402.307, when these agencies are conducting state and national  
355 criminal history background screening on persons who work with  
356 children or persons who are elderly or disabled.

357 Section 2. Effective January 1, 2023, subsection (3) of  
358 section 435.12, Florida Statutes, is amended to read:

359 435.12 Care Provider Background Screening Clearinghouse.—

360 (3) (a) Employees of each district unit under s. 1001.30,  
361 special district units under s. 1011.24, the Florida School for  
362 the Deaf and the Blind under s. 1002.36, the Florida Virtual  
363 School under s. 1002.37, virtual instruction programs under s.  
364 1002.45, charter schools under s. 1002.33, hope operators under  
365 s. 1002.333, private schools participating in an educational  
366 scholarship program established pursuant to chapter 1002, and  
367 alternative schools under s. 1008.341 must be rescreened in  
368 compliance with the following schedule:

369 1. Employees for whom the last screening was conducted on  
370 or before June 30, 2019, must be rescreened by June 30, 2024.

371 2. Employees for whom the last screening was conducted  
372 between July 1, 2019, and June 30, 2021, must be rescreened by  
373 June 30, 2025.

374 3. Employees for whom the last screening was conducted  
375 between July 1, 2021, and December 31, 2022, must be rescreened  
376 by June 30, 2026.

377 (b) A person is not required to be rescreened before

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378 January 1, 2023, solely for the purpose of retention under this  
379 section if the person was screened before participation by the  
380 specified agencies named in paragraph (a) in the clearinghouse.  
381 ~~An employee who has undergone a fingerprint-based criminal~~  
382 ~~history check by a specified agency before the clearinghouse is~~  
383 ~~operational is not required to be checked again solely for the~~  
384 ~~purpose of entry in the clearinghouse. Every employee who is or~~  
385 ~~will become subject to fingerprint-based criminal history checks~~  
386 ~~to be eligible to be licensed, have their license renewed, or~~  
387 ~~meet screening or rescreening requirements by a specified agency~~  
388 ~~once the specified agency participates in the clearinghouse~~  
389 ~~shall be subject to the requirements of this section with~~  
390 ~~respect to entry of records in the clearinghouse and retention~~  
391 ~~of fingerprints for reporting the results of searching against~~  
392 ~~state incoming arrest fingerprint submissions.~~

393 Section 3. Subsection (2) of section 464.0195, Florida  
394 Statutes, is amended to read:

395 464.0195 Florida Center for Nursing; goals.—

396 (2) The primary goals for the center shall be to:

397 (a) Develop a strategic statewide plan for nursing manpower  
398 in this state by:

399 1. Conducting a statistically valid biennial data-driven  
400 gap analysis of the supply and demand of the health care  
401 workforce. Demand must align with the Labor Market Estimating  
402 Conference created in s. 216.136. The center shall:

403 a. Establish ~~Establishing~~ and maintain ~~maintaining~~ a  
404 database on nursing supply and demand in the state, to include  
405 current supply and demand.†

406 ~~b.2.~~ Analyze ~~Analyzing~~ the current and future supply and

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407 demand in the state and ~~making future projections of such,~~  
408 ~~including assessing~~ the impact of this state's participation in  
409 the Nurse Licensure Compact under s. 464.0095.; ~~and~~

410 2.3. Developing recommendations to increase nurse faculty  
411 and clinical preceptors, support nurse faculty development, and  
412 promote advanced nurse education.

413 3. Developing best practices in the academic preparation  
414 and continuing education needs of qualified nurse educators,  
415 nurse faculty, and clinical preceptors ~~Selecting from the plan~~  
416 ~~priorities to be addressed.~~

417 4. Collecting data on nurse faculty, employment,  
418 distribution, and retention.

419 5. Piloting innovative projects to support the recruitment,  
420 development, and retention of qualified nurse faculty and  
421 clinical preceptors.

422 6. Encouraging and coordinating the development of  
423 academic-practice partnerships to support nurse faculty  
424 employment and advancement.

425 7. Developing distance learning infrastructure for nursing  
426 education and advancing faculty competencies in the pedagogy of  
427 teaching and the evidence-based use of technology, simulation,  
428 and distance learning techniques.

429 ~~(b) Convene various groups representative of nurses, other~~  
430 ~~health care providers, business and industry, consumers,~~  
431 ~~legislators, and educators to:~~

432 ~~1. Review and comment on data analysis prepared for the~~  
433 ~~center;~~

434 ~~2. Recommend systemic changes, including strategies for~~  
435 ~~implementation of recommended changes; and~~

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436 ~~3. Evaluate and report the results of these efforts to the~~  
437 ~~Legislature and others.~~

438 (b)~~(e)~~ Enhance and promote recognition, reward, and renewal  
439 activities for nurses in the state by:

440 1. Promoting nursing excellence programs such as magnet  
441 recognition by the American Nurses Credentialing Center;

442 2. Proposing and creating additional reward, recognition,  
443 and renewal activities for nurses; and

444 3. Promoting media and positive image-building efforts for  
445 nursing.

446 Section 4. Effective October 1, 2022, subsections (3) and  
447 (4) of section 800.101, Florida Statutes, are amended, and  
448 subsection (5) is added to that section, to read:

449 800.101 Offenses against students by authority figures.—

450 (3) A person who violates subsection (2) ~~this section~~  
451 commits a felony of the second degree, punishable as provided in  
452 s. 775.082, s. 775.083, or s. 775.084.

453 (4) Subsection (2) ~~This section~~ does not apply to conduct  
454 constituting an offense that is subject to reclassification  
455 under s. 775.0862.

456 (5) (a) A person who is required to report a violation of  
457 subsection (2) and who knowingly or willfully fails to do so, or  
458 who knowingly or willfully prevents another person from doing  
459 so, commits a misdemeanor of the first degree, punishable as  
460 provided in s. 775.082 or s. 775.083.

461 (b) A person who knowingly or willfully submits false,  
462 inaccurate, or incomplete information while reporting a  
463 violation of subsection (2) commits a misdemeanor of the first  
464 degree, punishable as provided in s. 775.082 or s. 775.083.



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465           (c) A person who knowingly or willfully coerces or  
466 threatens another person with the intent to alter his or her  
467 testimony or written report regarding a violation of subsection  
468 (2) commits a misdemeanor of the first degree, punishable as  
469 provided in s. 775.082 or s. 775.083.

470           Section 5. Paragraph (b) of subsection (6) of section  
471 943.0585, Florida Statutes, is amended to read:

472           943.0585 Court-ordered expunction of criminal history  
473 records.—

474           (6) EFFECT OF EXPUNCTION ORDER.—

475           (b) The person who is the subject of a criminal history  
476 record that is expunged under this section or under other  
477 provisions of law, including former ss. 893.14, 901.33, and  
478 943.058, may lawfully deny or fail to acknowledge the arrests  
479 covered by the expunged record, except when the subject of the  
480 record:

- 481           1. Is a candidate for employment with a criminal justice  
482 agency;
- 483           2. Is a defendant in a criminal prosecution;
- 484           3. Concurrently or subsequently petitions for relief under  
485 this section, s. 943.0583, or s. 943.059;
- 486           4. Is a candidate for admission to The Florida Bar;
- 487           5. Is seeking to be employed or licensed by or to contract  
488 with the Department of Children and Families, the Division of  
489 Vocational Rehabilitation within the Department of Education,  
490 the Agency for Health Care Administration, the Agency for  
491 Persons with Disabilities, the Department of Health, the  
492 Department of Elderly Affairs, or the Department of Juvenile  
493 Justice or to be employed or used by such contractor or licensee

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494 in a sensitive position having direct contact with children, the  
495 disabled, or the elderly;

496 6.a. Is seeking to be employed or licensed by, or contract  
497 with, the Department of Education, any district unit under s.  
498 1001.30, any special district unit under s. 1011.24, the Florida  
499 School for the Deaf and the Blind under s. 1002.36, the Florida  
500 Virtual School under s. 1002.37, any virtual instruction program  
501 under s. 1002.45 school board, any university laboratory school,  
502 any charter school under s. 1002.33, any hope operator under s.  
503 1002.333, any alternative school under s. 1008.341 school, any  
504 private or parochial school, or any local governmental entity  
505 that licenses child care facilities;

506 b. Is seeking to be employed or used by a contractor or  
507 licensee under sub-subparagraph a.; or

508 c. Is a person screened under s. 1012.467;

509 7. Is seeking to be licensed by the Division of Insurance  
510 Agent and Agency Services within the Department of Financial  
511 Services; or

512 8. Is seeking to be appointed as a guardian pursuant to s.  
513 744.3125.

514 Section 6. Paragraph (b) of subsection (6) of section  
515 943.059, Florida Statutes, is amended to read:

516 943.059 Court-ordered sealing of criminal history records.—

517 (6) EFFECT OF ORDER.—

518 (b) The subject of the criminal history record sealed under  
519 this section or under other provisions of law, including former  
520 ss. 893.14, 901.33, and 943.058, may lawfully deny or fail to  
521 acknowledge the arrests covered by the sealed record, except  
522 when the subject of the record:

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- 523           1. Is a candidate for employment with a criminal justice  
524 agency;
- 525           2. Is a defendant in a criminal prosecution;
- 526           3. Concurrently or subsequently petitions for relief under  
527 this section, s. 943.0583, or s. 943.0585;
- 528           4. Is a candidate for admission to The Florida Bar;
- 529           5. Is seeking to be employed or licensed by or to contract  
530 with the Department of Children and Families, the Division of  
531 Vocational Rehabilitation within the Department of Education,  
532 the Agency for Health Care Administration, the Agency for  
533 Persons with Disabilities, the Department of Health, the  
534 Department of Elderly Affairs, or the Department of Juvenile  
535 Justice or to be employed or used by such contractor or licensee  
536 in a sensitive position having direct contact with children, the  
537 disabled, or the elderly;
- 538           6.a. Is seeking to be employed or licensed by, or contract  
539 with, the Department of Education, a district unit under s.  
540 1001.30, a special district unit under s. 1011.24, the Florida  
541 School for the Deaf and the Blind under s. 1002.36, the Florida  
542 Virtual School under s. 1002.37, a virtual instruction program  
543 under s. 1002.45 ~~school board, a university laboratory school, a~~  
544 ~~charter school~~ under s. 1002.33, a hope operator under s.  
545 1002.333, an alternative school under s. 1008.341, a private or  
546 parochial school, or a local governmental entity that licenses  
547 child care facilities;
- 548           b. Is seeking to be employed or used by a contractor or  
549 licensee under sub-subparagraph a.; or
- 550           c. Is a person screened under s. 1012.467;
- 551           7. Is attempting to purchase a firearm from a licensed

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552 importer, licensed manufacturer, or licensed dealer and is  
553 subject to a criminal history check under state or federal law;

554 8. Is seeking to be licensed by the Division of Insurance  
555 Agent and Agency Services within the Department of Financial  
556 Services;

557 9. Is seeking to be appointed as a guardian pursuant to s.  
558 744.3125; or

559 10. Is seeking to be licensed by the Bureau of License  
560 Issuance of the Division of Licensing within the Department of  
561 Agriculture and Consumer Services to carry a concealed weapon or  
562 concealed firearm. This subparagraph applies only in the  
563 determination of an applicant's eligibility under s. 790.06.

564 Section 7. Paragraph (a) of subsection (12) of section  
565 1001.51, Florida Statutes, is amended to read:

566 1001.51 Duties and responsibilities of district school  
567 superintendent.—The district school superintendent shall  
568 exercise all powers and perform all duties listed below and  
569 elsewhere in the law, provided that, in so doing, he or she  
570 shall advise and counsel with the district school board. The  
571 district school superintendent shall perform all tasks necessary  
572 to make sound recommendations, nominations, proposals, and  
573 reports required by law to be acted upon by the district school  
574 board. All such recommendations, nominations, proposals, and  
575 reports by the district school superintendent shall be either  
576 recorded in the minutes or shall be made in writing, noted in  
577 the minutes, and filed in the public records of the district  
578 school board. It shall be presumed that, in the absence of the  
579 record required in this section, the recommendations,  
580 nominations, and proposals required of the district school

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581 superintendent were not contrary to the action taken by the  
582 district school board in such matters.

583 (12) RECORDS AND REPORTS.—Recommend such records as should  
584 be kept in addition to those prescribed by rules of the State  
585 Board of Education; prepare forms for keeping such records as  
586 are approved by the district school board; ensure that such  
587 records are properly kept; and make all reports that are needed  
588 or required, as follows:

589 (a) *Forms, blanks, and reports.*—Require that all employees  
590 accurately keep all records and promptly make in proper form all  
591 reports required by the education code or by rules of the State  
592 Board of Education; recommend the keeping of such additional  
593 records and the making of such additional reports as may be  
594 deemed necessary to provide data essential for the operation of  
595 the school system; and prepare such forms and blanks as may be  
596 required and ensure that these records and reports are properly  
597 prepared. Such records and reports shall include any  
598 determination to withhold from a parent information regarding  
599 the provision of any services to support the mental, physical,  
600 or emotional well-being of the parent's minor child. Any such  
601 determination must be based solely on child-specific information  
602 personally known to the school personnel and documented and  
603 approved by the school principal or his or her designee. Such  
604 determination must be annually reviewed and redetermined.

605  
606 Any district school superintendent who knowingly signs and  
607 transmits to any state official a report that the superintendent  
608 knows to be false or incorrect; who knowingly fails to complete  
609 the investigation of any allegation of misconduct that affects

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610 the health, safety, or welfare of a student, that would be a  
611 violation of s. 800.101, or that would be a disqualifying  
612 offense under s. 1012.315, or any allegation of sexual  
613 misconduct with a student; who knowingly fails to report the  
614 alleged misconduct to the department as required in s. 1012.796;  
615 or who knowingly fails to report misconduct to the law  
616 enforcement agencies with jurisdiction over the conduct pursuant  
617 to district school board policy under s. 1001.42(6), forfeits  
618 his or her salary for 1 year following the date of such act or  
619 failure to act.

620 Section 8. Subsection (1) of section 1001.92, Florida  
621 Statutes, is amended to read:

622 1001.92 State University System Performance-Based  
623 Incentive.—

624 (1) A State University System Performance-Based Incentive  
625 shall be awarded to state universities using performance-based  
626 metrics adopted by the Board of Governors of the State  
627 University System. Beginning with the Board of Governors'  
628 determination of each university's performance improvement and  
629 achievement ratings, and the related distribution of annual  
630 fiscal year appropriation, the performance-based metrics must  
631 include:

632 (a) The 4-year graduation rate for first-time-in-college  
633 students;

634 (b) Beginning in fiscal year 2022-2023 ~~2021-2022~~, the 3-  
635 year ~~2-year~~ graduation rate for associate in arts transfer  
636 students;

637 (c) Retention rates;

638 (d) Postgraduation education rates;

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639 (e) Degree production;

640 (f) Affordability;

641 (g) Postgraduation employment and salaries, including wage  
642 thresholds that reflect the added value of a baccalaureate  
643 degree;

644 (h) Access rate, based on the percentage of undergraduate  
645 students enrolled during the fall term who received a Pell Grant  
646 during the fall term; and

647 (i) Beginning in fiscal year 2021-2022, the 6-year  
648 graduation rate for students who are awarded a Pell Grant in  
649 their first year.

650

651 The Board of Governors may approve other metrics in a publicly  
652 noticed meeting. The board shall adopt benchmarks to evaluate  
653 each state university's performance on the metrics to measure  
654 the state university's achievement of institutional excellence  
655 or need for improvement and minimum requirements for eligibility  
656 to receive performance funding. Benchmarks and metrics may not  
657 be adjusted after university performance data has been received  
658 by the Board of Governors.

659 Section 9. Contingent upon HB 7 or similar legislation in  
660 the 2022 Regular Session or an extension thereof becoming a law,  
661 subsections (5) and (6) of section 1001.92, Florida Statutes,  
662 are redesignated as subsections (6) and (7), respectively, and a  
663 new subsection (5) is added to that section, to read:

664 1001.92 State University System Performance-Based  
665 Incentive.—

666 (5) Notwithstanding any other provision of this section, if  
667 any institution is found to have a substantiated violation of s.

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668 1000.05(4)(a), the institution shall be ineligible to receive  
669 performance funding during the next fiscal year following the  
670 year in which the violation is substantiated. Substantiated  
671 findings are those as determined by a court of law, a standing  
672 committee of the Legislature, or the Board of Governors.

673 Section 10. Paragraphs (a) and (b) of subsection (2) and  
674 paragraph (f) of subsection (3) of section 1002.31, Florida  
675 Statutes, are amended, and paragraphs (j) and (k) are added to  
676 subsection (3) of that section, to read:

677 1002.31 Controlled open enrollment; Public school parental  
678 choice.—

679 (2) (a) ~~Beginning by the 2017-2018 school year,~~ As part of a  
680 school district's or charter school's controlled open enrollment  
681 process, and in addition to the existing public school choice  
682 programs provided in s. 1002.20(6)(a), each district school  
683 board or charter school shall allow a parent from any school  
684 district in the state whose child is not subject to a current  
685 expulsion or suspension to enroll his or her child in and  
686 transport his or her child to any public school, including  
687 charter schools, that has not reached capacity in the district,  
688 subject to the maximum class size pursuant to s. 1003.03 and s.  
689 1, Art. IX of the State Constitution. The school district or  
690 charter school shall accept the student, pursuant to that school  
691 district's or charter school's controlled open enrollment  
692 process, and report the student for purposes of the school  
693 district's or charter school's funding pursuant to the Florida  
694 Education Finance Program. A school district or charter school  
695 may provide transportation to students described under this  
696 section.



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697 (b) Each school district and charter school capacity  
698 determinations for its schools, by grade level, must be updated  
699 every 12 weeks ~~current~~ and ~~must~~ be identified on the school  
700 district and charter school's websites. In determining the  
701 capacity of each district school, the district school board  
702 shall incorporate the specifications, plans, elements, and  
703 commitments contained in the school district educational  
704 facilities plan and the long-term work programs required under  
705 s. 1013.35. Each charter school governing board shall determine  
706 capacity based upon its charter school contract. Each virtual  
707 charter school and each school district with a contract with an  
708 approved virtual instruction program provider shall determine  
709 capacity based upon the enrollment requirements established  
710 under s. 1002.45(1)(e)4.

711 (3) Each district school board shall adopt by rule and post  
712 on its website the process required to participate in controlled  
713 open enrollment. The process must:

714 (f) Require school districts to provide information on  
715 ~~Address the availability of~~ transportation options, such as:

716 1. The responsibility of school districts to provide  
717 transportation to another public school pursuant to ss. 1002.38,  
718 1002.39, and 1002.394.

719 2. The availability of funds for transportation under ss.  
720 1002.394, 1002.395, and 1011.68.

721 3. Any other transportation the school district may  
722 provide.

723 4. Any transportation options available in the community.

724 (j) Require school districts to maintain a wait list of  
725 students who are denied access due to capacity and notify

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726 parents when space becomes available.

727 (k) Require schools to accept students throughout the  
728 school year as capacity becomes available.

729 Section 11. Subsections (1) and (7), paragraph (a) of  
730 subsection (10), paragraphs (b) and (f) of subsection (17), and  
731 paragraph (a) of subsection (21) of section 1002.33, Florida  
732 Statutes, are amended to read:

733 1002.33 Charter schools.—

734 (1) AUTHORIZATION.—All charter schools in Florida are  
735 public schools and shall be part of the state's program of  
736 public education. A charter school may be formed by creating a  
737 new school or converting an existing public school to charter  
738 status. A charter school may operate a virtual charter school  
739 pursuant to s. 1002.45(1)(d) to provide online instruction to  
740 students, pursuant to s. 1002.455, in kindergarten through grade  
741 12. The school district in which the student enrolls in the  
742 virtual charter school shall report the student for funding  
743 pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school  
744 district shall not report the student for funding. An existing  
745 charter school that is seeking to become a virtual charter  
746 school must amend its charter or submit a new application  
747 pursuant to subsection (6) to become a virtual charter school. A  
748 virtual charter school is subject to the requirements of this  
749 section; however, a virtual charter school is exempt from  
750 subparagraph (7)(a)13., subsections (18) and (19), paragraph  
751 (20)(c), and s. 1003.03. A public school may not use the term  
752 charter in its name unless it has been approved under this  
753 section.

754 (7) CHARTER.—The terms and conditions for the operation of

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755 a charter school, including a virtual charter school, shall be  
756 set forth by the sponsor and the applicant in a written  
757 contractual agreement, called a charter. The sponsor and the  
758 governing board of the charter school or virtual charter school  
759 shall use the standard charter contract or standard virtual  
760 charter contract, respectively, pursuant to subsection (21),  
761 which shall incorporate the approved application and any addenda  
762 approved with the application. Any term or condition of a  
763 proposed charter contract or proposed virtual charter contract  
764 that differs from the standard charter or virtual charter  
765 contract adopted by rule of the State Board of Education shall  
766 be presumed a limitation on charter school flexibility. The  
767 sponsor may not impose unreasonable rules or regulations that  
768 violate the intent of giving charter schools greater flexibility  
769 to meet educational goals. The charter shall be signed by the  
770 governing board of the charter school and the sponsor, following  
771 a public hearing to ensure community input.

772 (a) The charter shall address and criteria for approval of  
773 the charter shall be based on:

774 1. The school's mission, the types of students to be  
775 served, and, for a virtual charter school, the types of students  
776 the school intends to serve who reside outside of the sponsoring  
777 school district, and the ages and grades to be included.

778 2. The focus of the curriculum, the instructional methods  
779 to be used, any distinctive instructional techniques to be  
780 employed, and identification and acquisition of appropriate  
781 technologies needed to improve educational and administrative  
782 performance which include a means for promoting safe, ethical,  
783 and appropriate uses of technology which comply with legal and

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784 professional standards.

785 a. The charter shall ensure that reading is a primary focus  
786 of the curriculum and that resources are provided to identify  
787 and provide specialized instruction for students who are reading  
788 below grade level. The curriculum and instructional strategies  
789 for reading must be consistent with the Next Generation Sunshine  
790 State Standards and grounded in scientifically based reading  
791 research.

792 b. In order to provide students with access to diverse  
793 instructional delivery models, to facilitate the integration of  
794 technology within traditional classroom instruction, and to  
795 provide students with the skills they need to compete in the  
796 21st century economy, the Legislature encourages instructional  
797 methods for blended learning courses consisting of both  
798 traditional classroom and online instructional techniques.  
799 Charter schools may implement blended learning courses which  
800 combine traditional classroom instruction and virtual  
801 instruction. Students in a blended learning course must be full-  
802 time students of the charter school pursuant to s.  
803 1011.61(1)(a)1. Instructional personnel certified pursuant to s.  
804 1012.55 who provide virtual instruction for blended learning  
805 courses may be employees of the charter school or may be under  
806 contract to provide instructional services to charter school  
807 students. At a minimum, such instructional personnel must hold  
808 an active state or school district adjunct certification under  
809 s. 1012.57 for the subject area of the blended learning course.  
810 The funding and performance accountability requirements for  
811 blended learning courses are the same as those for traditional  
812 courses.

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813           3. The current incoming baseline standard of student  
814 academic achievement, the outcomes to be achieved, and the  
815 method of measurement that will be used. The criteria listed in  
816 this subparagraph shall include a detailed description of:

817           a. How the baseline student academic achievement levels and  
818 prior rates of academic progress will be established.

819           b. How these baseline rates will be compared to rates of  
820 academic progress achieved by these same students while  
821 attending the charter school.

822           c. To the extent possible, how these rates of progress will  
823 be evaluated and compared with rates of progress of other  
824 closely comparable student populations.

825  
826 A district school board is required to provide academic student  
827 performance data to charter schools for each of their students  
828 coming from the district school system, as well as rates of  
829 academic progress of comparable student populations in the  
830 district school system.

831           4. The methods used to identify the educational strengths  
832 and needs of students and how well educational goals and  
833 performance standards are met by students attending the charter  
834 school. The methods shall provide a means for the charter school  
835 to ensure accountability to its constituents by analyzing  
836 student performance data and by evaluating the effectiveness and  
837 efficiency of its major educational programs. Students in  
838 charter schools shall, at a minimum, participate in the  
839 statewide assessment program created under s. 1008.22.

840           5. In secondary charter schools, a method for determining  
841 that a student has satisfied the requirements for graduation in

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842 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

843 6. A method for resolving conflicts between the governing  
844 board of the charter school and the sponsor.

845 7. The admissions procedures and dismissal procedures,  
846 including the school's code of student conduct. Admission or  
847 dismissal must not be based on a student's academic performance.

848 8. The ways by which the school will achieve a  
849 racial/ethnic balance reflective of the community it serves or  
850 within the racial/ethnic range of other nearby public schools or  
851 school districts.

852 9. The financial and administrative management of the  
853 school, including a reasonable demonstration of the professional  
854 experience or competence of those individuals or organizations  
855 applying to operate the charter school or those hired or  
856 retained to perform such professional services and the  
857 description of clearly delineated responsibilities and the  
858 policies and practices needed to effectively manage the charter  
859 school. A description of internal audit procedures and  
860 establishment of controls to ensure that financial resources are  
861 properly managed must be included. Both public sector and  
862 private sector professional experience shall be equally valid in  
863 such a consideration.

864 10. The asset and liability projections required in the  
865 application which are incorporated into the charter and shall be  
866 compared with information provided in the annual report of the  
867 charter school.

868 11. A description of procedures that identify various risks  
869 and provide for a comprehensive approach to reduce the impact of  
870 losses; plans to ensure the safety and security of students and

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871 staff; plans to identify, minimize, and protect others from  
872 violent or disruptive student behavior; and the manner in which  
873 the school will be insured, including whether or not the school  
874 will be required to have liability insurance, and, if so, the  
875 terms and conditions thereof and the amounts of coverage.

876 12. The term of the charter which shall provide for  
877 cancellation of the charter if insufficient progress has been  
878 made in attaining the student achievement objectives of the  
879 charter and if it is not likely that such objectives can be  
880 achieved before expiration of the charter. The initial term of a  
881 charter shall be for 5 years, excluding 2 planning years. In  
882 order to facilitate access to long-term financial resources for  
883 charter school construction, charter schools that are operated  
884 by a municipality or other public entity as provided by law are  
885 eligible for up to a 15-year charter, subject to approval by the  
886 sponsor. A charter lab school is eligible for a charter for a  
887 term of up to 15 years. In addition, to facilitate access to  
888 long-term financial resources for charter school construction,  
889 charter schools that are operated by a private, not-for-profit,  
890 s. 501(c)(3) status corporation are eligible for up to a 15-year  
891 charter, subject to approval by the sponsor. Such long-term  
892 charters remain subject to annual review and may be terminated  
893 during the term of the charter, but only according to the  
894 provisions set forth in subsection (8).

895 13. The facilities to be used and their location. The  
896 sponsor may not require a charter school to have a certificate  
897 of occupancy or a temporary certificate of occupancy for such a  
898 facility earlier than 15 calendar days before the first day of  
899 school.

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900           14. The qualifications to be required of the teachers and  
901 the potential strategies used to recruit, hire, train, and  
902 retain qualified staff to achieve best value.

903           15. The governance structure of the school, including the  
904 status of the charter school as a public or private employer as  
905 required in paragraph (12) (i).

906           16. A timetable for implementing the charter which  
907 addresses the implementation of each element thereof and the  
908 date by which the charter shall be awarded in order to meet this  
909 timetable.

910           17. In the case of an existing public school that is being  
911 converted to charter status, alternative arrangements for  
912 current students who choose not to attend the charter school and  
913 for current teachers who choose not to teach in the charter  
914 school after conversion in accordance with the existing  
915 collective bargaining agreement or district school board rule in  
916 the absence of a collective bargaining agreement. However,  
917 alternative arrangements shall not be required for current  
918 teachers who choose not to teach in a charter lab school, except  
919 as authorized by the employment policies of the state university  
920 which grants the charter to the lab school.

921           18. Full disclosure of the identity of all relatives  
922 employed by the charter school who are related to the charter  
923 school owner, president, chairperson of the governing board of  
924 directors, superintendent, governing board member, principal,  
925 assistant principal, or any other person employed by the charter  
926 school who has equivalent decisionmaking authority. For the  
927 purpose of this subparagraph, the term "relative" means father,  
928 mother, son, daughter, brother, sister, uncle, aunt, first



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929 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
930 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
931 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
932 stepsister, half brother, or half sister.

933 19. Implementation of the activities authorized under s.  
934 1002.331 by the charter school when it satisfies the eligibility  
935 requirements for a high-performing charter school. A high-  
936 performing charter school shall notify its sponsor in writing by  
937 March 1 if it intends to increase enrollment or expand grade  
938 levels the following school year. The written notice shall  
939 specify the amount of the enrollment increase and the grade  
940 levels that will be added, as applicable.

941 (b) The sponsor has 30 days after approval of the  
942 application to provide an initial proposed charter contract to  
943 the charter school. The applicant and the sponsor have 40 days  
944 thereafter to negotiate and notice the charter contract for  
945 final approval by the sponsor unless both parties agree to an  
946 extension. The proposed charter contract shall be provided to  
947 the charter school at least 7 calendar days before the date of  
948 the meeting at which the charter is scheduled to be voted upon  
949 by the sponsor. The Department of Education shall provide  
950 mediation services for any dispute regarding this section  
951 subsequent to the approval of a charter application and for any  
952 dispute relating to the approved charter, except a dispute  
953 regarding a charter school application denial. If either the  
954 charter school or the sponsor indicates in writing that the  
955 party does not desire to settle any dispute arising under this  
956 section through mediation procedures offered by the Department  
957 of Education, a charter school may immediately appeal any formal

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958 or informal decision by the sponsor to an administrative law  
959 judge appointed by the Division of Administrative Hearings. If  
960 the Commissioner of Education determines that the dispute cannot  
961 be settled through mediation, the dispute may also be appealed  
962 to an administrative law judge appointed by the Division of  
963 Administrative Hearings. The administrative law judge has final  
964 order authority to rule on issues of equitable treatment of the  
965 charter school as a public school, whether proposed provisions  
966 of the charter violate the intended flexibility granted charter  
967 schools by statute, or any other matter regarding this section,  
968 except a dispute regarding charter school application denial, a  
969 charter termination, or a charter nonrenewal. The administrative  
970 law judge shall award the prevailing party reasonable attorney  
971 fees and costs incurred during the mediation process,  
972 administrative proceeding, and any appeals, to be paid by the  
973 party against whom the administrative law judge rules.

974 (c)1. A charter may be renewed provided that a program  
975 review demonstrates that the criteria in paragraph (a) have been  
976 successfully accomplished and that none of the grounds for  
977 nonrenewal established by paragraph (8) (a) has been documented.  
978 In order to facilitate long-term financing for charter school  
979 construction, charter schools operating for a minimum of 3 years  
980 and demonstrating exemplary academic programming and fiscal  
981 management are eligible for a 15-year charter renewal. Such  
982 long-term charter is subject to annual review and may be  
983 terminated during the term of the charter.

984 2. The 15-year charter renewal that may be granted pursuant  
985 to subparagraph 1. shall be granted to a charter school that has  
986 received a school grade of "A" or "B" pursuant to s. 1008.34 in

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987 3 of the past 4 years and is not in a state of financial  
988 emergency or deficit position as defined by this section. Such  
989 long-term charter is subject to annual review and may be  
990 terminated during the term of the charter pursuant to subsection  
991 (8).

992 (d) A charter may be modified during its initial term or  
993 any renewal term upon the recommendation of the sponsor or the  
994 charter school's governing board and the approval of both  
995 parties to the agreement. Changes to curriculum which are  
996 consistent with state standards shall be deemed approved unless  
997 the sponsor and the Department of Education determine in writing  
998 that the curriculum is inconsistent with state standards.  
999 Modification during any term may include, but is not limited to,  
1000 consolidation of multiple charters into a single charter if the  
1001 charters are operated under the same governing board, regardless  
1002 of the renewal cycle. A charter school that is not subject to a  
1003 school improvement plan and that closes as part of a  
1004 consolidation shall be reported by the sponsor as a  
1005 consolidation.

1006 (e) A charter may be terminated by a charter school's  
1007 governing board through voluntary closure. The decision to cease  
1008 operations must be determined at a public meeting. The governing  
1009 board shall notify the parents and sponsor of the public meeting  
1010 in writing before the public meeting. The governing board must  
1011 notify the sponsor, parents of enrolled students, and the  
1012 department in writing within 24 hours after the public meeting  
1013 of its determination. The notice shall state the charter  
1014 school's intent to continue operations or the reason for the  
1015 closure and acknowledge that the governing board agrees to

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1016 follow the procedures for dissolution and reversion of public  
1017 funds pursuant to paragraphs (8)(d)-(f) and (9)(o).

1018 (f) A charter may include a provision requiring the charter  
1019 school to be held responsible for all costs associated with, but  
1020 not limited to, mediation, damages, and attorney fees incurred  
1021 by the district in connection with complaints to the Office of  
1022 Civil Rights or the Equal Employment Opportunity Commission.

1023 (10) ELIGIBLE STUDENTS.—

1024 (a) 1. A charter school may be exempt from the requirements  
1025 of s. 1002.31 if the school is open to any student covered in an  
1026 interdistrict agreement and any student residing in the school  
1027 district in which the charter school is located.

1028 2. A virtual charter school when enrolling students shall  
1029 comply with the applicable requirements of s. 1002.31 and with  
1030 the enrollment requirements established under s. 1002.45(1)(e)4.

1031 3. A ~~However, in the case of a charter lab school, the~~  
1032 charter lab school shall be open to any student eligible to  
1033 attend the lab school as provided in s. 1002.32 or who resides  
1034 in the school district in which the charter lab school is  
1035 located.

1036 4. Any eligible student shall be allowed interdistrict  
1037 transfer to attend a charter school when based on good cause.  
1038 Good cause shall include, but is not limited to, geographic  
1039 proximity to a charter school in a neighboring school district.

1040 (17) FUNDING.—Students enrolled in a charter school,  
1041 regardless of the sponsorship, shall be funded as if they are in  
1042 a basic program or a special program, the same as students  
1043 enrolled in other public schools in a school district. Funding  
1044 for a charter lab school shall be as provided in s. 1002.32.

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1045 (b)1. The basis for the agreement for funding students  
1046 enrolled in a charter school shall be the sum of the school  
1047 district's operating funds from the Florida Education Finance  
1048 Program as provided in s. 1011.62 and the General Appropriations  
1049 Act, including gross state and local funds, discretionary  
1050 lottery funds, and funds from the school district's current  
1051 operating discretionary millage levy; divided by total funded  
1052 weighted full-time equivalent students in the school district;  
1053 and multiplied by the weighted full-time equivalent students for  
1054 the charter school. Charter schools whose students or programs  
1055 meet the eligibility criteria in law are entitled to their  
1056 proportionate share of categorical program funds included in the  
1057 total funds available in the Florida Education Finance Program  
1058 by the Legislature, including transportation, and the evidence-  
1059 based reading allocation, ~~and the Florida digital classrooms~~  
1060 ~~allocation~~. Total funding for each charter school shall be  
1061 recalculated during the year to reflect the revised calculations  
1062 under the Florida Education Finance Program by the state and the  
1063 actual weighted full-time equivalent students reported by the  
1064 charter school during the full-time equivalent student survey  
1065 periods designated by the Commissioner of Education. For charter  
1066 schools operated by a not-for-profit or municipal entity, any  
1067 unrestricted current and capital assets identified in the  
1068 charter school's annual financial audit may be used for other  
1069 charter schools operated by the not-for-profit or municipal  
1070 entity within the school district. Unrestricted current assets  
1071 shall be used in accordance with s. 1011.62, and any  
1072 unrestricted capital assets shall be used in accordance with s.  
1073 1013.62 (2).

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1074           2.a. Students enrolled in a charter school sponsored by a  
1075 state university or Florida College System institution pursuant  
1076 to paragraph (5) (a) shall be funded as if they are in a basic  
1077 program or a special program in the school district. The basis  
1078 for funding these students is the sum of the total operating  
1079 funds from the Florida Education Finance Program for the school  
1080 district in which the school is located as provided in s.  
1081 1011.62 and the General Appropriations Act, including gross  
1082 state and local funds, discretionary lottery funds, and funds  
1083 from each school district's current operating discretionary  
1084 millage levy, divided by total funded weighted full-time  
1085 equivalent students in the district, and multiplied by the full-  
1086 time equivalent membership of the charter school. The Department  
1087 of Education shall develop a tool that each state university or  
1088 Florida College System institution sponsoring a charter school  
1089 shall use for purposes of calculating the funding amount for  
1090 each eligible charter school student. The total amount obtained  
1091 from the calculation must be appropriated from state funds in  
1092 the General Appropriations Act to the charter school.

1093           b. Capital outlay funding for a charter school sponsored by  
1094 a state university or Florida College System institution  
1095 pursuant to paragraph (5) (a) is determined pursuant to s.  
1096 1013.62 and the General Appropriations Act.

1097           (f) Funding for a virtual charter school shall be as  
1098 provided in s. 1002.45(6) ~~s. 1002.45(7)~~.

1099           (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1100           (a) The Department of Education shall provide information  
1101 to the public, directly and through sponsors, on how to form and  
1102 operate a charter school and how to enroll in a charter school

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1103 once it is created. This information shall include the standard  
1104 application form, standard charter and virtual charter contracts  
1105 ~~contract~~, standard evaluation instrument, and standard charter  
1106 and virtual charter renewal contracts ~~contract~~, which shall  
1107 include the information specified in subsection (7) and shall be  
1108 developed by consulting and negotiating with both sponsors and  
1109 charter schools before implementation. The charter and virtual  
1110 charter contracts and charter renewal and virtual charter  
1111 contracts shall be used by charter school sponsors.

1112 Section 12. Paragraph (a) of subsection (8) and subsection  
1113 (12) of section 1002.394, Florida Statutes, are amended to read:

1114 1002.394 The Family Empowerment Scholarship Program.—

1115 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

1116 (a) The department shall:

1117 1. Publish and update, as necessary, information on the  
1118 department website about the Family Empowerment Scholarship  
1119 Program, including, but not limited to, student eligibility  
1120 criteria, parental responsibilities, and relevant data.

1121 2. Cross-check ~~before each distribution of funds~~ the list  
1122 of participating scholarship students with the public school  
1123 enrollment lists ~~before each scholarship payment~~ to avoid  
1124 duplication.

1125 3. Maintain and publish a list of nationally norm-  
1126 referenced tests identified for purposes of satisfying the  
1127 testing requirement in subparagraph (9)(c)1. The tests must meet  
1128 industry standards of quality in accordance with state board  
1129 rule.

1130 4. Notify eligible nonprofit scholarship-funding  
1131 organizations of the deadlines for submitting the verified list

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1132 of students determined to be eligible for a scholarship.

1133 5. Notify each school district of a parent's participation  
1134 in the scholarship program for purposes of paragraph (7) (f).

1135 6. Deny or terminate program participation upon a parent's  
1136 failure to comply with subsection (10).

1137 7. Notify the parent and the organization when a  
1138 scholarship account is closed and program funds revert to the  
1139 state.

1140 8. Notify an eligible nonprofit scholarship-funding  
1141 organization of any of the organization's or other  
1142 organization's identified students who are receiving  
1143 scholarships under this chapter.

1144 9. Maintain on its website a list of approved providers as  
1145 required by s. 1002.66, eligible postsecondary educational  
1146 institutions, eligible private schools, and eligible  
1147 organizations and may identify or provide links to lists of  
1148 other approved providers.

1149 10. Require each organization to verify eligible  
1150 expenditures before the distribution of funds for any  
1151 expenditures made pursuant to subparagraphs (4) (b) 1. and 2.  
1152 Review of expenditures made for services specified in  
1153 subparagraphs (4) (b) 3.-15. may be completed after the purchase  
1154 is made.

1155 11. Investigate any written complaint of a violation of  
1156 this section by a parent, a student, a private school, a public  
1157 school, a school district, an organization, a provider, or  
1158 another appropriate party in accordance with the process  
1159 established under s. 1002.421.

1160 12. Require quarterly reports by an organization, which



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1161 must include, at a minimum, the number of students participating  
1162 in the program; the demographics of program participants; the  
1163 disability category of program participants; the matrix level of  
1164 services, if known; the program award amount per student; the  
1165 total expenditures for the purposes specified in paragraph  
1166 (4) (b); the types of providers of services to students; and any  
1167 other information deemed necessary by the department.

1168 13. Notify eligible nonprofit scholarship funding  
1169 organizations that scholarships may not be awarded in a school  
1170 district in which the award will exceed 99 percent of the school  
1171 district's share of state funding through the Florida Education  
1172 Finance Program as calculated by the department.

1173 14. Adjust payments to eligible nonprofit scholarship-  
1174 funding organizations and, when the Florida Education Finance  
1175 Program is recalculated, adjust the amount of state funds  
1176 allocated to school districts through the Florida Education  
1177 Finance Program based upon the results of the cross-check  
1178 completed pursuant to subparagraph 2.

1179 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

1180 (a)1. Scholarships for students determined eligible  
1181 pursuant to paragraph (3) (a) are established for up to 18,000  
1182 students annually beginning in the 2019-2020 school year.  
1183 Beginning in the 2020-2021 school year, the maximum number of  
1184 students participating in the scholarship program under this  
1185 section shall annually increase by 1.0 percent of the state's  
1186 total full-time equivalent student membership ~~public school~~  
1187 ~~student enrollment~~. An eligible student who meets any of the  
1188 following requirements shall be excluded from the maximum number  
1189 of students if the student:

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1190           ~~a. Received a scholarship pursuant to s. 1002.395 during~~  
1191 ~~the previous school year but did not receive a renewal~~  
1192 ~~scholarship based solely on the eligible nonprofit scholarship-~~  
1193 ~~funding organization's lack of available funds after the~~  
1194 ~~organization fully exhausted its efforts to use funds available~~  
1195 ~~for awards under ss. 1002.395 and 1002.40(11)(i). Eligible~~  
1196 ~~nonprofit scholarship funding organizations with students who~~  
1197 ~~meet the criterion in this subparagraph must annually notify the~~  
1198 ~~department in a format and by a date established by the~~  
1199 ~~department. The maximum number of scholarships awarded pursuant~~  
1200 ~~to this subparagraph shall not exceed 15,000 per school year;~~

1201           ~~a.b.~~ Is a dependent child of a member of the United States  
1202 Armed Forces, a foster child, or an adopted child; or

1203           ~~b.e.~~ Is determined eligible pursuant to subparagraph  
1204 (3)(a)1. or subparagraph (3)(a)2. and either spent the prior  
1205 school year in attendance at a Florida public school or,  
1206 beginning in the 2022-2023 school year, is eligible to enroll in  
1207 kindergarten. For purposes of this subparagraph, the term "prior  
1208 school year in attendance" means that the student was enrolled  
1209 and reported by a school district for funding during either the  
1210 preceding October or February full-time equivalent student  
1211 membership ~~Florida Education Finance Program~~ surveys in  
1212 kindergarten through grade 12, which includes time spent in a  
1213 Department of Juvenile Justice commitment program if funded  
1214 under the Florida Education Finance Program.

1215           2. The scholarship amount provided to a student for any  
1216 single school year shall be for tuition and fees for an eligible  
1217 private school, not to exceed annual limits, which shall be  
1218 determined in accordance with this subparagraph. The calculated

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1219 scholarship amount for a participating student shall be based  
1220 upon the grade level and school district in which the student  
1221 was assigned as 100 percent of the funds per unweighted full-  
1222 time equivalent in the Florida Education Finance Program for a  
1223 student in the basic program established pursuant to s.  
1224 1011.62(1)(c)1., plus a per-full-time equivalent share of funds  
1225 for all categorical programs, except for the exceptional student  
1226 education guaranteed allocation established pursuant to s.  
1227 1011.62(1)(e).

1228 3. The amount of the scholarship shall be the calculated  
1229 amount or the amount of the private school's tuition and fees,  
1230 whichever is less. The amount of any assessment fee required by  
1231 the participating private school and any costs to provide a  
1232 digital device, including Internet access, if necessary, to the  
1233 student may be paid from the total amount of the scholarship.

1234 4. A scholarship of \$750 or an amount equal to the school  
1235 district expenditure per student riding a school bus, as  
1236 determined by the department, whichever is greater, may be  
1237 awarded to a student who is determined eligible pursuant to  
1238 subparagraph (3)(a)1. or subparagraph (3)(a)2. and enrolled in a  
1239 Florida public school that is different from the school to which  
1240 the student was assigned or in a lab school as defined in s.  
1241 1002.32 if the school district does not provide the student with  
1242 transportation to the school.

1243 5. ~~Upon notification from the organization on July 1,~~  
1244 ~~September 1, December 1, and February 1 that an application has~~  
1245 ~~been approved for the program, the department shall verify that~~  
1246 ~~the student is not prohibited from receiving a scholarship~~  
1247 ~~pursuant to subsection (6).~~ The organization must provide the

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1248 department with the documentation necessary to verify the  
1249 student's participation. Upon receiving the documentation  
1250 ~~verification~~, the department shall transfer, from state funds  
1251 only, the amount calculated pursuant to subparagraph 2. to the  
1252 organization for quarterly disbursement to parents of  
1253 participating students each school year in which the scholarship  
1254 is in force. For a student exiting a Department of Juvenile  
1255 Justice commitment program who chooses to participate in the  
1256 scholarship program, the amount of the Family Empowerment  
1257 Scholarship calculated pursuant to subparagraph 2. must be  
1258 transferred from the school district in which the student last  
1259 attended a public school before commitment to the Department of  
1260 Juvenile Justice. When a student enters the scholarship program,  
1261 the organization must receive all documentation required for the  
1262 student's participation, including the private school's and the  
1263 student's fee schedules, at least 30 days before the first  
1264 quarterly scholarship payment is made for the student.

1265         6. The initial payment shall be made after the  
1266 organization's verification of admission acceptance, and  
1267 subsequent payments shall be made upon verification of continued  
1268 enrollment and attendance at the private school. Payment must be  
1269 by individual warrant made payable to the student's parent or by  
1270 funds transfer or any other means of payment that the department  
1271 deems to be commercially viable or cost-effective. If the  
1272 payment is made by warrant, the warrant must be delivered by the  
1273 organization to the private school of the parent's choice, and  
1274 the parent shall restrictively endorse the warrant to the  
1275 private school. An organization shall ensure that the parent to  
1276 whom the warrant is made has restrictively endorsed the warrant

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1277 to the private school for deposit into the account of the  
1278 private school or that the parent has approved a funds transfer  
1279 before any scholarship funds are deposited.

1280 (b)1. Scholarships for students determined eligible  
1281 pursuant to paragraph (3) (b) are established for up to 26,500  
1282 ~~20,000~~ students annually beginning in the 2022-2023 ~~2021-2022~~  
1283 school year. Beginning in the 2023-2024 ~~2022-2023~~ school year,  
1284 the maximum number of students participating in the scholarship  
1285 program under this section shall annually increase by 1.0  
1286 percent of the state's total exceptional student education full-  
1287 time equivalent student membership ~~enrollment~~, not including  
1288 gifted students. An eligible student who meets any of the  
1289 following requirements shall be excluded from the maximum number  
1290 of students if the student:

1291 a. Received specialized instructional services under the  
1292 Voluntary Prekindergarten Education Program pursuant to s.  
1293 1002.66 during the previous school year and the student has a  
1294 current IEP developed by the district ~~local~~ school board in  
1295 accordance with rules of the State Board of Education;

1296 b. Is a dependent child of a member of the United States  
1297 Armed Forces, a foster child, or an adopted child;

1298 c. Spent the prior school year in attendance at a Florida  
1299 public school or the Florida School for the Deaf and the Blind.  
1300 For purposes of this subparagraph, the term "prior school year  
1301 in attendance" means that the student was enrolled and reported  
1302 by:

1303 (I) A school district for funding during either the  
1304 preceding October or February full-time equivalent student  
1305 membership ~~Florida Education Finance Program~~ surveys in

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1306 kindergarten through grade 12, which includes time spent in a  
1307 Department of Juvenile Justice commitment program if funded  
1308 under the Florida Education Finance Program;

1309 (II) The Florida School for the Deaf and the Blind during  
1310 the preceding October or February full-time equivalent student  
1311 membership surveys in kindergarten through grade 12;

1312 (III) A school district for funding during the preceding  
1313 October or February full-time equivalent student membership  
1314 ~~Florida Education Finance Program~~ surveys, was at least 4 years  
1315 of age when enrolled and reported, and was eligible for services  
1316 under s. 1003.21(1)(e); or

1317 (IV) Received a John M. McKay Scholarship for Students with  
1318 Disabilities in the 2021-2022 school year.

1319 2. For a student who has a Level I to Level III matrix of  
1320 services or a diagnosis by a physician or psychologist, the  
1321 calculated scholarship amount for a student participating in the  
1322 program must be based upon the grade level and school district  
1323 in which the student would have been enrolled as the total funds  
1324 per unweighted full-time equivalent in the Florida Education  
1325 Finance Program for a student in the basic exceptional student  
1326 education program pursuant to s. 1011.62(1)(c)1. and (e)1.c.,  
1327 plus a per full-time equivalent share of funds for all  
1328 categorical programs, as funded in the General Appropriations  
1329 Act, except that for the exceptional student education  
1330 guaranteed allocation, as provided in s. 1011.62(1)(e)1.c. and  
1331 2., the funds must be allocated based on the school district's  
1332 average exceptional student education guaranteed allocation  
1333 funds per exceptional student education full-time equivalent  
1334 student.

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1335           3. For a student with a Level IV or Level V matrix of  
1336 services, the calculated scholarship amount must be based upon  
1337 the school district to which the student would have been  
1338 assigned as the total funds per full-time equivalent for the  
1339 Level IV or Level V exceptional student education program  
1340 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time  
1341 equivalent share of funds for all categorical programs, as  
1342 funded in the General Appropriations Act.

1343           4. For a student who received a Gardiner Scholarship  
1344 pursuant to s. 1002.385 in the 2020-2021 school year, the amount  
1345 shall be the greater of the amount calculated pursuant to  
1346 subparagraph 2. or the amount the student received for the 2020-  
1347 2021 school year.

1348           5. For a student who received a John M. McKay Scholarship  
1349 pursuant to s. 1002.39 in the 2020-2021 school year, the amount  
1350 shall be the greater of the amount calculated pursuant to  
1351 subparagraph 2. or the amount the student received for the 2020-  
1352 2021 school year.

1353           6. ~~Upon notification from an organization on July 1,~~  
1354 ~~September 1, December 1, and February 1 that an application has~~  
1355 ~~been approved for the program, the department shall verify that~~  
1356 ~~the student is not prohibited from receiving a scholarship~~  
1357 ~~pursuant to subsection (6).~~ The organization must provide the  
1358 department with the documentation necessary to verify the  
1359 student's participation.

1360           7. Upon receiving the documentation verification, the  
1361 department shall release, from state funds only, the student's  
1362 scholarship funds to the organization, to be deposited into the  
1363 student's account in four equal amounts no later than September

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1364 1, November 1, February 1, and April 1 of each school year in  
1365 which the scholarship is in force.

1366 8. Accrued interest in the student's account is in addition  
1367 to, and not part of, the awarded funds. Program funds include  
1368 both the awarded funds and accrued interest.

1369 9. The organization may develop a system for payment of  
1370 benefits by funds transfer, including, but not limited to, debit  
1371 cards, electronic payment cards, or any other means of payment  
1372 which the department deems to be commercially viable or cost-  
1373 effective. A student's scholarship award may not be reduced for  
1374 debit card or electronic payment fees. Commodities or services  
1375 related to the development of such a system must be procured by  
1376 competitive solicitation unless they are purchased from a state  
1377 term contract pursuant to s. 287.056.

1378 10. Moneys received pursuant to this section do not  
1379 constitute taxable income to the qualified student or the parent  
1380 of the qualified student.

1381 Section 13. Paragraph (j) of subsection (6), paragraph (d)  
1382 of subsection (9), and paragraph (a) of subsection (11) of  
1383 section 1002.395, Florida Statutes, are amended to read:

1384 1002.395 Florida Tax Credit Scholarship Program.—

1385 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING  
1386 ORGANIZATIONS.—An eligible nonprofit scholarship-funding  
1387 organization:

1388 (j)1. May use eligible contributions received pursuant to  
1389 this section and ss. 212.099, 212.1832, and 1002.40 during the  
1390 state fiscal year in which such contributions are collected for  
1391 administrative expenses if the organization has operated as an  
1392 eligible nonprofit scholarship-funding organization for at least



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1393 the preceding 3 fiscal years and did not have any findings of  
1394 material weakness or material noncompliance in its most recent  
1395 audit under paragraph (m). Administrative expenses from eligible  
1396 contributions may not exceed 3 percent of the total amount of  
1397 all scholarships funded by an eligible scholarship-funding  
1398 organization under this chapter. Such administrative expenses  
1399 must be reasonable and necessary for the organization's  
1400 management and distribution of scholarships funded under this  
1401 chapter. Administrative expenses may include developing or  
1402 contracting with rideshare programs or facilitating carpool  
1403 strategies for recipients of a transportation scholarship. No  
1404 funds authorized under this subparagraph shall be used for  
1405 lobbying or political activity or expenses related to lobbying  
1406 or political activity. Up to one-third of the funds authorized  
1407 for administrative expenses under this subparagraph may be used  
1408 for expenses related to the recruitment of contributions from  
1409 taxpayers. An eligible nonprofit scholarship-funding  
1410 organization may not charge an application fee.

1411 2. Must expend for annual or partial-year scholarships an  
1412 amount equal to or greater than 75 percent of the net eligible  
1413 contributions remaining after administrative expenses during the  
1414 state fiscal year in which such contributions are collected. No  
1415 more than 25 percent of such net eligible contributions may be  
1416 carried forward to the following state fiscal year. All amounts  
1417 carried forward, for audit purposes, must be specifically  
1418 identified for particular students, by student name and the name  
1419 of the school to which the student is admitted, subject to the  
1420 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,  
1421 and the applicable rules and regulations issued pursuant

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1422 thereto. Any amounts carried forward shall be expended for  
1423 annual or partial-year scholarships in the following state  
1424 fiscal year. No later than September 30 of each year, net  
1425 eligible contributions remaining on June 30 of each year that  
1426 are in excess of the 25 percent that may be carried forward  
1427 shall be used to provide scholarships to eligible students or  
1428 transferred to other eligible nonprofit scholarship-funding  
1429 organizations to provide scholarships for eligible students. All  
1430 transferred funds must be deposited by each eligible nonprofit  
1431 scholarship-funding organization receiving such funds into its  
1432 scholarship account. All transferred amounts received by any  
1433 eligible nonprofit scholarship-funding organization must be  
1434 separately disclosed in the annual financial audit required  
1435 under paragraph (m).

1436         3. Must, before granting a scholarship for an academic  
1437 year, document each scholarship student's eligibility for that  
1438 academic year. A scholarship-funding organization may not grant  
1439 multiyear scholarships in one approval process.

1440  
1441 Information and documentation provided to the Department of  
1442 Education and the Auditor General relating to the identity of a  
1443 taxpayer that provides an eligible contribution under this  
1444 section shall remain confidential at all times in accordance  
1445 with s. 213.053.

1446         (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of  
1447 Education shall:

1448         (d) Cross-check the list of participating scholarship  
1449 students with the public school enrollment lists to avoid  
1450 duplication and, when the Florida Education Finance Program is

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1451 recalculated, adjust the amount of state funds allocated to  
1452 school districts through the Florida Education Finance Program  
1453 based upon the results of the cross-check.

1454 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1455 (a) The scholarship amount provided to any student for any  
1456 single school year by an eligible nonprofit scholarship-funding  
1457 organization from eligible contributions shall be for total  
1458 costs authorized under paragraph (6) (d), not to exceed annual  
1459 limits, which shall be determined as follows:

1460 1. For a student who received a scholarship in the 2018-  
1461 2019 school year, who remains eligible, and who is enrolled in  
1462 an eligible private school, the amount shall be the greater  
1463 amount calculated pursuant to subparagraph 2. or a percentage of  
1464 the unweighted FTE funding amount for the 2018-2019 state fiscal  
1465 year and thereafter as follows:

1466 a. Eighty-eight percent for a student enrolled in  
1467 kindergarten through grade 5.

1468 b. Ninety-two percent for a student enrolled in grade 6  
1469 through grade 8.

1470 c. Ninety-six percent for a student enrolled in grade 9  
1471 through grade 12.

1472 2. For students initially eligible in the 2019-2020 school  
1473 year or thereafter, the calculated amount for a student to  
1474 attend an eligible private school shall be calculated in  
1475 accordance with s. 1002.394(12) (a).

1476 3. The scholarship amount awarded to a student enrolled in  
1477 a Florida public school ~~in which a student is enrolled and that~~  
1478 is different from the school to which the student was assigned  
1479 or in a lab school as defined in s. 1002.32, must be an amount

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1480 equal to the school district expenditure per student riding a  
1481 school bus, as determined by the department, or is limited to  
1482 \$750, whichever is greater.

1483 Section 14. Paragraph (a) of subsection (8) of section  
1484 1002.40, Florida Statutes, is amended to read:

1485 1002.40 The Hope Scholarship Program.—

1486 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department  
1487 shall:

1488 (a) Cross-check the list of participating scholarship  
1489 students with the public school enrollment lists to avoid  
1490 duplication and, when the Florida Education Finance Program is  
1491 recalculated, adjust the amount of state funds allocated to  
1492 school districts through the Florida Education Finance Program  
1493 based upon the results of the cross-check.

1494 Section 15. Subsections (1), (2), and (6) of section  
1495 1002.411, Florida Statutes, are amended to read:

1496 1002.411 New Worlds Reading Scholarship Accounts.—

1497 (1) NEW WORLDS READING SCHOLARSHIP ACCOUNTS.—New Worlds  
1498 Reading Scholarship Accounts are established to provide  
1499 educational options for students.

1500 (2) ELIGIBILITY.—Contingent upon available funds, and on a  
1501 first-come, first-served basis, each student ~~in grades 3 through~~  
1502 ~~5~~ who is enrolled in a Florida public school in kindergarten  
1503 through grade 5 is eligible for a reading scholarship account if  
1504 the student has a substantial reading deficiency identified  
1505 under s. 1008.25(5)(a) or scored below a Level 3 on the ~~grade 3~~  
1506 ~~or grade 4~~ statewide, standardized English Language Arts (ELA)  
1507 assessment in the prior school year. An eligible student who is  
1508 classified as an English Language Learner and is enrolled in a

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1509 program or receiving services that are specifically designed to  
1510 meet the instructional needs of English Language Learner  
1511 students shall receive priority.

1512 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

1513 (a) By September 30, the school district shall notify the  
1514 parent of each student in kindergarten ~~grades 3~~ through grade 5  
1515 who has a substantial reading deficiency identified under s.  
1516 1008.25(5)(a) or scored below a level 3 on the statewide,  
1517 standardized ELA assessment in the prior school year of the  
1518 process to request and receive a reading scholarship, subject to  
1519 available funds.

1520 (b) A school district may not prohibit instructional  
1521 personnel from providing services pursuant to this section on  
1522 the instructional personnel's school campus outside regular work  
1523 hours, subject to school district policies for safety and  
1524 security operations to protect students, instructional  
1525 personnel, and educational facilities.

1526 Section 16. Effective January 1, 2023, paragraph (e) of  
1527 subsection (1) of section 1002.421, Florida Statutes, is amended  
1528 to read:

1529 1002.421 State school choice scholarship program  
1530 accountability and oversight.—

1531 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private  
1532 school participating in an educational scholarship program  
1533 established pursuant to this chapter must be a private school as  
1534 defined in s. 1002.01(2) in this state, be registered, and be in  
1535 compliance with all requirements of this section in addition to  
1536 private school requirements outlined in s. 1002.42, specific  
1537 requirements identified within respective scholarship program

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1538 laws, and other provisions of Florida law that apply to private  
1539 schools, and must:

1540 (e) Annually complete and submit to the department a  
1541 notarized scholarship compliance statement certifying that all  
1542 school employees and contracted personnel with direct student  
1543 contact have undergone background screening pursuant to s.  
1544 435.12 ~~s. 943.0542~~ and have met the screening standards as  
1545 provided in s. 435.04.

1546  
1547 The department shall suspend the payment of funds to a private  
1548 school that knowingly fails to comply with this subsection, and  
1549 shall prohibit the school from enrolling new scholarship  
1550 students, for 1 fiscal year and until the school complies. If a  
1551 private school fails to meet the requirements of this subsection  
1552 or has consecutive years of material exceptions listed in the  
1553 report required under paragraph (q), the commissioner may  
1554 determine that the private school is ineligible to participate  
1555 in a scholarship program.

1556 Section 17. Subsections (6) through (11) of section  
1557 1002.45, Florida Statutes, are renumbered as subsections (5)  
1558 through (10), respectively, and subsections (1) and (2),  
1559 paragraphs (b), (c), and (d) of subsection (3), subsections (4)  
1560 and (5), and present subsections (6), (7), (8), and (11) of  
1561 section 1002.45, Florida Statutes, are amended, to read:

1562 1002.45 Virtual instruction programs.—

1563 (1) PROGRAM.—

1564 (a) For purposes of this section, the term:

1565 1. "Approved virtual instruction program provider" means a  
1566 provider that is approved by the State Board ~~Department~~ of

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1567 Education under subsection (2), the Florida Virtual School, a  
1568 franchise of the Florida Virtual School, or a Florida College  
1569 System institution.

1570 2. "Department" means the Department of Education.

1571 ~~3.2.~~ "Virtual instruction program" means a program of  
1572 instruction provided in an interactive learning environment  
1573 created through technology in which students are separated from  
1574 their teachers by time or space, or both.

1575 (b)1. Each school district shall provide at least one  
1576 option for part-time and full-time virtual instruction for  
1577 students residing within the school district. All school  
1578 districts must provide parents with timely written notification  
1579 of at least one open enrollment period for full-time students of  
1580 90 days or more which ends 30 days before the first day of the  
1581 school year. ~~The purpose of the program is to make quality~~  
1582 ~~virtual instruction available to students using online and~~  
1583 ~~distance learning technology in the nontraditional classroom.~~ A  
1584 school district virtual instruction program shall consist of the  
1585 following:

1586 ~~a.1.~~ Full-time and part-time virtual instruction for  
1587 students enrolled in kindergarten through grade 12.

1588 ~~b.2.~~ Full-time or part-time virtual instruction for  
1589 students enrolled in dropout prevention and academic  
1590 intervention programs under s. 1003.53, Department of Juvenile  
1591 Justice education programs under s. 1003.52, core-curricula  
1592 courses to meet class size requirements under s. 1003.03, or  
1593 Florida College System institutions under this section.

1594 2. Each virtual instruction program established under  
1595 paragraph (c) by a school district either directly or through a

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1596 contract with an approved virtual instruction program provider  
1597 shall operate under its own Master School Identification Number  
1598 as prescribed by the department.

1599 (c) To provide students residing within the school district  
1600 ~~with~~ the option of participating in virtual instruction programs  
1601 as required by paragraph (b), a school district may:

1602 1. Contract with the Florida Virtual School or establish a  
1603 franchise of the Florida Virtual School pursuant to s.  
1604 1002.37(2) for the provision of a program under paragraph (b).  
1605 ~~Using this option is subject to the requirements of this section~~  
1606 ~~and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). A district may~~  
1607 ~~report full-time equivalent student membership for credit earned~~  
1608 ~~by a student who is enrolled in a virtual education course~~  
1609 ~~provided by the district which was completed after the end of~~  
1610 ~~the regular school year if the FTE is reported no later than the~~  
1611 ~~deadline for amending the final student membership report for~~  
1612 ~~that year.~~

1613 2. Contract with an approved virtual instruction program  
1614 provider under subsection (2) for the provision of a full-time  
1615 or part-time program under paragraph (b).

1616 3. Enter into an agreement with other school districts to  
1617 allow the participation of its students in an approved virtual  
1618 instruction program provided by the other school district. The  
1619 agreement must indicate a process for the transfer of funds  
1620 required by paragraph (6)(b) ~~(7)(a)~~.

1621 4. Establish school district operated part-time or full-  
1622 time kindergarten through grade 12 virtual instruction programs  
1623 ~~under paragraph (b) for students enrolled in the school~~  
1624 ~~district. A full-time program shall operate under its own Master~~



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1625 ~~School Identification Number.~~

1626       5. Enter into an agreement with a virtual charter school  
1627 authorized by the school district under s. 1002.33.

1628

1629 Contracts under subparagraph 1. or subparagraph 2. may include  
1630 multidistrict contractual arrangements ~~that may be~~ executed by a  
1631 regional consortium service organization established pursuant to  
1632 s. 1001.451 for its member districts. A multidistrict  
1633 contractual arrangement or an agreement under subparagraph 3. is  
1634 not subject to s. 1001.42(4)(d) and does not require the  
1635 participating school districts to be contiguous. These  
1636 arrangements may be used to fulfill the requirements of  
1637 paragraph (b).

1638       (d) A virtual charter school may provide full-time or part-  
1639 time virtual instruction for students in kindergarten through  
1640 grade 12 residing within the school district sponsoring the  
1641 virtual charter school if the virtual charter school has a  
1642 charter approved pursuant to s. 1002.33. A virtual charter  
1643 school may:

1644       1. Contract with the Florida Virtual School.

1645       2. Contract with an approved virtual instruction program  
1646 provider under subsection (2).

1647       3. Enter into an agreement with a school district to allow  
1648 the participation of the virtual charter school's students in  
1649 the school district's virtual instruction program. The agreement  
1650 must indicate a process for reporting of student enrollment and  
1651 the transfer of funds required by paragraph (6)(b) ~~(7)(a)~~.

1652       (e) Each school district shall:

1653       1. Provide to the department by each October 1, a copy of

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1654 each contract and the amount ~~amounts~~ paid per unweighted full-  
1655 time equivalent virtual student for services procured pursuant  
1656 to subparagraphs (c)1. and 2.

1657       2. Expend any ~~the~~ difference in the amount of funds per  
1658 unweighted full-time equivalent virtual student allocated to  
1659 ~~provided for a student participating in the school district~~  
1660 ~~virtual instruction program~~ pursuant to subsection (6)-(7) and  
1661 the amount ~~price~~ paid per unweighted full-time equivalent  
1662 virtual student by the school district for a contract executed  
1663 pursuant to subparagraph (c)1. or subparagraph (c)2. on ~~for~~  
1664 acquiring computer and device hardware and associated operating  
1665 system software that comply with the requirements of s.  
1666 1001.20(4)(a)1.b.

1667       3. Provide to the department ~~and~~ by September 1 of each  
1668 year ~~report to the department~~ an itemized list of items acquired  
1669 in subparagraph 2 ~~with these funds~~.

1670       4.3. ~~Limit the enrollment of~~ ~~virtual~~ full-time equivalent  
1671 virtual students residing outside of the school district  
1672 providing the virtual instruction pursuant to paragraph (c) to  
1673 no more than 50 percent of the total enrolled ~~virtual~~ full-time  
1674 equivalent virtual students residing inside the school district  
1675 providing the virtual instruction. This subparagraph applies to  
1676 any virtual instruction contract or agreement that is entered  
1677 into for the first time after June 30, 2021. However, a school  
1678 district may not enroll more ~~virtual~~ full-time equivalent  
1679 virtual students residing outside of the school district than  
1680 the total number of reported full-time equivalent students  
1681 residing inside the school district.

1682       (2) PROVIDER QUALIFICATIONS.—

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1683 (a) The department shall annually publish on its website  
1684 ~~online~~ a list of providers approved by the State Board of  
1685 Education to offer virtual instruction programs. To be approved  
1686 ~~by the department~~, a virtual instruction program provider must  
1687 document that it:

1688 1. Is nonsectarian in its programs, admission policies,  
1689 employment practices, and operations;

1690 2. Complies with the antidiscrimination provisions of s.  
1691 1000.05;

1692 3. Locates an administrative office or offices in this  
1693 state, requires its administrative staff to be state residents,  
1694 requires all instructional staff to be Florida-certified  
1695 teachers under chapter 1012 and conducts background screenings  
1696 for all employees or contracted personnel, as required by s.  
1697 1012.32, using state and national criminal history records;

1698 4. Electronically provides to parents and students specific  
1699 information ~~posted and accessible online~~ that includes, but is  
1700 not limited to, the following teacher-parent and teacher-student  
1701 contact information for each course:

1702 a. How to contact the instructor via phone, e-mail, or  
1703 online messaging tools.

1704 b. How to contact technical support via phone, e-mail, or  
1705 online messaging tools.

1706 c. How to contact the administration office via phone, e-  
1707 mail, or online messaging tools.

1708 d. Any requirement for regular contact with the instructor  
1709 for the course and clear expectations for meeting the  
1710 requirement.

1711 e. The requirement that the instructor in each course must,

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1712 at a minimum, conduct one contact with the parent and the  
1713 student each month;

1714 5. Possesses prior, successful experience offering virtual  
1715 instruction ~~online~~ courses to elementary, middle, or high school  
1716 students as demonstrated by quantified student learning gains in  
1717 each subject area and grade level provided for consideration as  
1718 an instructional program option. However, for a virtual  
1719 instruction program provider without sufficient prior,  
1720 successful experience offering online courses, the State Board  
1721 of Education ~~department~~ may conditionally approve the virtual  
1722 instruction program provider to offer courses measured pursuant  
1723 to subparagraph (7) (a)2. ~~(8) (a)2.~~ Conditional approval shall be  
1724 valid for 1 school year only and, based on the virtual  
1725 instruction program provider's experience in offering the  
1726 courses, the State Board of Education may ~~department shall~~  
1727 ~~determine whether to~~ grant approval to offer a virtual  
1728 instruction program;

1729 6. Is accredited by a regional accrediting association as  
1730 defined by State Board of Education rule;

1731 7. Ensures instructional and curricular quality through a  
1732 detailed curriculum and student performance accountability plan  
1733 that addresses every subject and grade level it intends to  
1734 provide through contract with the school district, including:

1735 a. Courses and programs that meet the standards of the  
1736 International Association for K-12 Online Learning and the  
1737 Southern Regional Education Board.

1738 b. Instructional content and services that align with, and  
1739 measure student attainment of, student proficiency in the Next  
1740 Generation Sunshine State Standards.

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1741 c. Mechanisms that determine and ensure that a student has  
1742 satisfied requirements for grade level promotion and high school  
1743 graduation with a standard diploma, as appropriate;

1744 8. Publishes ~~for the general public~~, in accordance with  
1745 disclosure requirements adopted in rule by the State Board of  
1746 Education, as part of its application as an approved virtual  
1747 instruction program ~~a~~ provider and in all contracts negotiated  
1748 pursuant to this section:

1749 a. Information and data about the curriculum of each full-  
1750 time and part-time virtual instruction program.

1751 b. School policies and procedures.

1752 c. Certification status and physical location of all  
1753 administrative and instructional personnel.

1754 d. Hours and times of availability of instructional  
1755 personnel.

1756 e. Student-teacher ratios.

1757 f. Student completion and promotion rates.

1758 g. Student, educator, and school performance accountability  
1759 outcomes;

1760 9. If the approved virtual instruction program provider is  
1761 a Florida College System institution, employs instructors who  
1762 meet the certification requirements for instructional staff  
1763 under chapter 1012; and

1764 10. Performs an annual financial audit of its accounts and  
1765 records conducted by an independent auditor who is a certified  
1766 public accountant licensed under chapter 473. The independent  
1767 auditor shall conduct the audit ~~which is~~ in accordance with  
1768 rules adopted by the Auditor General and, ~~is conducted~~ in  
1769 compliance with generally accepted auditing standards, and

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1770 include ~~includes~~ a report on financial statements presented in  
1771 accordance with generally accepted accounting principles. The  
1772 audit report shall be accompanied by a written statement from  
1773 the approved virtual instruction program provider in response to  
1774 any deficiencies identified within the audit report and shall be  
1775 submitted by the approved virtual instruction program provider  
1776 to the State Board of Education and the Auditor General no later  
1777 than 9 months after the end of the preceding fiscal year.

1778 (b) An approved virtual instruction program provider that  
1779 maintains compliance with all requirements of this section shall  
1780 retain its approved status for a period of ~~during the~~ 3 school  
1781 years after the date of ~~the department's~~ approval by the State  
1782 Board of Education under paragraph (a) as long as the provider  
1783 continues to comply with all requirements of this section.  
1784 ~~However, each provider approved by the department for the 2011-~~  
1785 ~~2012 school year must reapply for approval to provide a part-~~  
1786 ~~time program for students in grades 9 through 12.~~

1787 (3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual  
1788 instruction program under this section must:

1789 (b) Offer instruction that is designed to enable a student  
1790 to gain proficiency in each virtual instruction ~~virtually~~  
1791 ~~delivered~~ course of study.

1792 (c) Provide each student enrolled in the virtual  
1793 instruction program with all the necessary instructional  
1794 materials.

1795 (d) Provide each full-time student enrolled in the virtual  
1796 instruction program who qualifies for free or reduced-price  
1797 school lunches under the National School Lunch Act, or who is on  
1798 the direct certification list, and who does not have a computer

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1799 or Internet access in his or her home with:

1800 1. All equipment necessary for participants in the virtual  
1801 instruction program, including, but not limited to, a computer,  
1802 computer monitor, and printer, if a printer is necessary to  
1803 participate in the virtual instruction program; and

1804 2. Access to or reimbursement for all Internet services  
1805 necessary for online delivery of instruction.

1806 (4) CONTRACT REQUIREMENTS.—Each contract with an approved  
1807 virtual instruction program provider must, at minimum:

1808 (a) Set forth a detailed curriculum plan that illustrates  
1809 how students will be provided services and be measured for  
1810 attainment of proficiency in the Next Generation Sunshine State  
1811 Standards for each grade level and subject.

1812 (b) Provide a method for determining that a student has  
1813 satisfied the requirements for graduation in s. 1002.3105(5), s.  
1814 1003.4281, or s. 1003.4282 if the contract is for the provision  
1815 of a full-time virtual instruction program to students in grades  
1816 9 through 12.

1817 (c) Specify a method for resolving conflicts among the  
1818 parties.

1819 (d) Specify authorized reasons for termination of the  
1820 contract.

1821 (e) Require the approved virtual instruction program  
1822 provider to be responsible for all debts of the virtual  
1823 instruction program if the contract is not renewed or is  
1824 terminated.

1825 (f) Require the approved virtual instruction program  
1826 provider to comply with all requirements of this section.

1827 (g) Require the approved virtual instruction program

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1828 provider to submit a concise, uniform, monthly financial  
1829 statement summary sheet in a form prescribed by the department.

1830 (h) Provide the current incoming baseline standard of  
1831 student academic achievement, the outcomes to be achieved, the  
1832 method of measurement that will be used, and a detailed  
1833 description of:

1834 1. How the baseline student academic achievement levels and  
1835 prior rates of academic progress will be established.

1836 2. How these baseline rates will be compared to rates of  
1837 academic progress achieved by the same students while enrolled  
1838 in the virtual instruction program.

1839 3. To the extent possible, how the rates of progress will  
1840 be evaluated and compared with rates of progress of other  
1841 closely comparable student populations.

1842 (i) Require the approved virtual instruction program  
1843 provider to annually submit an accountability report that  
1844 contains demographic information and student achievement  
1845 performance data, that links baseline student data to the  
1846 provider performance projections identified in the contract.

1847  
1848 A contracting school district shall facilitate compliance with  
1849 the requirements of paragraphs (h) and (i).

1850 ~~(5) STUDENT ELIGIBILITY. A student may enroll in a virtual~~  
1851 ~~instruction program provided by the school district or by a~~  
1852 ~~virtual charter school pursuant to s. 1002.455.~~

1853 ~~(5)~~ ~~(6)~~ STUDENT PARTICIPATION REQUIREMENTS.—Each student  
1854 enrolled in the school district's a virtual instruction program  
1855 authorized pursuant to paragraph (1) (c) or virtual charter  
1856 school must:



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1857 (a) Comply with the compulsory attendance requirements of  
1858 s. 1003.21. Student attendance must be verified by the school  
1859 district.

1860 (b) Take statewide assessments pursuant to s. 1008.22.  
1861 Statewide assessments may be administered within the school  
1862 district in which such student resides, or as specified in the  
1863 contract in accordance with s. 1008.24(3). If requested by the  
1864 approved virtual instruction program provider or virtual charter  
1865 school, the district of residence must provide the student with  
1866 access to the district's testing facilities.

1867 ~~(6)-(7)~~ VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER  
1868 SCHOOL FUNDING.—

1869 (a) All virtual instruction programs established pursuant  
1870 to paragraph (1)(c) are subject to the requirements of s.  
1871 1011.61(1)(c)1.b.(III), (IV), (VI) and (4) and the school  
1872 district providing the virtual instruction program shall report  
1873 the full-time equivalent students, in a manner prescribed by the  
1874 department. A school district may report a full-time equivalent  
1875 student for credit earned by a student who is enrolled in a  
1876 virtual instruction course provided by the district which was  
1877 completed after the end of the regular school year if the full-  
1878 time equivalent student is reported no later than the deadline  
1879 for amending the final full-time equivalent student membership  
1880 report for that year ~~Students enrolled in a virtual instruction~~  
1881 ~~program or a virtual charter school shall be funded through the~~  
1882 ~~Florida Education Finance Program as provided in the General~~  
1883 ~~Appropriations Act. However, such funds may not be provided for~~  
1884 ~~the purpose of fulfilling the class size requirements in ss.~~  
1885 ~~1003.03 and 1011.685. The school district providing the virtual~~

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1886 ~~instruction shall report the full-time equivalent students for a~~  
1887 ~~virtual instruction program or a virtual charter school to the~~  
1888 ~~department in a manner prescribed by the department.~~

1889 (b) Students enrolled in a virtual instruction program  
1890 shall be funded in the Florida Education Finance Program as  
1891 provided in the General Appropriations Act. The calculation to  
1892 determine the amount of funds for each student through the  
1893 Florida Education Finance Program shall include the sum of the  
1894 base Florida Education Finance Program pursuant to s.  
1895 1011.62(1)(s) and all categorical programs except for the  
1896 categorical programs established pursuant to ss. 1011.62(1)(f),  
1897 1011.62(7), 1011.62(13), 1011.68, 1011.685, and 1012.71.

1898 Students residing outside of the school district reporting the  
1899 full-time equivalent virtual student shall be funded from state  
1900 funds only.

1901 ~~(b) For purposes of a virtual instruction program or a~~  
1902 ~~virtual charter school, "full-time equivalent student" has the~~  
1903 ~~same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).~~

1904 ~~(c) For a student enrolled in a kindergarten through grade~~  
1905 ~~12 virtual instruction program, a "full-time equivalent student"~~  
1906 ~~has the same meaning as provided in s. 1011.61(1)(c)1.b.(III)~~  
1907 ~~and (IV).~~

1908 ~~(d) The full-time equivalent student membership calculated~~  
1909 ~~under this subsection is subject to the requirements in s.~~  
1910 ~~1011.61(4).~~

1911 (c)(e) A Florida College System institution provider may  
1912 not report students who are served in a virtual instruction  
1913 program for funding under the Florida College System Program  
1914 Fund.

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1915 (7)~~(8)~~ ASSESSMENT AND ACCOUNTABILITY.—

1916 (a) Each approved virtual instruction program provider  
1917 contracted pursuant to ~~under~~ this section must:

1918 1. Participate in the statewide assessment program under s.  
1919 1008.22 and in the state's education performance accountability  
1920 system under s. 1008.31.

1921 2. Receive a school grade under s. 1008.34 or a school  
1922 improvement rating under s. 1008.341, as applicable. The ~~school~~  
1923 ~~grade or~~ school improvement rating received by each approved  
1924 virtual instruction program provider shall be based upon the  
1925 aggregated assessment scores of all students served by the  
1926 provider statewide. Each approved virtual instruction program  
1927 provider shall receive a district grade pursuant to s. 1008.34  
1928 based upon the aggregated assessment scores of all students  
1929 served by the provider statewide and a separate school grade for  
1930 each school district with which it contracts based upon the  
1931 assessment scores of all students served within the school  
1932 district. The department shall publish the school grade or  
1933 school improvement rating received by each approved virtual  
1934 instruction program provider on its Internet website. The  
1935 department shall develop an evaluation method for providers of  
1936 part-time programs which includes the percentage of students  
1937 making learning gains, the percentage of students successfully  
1938 passing any required end-of-course assessment, the percentage of  
1939 students taking Advanced Placement examinations, and the  
1940 percentage of students scoring 3 or higher on an Advanced  
1941 Placement examination.

1942 (b) The performance of part-time students in grades 9  
1943 through 12 shall not be included for purposes of school grades

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1944 or school improvement ratings under subparagraph (a)2.; however,  
1945 their performance shall be included for school grading or school  
1946 improvement rating purposes by the district nonvirtual school  
1947 providing the student's primary instruction.

1948 (c) An approved virtual instruction program provider that  
1949 receives a school grade of "D" or "F" pursuant to ~~under~~ s.  
1950 1008.34 or a school improvement rating of "Unsatisfactory"  
1951 pursuant to ~~under~~ s. 1008.341 must file a school improvement  
1952 plan with the department for consultation to determine the  
1953 causes for low performance and corrective actions necessary to  
1954 improve performance ~~to develop a plan for correction and~~  
1955 ~~improvement.~~

1956 (d) An approved virtual instruction program provider's  
1957 contract is automatically ~~must be~~ terminated if the provider  
1958 earns two consecutive ~~receives a school grades~~ grade of "D" or  
1959 "F" pursuant to ~~under~~ s. 1008.34 after all school grade appeals  
1960 are final or earns two consecutive a school improvement ratings  
1961 ~~rating~~ of "Unsatisfactory" pursuant to ~~under~~ s. 1008.341 ~~for 2~~  
1962 ~~years during any consecutive 4-year period~~ or has violated any  
1963 qualification requirement pursuant to subsection (2). An  
1964 approved virtual instruction program A provider that has a  
1965 contract terminated under this paragraph may not be considered  
1966 an approved virtual instruction program provider for ~~a period of~~  
1967 at least 1 year after the date upon which the contract was  
1968 terminated and until the State Board of Education ~~department~~  
1969 determines that the virtual instruction program provider is in  
1970 compliance with subsection (2) and has corrected each cause of  
1971 the provider's low performance.

1972 (10) ~~(11)~~ RULES.—The State Board of Education shall adopt

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1973 rules necessary to administer this section, including rules that  
1974 prescribe disclosure requirements under subsection (2), a  
1975 standard contract that meets the requirements under subsection  
1976 (4), and school district reporting requirements under subsection  
1977 (6) ~~(7)~~.

1978 Section 18. Section 1002.455, Florida Statutes, is amended  
1979 to read:

1980 1002.455 Student eligibility for K-12 virtual instruction.—  
1981 All students, including home education and private school  
1982 students, are eligible to participate in any of the following  
1983 virtual instruction options:

1984 (1) School district operated part-time or full-time  
1985 kindergarten through grade 12 virtual instruction programs  
1986 pursuant to s. 1002.45(1)(c)4. to students within the school  
1987 district under s. 1002.45(1)(b).

1988 (2) Part-time or full-time virtual charter school  
1989 instruction authorized pursuant to s. 1002.45(1)(c)5. ~~under s.~~  
1990 ~~1002.33~~ to students within the school district or to students in  
1991 other school districts throughout the state pursuant to s.  
1992 1002.31; however, the school district enrolling the full-time  
1993 equivalent virtual student shall comply with the enrollment  
1994 requirements established under to s. 1002.45(1)(e)4.

1995 (3) Virtual courses offered in the course code directory to  
1996 students within the school district or to students in other  
1997 school districts throughout the state pursuant to s. 1003.498.

1998 (4) Florida Virtual School instructional services  
1999 authorized pursuant to ~~under~~ s. 1002.37.

2000 (5) Virtual instruction provided by a school district  
2001 through a contract with an approved virtual instruction program

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2002 provider pursuant to s. 1002.45(1)(c)2. to students within the  
2003 school district or to students in other school districts  
2004 throughout the state pursuant to s. 1002.31; however the school  
2005 district enrolling the full-time equivalent virtual student  
2006 shall comply with the enrollment requirements established under  
2007 s. 1002.45(1)(e)4.

2008 Section 19. Subsection (4) of section 1002.81, Florida  
2009 Statutes, is amended to read:

2010 1002.81 Definitions.—Consistent with the requirements of 45  
2011 C.F.R. parts 98 and 99 and as used in this part, the term:

2012 (4) "Direct enhancement services" means services for  
2013 families and children that are in addition to payments for the  
2014 placement of children in the school readiness program. Direct  
2015 enhancement services for families and children may include  
2016 supports for providers, parent training and involvement  
2017 activities, and strategies to meet the needs of unique  
2018 populations and local eligibility priorities. Direct enhancement  
2019 services offered by an early learning coalition shall be  
2020 consistent with the activities prescribed in s. 1002.89(4)(b) ~~s.~~  
2021 ~~1002.89(5)(b)~~.

2022 Section 20. Paragraphs (d), (m), and (p) of subsection (2)  
2023 and paragraph (a) of subsection (7) of section 1002.82, Florida  
2024 Statutes, are amended to read:

2025 1002.82 Department of Education; powers and duties.—

2026 (2) The department shall:

2027 (d) Establish procedures for the annual ~~biennial~~  
2028 calculation of the prevailing market rate and procedures for the  
2029 collection of data to support the calculation of the cost of  
2030 care pursuant to s. 1002.90 ~~or an alternative model that has~~

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2031 ~~been approved by the Administration for Children and Families~~  
2032 ~~pursuant to 45 C.F.R. s. 98.45(c).~~

2033 (m) Provide technical support to an early learning  
2034 coalition to facilitate the use of a standard statewide provider  
2035 contract adopted by the department to be used with each school  
2036 readiness program provider, with standardized attachments by  
2037 provider type. The department shall publish a copy of the  
2038 standard statewide provider contract on its website. The  
2039 standard statewide contract shall include, at a minimum,  
2040 contracted slots, if applicable, in accordance with the Child  
2041 Care and Development Block Grant Act of 2014, 45 C.F.R. parts 98  
2042 and 99; quality improvement strategies, if applicable; program  
2043 assessment requirements; and provisions for provider probation,  
2044 termination for cause, and emergency termination for those  
2045 actions or inactions of a provider that pose an immediate and  
2046 serious danger to the health, safety, or welfare of the  
2047 children. The standard statewide provider contract shall also  
2048 include appropriate due process procedures. During the pendency  
2049 of an appeal of a termination, the provider may not continue to  
2050 offer its services. Any provision imposed upon a provider that  
2051 is inconsistent with, or prohibited by, law is void and  
2052 unenforceable. Provisions for termination for cause must also  
2053 include failure to meet the minimum quality measures established  
2054 under paragraph (n) for a period of up to 5 years, unless the  
2055 coalition determines that the provider is essential to meeting  
2056 capacity needs based on the assessment under s. 1002.85(2)(i) ~~s.~~  
2057 ~~1002.85(2)(j)~~ and the provider has an active improvement plan  
2058 pursuant to paragraph (n).

2059 (p) No later than July 1, 2022, develop and adopt

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2060 requirements for the implementation of a program designed to  
2061 make available contracted slots to serve children at the  
2062 greatest risk of school failure as determined by such children  
2063 being located in an area that has been designated as a poverty  
2064 area tract according to the latest census data. The contracted  
2065 slot program may also be used to increase the availability of  
2066 child care capacity based on the assessment under s.  
2067 1002.85(2)(i) ~~s. 1002.85(2)(j)~~.

2068 (7) By January 1 of each year, the department shall  
2069 annually publish on its website a report of its activities  
2070 conducted under this section. The report must include a summary  
2071 of the coalitions' annual reports, a statewide summary, and the  
2072 following:

2073 (a) An analysis of early learning activities throughout the  
2074 state, including the school readiness program and the Voluntary  
2075 Prekindergarten Education Program.

2076 1. The total and average number of children served in the  
2077 school readiness program, enumerated by age, eligibility  
2078 priority category, and coalition, and the total number of  
2079 children served in the Voluntary Prekindergarten Education  
2080 Program.

2081 2. A summary of expenditures by coalition, by fund source,  
2082 including a breakdown by coalition of the percentage of  
2083 expenditures for administrative activities, quality activities,  
2084 nondirect services, and direct services for children.

2085 3. A description of the department's and each coalition's  
2086 expenditures by fund source for the quality and enhancement  
2087 activities described in s. 1002.89(4)(b) ~~s. 1002.89(5)(b)~~.

2088 4. A summary of annual findings and collections related to



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2089 provider fraud and parent fraud.

2090 5. Data regarding the coalitions' delivery of early  
2091 learning programs.

2092 6. The total number of children disenrolled statewide and  
2093 the reason for disenrollment.

2094 7. The total number of providers by provider type.

2095 8. The number of school readiness program providers who  
2096 have completed the program assessment required under paragraph  
2097 (2)(n); the number of providers who have not met the minimum  
2098 program assessment composite score for contracting established  
2099 under paragraph (2)(n); and the number of providers that have an  
2100 active improvement plan based on the results of the program  
2101 assessment under paragraph (2)(n).

2102 9. The total number of provider contracts revoked and the  
2103 reasons for revocation.

2104 Section 21. Subsection (17) of section 1002.84, Florida  
2105 Statutes, is amended to read:

2106 1002.84 Early learning coalitions; school readiness powers  
2107 and duties.—Each early learning coalition shall:

2108 (17)(a) Distribute the school readiness program funds as  
2109 allocated in the General Appropriations Act to the eligible  
2110 providers using the following methodology:

2111 1. For each county in the early learning coalition,  
2112 multiply the cost of care by care level as provided in s.  
2113 1002.90 by the county's district cost differential provided in  
2114 s. 1011.62(2).

2115 2. If a county enacted a local ordinance before  
2116 January 1, 2022, that establishes the county's staff-to-children  
2117 ratio for licensed child care facilities below the ratio

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2118 established in s. 402.305(4), multiply the provider  
2119 reimbursement rates for that county by the adjustment factor  
2120 specified in the General Appropriations Act.

2121 3. Apply the weight established pursuant to s. 1002.90 for  
2122 each provider type to calculate the minimum provider  
2123 reimbursement rates by care level.

2124 4. Multiply the weighted provider reimbursement rates by 22  
2125 percent to determine the amount of the school readiness  
2126 allocation an early learning coalition is eligible to retain  
2127 pursuant to s. 1002.89(4).

2128 (b) Distribute to each eligible provider the minimum  
2129 provider reimbursement rate, by provider type and care level,  
2130 regardless of the provider's private pay rate. All minimum  
2131 provider reimbursement rates shall be charged as direct services  
2132 pursuant to s. 1002.89.

2133  
2134 Each early learning coalition with approved minimum provider  
2135 reimbursement rates for the infant to age 5 care levels that are  
2136 higher than the minimum provider reimbursement rates established  
2137 in this subsection may continue to implement its approved  
2138 minimum provider reimbursement rates until the rates established  
2139 in this subsection exceed its approved rates ~~Adopt a payment~~  
2140 ~~schedule that encompasses all programs funded under this part~~  
2141 ~~and part V of this chapter. The payment schedule must take into~~  
2142 ~~consideration the prevailing market rate or an alternative model~~  
2143 ~~that has been approved by the Administration for Children and~~  
2144 ~~Families pursuant to 45 C.F.R. s. 98.45(c), include the~~  
2145 ~~projected number of children to be served, and be submitted for~~  
2146 ~~approval by the department. Informal child care arrangements~~

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2147 ~~shall be reimbursed at not more than 50 percent of the rate~~  
2148 ~~adopted for a family day care home.~~

2149 Section 22. Paragraphs (c) through (j) of subsection (2) of  
2150 section 1002.85, Florida Statutes, are redesignated as  
2151 paragraphs (b) through (i), respectively, and present paragraphs  
2152 (b) and (c) of that subsection are amended to read:

2153 1002.85 Early learning coalition plans.—

2154 (2) Each early learning coalition must biennially submit a  
2155 school readiness program plan to the department before the  
2156 expenditure of funds. A coalition may not implement its school  
2157 readiness program plan until it receives approval from the  
2158 department. A coalition may not implement any revision to its  
2159 school readiness program plan until the coalition submits the  
2160 revised plan to and receives approval from the department. If  
2161 the department rejects a plan or revision, the coalition must  
2162 continue to operate under its previously approved plan. The plan  
2163 must include, but is not limited to:

2164 ~~(b) The minimum number of children to be served by care~~  
2165 ~~level.~~

2166 (b) ~~(e)~~ The coalition's procedures for implementing the  
2167 requirements of this part, including:

2168 1. Single point of entry.

2169 2. Uniform waiting list.

2170 3. Eligibility and enrollment processes and local  
2171 eligibility priorities for children pursuant to s. 1002.87.

2172 4. Parent access and choice.

2173 5. Sliding fee scale and policies on applying the waiver or  
2174 reduction of fees in accordance with s. 1002.84(9).

2175 6. Use of preassessments and postassessments, as

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2176 applicable.

2177 ~~7. Payment rate schedule.~~

2178 ~~7.8.~~ Use of contracted slots, as applicable, based on the  
2179 results of the assessment required under paragraph (i) ~~(j)~~.

2180 Section 23. Paragraph (c) of subsection (1) of section  
2181 1002.87, Florida Statutes, is amended to read:

2182 1002.87 School readiness program; eligibility and  
2183 enrollment.—

2184 (1) Each early learning coalition shall give priority for  
2185 participation in the school readiness program as follows:

2186 (c) Subsequent priority shall be given, based on the early  
2187 learning coalition's local priorities identified under s.  
2188 1002.85(2)(i) ~~s. 1002.85(2)(j)~~, to children who meet the  
2189 following criteria:

2190 1. A child from birth to the beginning of the school year  
2191 for which the child is eligible for admission to kindergarten in  
2192 a public school under s. 1003.21(1)(a)2. who is from a working  
2193 family that is economically disadvantaged, and may include such  
2194 child's eligible siblings, beginning with the school year in  
2195 which the sibling is eligible for admission to kindergarten in a  
2196 public school under s. 1003.21(1)(a)2. until the beginning of  
2197 the school year in which the sibling is eligible to begin 6th  
2198 grade, provided that the first priority for funding an eligible  
2199 sibling is local revenues available to the coalition for funding  
2200 direct services.

2201 2. A child of a parent who transitions from the work  
2202 program into employment as described in s. 445.032 from birth to  
2203 the beginning of the school year for which the child is eligible  
2204 for admission to kindergarten in a public school under s.

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2205 1003.21(1)(a)2.

2206 3. An at-risk child who is at least 9 years of age but  
2207 younger than 13 years of age. An at-risk child whose sibling is  
2208 enrolled in the school readiness program within an eligibility  
2209 priority category listed in paragraphs (a) and (b) and  
2210 subparagraph 1. shall be given priority over other children who  
2211 are eligible under this paragraph.

2212 4. A child who is younger than 13 years of age from a  
2213 working family that is economically disadvantaged.

2214 5. A child of a parent who transitions from the work  
2215 program into employment as described in s. 445.032 who is  
2216 younger than 13 years of age.

2217 6. A child who has special needs, has been determined  
2218 eligible as a student with a disability, has a current  
2219 individual education plan with a Florida school district, and is  
2220 not younger than 3 years of age. A special needs child eligible  
2221 under this paragraph remains eligible until the child is  
2222 eligible for admission to kindergarten in a public school under  
2223 s. 1003.21(1)(a)2.

2224 7. A child who otherwise meets one of the eligibility  
2225 criteria in paragraphs (a) and (b) and subparagraphs 1. and 2.  
2226 but who is also enrolled concurrently in the federal Head Start  
2227 Program and the Voluntary Prekindergarten Education Program.

2228 Section 24. Section 1002.89, Florida Statutes, is amended  
2229 to read:

2230 1002.89 School readiness program; funding.—

2231 (1) DETERMINATION OF EARLY LEARNING COALITION SCHOOL  
2232 READINESS PROGRAM FUNDING.—Funding for the school readiness  
2233 program shall be used by ~~allocated among~~ the early learning

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2234 coalitions in accordance with this part ~~section~~ and the General  
2235 Appropriations Act.

2236 (a) School readiness program allocation.—If the annual  
2237 allocation for the school readiness program is not determined in  
2238 the General Appropriations Act or the substantive bill  
2239 implementing the General Appropriations Act, it shall be  
2240 determined as follows:

2241 1. For each county in the early learning coalition, the  
2242 total school readiness eligible population, as adopted by the  
2243 Early Learning Programs Estimating Conference pursuant to s.  
2244 216.136(8), shall be multiplied by the county's district cost  
2245 differential provided in s. 1011.62(2).

2246 2. If a county passed a local ordinance before January 1,  
2247 2022, that establishes the county's staff-to-children ratio for  
2248 licensed child care facilities below the ratio established in s.  
2249 402.305(4), multiply the product calculated in subparagraph 1.  
2250 by the adjustment factor specified in the General Appropriations  
2251 Act.

2252 3. Each county's school readiness allocation shall be based  
2253 on the county's proportionate share of the total adjusted  
2254 eligible school readiness population.

2255 (b) Gold Seal Quality Care Program allocation.—There is  
2256 created the Gold Seal Quality Care Program allocation to provide  
2257 eligible school readiness program providers the rate  
2258 differential established pursuant to s. 1002.945(6). Subject to  
2259 legislative appropriation, all expenditures from the Gold Seal  
2260 Quality Care Program allocation shall be used by the department  
2261 to help meet federal targeted requirements for improving quality  
2262 to the extent allowable in the state's approved Child Care and

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2263 Development Fund Plan.

2264 (c) Differential payment program allocation.—There is  
2265 created the differential payment program allocation to provide  
2266 eligible school readiness program providers the differential pay  
2267 established pursuant to s. 1002.82(2)(o). Subject to legislative  
2268 appropriation, all expenditures from the differential payment  
2269 program allocation shall be used by the department to help meet  
2270 federal targeted requirements for improving quality to the  
2271 extent allowable in the state’s approved Child Care and  
2272 Development Fund Plan.

2273 (d) Special needs differential allocation.—There is created  
2274 the special needs differential allocation to assist eligible  
2275 school readiness program providers to implement the special  
2276 needs rate provisions defined in the state’s approved Child Care  
2277 and Development Fund Plan. Subject to legislative appropriation,  
2278 each early learning coalition shall be reimbursed based on  
2279 actual expenditures. All expenditures from the special needs  
2280 differential allocation shall be used by the department to help  
2281 meet federal targeted requirements for improving quality to the  
2282 extent allowable in the state’s approved plan.

2283 (2) INSTRUCTION REQUIREMENTS.—All instructions to early  
2284 learning coalitions for administering this section shall emanate  
2285 from the department in accordance with the policies of the  
2286 Legislature.

2287 ~~(3) All cost savings and all revenues received through a~~  
2288 ~~mandatory sliding fee scale shall be used to increase the number~~  
2289 ~~of children served.~~

2290 (3)(4) MATCHING FUND REQUIREMENTS.—All state, federal, and  
2291 local matching funds provided to an early learning coalition for

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2292 purposes of this section shall be used for implementation of its  
2293 approved school readiness program plan, including the hiring of  
2294 staff to effectively operate the school readiness program.

2295 (4)~~(5)~~ COST REQUIREMENTS.—Costs shall be kept to the  
2296 minimum necessary for the efficient and effective administration  
2297 of the school readiness program with the highest priority of  
2298 expenditure being direct services for eligible children.

2299 However, no more than 5 percent of the funds allocated in  
2300 paragraph (1)(a) ~~described in subsection (4)~~ may be used for  
2301 administrative costs and no more than 22 percent of the funds  
2302 allocated in paragraph (1)(a) ~~described in subsection (4)~~ may be  
2303 used in any fiscal year for any combination of administrative  
2304 costs, quality activities, and nondirect services as follows:

2305 (a) Administrative costs as described in 45 C.F.R. s.  
2306 98.54, which shall include monitoring providers using the  
2307 standard methodology adopted under s. 1002.82 to improve  
2308 compliance with state and federal regulations and law pursuant  
2309 to the requirements of the statewide provider contract adopted  
2310 under s. 1002.82(2)(m).

2311 (b) Activities to improve the quality of child care as  
2312 described in 45 C.F.R. s. 98.53, which shall be limited to the  
2313 following:

2314 1. Developing, establishing, expanding, operating, and  
2315 coordinating resource and referral programs specifically related  
2316 to the provision of comprehensive consumer education to parents  
2317 and the public to promote informed child care choices specified  
2318 in 45 C.F.R. s. 98.33.

2319 2. Awarding grants and providing financial support to  
2320 school readiness program providers and their staff to assist



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2321 them in meeting applicable state requirements for the program  
2322 assessment required under s. 1002.82(2)(n), child care  
2323 performance standards, implementing developmentally appropriate  
2324 curricula and related classroom resources that support  
2325 curricula, providing literacy supports, and providing continued  
2326 professional development and training. Any grants awarded  
2327 pursuant to this subparagraph shall comply with ss. 215.971 and  
2328 287.058.

2329         3. Providing training, technical assistance, and financial  
2330 support to school readiness program providers, staff, and  
2331 parents on standards, child screenings, child assessments, child  
2332 development research and best practices, developmentally  
2333 appropriate curricula, character development, teacher-child  
2334 interactions, age-appropriate discipline practices, health and  
2335 safety, nutrition, first aid, cardiopulmonary resuscitation, the  
2336 recognition of communicable diseases, and child abuse detection,  
2337 prevention, and reporting.

2338         4. Providing, from among the funds provided for the  
2339 activities described in subparagraphs 1.-3., adequate funding  
2340 for infants and toddlers as necessary to meet federal  
2341 requirements related to expenditures for quality activities for  
2342 infant and toddler care.

2343         5. Improving the monitoring of compliance with, and  
2344 enforcement of, applicable state and local requirements as  
2345 described in and limited by 45 C.F.R. s. 98.40.

2346         6. Responding to Warm-Line requests by providers and  
2347 parents, including providing developmental and health screenings  
2348 to school readiness program children.

2349         (c) Nondirect services as described in applicable Office of

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2350 Management and Budget instructions are those services not  
2351 defined as administrative, direct, or quality services that are  
2352 required to administer the school readiness program. Such  
2353 services include, but are not limited to:

- 2354 1. Assisting families to complete the required application  
2355 and eligibility documentation.
- 2356 2. Determining child and family eligibility.
- 2357 3. Recruiting eligible child care providers.
- 2358 4. Processing and tracking attendance records.
- 2359 5. Developing and maintaining a statewide child care  
2360 information system.

2361  
2362 As used in this paragraph, the term "nondirect services" does  
2363 not include payments to school readiness program providers for  
2364 direct services provided to children who are eligible under s.  
2365 1002.87, administrative costs as described in paragraph (a), or  
2366 quality activities as described in paragraph (b).

2367 (5)-(6) LIMITATION ON THE USE OF PROGRAM FUNDS.—Funds  
2368 appropriated for the school readiness program may not be  
2369 expended for the purchase or improvement of land; for the  
2370 purchase, construction, or permanent improvement of any building  
2371 or facility; or for the purchase of buses. However, funds may be  
2372 expended for minor remodeling and upgrading of child care  
2373 facilities which is necessary for the administration of the  
2374 program and to ensure that providers meet state and local child  
2375 care standards, including applicable health and safety  
2376 requirements.

2377 Section 25. Effective upon this act becoming a law, section  
2378 1002.895, Florida Statutes, is amended to read:

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2379 1002.895 Market rate schedule.—The school readiness program  
2380 market rate schedule shall be implemented as follows:

2381 (1) The department shall establish procedures for the  
2382 adoption of a market rate schedule ~~until an alternative model~~  
2383 ~~that has been approved by the Administration for Children and~~  
2384 ~~Families pursuant to 45 C.F.R. s. 98.45(c) is available for~~  
2385 ~~adoption~~. The schedule must include, at a minimum, county-by-  
2386 county rates:

2387 (a) The market rate, including the minimum and the maximum  
2388 rates for child care providers that hold a Gold Seal Quality  
2389 Care designation under s. 1002.945 and adhere to its accrediting  
2390 association's teacher-to-child ratios and group size  
2391 requirements.

2392 (b) The market rate for child care providers that do not  
2393 hold a Gold Seal Quality Care designation.

2394 (2) The market rate schedule, ~~at a minimum,~~ must  
2395 differentiate rates by provider type, including, but not limited  
2396 to:

2397 (a) ~~Differentiate rates by type, including, but not limited~~  
2398 ~~to,~~ a Child care providers ~~provider~~ that hold ~~holds~~ a Gold Seal  
2399 Quality Care designation under s. 1002.945 and adhere ~~adheres~~ to  
2400 their ~~its~~ accrediting association's teacher-to-child ratios and  
2401 group size requirements. ~~, a~~

2402 (b) Child care providers ~~facility~~ licensed under s.  
2403 402.305, ~~a public or nonpublic school exempt from licensure~~  
2404 ~~under s. 402.3025,~~ a faith-based child care providers ~~facility~~  
2405 exempt from licensure under s. 402.316 that do ~~does~~ not hold a  
2406 Gold Seal Quality Care designation, and ~~a~~ large family child  
2407 care homes ~~home~~ licensed under s. 402.3131 that do not hold a

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2408 Gold Seal Quality Care designation.

2409 (c) Public or nonpublic schools exempt from licensure under  
2410 s. 402.3025.

2411 (d) ~~or a~~ Family day care homes ~~home~~ licensed or registered  
2412 under s. 402.313.

2413 (e) Large family child care homes licensed under s.  
2414 402.3131.

2415 (3) ~~(b)~~ The market rate schedule must differentiate rates by  
2416 the type of child care services provided for children with  
2417 special needs or risk categories, infants, toddlers, 2-year-old  
2418 children, 3-year-old children, 4-year-old children, 5-year-old  
2419 ~~preschool-age~~ children, and school-age children.

2420 (4) ~~(e)~~ The market rate schedule must differentiate rates  
2421 between full-time and part-time child care services and consider  
2422 discounted rates for child care services for multiple children  
2423 in a single family.

2424 ~~(d) Consider discounted rates for child care services for~~  
2425 ~~multiple children in a single family.~~

2426 (5) ~~(3)~~ The market rate schedule must be based exclusively  
2427 on the prices charged for child care services.

2428 (6) The department shall establish procedures to annually  
2429 collect data regarding the cost of care to include, but not be  
2430 limited to:

2431 (a) Data from the Department of Economic Opportunity's  
2432 Bureau of Workforce Statistics and Economic Research on the  
2433 average salary for child care personnel to include, at a  
2434 minimum, child care instructors and child care directors.

2435 (b) Data from child care providers as part of data  
2436 collected under s. 1002.92(4) to include, at a minimum, the

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2437 average annual cost of materials and curriculum, the average  
2438 annual cost of food and maintenance costs, and the average  
2439 annual cost of any regulatory fees or operational costs per  
2440 child.

2441 (7) The department shall provide all applicable data  
2442 collected in this section to the Early Learning Programs  
2443 Estimating Conference established pursuant to s. 216.136(8).

2444 ~~(4) The market rate schedule shall be considered by an~~  
2445 ~~early learning coalition in the adoption of a payment schedule.~~  
2446 ~~The payment schedule must take into consideration the prevailing~~  
2447 ~~market rate and include the projected number of children to be~~  
2448 ~~served by each county and be submitted for approval by the~~  
2449 ~~department. Informal child care arrangements shall be reimbursed~~  
2450 ~~at not more than 50 percent of the rate adopted for a family day~~  
2451 ~~care home.~~

2452 (8)~~(5)~~ The department may contract with one or more  
2453 qualified entities to administer this section and provide  
2454 support and technical assistance for child care providers.

2455 (9)~~(6)~~ The department may adopt rules for establishing  
2456 procedures for the collection of child care providers' market  
2457 rate, the calculation of the prevailing market rate by program  
2458 care level and provider type in a predetermined geographic  
2459 market, and the publication of the market rate schedule.

2460 Section 26. Effective upon this act becoming a law, section  
2461 1002.90, Florida Statutes, is created to read:

2462 1002.90 School readiness cost-of-care information.—  
2463 Annually, the principals of the Early Learning Programs  
2464 Estimating Conference established in s. 216.136(8) shall develop  
2465 official cost-of-care information based on actual school

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2466 readiness direct services program expenditures and information  
2467 provided pursuant to s. 1002.895. Conference principals shall  
2468 agree on the cost of child care by care level and provider type,  
2469 the provider type weights, and the methods of computation. The  
2470 department shall provide the conference principals with all  
2471 requested and necessary data to develop such information. The  
2472 data may include a matrix by early learning coalition of any  
2473 full-time equivalent changes made by the Division of Early  
2474 Learning as part of its administration of the school readiness  
2475 program. The Early Learning Programs Estimating Conference shall  
2476 provide the official cost-of-care information to the Legislature  
2477 at least 90 days before the scheduled annual legislative  
2478 session.

2479 Section 27. Subsection (4) of section 1002.92, Florida  
2480 Statutes, is amended to read:

2481 1002.92 Child care and early childhood resource and  
2482 referral.—

2483 (4) A child care facility licensed under s. 402.305 and  
2484 licensed and registered family day care homes must provide the  
2485 statewide child care and resource and referral network with the  
2486 following information annually:

- 2487 (a) Type of program.  
2488 (b) Hours of service.  
2489 (c) Ages of children served.  
2490 (d) Fees and eligibility for services.  
2491 (e) Data required under s. 1002.895.

2492 Section 28. Paragraph (c) is added to subsection (1) of  
2493 section 1002.995, Florida Statutes, to read:

2494 1002.995 Early learning professional development standards

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2495 and career pathways.—

2496 (1) The department shall:

2497 (c) Subject to the appropriation of funds by the  
2498 Legislature, provide incentives to school readiness personnel  
2499 who meet the requirements of s. 1002.88(1)(e) and  
2500 prekindergarten instructors who meet the requirements specified  
2501 in s. 1002.55, s. 1002.61, or s. 1002.63 and who possess a  
2502 reading certification or endorsement or a literacy micro-  
2503 credential as specified in s. 1003.485 and teach students in the  
2504 school readiness program or the voluntary prekindergarten  
2505 education program.

2506 Section 29. Subsections (3) through (5) of section  
2507 1003.485, Florida Statutes, are renumbered as subsections (5)  
2508 through (7), respectively, paragraphs (a) and (b) of subsection  
2509 (1), subsection (2), paragraphs (d) and (h) of present  
2510 subsection (4), and paragraph (b) of present subsection (5) are  
2511 amended, and paragraph (g) is added to subsection (1) of that  
2512 section, to read:

2513 1003.485 The New Worlds Reading Initiative.—

2514 (1) DEFINITIONS.—As used in this section, the term:

2515 (a) "Administrator" means a state university registered  
2516 with the department under s. 1002.395(15)(i) and designated to  
2517 administer the initiative under paragraph (3)(a) ~~(2)(a)~~.

2518 (b) "Annual tax credit amount" means, for any state fiscal  
2519 year, the sum of the amount of tax credits approved under  
2520 paragraph (5)(b) ~~(3)(b)~~, including tax credits to be taken under  
2521 s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s.  
2522 624.51056, which are approved for taxpayers whose taxable years  
2523 begin on or after January 1 of the calendar year preceding the

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2524 start of the applicable state fiscal year.

2525 (g) "Micro-credential" means evidence-based professional  
2526 development activities that are competency-based, personalized,  
2527 and on-demand. Educators must demonstrate their competence via  
2528 evidence submitted and reviewed by trained evaluators.

2529 (2) NEW WORLDS READING INITIATIVE; PURPOSE ADMINISTRATION.—  
2530 The purpose of the New Worlds Reading Initiative ~~is~~ established  
2531 under the department is to ~~improve literacy skills and~~ instill a  
2532 love of reading by providing high-quality, free books to  
2533 students in kindergarten through grade 5 who are reading below  
2534 grade level and to improve the literacy skills of students in  
2535 kindergarten through grade 12. The New Worlds Reading Initiative  
2536 shall consist of:

2537 (a) The program established under this section to provide  
2538 high-quality, free books to students.

2539 (b) The New Worlds Reading Scholarship Program under s.  
2540 1002.411.

2541 (c) The New Worlds Scholar program under s. 1008.365, which  
2542 rewards high school students who instill a love of reading and  
2543 improve the literacy skills of students in kindergarten through  
2544 grade 3.

2545 (d) The micro-credential program established under this  
2546 section which emphasizes strong core instruction and a tiered  
2547 model of reading interventions for struggling readers.

2548 (3) ~~(a)~~ DEPARTMENT RESPONSIBILITIES.—The department shall:

2549 (a) ~~1.~~ Designate an administrator to implement the  
2550 initiative and to receive funding as provided in this section.  
2551 The administrator must have an academic innovation institution  
2552 with extensive experience in:



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2553           ~~1.a.~~ Conducting academic research in early literacy  
2554 instruction.  
2555           ~~2.b.~~ Implementing online delivery of early learning and  
2556 literacy training for educators nationally.  
2557           ~~3.e.~~ Developing online support materials that assist  
2558 parents and caregivers in developing early literacy skills.  
2559           ~~4.d.~~ Conducting fundraising and public awareness campaigns  
2560 to support the development and growth of evidence-based  
2561 educational initiatives that support learning at home and in  
2562 schools.  
2563           ~~(b)2.~~ Publish information about the initiative and tax  
2564 credits under subsection (5) ~~(3)~~ on its website, including the  
2565 process for a taxpayer to select the administrator as the  
2566 recipient of funding through a tax credit.  
2567           ~~(c)3.~~ Beginning September 30, 2022, and annually  
2568 thereafter, report on its website the number of students  
2569 participating in the initiative in each school district,  
2570 information from the annual financial report under paragraph  
2571 (4) (i) ~~subparagraph (b)6.~~, and the academic achievement and  
2572 learning gains, as applicable, of participating students based  
2573 on data provided by school districts as permitted under s.  
2574 1002.22. The department shall establish a date by which the  
2575 administrator and each school district must annually provide the  
2576 data necessary to complete the report.  
2577           ~~(4)(b)~~ ADMINISTRATOR RESPONSIBILITIES.—The administrator  
2578 shall:  
2579           ~~(a)1.~~ Develop, in consultation with the Just Read, Florida!  
2580 Office under s. 1001.215, a selection of high-quality books  
2581 encompassing diverse subjects and genres for each grade level to

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2582 be mailed to students in the initiative.

2583 (b)2. Distribute books at no cost to students as provided  
2584 in paragraph (6) (c) ~~(4) (e)~~ either directly or through an  
2585 agreement with a book distribution company.

2586 (c)3. Assist local implementation of the initiative by  
2587 providing marketing materials to school districts and any  
2588 partnering nonprofit organizations to assist with public  
2589 awareness campaigns and other activities designed to increase  
2590 family engagement and instill a love of reading in students.

2591 (d)4. Maintain a clearinghouse for information on national,  
2592 state, and local nonprofit organizations that support efforts to  
2593 improve literacy and provide books to children.

2594 (e)5. Develop for parents of students in the initiative  
2595 resources and training materials for parents of students in the  
2596 initiative, that engage families in reading and support the  
2597 reading achievement of their students ~~Including brief video~~  
2598 ~~training modules, which engage families in reading and assist~~  
2599 ~~with improving student literacy skills.~~ The administrator shall  
2600 periodically send to parents hyperlinks to these resources and  
2601 materials, including video modules, via text message and e-mail,  
2602 ~~tips for facilitating reading at home and hyperlinks to the~~  
2603 ~~video training modules.~~

2604 (f) Provide professional development and resources to  
2605 teachers that correlate with the books provided through the  
2606 initiative.

2607 (g) Develop a micro-credential that requires teachers to  
2608 demonstrate competency to:

2609 1. Diagnose literacy difficulties and determine the  
2610 appropriate range of literacy interventions based upon the age

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2611 and literacy deficiency of the student;

2612 2. Use evidence-based instructional and intervention  
2613 practices, including strategies identified by the Just Read,  
2614 Florida! Office pursuant to s. 1001.215(8); and

2615 3. Effectively use progress monitoring and intervention  
2616 materials.

2617 (h) Administer the early literacy micro-credential program  
2618 established under this section, which must include components on  
2619 content, student learning, pedagogy, and professional  
2620 development and must build on a strong foundation of  
2621 scientifically researched and evidence-based reading  
2622 instructional and intervention programs that incorporate  
2623 explicit, systematic, and sequential approaches to teaching  
2624 phonemic awareness, phonics, vocabulary, fluency, and text  
2625 comprehension and incorporate decodable or phonetic text  
2626 instructional strategies, as identified by the Just Read,  
2627 Florida! Office, pursuant to s. 1001.215(8).

2628 1. At a minimum, the micro-credential curriculum must be  
2629 designed specifically for instructional personnel in  
2630 prekindergarten through grade 3 based upon the strategies and  
2631 techniques identified in s. 1002.59 and address foundational  
2632 literacy skills of students in grades 4 through 12.

2633 2. The micro-credential must be competency based and  
2634 designed for eligible instructional personnel to complete the  
2635 credentialing process in no more than 60 hours, in an online  
2636 format. The micro-credential may be delivered in an in-person  
2637 format. Eligible instructional personnel may receive the micro-  
2638 credential once competency is demonstrated even if it is prior  
2639 to the completion of 60 hours.

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2640           3. The micro-credential must be available by December 31,  
2641 2022, at no cost, to instructional personnel as defined in s.  
2642 1012.01(2); prekindergarten instructors as specified in ss.  
2643 1002.55, 1002.61, and 1002.63; and child care personnel as  
2644 defined in ss. 1002.88(1)(e) and 402.302(3).

2645           (i)6. Annually submit to the department an annual financial  
2646 report that includes, at a minimum, the amount of eligible  
2647 contributions received by the administrator; the amount spent on  
2648 each activity required by this subsection ~~paragraph~~, including  
2649 administrative expenses; and the number of students and  
2650 households served under the initiative.

2651           (j)7. Maintain separate accounts for operating funds and  
2652 funds for the purchase and delivery of books.

2653           (k)8. Expend eligible contributions received only for the  
2654 purchase and delivery of books and to implement the requirements  
2655 of this section, as well as for administrative expenses not to  
2656 exceed 2 percent of total eligible contributions.

2657 Notwithstanding s. 1002.395(6)(j)2., the administrator may carry  
2658 forward up to 25 percent of eligible contributions to the  
2659 following state fiscal year for purposes authorized by this  
2660 subsection. Any eligible contributions in excess of the 25  
2661 percent carry forward not used to provide additional books  
2662 throughout the year to eligible students shall revert to the  
2663 state treasury.

2664           (l)9. Upon receipt of a contribution, provide the taxpayer  
2665 that made the contribution with a certificate of contribution. A  
2666 certificate of contribution must include the taxpayer's name  
2667 and, if available, its federal employer identification number;  
2668 the amount contributed; the date of contribution; and the name

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2669 of the administrator.

2670 (6)~~(4)~~ ELIGIBILITY; NOTIFICATION; SCHOOL DISTRICT  
2671 OBLIGATIONS.—

2672 (d) Upon enrollment and at the beginning of each school  
2673 year, students must be provided options for specific book topics  
2674 or genres in order to maximize student interest in reading.

2675 (h) School districts and partnering nonprofit organizations  
2676 shall raise awareness of the initiative, including information  
2677 on eligibility and video training modules under paragraph (4) (e)  
2678 ~~subparagraph (2) (b) 5.~~, through, at least, the following:

2679 1. The student handbook and the read-at-home plan under s.  
2680 1008.25 (5) (c).

2681 2. A parent or curriculum night or separate initiative  
2682 awareness event at each elementary school.

2683 3. Partnering with the county library to host awareness  
2684 events, which should coincide with other initiatives such as  
2685 library card drives, family library nights, summer access  
2686 events, and other family engagement programming.

2687 (7)~~(5)~~ ADMINISTRATION; RULES.—

2688 (b) The Department of Revenue may adopt rules necessary to  
2689 administer this section and ss. 211.0252, 212.1833, 220.1876,  
2690 561.1212, and 624.51056, including rules establishing  
2691 application forms, procedures governing the approval of tax  
2692 credits and carryforward tax credits under subsection (5) ~~(3)~~,  
2693 and procedures to be followed by taxpayers when claiming  
2694 approved tax credits on their returns.

2695 Section 30. Paragraph (b) of subsection (2) of section  
2696 1003.498, Florida Statutes, is amended to read:

2697 1003.498 School district virtual course offerings.—

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2698 (2) School districts may offer virtual courses for students  
2699 enrolled in the school district. These courses must be  
2700 identified in the course code directory. Students may  
2701 participate in these virtual course offerings pursuant to s.  
2702 1002.455.

2703 (b)1. Any student who is enrolled in a school district may  
2704 register and enroll in an online course offered by any other  
2705 school district in the state. The school district in which the  
2706 student completes the course shall report the student's  
2707 completion of that course for funding pursuant to s.  
2708 1011.61(1)(c)1.b.(VI), and the home school district shall not  
2709 report the student for funding for that course.

2710 2. The full-time equivalent student membership calculated  
2711 under this subsection is subject to the requirements in s.  
2712 1011.61(4). The Department of Education shall establish  
2713 procedures to enable interdistrict coordination for the delivery  
2714 and funding of this online option.

2715 3. Funding for virtual courses shall be as provided in s.  
2716 1002.45(6).

2717 Section 31. Paragraph (a) of subsection (13) of section  
2718 1003.52, Florida Statutes, is amended to read:

2719 1003.52 Educational services in Department of Juvenile  
2720 Justice programs.—

2721 (13) (a) ~~Funding for~~ Eligible students enrolled in juvenile  
2722 justice education programs shall be funded the same as students  
2723 enrolled in traditional public schools funded in provided  
2724 ~~through~~ the Florida Education Finance Program and as specified  
2725 ~~provided~~ in s. 1011.62 and the General Appropriations Act.

2726 ~~Funding shall include, at a minimum:~~

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2727 ~~1. Weighted program funding or the basic amount for current~~  
2728 ~~operation multiplied by the district cost differential as~~  
2729 ~~provided in s. 1011.62(2);~~

2730 ~~2. The supplemental allocation for juvenile justice~~  
2731 ~~education as provided in s. 1011.62(9);~~

2732 ~~3. A proportionate share of the district's exceptional~~  
2733 ~~student education guaranteed allocation, the supplemental~~  
2734 ~~academic instruction allocation, and the instructional materials~~  
2735 ~~allocation;~~

2736 ~~4. An amount equivalent to the proportionate share of the~~  
2737 ~~state average potential discretionary local effort for~~  
2738 ~~operations, which shall be determined as follows:~~

2739 ~~a. If the district levies the maximum discretionary local~~  
2740 ~~effort and the district's discretionary local effort per FTE is~~  
2741 ~~less than the state average potential discretionary local effort~~  
2742 ~~per FTE, the proportionate share shall include both the~~  
2743 ~~discretionary local effort and the compression supplement per~~  
2744 ~~FTE. If the district's discretionary local effort per FTE is~~  
2745 ~~greater than the state average per FTE, the proportionate share~~  
2746 ~~shall be equal to the state average; or~~

2747 ~~b. If the district does not levy the maximum discretionary~~  
2748 ~~local effort and the district's actual discretionary local~~  
2749 ~~effort per FTE is less than the state average potential~~  
2750 ~~discretionary local effort per FTE, the proportionate share~~  
2751 ~~shall be equal to the district's actual discretionary local~~  
2752 ~~effort per FTE. If the district's actual discretionary local~~  
2753 ~~effort per FTE is greater than the state average per FTE, the~~  
2754 ~~proportionate share shall be equal to the state average~~  
2755 ~~potential local effort per FTE; and~~

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2756 ~~5. A proportionate share of the district's proration to~~  
2757 ~~funds available, if necessary.~~

2758 Section 32. Paragraph (g) of subsection (2) of section  
2759 1003.621, Florida Statutes, is amended to read:

2760 1003.621 Academically high-performing school districts.—It  
2761 is the intent of the Legislature to recognize and reward school  
2762 districts that demonstrate the ability to consistently maintain  
2763 or improve their high-performing status. The purpose of this  
2764 section is to provide high-performing school districts with  
2765 flexibility in meeting the specific requirements in statute and  
2766 rules of the State Board of Education.

2767 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically  
2768 high-performing school district shall comply with all of the  
2769 provisions in chapters 1000-1013, and rules of the State Board  
2770 of Education which implement these provisions, pertaining to the  
2771 following:

2772 (g) Those statutes pertaining to planning and budgeting,  
2773 including chapter 1011, except s. 1011.62(8)(e) ~~s.~~  
2774 ~~1011.62(8)(d)~~, relating to the requirement for a comprehensive  
2775 reading plan. A district that is exempt from submitting a  
2776 comprehensive reading plan shall be deemed approved to receive  
2777 the evidence-based reading instruction allocation. Each  
2778 academically high-performing school district may provide up to 2  
2779 days of virtual instruction as part of the required 180 actual  
2780 teaching days or the equivalent on an hourly basis each school  
2781 year, as specified by rules of the State Board of Education.  
2782 Virtual instruction that is conducted in accordance with the  
2783 plan approved by the department, is teacher-developed, and is  
2784 aligned with the standards for enrolled courses complies with s.



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2785 1011.60(2). The day or days must be indicated on the calendar  
2786 approved by the school board. The district shall submit a plan  
2787 for each day of virtual instruction to the department for  
2788 approval, in a format prescribed by the department, with  
2789 assurances of alignment to statewide student standards as  
2790 described in s. 1003.41 before the start of each school year.

2791 Section 33. Subsection (6) of section 1004.015, Florida  
2792 Statutes, is amended to read:

2793 1004.015 Florida Talent Development Council.—

2794 (6) The council shall coordinate, facilitate, and  
2795 communicate statewide efforts to meet supply and demand needs  
2796 for the state's health care workforce. Annually, by beginning  
2797 ~~December 1, 2021,~~ the council shall report on the implementation  
2798 of this subsection and any other relevant information on the  
2799 Florida Talent Development Council's web page located on the  
2800 Department of Economic Opportunity's website. To support the  
2801 efforts of the council, the Board of Governors and the State  
2802 Board of Education shall:

2803 ~~(a) Conduct a statistically valid biennial data-driven gap~~  
2804 ~~analysis of the supply and demand of the health care workforce.~~  
2805 ~~Demand must align with the Labor Market Estimating Conference~~  
2806 ~~created in s. 216.136.~~

2807 (a) ~~(b)~~ Provide 10-year trend information on nursing  
2808 education programs subject to the requirements of s. 464.019.  
2809 The Department of Health, the Board of Governors, the State  
2810 Board of Education, the Commission for Independent Education,  
2811 the Independent Colleges and Universities of Florida, the  
2812 Florida Center for Nursing, and postsecondary institutions  
2813 participating in a state grant, fund, or performance-based

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2814 incentive program under s. 1009.89, s. 1009.896, or s. 1009.897  
2815 ~~or s. 1009.891,~~ shall provide data, by institution and program,  
2816 on:

2817 1. The number ~~and type~~ of ~~programs~~ and student slots  
2818 available.

2819 2. The number of student applications submitted, the number  
2820 of qualified student applicants, ~~and~~ the number of students  
2821 accepted, and the number of students enrolled.

2822 3. The number of program graduates.

2823 4. Program retention rates of students tracked from program  
2824 entry to graduation.

2825 5. Graduate passage rates, as defined in s. 464.003, on and  
2826 the number of times each graduate took the National Council of  
2827 State Boards of Nursing Licensing Examination.

2828 6. The number of graduates who become employed as practical  
2829 or professional nurses in the state.

2830 7. The educational advancement of nurses through career  
2831 pathways by comparing their initial degree to the highest degree  
2832 they obtained for the preceding 10 years.

2833 8. The outcomes of students enrolled at institutions  
2834 participating in the Linking Industry to Nursing Education  
2835 (LINE) Fund under s. 1009.896 or the Prepping Institutions,  
2836 Programs, Employers, and Learners through Incentives for Nursing  
2837 Education (PIPELINE) Fund under s. 1009.897.

2838 9. The outcomes of graduates who have received a nursing  
2839 student loan forgiveness repayment under s. 1009.66. Such data  
2840 must include, for the previous 4 fiscal years, the number of  
2841 graduates who have received a repayment, the amount repaid on  
2842 behalf of each graduate, each graduate's employer of record for

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2843 each repayment and the length of employment at each employer,  
2844 and the level or levels of nursing licensure earned by each  
2845 graduate.

2846 (b)(e) Develop definitions for data elements and a uniform  
2847 a survey for use by the Department of Health, the Commission for  
2848 Independent Education, the Independent Colleges and Universities  
2849 of Florida, and postsecondary institutions participating in a  
2850 state loan forgiveness program, grant, fund, or performance-  
2851 based incentive program under s. 1009.66, s. 1009.89, s.  
2852 1009.896, or s. 1009.897 ~~or s. 1009.891,~~ to collect data  
2853 required under paragraph (a) ~~(b)~~. The survey must include, but  
2854 is not limited to, a student's age, gender, race, ethnicity,  
2855 veteran status, wage, employer information, loan debt, and  
2856 retirement expectations.

2857 Section 34. Paragraph (b) of subsection (2), paragraphs (a)  
2858 and (b) of subsection (4), and paragraph (c) of subsection (5)  
2859 of section 1004.04, Florida Statutes, are amended to read:

2860 1004.04 Public accountability and state approval for  
2861 teacher preparation programs.—

2862 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

2863 (b) The rules to establish uniform core curricula for each  
2864 state-approved teacher preparation program must include, but are  
2865 not limited to, the following:

2866 1. Candidate instruction and assessment in the Florida  
2867 Educator Accomplished Practices across content areas.

2868 2. The use of state-adopted content standards to guide  
2869 curricula and instruction.

2870 3. Scientifically researched and evidence-based reading  
2871 instructional strategies that improve reading performance for

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2872 all students, including explicit, systematic, and sequential  
2873 approaches to teaching phonemic awareness, phonics, vocabulary,  
2874 fluency, and text comprehension and multisensory intervention  
2875 strategies.

2876 4. Content literacy and mathematics practices.

2877 5. Strategies appropriate for the instruction of English  
2878 language learners.

2879 6. Strategies appropriate for the instruction of students  
2880 with disabilities.

2881 7. Strategies to differentiate instruction based on student  
2882 needs.

2883 8. Strategies and practices to support evidence-based  
2884 content aligned to state standards and grading practices ~~The use~~  
2885 ~~of character-based classroom management.~~

2886 9. Strategies appropriate for the early identification of a  
2887 student in crisis or experiencing a mental health challenge and  
2888 the referral of such student to a mental health professional for  
2889 support.

2890 10. Strategies to support the use of technology in  
2891 education and distance learning.

2892 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
2893 teacher preparation program shall be based upon evidence that  
2894 the program continues to implement the requirements for initial  
2895 approval and upon significant, objective, and quantifiable  
2896 measures of the program and the performance of the program  
2897 completers.

2898 (a) The criteria for continued approval must include each  
2899 of the following:

2900 1. Candidate readiness based on passage rates on educator

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2901 certification examinations under s. 1012.56, as applicable  
2902 ~~Documentation from the program that each program candidate met~~  
2903 ~~the admission requirements provided in subsection (3).~~  
2904 ~~2. Documentation from the program that the program and each~~  
2905 ~~program completer have met the requirements provided in~~  
2906 ~~subsection (2).~~  
2907 2.3. Evidence of performance in each of the following  
2908 areas:  
2909 ~~a. Placement rate of program completers into instructional~~  
2910 ~~positions in Florida public schools and private schools, if~~  
2911 ~~available.~~  
2912 ~~b. Rate of retention for employed program completers in~~  
2913 ~~instructional positions in Florida public schools.~~  
2914 a.e. Performance of students in prekindergarten through  
2915 grade 12 who are assigned to in-field program completers on  
2916 statewide assessments using the results of the student learning  
2917 growth formula adopted under s. 1012.34.  
2918 ~~d. Performance of students in prekindergarten through grade~~  
2919 ~~12 who are assigned to in-field program completers aggregated by~~  
2920 ~~student subgroup, as defined in the federal Elementary and~~  
2921 ~~Secondary Education Act (ESEA), 20 U.S.C. s.~~  
2922 ~~6311(b)(2)(C)(v)(II), as a measure of how well the program~~  
2923 ~~prepares teachers to work with a diverse population of students~~  
2924 ~~in a variety of settings in Florida public schools.~~  
2925 b.e. Results of program completers' annual evaluations in  
2926 accordance with the timeline as set forth in s. 1012.34.  
2927 c.f. Workforce contributions, including placement of  
2928 program completers in instructional positions in Florida public  
2929 and private schools, with additional weight given to production

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2930 of program completers in statewide critical teacher shortage  
2931 areas as identified in s. 1012.07.

2932 ~~3.4.~~ Results of the program completers' survey measuring  
2933 their satisfaction with preparation for the realities of the  
2934 classroom.

2935 ~~4.5.~~ Results of the employers' survey measuring  
2936 satisfaction with the program and the program's responsiveness  
2937 to local school districts.

2938 (b) The State Board of Education shall adopt rules for  
2939 continued approval of teacher preparation programs which include  
2940 the program review process, the continued approval timelines,  
2941 and the performance level targets for each of the continued  
2942 approval criteria in paragraph (a). Additional criteria may be  
2943 approved by the State Board of Education. The Commissioner of  
2944 Education shall determine the continued approval of each program  
2945 based on the data collected pursuant to this section and the  
2946 rules of the State Board of Education, which may include  
2947 weighted criteria and may authorize continued program approval  
2948 based on a review conducted by a nationally recognized  
2949 accrediting entity. The rules must establish criteria, based on  
2950 program size, for determining whether a program review is  
2951 necessary, whether program quality should be aggregated and  
2952 measured at the provider or institution level, and whether  
2953 program reviews may be validly conducted on a remote basis.

2954 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary  
2955 instructors, school district personnel and instructional  
2956 personnel, and school sites preparing instructional personnel  
2957 through preservice field experience courses and internships  
2958 shall meet special requirements. District school boards may pay

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2959 student teachers during their internships.

2960 (c) Preservice field experience must fully prepare a  
2961 candidate to manage a classroom by requiring the candidate to  
2962 practice and demonstrate the uniform core curricula specific to  
2963 the candidate's area or areas of program concentration with a  
2964 diverse population of students in a variety of challenging  
2965 environments, including, but not limited to, high-poverty  
2966 schools, urban schools, and rural schools. Beginning with  
2967 candidates entering a program in the 2023-2024 school year, a  
2968 minimum of 60 hours of preservice ~~The length of structured~~ field  
2969 experience must be completed before the culminating field  
2970 experience, which must include a minimum of 12 weeks of student  
2971 teaching experiences may be extended to ensure that candidates  
2972 achieve the competencies needed to meet certification  
2973 requirements.

2974 Section 35. Section 1004.6496, Florida Statutes, is created  
2975 to read:

2976 1004.6496 Hamilton Center for Classical and Civic  
2977 Education.—

2978 (1) The Board of Trustees of the University of Florida may  
2979 use funds as provided in the General Appropriations Act to  
2980 establish the Hamilton Center for Classical and Civic Education  
2981 as an academic unit within the University of Florida. The  
2982 purpose of the center is to support teaching and research  
2983 concerning the ideas, traditions, and texts that form the  
2984 foundations of western and American civilization.

2985 (2) The goals of the center are to:

2986 (a) Educate university students in core texts and great  
2987 debates of Western civilization.

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2988           (b) Educate university students in the principles, ideals,  
2989 and institutions of the American political order.

2990           (c) Educate university students in the foundations of  
2991 responsible leadership and informed citizenship.

2992           (d) Provide programming and training related to civic  
2993 education and the values of open inquiry and civil discourse to  
2994 support the K-20 system.

2995           (e) Coordinate with the Florida Institute of Politics  
2996 created pursuant to s. 1004.6499 and The Adam Smith Center for  
2997 the Study of Economic Freedom created pursuant to s. 1004.64991  
2998 and assist in the curation and implementation of Portraits in  
2999 Patriotism created pursuant to s. 1003.44.

3000           Section 36. Paragraph (a) of subsection (3) and subsections  
3001 (4), (5), and (8) of section 1004.85, Florida Statutes, are  
3002 amended to read:

3003           1004.85 Postsecondary educator preparation institutes.—

3004           (3) Educator preparation institutes approved pursuant to  
3005 this section may offer competency-based certification programs  
3006 specifically designed for noneducation major baccalaureate  
3007 degree holders to enable program participants to meet the  
3008 educator certification requirements of s. 1012.56. An educator  
3009 preparation institute choosing to offer a competency-based  
3010 certification program pursuant to the provisions of this section  
3011 must implement a program previously approved by the Department  
3012 of Education for this purpose or a program developed by the  
3013 institute and approved by the department for this purpose.  
3014 Approved programs shall be available for use by other approved  
3015 educator preparation institutes.

3016           (a) Within 90 days after receipt of a request for approval,



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3017 the Department of Education shall approve a preparation program  
3018 pursuant to the requirements of this subsection or issue a  
3019 statement of the deficiencies in the request for approval. The  
3020 department shall approve a certification program if the  
3021 institute provides evidence of the institute's capacity to  
3022 implement a competency-based program that includes each of the  
3023 following:

3024 1.a. Participant instruction and assessment in the Florida  
3025 Educator Accomplished Practices across content areas.

3026 b. The use of state-adopted student content standards to  
3027 guide curriculum and instruction.

3028 c. Scientifically researched and evidence-based reading  
3029 instructional strategies that improve reading performance for  
3030 all students, including explicit, systematic, and sequential  
3031 approaches to teaching phonemic awareness, phonics, vocabulary,  
3032 fluency, and text comprehension and multisensory intervention  
3033 strategies.

3034 d. Content literacy and mathematical practices.

3035 e. Strategies appropriate for instruction of English  
3036 language learners.

3037 f. Strategies appropriate for instruction of students with  
3038 disabilities.

3039 g. Strategies to differentiate instruction based on student  
3040 needs.

3041 h. Strategies and practices to support evidence-based  
3042 content aligned to state standards and grading practices ~~The use~~  
3043 ~~of character-based classroom management.~~

3044 i. Strategies appropriate for the early identification of a  
3045 student in crisis or experiencing a mental health challenge and

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3046 the referral of such student to a mental health professional for  
3047 support.

3048 j. Strategies to support the use of technology in education  
3049 and distance learning.

3050 2. An educational plan for each participant to meet  
3051 certification requirements and demonstrate his or her ability to  
3052 teach the subject area for which the participant is seeking  
3053 certification, which is based on an assessment of his or her  
3054 competency in the areas listed in subparagraph 1.

3055 3. Field experiences appropriate to the certification  
3056 subject area specified in the educational plan with a diverse  
3057 population of students in a variety of challenging environments,  
3058 including, but not limited to, high-poverty schools, urban  
3059 schools, and rural schools, under the supervision of qualified  
3060 educators. The state board shall determine in rule the amount of  
3061 field experience necessary to serve as the teacher of record,  
3062 beginning with candidates entering a program in the 2023-2024  
3063 school year.

3064 4. A certification ombudsman to facilitate the process and  
3065 procedures required for participants who complete the program to  
3066 meet any requirements related to the background screening  
3067 pursuant to s. 1012.32 and educator professional or temporary  
3068 certification pursuant to s. 1012.56.

3069 (4) Continued approval of each program approved pursuant to  
3070 this section shall be determined by the Commissioner of  
3071 Education based upon a periodic review of the following areas:

3072 (a) Candidate readiness based on passage rates on educator  
3073 certification examinations under s. 1012.56, as applicable

3074 ~~Documentation from the program that each program completer has~~

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3075 ~~met the requirements of paragraphs (3)(a)-(c).~~

3076 (b) Evidence of performance in each of the following areas:

3077 ~~1. Placement rate of program completers into instructional~~  
3078 ~~positions in Florida public schools and private schools, if~~  
3079 ~~available.~~

3080 ~~2. Rate of retention for employed program completers in~~  
3081 ~~instructional positions in Florida public schools.~~

3082 ~~1.3.~~ Performance of students in prekindergarten through  
3083 grade 12 who are assigned to in-field program completers on  
3084 statewide assessments using the results of the student learning  
3085 growth formula adopted under s. 1012.34.

3086 ~~4. Performance of students in prekindergarten through grade~~  
3087 ~~12 who are assigned to in-field program completers aggregated by~~  
3088 ~~student subgroups, as defined in the federal Elementary and~~  
3089 ~~Secondary Education Act (ESEA), 20 U.S.C. s.~~

3090 ~~6311(b)(2)(C)(v)(II), as a measure of how well the program~~  
3091 ~~prepares teachers to work with a diverse population of students~~  
3092 ~~in a variety of settings in Florida public schools.~~

3093 ~~2.5.~~ Results of program completers' annual evaluations in  
3094 accordance with the timeline as set forth in s. 1012.34.

3095 ~~3.6.~~ Workforce contributions, including placement of  
3096 program completers in instructional positions in Florida public  
3097 and private schools, with additional weight given to production  
3098 of program completers in statewide critical teacher shortage  
3099 areas as identified in s. 1012.07.

3100 (5) Each institute approved pursuant to this section shall  
3101 submit to the Department of Education annual performance  
3102 evaluations that measure the effectiveness of the programs,  
3103 including the pass rates of participants on all examinations

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3104 required for teacher certification, employment rates,  
3105 longitudinal retention rates, and satisfaction surveys of  
3106 employers and program completers ~~candidates~~. The satisfaction  
3107 surveys must be designed to measure the sufficient preparation  
3108 of the educator for the realities of the classroom and the  
3109 institute's responsiveness to local school districts. These  
3110 evaluations shall be used by the Department of Education for  
3111 purposes of continued approval of an educator preparation  
3112 institute's certification program.

3113 (8) The State Board of Education shall ~~may~~ adopt rules  
3114 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
3115 ~~provisions of this section, which may include weighted criteria~~  
3116 and may authorize continued program approval based on a review  
3117 conducted by a nationally recognized accrediting entity. The  
3118 rules must establish criteria, based on program size, for  
3119 determining whether a program review is necessary, whether  
3120 program quality should be aggregated and measured at the  
3121 provider or institution level, and whether program reviews may  
3122 be validly conducted on a remote basis including performance  
3123 ~~targets for the measures used for continued program approval~~  
3124 ~~described in subsection (4).~~

3125 Section 37. Section 1006.12, Florida Statutes, is amended  
3126 to read:

3127 1006.12 Safe-school officers at each public school.—For the  
3128 protection and safety of school personnel, property, students,  
3129 and visitors, each district school board and school district  
3130 superintendent shall partner with law enforcement agencies or  
3131 security agencies to establish or assign one or more safe-school  
3132 officers at each school facility within the district, including

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3133 charter schools. A district school board must collaborate with  
3134 charter school governing boards to facilitate charter school  
3135 access to all safe-school officer options available under this  
3136 section. The school district may implement any combination of  
3137 the options in subsections (1)-(4) to best meet the needs of the  
3138 school district and charter schools.

3139 (1) SCHOOL RESOURCE OFFICER.—A school district may  
3140 establish school resource officer programs through a cooperative  
3141 agreement with law enforcement agencies.

3142 (a) School resource officers shall undergo criminal  
3143 background checks, drug testing, and a psychological evaluation  
3144 and be certified law enforcement officers, as defined in s.  
3145 943.10(1), who are employed by a law enforcement agency as  
3146 defined in s. 943.10(4). The powers and duties of a law  
3147 enforcement officer shall continue throughout the employee's  
3148 tenure as a school resource officer.

3149 (b) School resource officers shall abide by district school  
3150 board policies and shall consult with and coordinate activities  
3151 through the school principal, but shall be responsible to the  
3152 law enforcement agency in all matters relating to employment,  
3153 subject to agreements between a district school board and a law  
3154 enforcement agency. Activities conducted by the school resource  
3155 officer which are part of the regular instructional program of  
3156 the school shall be under the direction of the school principal.

3157 (c) Complete mental health crisis intervention training  
3158 using a curriculum developed by a national organization with  
3159 expertise in mental health crisis intervention. The training  
3160 shall improve officers' knowledge and skills as first responders  
3161 to incidents involving students with emotional disturbance or

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3162 mental illness, including de-escalation skills to ensure student  
3163 and officer safety.

3164 (2) SCHOOL SAFETY OFFICER.—A school district may commission  
3165 one or more school safety officers for the protection and safety  
3166 of school personnel, property, and students within the school  
3167 district. The district school superintendent may recommend, and  
3168 the district school board may appoint, one or more school safety  
3169 officers.

3170 (a) School safety officers shall undergo criminal  
3171 background checks, drug testing, and a psychological evaluation  
3172 and be law enforcement officers, as defined in s. 943.10(1),  
3173 certified under the provisions of chapter 943 and employed by  
3174 either a law enforcement agency or by the district school board.  
3175 If the officer is employed by the district school board, the  
3176 district school board is the employing agency for purposes of  
3177 chapter 943, and must comply with the provisions of that  
3178 chapter.

3179 (b) A school safety officer has and shall exercise the  
3180 power to make arrests for violations of law on district school  
3181 board property and to arrest persons, whether on or off such  
3182 property, who violate any law on such property under the same  
3183 conditions that deputy sheriffs are authorized to make arrests.  
3184 A school safety officer has the authority to carry weapons when  
3185 performing his or her official duties.

3186 (c) School safety officers must complete mental health  
3187 crisis intervention training using a curriculum developed by a  
3188 national organization with expertise in mental health crisis  
3189 intervention. The training shall improve officers' knowledge and  
3190 skills as first responders to incidents involving students with

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3191 emotional disturbance or mental illness, including de-escalation  
3192 skills to ensure student and officer safety.

3193 (d) A district school board may enter into mutual aid  
3194 agreements with one or more law enforcement agencies as provided  
3195 in chapter 23. A school safety officer's salary may be paid  
3196 jointly by the district school board and the law enforcement  
3197 agency, as mutually agreed to.

3198 (3) SCHOOL GUARDIAN.—At the school district's or the  
3199 charter school governing board's discretion, as applicable,  
3200 pursuant to s. 30.15, a school district or charter school  
3201 governing board may participate in the Coach Aaron Feis Guardian  
3202 Program to meet the requirement of establishing a safe-school  
3203 officer. The following individuals may serve as a school  
3204 guardian, in support of school-sanctioned activities for  
3205 purposes of s. 790.115, upon satisfactory completion of the  
3206 requirements under s. 30.15(1)(k) and certification by a  
3207 sheriff:

3208 (a) A school district employee or personnel, as defined  
3209 under s. 1012.01, or a charter school employee, as provided  
3210 under s. 1002.33(12)(a), who volunteers to serve as a school  
3211 guardian in addition to his or her official job duties; or

3212 (b) An employee of a school district or a charter school  
3213 who is hired for the specific purpose of serving as a school  
3214 guardian.

3215 (4) SCHOOL SECURITY GUARD.—A school district or charter  
3216 school governing board may contract with a security agency as  
3217 defined in s. 493.6101(18) to employ as a school security guard  
3218 an individual who holds a Class "D" and Class "G" license  
3219 pursuant to chapter 493, provided the following training and

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3220 contractual conditions are met:

3221 (a) An individual who serves as a school security guard,  
3222 for purposes of satisfying the requirements of this section,  
3223 must:

3224 1. Demonstrate completion of 144 hours of required training  
3225 pursuant to s. 30.15(1)(k)2.

3226 2. Pass a psychological evaluation administered by a  
3227 psychologist licensed under chapter 490 and designated by the  
3228 Department of Law Enforcement and submit the results of the  
3229 evaluation to the sheriff's office, school district, or charter  
3230 school governing board, as applicable. The Department of Law  
3231 Enforcement is authorized to provide the sheriff's office,  
3232 school district, or charter school governing board with mental  
3233 health and substance abuse data for compliance with this  
3234 paragraph.

3235 3. Submit to and pass an initial drug test and subsequent  
3236 random drug tests in accordance with the requirements of s.  
3237 112.0455 and the sheriff's office, school district, or charter  
3238 school governing board, as applicable.

3239 4. Successfully complete ongoing training, weapon  
3240 inspection, and firearm qualification on at least an annual  
3241 basis and provide documentation to the sheriff's office, school  
3242 district, or charter school governing board, as applicable.

3243 (b) The contract between a security agency and a school  
3244 district or a charter school governing board regarding  
3245 requirements applicable to school security guards serving in the  
3246 capacity of a safe-school officer for purposes of satisfying the  
3247 requirements of this section shall define the entity or entities  
3248 responsible for training and the responsibilities for



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3249 maintaining records relating to training, inspection, and  
3250 firearm qualification.

3251 (c) School security guards serving in the capacity of a  
3252 safe-school officer pursuant to this subsection are in support  
3253 of school-sanctioned activities for purposes of s. 790.115, and  
3254 must aid in the prevention or abatement of active assailant  
3255 incidents on school premises.

3256 (5) NOTIFICATION.—The school district shall notify the  
3257 county sheriff and the Office of Safe Schools immediately after,  
3258 but no later than 72 hours after:

3259 (a) A safe-school officer is dismissed for misconduct or is  
3260 otherwise disciplined.

3261 (b) A safe-school officer discharges his or her firearm in  
3262 the exercise of the safe-school officer's duties, other than for  
3263 training purposes.

3264 (6) EXEMPTION.—Any information that would identify whether  
3265 a particular individual has been appointed as a safe-school  
3266 officer pursuant to this section held by a law enforcement  
3267 agency, school district, or charter school is exempt from s.  
3268 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
3269 subsection is subject to the Open Government Sunset Review Act  
3270 in accordance with s. 119.15 and shall stand repealed on October  
3271 2, 2023, unless reviewed and saved from repeal through  
3272 reenactment by the Legislature.

3273  
3274 If a district school board, through its adopted policies,  
3275 procedures, or actions, denies a charter school access to any  
3276 safe-school officer options pursuant to this section, the school  
3277 district must assign a school resource officer or school safety

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3278 officer to the charter school. Under such circumstances, the  
3279 charter school's share of the costs of the school resource  
3280 officer or school safety officer may not exceed the safe school  
3281 allocation funds provided to the charter school pursuant to s.  
3282 1011.62(12) ~~s. 1011.62(13)~~ and shall be retained by the school  
3283 district.

3284 Section 38. Subsection (1) of section 1006.22, Florida  
3285 Statutes, is amended to read:

3286 1006.22 Safety and health of students being transported.—  
3287 Maximum regard for safety and adequate protection of health are  
3288 primary requirements that must be observed by district school  
3289 boards in routing buses, appointing drivers, and providing and  
3290 operating equipment, in accordance with all requirements of law  
3291 and rules of the State Board of Education in providing  
3292 transportation pursuant to s. 1006.21:

3293 (1) (a) District school boards shall use school buses, as  
3294 defined in s. 1006.25, for all regular transportation. Regular  
3295 transportation or regular use means transportation of students  
3296 to and from school or school-related activities that are part of  
3297 a scheduled series or sequence of events to the same location.  
3298 "Students" means, for the purposes of this section, students  
3299 enrolled in the public schools in prekindergarten disability  
3300 programs and in kindergarten through grade 12. District school  
3301 boards may regularly use motor vehicles other than school buses  
3302 only under the following conditions:

3303 1. When the transportation is for physically handicapped or  
3304 isolated students and the district school board has elected to  
3305 provide for the transportation of the student through written or  
3306 oral contracts or agreements.

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3307           2. When the transportation is a part of a comprehensive  
3308 contract for a specialized educational program between a  
3309 district school board and a service provider who provides  
3310 instruction, transportation, and other services.

3311           3. When the transportation is provided through a public  
3312 transit system.

3313           4. When the transportation is for trips to and from school  
3314 sites or agricultural education sites or for trips to and from  
3315 agricultural education-related events or competitions, but is  
3316 not for customary transportation between a student's residence  
3317 and such sites.

3318           5. When the transportation is for trips to and from school  
3319 sites ~~to allow students to participate in a career education~~  
3320 ~~program that is not offered at the high school in which such~~  
3321 ~~students are enrolled~~ but is not for customary transportation  
3322 between a student's residence and such sites.

3323           (b) When the transportation of students is provided, as  
3324 authorized in this subsection, in a vehicle other than a school  
3325 bus that is owned, operated, rented, contracted, or leased by a  
3326 school district or charter school, the following provisions  
3327 shall apply:

3328           1. The vehicle must be ~~a passenger car or multipurpose~~  
3329 ~~passenger vehicle or truck, as defined in 49 C.F.R. part 571,~~  
3330 designed to transport fewer than 10 students or be a  
3331 multifunction school activity bus, as defined in 49 CFR s.  
3332 571.3, if it is designed to transport more than 10 persons.  
3333 Students must be transported in designated seating positions and  
3334 must use the occupant crash protection system provided by the  
3335 manufacturer unless the student's physical condition prohibits

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3336 such use.

3337         2. An authorized vehicle may not be driven by a student on  
3338 a public right-of-way. An authorized vehicle may be driven by a  
3339 student on school or private property as part of the student's  
3340 educational curriculum if no other student is in the vehicle.

3341         3. The driver of an authorized vehicle transporting  
3342 students must maintain a valid driver license and must comply  
3343 with the requirements of the school district's locally adopted  
3344 safe driver plan, which includes review of driving records for  
3345 disqualifying violations.

3346         4. The district school board or charter school must adopt a  
3347 policy that addresses procedures and liability for trips under  
3348 this paragraph, including a provision that school buses are to  
3349 be used whenever practical and specifying consequences for  
3350 violation of the policy.

3351         Section 39. Subsection (3) is added to section 1006.27,  
3352 Florida Statutes, to read:

3353         1006.27 Pooling of school buses and related purchases by  
3354 district school boards; transportation services contracts.—

3355         (3) The Driving Choice Grant Program is created within the  
3356 department to improve access to reliable and safe transportation  
3357 for students participating in public educational school choices  
3358 pursuant to s. 1002.20(6)(a) and to support innovative solutions  
3359 that increase the efficiency of public school transportation.

3360         (a) Grant proposals may include:

3361             1. Transportation resource planning and sharing among  
3362 school districts and local governments.

3363             2. Developing or contracting with rideshare programs or  
3364 developing carpool strategies.

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3365 3. Developing options to reduce costs and increase  
3366 efficiencies while improving access to transportation options  
3367 for families.

3368 4. Developing options to address personnel challenges.

3369 5. Expanding the use of transportation funds under ss.  
3370 1002.394, 1002.395, and 1011.68 to help cover the cost of  
3371 transporting students to and from school.

3372 (b) The department shall publish on its website, by  
3373 December 31, 2023, an interim report and by December 31, 2024, a  
3374 final report that includes:

3375 1. The best practices used by grant recipients to increase  
3376 transportation options for students, including any  
3377 transportation barriers addressed by grant recipients.

3378 2. The number of students served by grant recipients,  
3379 including the number of students transported to a school that is  
3380 different from the school to which the student is assigned.

3381 Section 40. Subsections (4) through (6) of section 1006.73,  
3382 Florida Statutes, are renumbered as subsections (5) through (7),  
3383 respectively, subsection (1) and present subsection (4) are  
3384 amended, and a new subsection (4) is added to that section, to  
3385 read:

3386 1006.73 Florida Postsecondary Academic Library Network.—

3387 (1) PURPOSE.—The Board of Governors and the Department of  
3388 Education will jointly oversee the host entity in accordance  
3389 with subsection (6) ~~(5)~~ that will deliver the following services  
3390 to public postsecondary education institutions in this state,  
3391 which, for the purposes of this section, means all Florida  
3392 College System and State University System institutions:

3393 (a) Provide information regarding and access to distance

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3394 learning courses and degree programs offered by public  
3395 postsecondary education institutions within the state.

3396 (b) Coordinate with the Florida College System and the  
3397 State University System to identify and provide online academic  
3398 support services and resources when the multi-institutional  
3399 provision of such services and resources is more cost-effective  
3400 or operationally effective.

3401 (c) Administer a single library automation system and  
3402 associated resources and services that all public postsecondary  
3403 institutions shall use to support learning, teaching, and  
3404 research needs and develop automated library management tools  
3405 that shall include, but are not limited to, the following  
3406 services and functions:

3407 1. A shared Internet-based catalog and discovery tool that  
3408 allows a user to search and, if authorized, access the aggregate  
3409 library holdings of the state's public postsecondary education  
3410 institutions. The catalog and discovery tool shall allow a user  
3411 to search the library holdings of one institution, selected  
3412 institutions, or all institutions and, to the extent feasible,  
3413 shall include an interlibrary loan function that ensures an  
3414 authorized user can access the required library holding.

3415 2. An Internet-based searchable collection of electronic  
3416 resources which shall include, but not be limited to, full-text  
3417 journals, articles, databases, and electronic books licensed  
3418 pursuant to paragraph (d).

3419 3. An integrated library management system and its  
3420 associated services that all public postsecondary education  
3421 institution academic libraries shall use for purposes of  
3422 acquiring, cataloging, circulating, and tracking library

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3423 material.

3424 4. A statewide searchable database that includes an  
3425 inventory of digital archives and collections held by public  
3426 postsecondary education institutions.

3427 (d) In collaboration with library staff from Florida  
3428 College System institutions and state universities, coordinate  
3429 the negotiation of statewide licensing of electronic library  
3430 resources and preferred pricing agreements, issue purchase  
3431 orders, and enter into contracts for the acquisition of library  
3432 support services, electronic resources, and other goods and  
3433 services necessary to carry out its duties under this section.

3434 (e) Promote and provide recommendations concerning the use  
3435 and distribution of low-cost, no-cost, or open-access textbooks  
3436 and education resources and innovative pricing techniques that  
3437 comply with all applicable laws, in regards to copyrighted  
3438 material and statewide accessibility measures, as a method for  
3439 reducing costs.

3440 (f) Provide support for the adoption, adaptation, and  
3441 creation of open educational resources by faculty members from  
3442 Florida College System institutions and state universities.

3443 (g)~~(f)~~ Provide appropriate help desk support, training, and  
3444 consultation services to institutions and students.

3445 (4) FLORIDA STUDENT OPEN ACCESS RESOURCES.—There is  
3446 established a statewide initiative to increase the amount of  
3447 open access resources available to postsecondary students in the  
3448 state through the development of the Student Open Access  
3449 Resources Repository, a statewide, Internet-based, searchable  
3450 database of open education resources curated by the faculty of  
3451 Florida College System institutions and state universities, and

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3452 the establishment of the Student Open Access Resource Grant  
3453 Program.

3454 (a) For purposes of this section, the term "open  
3455 educational resources" means high-quality teaching, learning,  
3456 and research resources that reside in the public domain or have  
3457 been released under an intellectual property license that  
3458 permits the free use and repurposing of such resources by  
3459 others. The term may include other resources that are legally  
3460 available and free of cost to students. Open educational  
3461 resources include, but are not limited to, full courses, course  
3462 materials, modules, textbooks, faculty-created content,  
3463 streaming videos, exams, software, and other tools, materials,  
3464 or techniques used to support access to knowledge.

3465 (b) The chancellors of the State University System and the  
3466 Florida College System shall collaborate and take the lead in  
3467 identifying and developing processes to coordinate and support  
3468 the adaptation or development of open educational resources by  
3469 teams of faculty, librarians, and instructional designers within  
3470 a Florida College System institution or state university, or  
3471 across multiple institutions and universities. Such processes  
3472 shall include, but not be limited to, ensuring quality and  
3473 accuracy of content, suitability for publication, and compliance  
3474 with federal and state copyright laws and regulations. Pursuant  
3475 to the processes developed by the chancellors, the Florida  
3476 Postsecondary Academic Library Network shall:

- 3477 1. Serve as the lead agency.  
3478 2. Facilitate interinstitutional collaborations.  
3479 3. Host approved digital assets and on-demand printing  
3480 capabilities.



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3481 4. Ensure compliance with federal and state laws and  
3482 regulations relating to accessibility, copyright, student data  
3483 privacy and security, and quality assurance.

3484 5. Provide training for resource and professional  
3485 development.

3486 6. Administer the grant program under paragraph (d).

3487 (c) Resources available in the Student Open Access  
3488 Resources Repository shall:

3489 1. Comply with the processes developed by the chancellors  
3490 of the State University System and Florida College System  
3491 pursuant to paragraph (b).

3492 2. Be based upon the statewide course numbering system as  
3493 specified in s. 1007.01.

3494 3. Accelerate textbook affordability pursuant to s.  
3495 1004.085.

3496 (d) The Student Open Access Resource Grant Program is  
3497 created to provide funding for public institutions of higher  
3498 education, faculty, and staff to create and expand the use of  
3499 open educational resources.

3500 1. A Florida College System institution or state university  
3501 may apply to the Florida Postsecondary Academic Library Network  
3502 for a grant under the program to support the development and  
3503 curation of open educational resources and for migrating  
3504 existing content to the Student Open Access Resource Repository.

3505 2. Subject to appropriation by the Legislature, the Florida  
3506 Postsecondary Academic Library Network may award grants to  
3507 Florida College System institutions and state universities that  
3508 apply for grants pursuant to this section. The Florida Academic  
3509 Library Network shall prioritize courses with high student

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3510 enrollment, courses with high textbook or materials costs, and  
3511 courses identified as general education core courses pursuant to  
3512 s. 1007.25 when establishing award criteria.

3513 3. Florida College System institutions and state  
3514 universities receiving grant funds shall agree to openly license  
3515 and share, under the broadest possible license, any open  
3516 educational resources developed or adapted using the grant and  
3517 post such resources to the Student Open Access Resources  
3518 Repository.

3519 4. By fiscal year 2023-2024, grant funds provided to the  
3520 Florida Postsecondary Academic Library Network host entity shall  
3521 be awarded to Florida College System institutions and state  
3522 universities.

3523 (e) Each Florida College System institution and state  
3524 university shall post prominently in its course registration  
3525 system and on its website, as early as is feasible, but at least  
3526 45 days before the first day of class for each term, courses  
3527 that utilize open educational resources and have zero textbook  
3528 costs as indicated by an icon next to each eligible course. A  
3529 Zero Textbook Cost Indicator developed by the Florida  
3530 Postsecondary Academic Library Network may be used for this  
3531 purpose.

3532 (5) ~~(4)~~ REPORTING.—

3533 (a) Beginning December 31, 2021, and each year thereafter,  
3534 the host entity shall submit a report to the Chancellors of the  
3535 State University System and the Florida College System regarding  
3536 the implementation and operation of all components described in  
3537 this section, including, but not limited to, all of the  
3538 following:

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3539           1. Usage information collected under paragraph (2) (c) ~~.~~  
3540           2. Information and associated costs relating to the  
3541 services and functions of the program. ~~and~~  
3542           3. The implementation and operation of the automated  
3543 library services.  
3544           4. The number and value of grants awarded under paragraph  
3545 (4) (d) and the distribution of those funds.  
3546           5. The number and types of courses placed in the Student  
3547 Open Access Resources Repository.  
3548           6. Information on the utilization of the Student Open  
3549 Access Resources Repository and utilization of open educational  
3550 resources in course sections, by Florida College System  
3551 institution and state university.  
3552           (b) The Chancellors will provide an annual report on the  
3553 performance of the host entity in delivering the services and  
3554 any recommendations for changes needed to this section to the  
3555 Governor, the President of the Senate, the Speaker of the House  
3556 of Representatives, the Board of Governors, and the State Board  
3557 of Education. The Board of Governors and the Department of  
3558 Education shall include any necessary funding increases in their  
3559 annual legislative budget requests.  
3560           Section 41. Subsections (17) and (24) of section 1007.271,  
3561 Florida Statutes, are amended to read:  
3562           1007.271 Dual enrollment programs.—  
3563           (17) Instructional materials assigned for use within dual  
3564 enrollment courses shall be made available to dual enrollment  
3565 students ~~from Florida public high schools~~ free of charge. A  
3566 postsecondary institution may not require payment for  
3567 instructional materials costs eligible for reimbursement under

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3568 s. 1009.30 ~~This subsection does not prohibit a Florida College~~  
3569 ~~System institution from providing instructional materials at no~~  
3570 ~~cost to a home education student or student from a private~~  
3571 ~~school.~~ Instructional materials purchased by a district school  
3572 board or Florida College System institution board of trustees on  
3573 behalf of dual enrollment students shall be the property of the  
3574 board against which the purchase is charged.

3575 (24) (a) The dual enrollment program for a private school  
3576 student consists of the enrollment of an eligible private school  
3577 student in a postsecondary course creditable toward an associate  
3578 degree, a career certificate, or a baccalaureate degree. In  
3579 addition, a private school in which a student, including, but  
3580 not limited to, students with disabilities, is enrolled must  
3581 award credit toward high school completion for the postsecondary  
3582 course under the dual enrollment program. To participate in the  
3583 dual enrollment program, an eligible private school student  
3584 must:

3585 1. Provide proof of enrollment in a private school pursuant  
3586 to subsection (2).

3587 2. Be responsible for his or her own ~~instructional~~  
3588 ~~materials and~~ transportation unless provided for in the  
3589 articulation agreement.

3590 3. Sign a private school articulation agreement pursuant to  
3591 paragraph (b).

3592 (b) Each public postsecondary institution eligible to  
3593 participate in the dual enrollment program pursuant to s.  
3594 1011.62(1)(i) must enter into a private school articulation  
3595 agreement with each eligible private school in its geographic  
3596 service area seeking to offer dual enrollment courses to its

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3597 students, including, but not limited to, students with  
3598 disabilities. By August 1 of each year, the eligible  
3599 postsecondary institution shall complete and submit the private  
3600 school articulation agreement to the Department of Education.  
3601 The private school articulation agreement must include, at a  
3602 minimum:

3603 1. A delineation of courses and programs available to the  
3604 private school student. The postsecondary institution may add,  
3605 revise, or delete courses and programs at any time.

3606 2. The initial and continued eligibility requirements for  
3607 private school student participation, not to exceed those  
3608 required of other dual enrollment students.

3609 3. The student's responsibilities for providing his or her  
3610 own ~~instructional materials and~~ transportation.

3611 4. A provision clarifying that the private school will  
3612 award appropriate credit toward high school completion for the  
3613 postsecondary course under the dual enrollment program.

3614 5. A provision expressing that costs associated with  
3615 tuition and fees, including registration, and laboratory fees,  
3616 will not be passed along to the student.

3617 Section 42. Section 1007.36, Florida Statutes, is created  
3618 to read:

3619 1007.36 Inclusive Transition and Employment Management  
3620 Program.—As authorized by and consistent with funding  
3621 appropriated in the General Appropriations Act, the Inclusive  
3622 Transition and Employment Management Program is created within  
3623 the Department of Education for the purpose of providing young  
3624 adults with disabilities who are between the ages of 16 years  
3625 and 28 years with transitional skills, education, and on-the-job

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3626 experience to allow them to acquire and retain permanent  
3627 employment.

3628 Section 43. Subsection (1), paragraph (a) of subsection  
3629 (3), and paragraphs (a) and (b) of subsection (4) of section  
3630 1008.33, Florida Statutes, are amended to read:

3631 1008.33 Authority to enforce public school improvement.—

3632 (1) The State Board of Education shall comply with the  
3633 federal Elementary and Secondary Education Act (ESEA), 20 U.S.C.  
3634 ss. 6301 et seq., its implementing regulations, and the ESEA  
3635 plan flexibility waiver approved for Florida by the United  
3636 States Secretary of Education. The state board may adopt rules  
3637 to maintain compliance with the ESEA and the ESEA plan  
3638 ~~flexibility waiver~~.

3639 (3) (a) The academic performance of all students has a  
3640 significant effect on the state school system. Pursuant to Art.  
3641 IX of the State Constitution, which prescribes the duty of the  
3642 State Board of Education to supervise Florida's public school  
3643 system, the state board shall equitably enforce the  
3644 accountability requirements of the state school system and may  
3645 impose state requirements on school districts in order to  
3646 improve the academic performance of all districts, schools, and  
3647 students based upon the provisions of the Florida Early  
3648 Learning-20 Education Code, chapters 1000-1013; the federal ESEA  
3649 and its implementing regulations; and the ESEA plan flexibility  
3650 ~~wave~~ approved for Florida by the United States Secretary of  
3651 Education.

3652 (4) (a) The state board shall apply intensive intervention  
3653 and support strategies tailored to the needs of schools earning  
3654 two consecutive grades of "D" or a grade of "F." In the first

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3655 full school year after a school initially earns a grade of "D,"  
3656 ~~two consecutive grades of "D" or a grade of "F,"~~ the school  
3657 district must immediately implement intervention and support  
3658 strategies prescribed in rule under paragraph (3)(c). For a  
3659 school that initially earns a grade of "F" or a second  
3660 consecutive grade of "D," the school district must either  
3661 continue implementing or immediately begin implementing  
3662 intervention and support strategies prescribed in rule under  
3663 paragraph (3)(c) and, ~~by September 1,~~ provide the department, ~~by~~  
3664 September 1, with the memorandum of understanding negotiated  
3665 pursuant to s. 1001.42(21) and, by October 1, a district-managed  
3666 turnaround plan for approval by the state board. The district-  
3667 managed turnaround plan may include a proposal for the district  
3668 to implement an extended school day, a summer program, ~~or~~ a  
3669 combination of an extended school day and a summer program, or  
3670 any other option authorized under paragraph (b) for state board  
3671 approval. A school district is not required to wait until a  
3672 school earns a second consecutive grade of "D" to submit a  
3673 turnaround plan for approval by the state board under this  
3674 paragraph. Upon approval by the state board, the school district  
3675 must implement the plan for the remainder of the school year and  
3676 continue the plan for 1 full school year. The state board may  
3677 allow a school an additional year of implementation before the  
3678 school must implement a turnaround option required under  
3679 paragraph (b) if it determines that the school is likely to  
3680 improve to a grade of "C" or higher after the first full school  
3681 year of implementation.

3682 (b) Unless an additional year of implementation is provided  
3683 pursuant to paragraph (a), a school that completes a plan cycle

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3684 under paragraph (a) and does not improve to a grade of ~~earns~~  
3685 ~~three consecutive grades below a "C" or higher~~ must implement  
3686 one of the following:

3687 1. Reassign students to another school and monitor the  
3688 progress of each reassigned student;

3689 2. Close the school and reopen the school as one or more  
3690 charter schools, each with a governing board that has a  
3691 demonstrated record of effectiveness; or

3692 3. Contract with an outside entity that has a demonstrated  
3693 record of effectiveness to provide turnaround services  
3694 identified in state board rule, which may include school  
3695 leadership, educational modalities, teacher and leadership  
3696 professional development, curriculum, operation and management  
3697 services, school-based administrative staffing, budgeting,  
3698 scheduling, other educational service provider functions, or any  
3699 combination thereof ~~operate the school~~. Selection of an outside  
3700 entity may include one or a combination of the following:

3701 a. An external operator, which may be a district-managed  
3702 charter school or a high-performing charter school network in  
3703 which all instructional personnel are not employees of the  
3704 school district, but are employees of an independent governing  
3705 board composed of members who did not participate in the review  
3706 or approval of the charter.

3707 b. A contractual agreement that allows for a charter school  
3708 network or any of its affiliated subsidiaries to provide  
3709 individualized consultancy services tailored to address the  
3710 identified needs of one or more schools under this section.

3711  
3712 A school district and outside entity under this subparagraph



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3713 must enter, at minimum, a 2-year, performance-based contract.  
3714 The contract must include school performance and growth metrics  
3715 the outside entity must meet on an annual basis. The state board  
3716 may require the school district to modify or cancel the  
3717 contract.

3718 Section 44. Paragraph (c) of subsection (3) of section  
3719 1008.34, Florida Statutes, is amended to read:

3720 1008.34 School grading system; school report cards;  
3721 district grade.—

3722 (3) DESIGNATION OF SCHOOL GRADES.—

3723 (c)1. The calculation of a school grade shall be based on  
3724 the percentage of points earned from the components listed in  
3725 subparagraph (b)1. and, if applicable, subparagraph (b)2. The  
3726 State Board of Education shall adopt in rule a school grading  
3727 scale that sets the percentage of points needed to earn each of  
3728 the school grades listed in subsection (2). There shall be at  
3729 least five percentage points separating the percentage  
3730 thresholds needed to earn each of the school grades. The state  
3731 board shall annually ~~periodically~~ review the percentage of  
3732 school grades of "A" and "B" for the school year to determine  
3733 whether to adjust the school grading scale upward for the  
3734 following school year's school grades. The first adjustment  
3735 would occur no earlier than the 2023-2024 school year. An  
3736 adjustment must be made if the percentage of schools earning a  
3737 grade of "A" or "B" in the current year represents 75 percent or  
3738 more of all graded schools within a particular school type,  
3739 which consists of elementary, middle, high, and combination. The  
3740 adjustment must reset the minimum required percentage of points  
3741 for each grade of "A", "B", "C", or "D" at the next highest

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3742 percentage ending in the numeral 5 or 0, whichever is closest to  
3743 the current percentage. Annual reviews of the percentage of  
3744 schools earning a grade of "A" or "B" and adjustments to the  
3745 required points must be suspended when the following grading  
3746 scale for a specific school type is achieved:

3747 a. Ninety percent or more of the points for a grade of "A".

3748 b. Eighty to eighty-nine percent of the points for a grade  
3749 of "B".

3750 c. Seventy to seventy-nine percent of the points for a  
3751 grade of "C".

3752 d. Sixty to sixty-nine percent of the points for a grade of  
3753 "D."

3754  
3755 ~~When the school grading scale to determine if the scale should~~  
3756 ~~be adjusted upward to meet raised expectations and encourage~~  
3757 ~~increased student performance. If the state board adjusts the~~  
3758 ~~grading scale upward, the state board must inform the public and~~  
3759 ~~the school districts of the reasons for and degree of the~~  
3760 ~~adjustment and its anticipated impact on school grades.~~

3761 2. The calculation of school grades may not include any  
3762 provision that would raise or lower the school's grade beyond  
3763 the percentage of points earned. Extra weight may not be added  
3764 in the calculation of any components.

3765 Section 45. Effective upon this act becoming a law, and  
3766 annually until January 1, 2025, the Department of Education  
3767 shall collect from each school district, by grade level, the  
3768 range and median number of minutes per school year, including as  
3769 a percentage of net instructional time, students in  
3770 prekindergarten through grade 5 spend on district-required

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3771 assessments and coordinated screening and progress monitoring  
3772 and state-required assessments and coordinated screening and  
3773 progress monitoring. Annually, beginning January 1, 2023,  
3774 through January 1, 2025, the department shall submit a report to  
3775 the Governor and the Legislature summarizing the data collected  
3776 from school districts, including recommendations for minimizing  
3777 duplicative district assessments and progress monitoring.

3778 Section 46. Paragraph (a) of subsection (18) of section  
3779 1009.26, Florida Statutes, is amended to read:

3780 1009.26 Fee waivers.—

3781 (18) (a) ~~Beginning with the 2021-2022 academic year,~~ For  
3782 every course in a Program of Strategic Emphasis, as identified  
3783 in subparagraph 3., in which a student is enrolled, a state  
3784 university shall waive 100 percent of the tuition and fees for  
3785 an equivalent course in such program for a student who:

3786 1. Is a resident for tuition purposes under s. 1009.21.

3787 2. Has earned at least 60 semester credit hours towards a  
3788 baccalaureate degree within 2 academic years after initial  
3789 enrollment at a Florida public postsecondary institution.

3790 3. Enrolls in one of 10 ~~eight~~ Programs of Strategic  
3791 Emphasis as adopted by the Board of Governors. The Board of  
3792 Governors shall adopt eight Programs of Strategic Emphasis in  
3793 science, technology, engineering, or math and, beginning with  
3794 the 2022-2023 academic year, two Programs of Strategic Emphasis  
3795 in the critical workforce gap analysis category for which a  
3796 student may be eligible to receive the tuition and fee waiver  
3797 authorized by this subsection. The programs identified by the  
3798 board must reflect the priorities of the state and be offered at  
3799 a majority of state universities.

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3800 Section 47. Subsection (2), paragraph (a) of subsection  
3801 (3), subsection (5), paragraph (d) of subsection (6) and  
3802 subsections (7), (8), and (9) of section 1009.30, Florida  
3803 Statutes, are amended to read:

3804 1009.30 Dual Enrollment Scholarship Program.—

3805 (2) The Department of Education shall administer the Dual  
3806 Enrollment Scholarship Program in accordance with rules adopted  
3807 by the State Board of Education pursuant to subsection (8) ~~(9)~~.

3808 (3) (a) ~~Beginning in the 2021 fall term,~~ The program shall  
3809 reimburse eligible postsecondary institutions for tuition and  
3810 related instructional materials costs for dual enrollment  
3811 courses taken during the fall or spring terms by eligible  
3812 students, consisting of:

3813 1. Private school students who take dual enrollment courses  
3814 pursuant to s. 1007.271(24) (b); or

3815 2. Home education program secondary students ~~during the~~  
3816 ~~fall or spring terms.~~

3817 (5) ~~Annually, by March 15,~~ Each participating institution  
3818 must report to the department any eligible secondary students  
3819 from private schools or home education programs who were  
3820 enrolled during the ~~previous~~ fall or spring terms within 30 days  
3821 after the end of regular registration. ~~Annually, by July 15,~~  
3822 Each participating institution must report to the department any  
3823 eligible public school, private school, or home education  
3824 program students who were enrolled during the summer term within  
3825 30 days after the end of regular registration. For each dual  
3826 enrollment course in which the student is enrolled, the report  
3827 must include a unique student identifier, the postsecondary  
3828 institution name, the postsecondary course number, and the

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3829 postsecondary course name. The department shall reimburse each  
3830 participating institution no later than 30 days after the  
3831 institution has reported enrollment for that term.

3832 (6) (d) Institutions shall be reimbursed for instructional  
3833 materials costs ~~based on a rate specified in the General~~  
3834 ~~Appropriations Act.~~

3835 ~~(7) For dual enrollment courses taken during the fall and~~  
3836 ~~spring terms, the department must reimburse institutions by~~  
3837 ~~April 15 of the same year. For dual enrollment courses taken~~  
3838 ~~during the summer term, the department must reimburse~~  
3839 ~~institutions by August 15 of the same year, before the beginning~~  
3840 ~~of the next academic year.~~

3841 ~~(7)~~<sup>(8)</sup> Reimbursement for dual enrollment courses is  
3842 contingent upon an appropriation in the General Appropriations  
3843 Act each year. If the statewide reimbursement amount is greater  
3844 than the appropriation, the institutional reimbursement amounts  
3845 specified in subsection (6) shall be prorated among the  
3846 institutions that have reported eligible students to the  
3847 department by the deadlines specified in subsection (5).

3848 ~~(8)~~<sup>(9)</sup> The State Board of Education shall adopt rules to  
3849 implement this section.

3850 Section 48. Paragraph (c) of subsection (5) of section  
3851 1009.89, Florida Statutes, is amended to read:

3852 1009.89 The William L. Boyd, IV, Effective Access to  
3853 Student Education grants.—

3854 (5)

3855 (c) By September 1 of each year, institutions receiving  
3856 funding as provided in the General Appropriations Act must  
3857 submit an Effective Access to Student Education Grant Program

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3858 Accountability Report to the Department of Education, in a  
3859 format prescribed by the department. The report must use the  
3860 most recently available information on Florida resident students  
3861 and include, at a minimum, the following performance metrics, by  
3862 institution:

- 3863 1. Access rate based upon percentage of Pell-eligible  
3864 students.
- 3865 2. Affordability rate based upon average student loan debt;  
3866 federal, state, and institutional financial assistance; and  
3867 average tuition and fees.
- 3868 3. Graduation rate.
- 3869 4. Retention rate.
- 3870 5. Postgraduate employment or continuing education rate.

3871  
3872 The department shall recommend minimum performance standards  
3873 that institutions must meet to remain eligible to receive grants  
3874 pursuant to this section. Each eligible institution shall post  
3875 prominently on its website, by October 1 of each year, its  
3876 performance on these metrics, as reported to the department.

3877 Section 49. Subsections (5) through (9) of section  
3878 1009.895, Florida Statutes, are renumbered as subsections (4)  
3879 through (8), respectively, and paragraph (c) of subsection (1),  
3880 subsection (4), paragraph (a) of present subsection (5), and  
3881 present subsection (8) are amended to read:

3882 1009.895 Open Door Grant Program.—

3883 (1) As used in this section, the term:

3884 (c) "Institution" means school district postsecondary  
3885 technical career centers under s. 1001.44, Florida College  
3886 System institutions under s. 1000.21(3), ~~and~~ charter technical

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3887 career centers under s. 1002.34, and school districts with  
3888 eligible integrated education and training programs.

3889 ~~(4) To be eligible to receive an open door grant under this~~  
3890 ~~section, a student must complete the Free Application for~~  
3891 ~~Federal Student Aid for each academic year in which the grant is~~  
3892 ~~sought.~~

3893 ~~(5)~~ Subject to the availability of funds:

3894 (a) A student who enrolls in an eligible program offered by  
3895 an institution and who does not receive state or federal  
3896 financial aid may apply for and be awarded a grant to cover two-  
3897 thirds of the cost of the program, if at the time of enrollment  
3898 the student pays one-third of the cost of the program and signs  
3899 an agreement to either complete the program or pay an additional  
3900 one-third of the cost of the program in the event of  
3901 noncompletion. The department shall reimburse the institution in  
3902 an amount equal to one-third of the cost of the program upon a  
3903 student's completion of the program. An additional one-third  
3904 shall be provided upon attainment of a workforce credential or  
3905 certificate by the student. Grant funds may be used to cover the  
3906 student's one-third of the cost of the program for students in  
3907 integrated education and training programs and students who do  
3908 not have a high school diploma and meet the requirements  
3909 established by the department. An institution may cover the  
3910 student's one-third of the cost of the program based on student  
3911 need, as determined by the institution.

3912 ~~(7)~~~~(8)~~ The department shall compile the data provided under  
3913 paragraph (6) (d) ~~(7) (d)~~ and annually report such data, in the  
3914 aggregate and categorize such information by eligible  
3915 institution, to the State Board of Education. The report shall

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3916 also include information on the average wage, age, gender, race,  
3917 ethnicity, veteran status, and other relevant information, of  
3918 students who have completed workforce training programs  
3919 categorized by credential name and relevant occupation.

3920 Section 50. Section 1009.896, Florida Statutes, is created  
3921 to read:

3922 1009.896 Linking Industry to Nursing Education (LINE)  
3923 Fund.—

3924 (1) This section shall be known and may be cited as the  
3925 “Linking Industry to Nursing Education (LINE) Fund Act.”

3926 (2) Recognizing that the state has a persistent and growing  
3927 nursing shortage, it is the intent of the Legislature to address  
3928 this critical workforce need by incentivizing collaboration  
3929 between nursing education programs and health care partners  
3930 through the establishment of the LINE Fund. This fund is  
3931 intended to meet local, regional, and state workforce demand by  
3932 recruiting faculty and clinical preceptors, increasing the  
3933 capacity of high-quality nursing education programs, and  
3934 increasing the number of nursing education program graduates who  
3935 are prepared to enter the workforce.

3936 (3) As used in this section, the term:

3937 (a) “Health care partner” means a health care provider as  
3938 defined in s. 768.38(2).

3939 (b) “Institution” means a school district career center  
3940 under s. 1001.44, a charter technical career center under s.  
3941 1002.34, a Florida College System institution, a state  
3942 university, or an independent nonprofit college or university  
3943 located and chartered in this state and accredited by an agency  
3944 or association that is recognized by the database created and



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3945 maintained by the United States Department of Education to grant  
3946 baccalaureate degrees, which has a nursing education program  
3947 that meets or exceeds the following:

3948 1. For a certified nursing assistant program, a completion  
3949 rate of at least 70 percent for the prior year.

3950 2. For a licensed practical nurse, associate of science in  
3951 nursing, and bachelor of science in nursing program, a first-  
3952 time passage rate on the National Council of State Boards of  
3953 Nursing Licensing Examination of at least 70 percent for the  
3954 prior year.

3955 (c) "Student" means a person who is a resident for tuition  
3956 purposes pursuant to s. 1009.21 and enrolled in a nursing  
3957 education program at an institution.

3958 (4) The LINE Fund shall be administered by the Board of  
3959 Governors for state universities and the Department of Education  
3960 for all other institutions.

3961 (5) Subject to available funds, for every dollar  
3962 contributed to an institution by a health care partner, the fund  
3963 shall provide a dollar-to-dollar match to the participating  
3964 institution.

3965 (6) (a) Funds may be used for student scholarships,  
3966 recruitment of additional faculty, equipment, and simulation  
3967 centers to advance high-quality nursing education programs  
3968 throughout the state.

3969 (b) Funds may not be used for the construction of new  
3970 buildings.

3971 (7) (a) To participate, an institution must submit a timely  
3972 and completed proposal to the Board of Governors or Department  
3973 of Education, in a format prescribed by the Board of Governors

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3974 or Department of Education, as applicable.

3975 (b) The proposal must identify a health care partner  
3976 located and licensed to operate in the state whose monetary  
3977 contributions will be matched by the fund on a dollar-to-dollar  
3978 basis.

3979 (8) The Board of Governors or Department of Education, as  
3980 applicable, must review and evaluate each completed and timely  
3981 submitted proposal according to the following minimum criteria:

3982 (a) Whether funds committed by the health care partner will  
3983 contribute to an eligible purpose.

3984 (b) How the institution plans to use the funds, including  
3985 how such funds will be utilized to increase student enrollment  
3986 and program completion.

3987 (c) How the health care partner will onboard and retain  
3988 graduates.

3989 (d) How the funds will expand the institution's nursing  
3990 education programs to meet local, regional, or state workforce  
3991 demands. If applicable, this shall include advanced education  
3992 nursing programs and how the funds will increase the number of  
3993 faculty and clinical preceptors and planned efforts to utilize  
3994 the clinical placement process established in s. 14.36.

3995 (9) (a) Each institution with an approved proposal shall  
3996 notify the Board of Governors or Department of Education, as  
3997 applicable, upon receipt of the health care partner provided  
3998 funds identified in the proposal. The Board of Governors or  
3999 Department of Education, as applicable, shall release grant  
4000 funds, on a dollar-for-dollar basis, up to the amount of funds  
4001 received by the institution.

4002 (b) Annually, by February 1, each institution awarded grant

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4003 funds in the previous fiscal year shall submit a report to the  
4004 Board of Governors or Department of Education, as applicable,  
4005 that demonstrates the expansion as outlined in the proposal and  
4006 the use of funds. At minimum, the report must include, by  
4007 program level, the number of additional nursing education  
4008 students enrolled; if scholarships were awarded using grant  
4009 funds, the number of students who received scholarships and the  
4010 average award amount; and the outcomes of students as reported  
4011 by the Florida Talent Development Council pursuant to s.  
4012 1004.015(6).

4013 (10) The Board of Governors shall adopt regulations and the  
4014 State Board of Education shall adopt rules to administer the  
4015 fund, establish dates for the submission and review of  
4016 proposals, award funds, and other regulations and rules  
4017 necessary to implement this section.

4018 Section 51. Section 1009.897, Florida Statutes, is created  
4019 to read:

4020 1009.897 Prepping Institutions, Programs, Employers, and  
4021 Learners through Incentives for Nursing Education (PIPELINE)  
4022 Fund.—

4023 (1) A Prepping Institutions, Programs, Employers, and  
4024 Learners through Incentives for Nursing Education (PIPELINE)  
4025 Fund is created to reward performance and excellence among  
4026 public postsecondary nursing education programs.

4027 (2) As used in this section, the term, "institution" means  
4028 a school district career center under s. 1001.44 that offers a  
4029 licensed practical nurse program, a charter technical career  
4030 center under s. 1002.34 that offers a licensed practical nurse  
4031 program, a Florida College System institution, or a state

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4032 university.

4033 (3) Subject to appropriation, each institution shall  
4034 receive an allocation based on the performance of its respective  
4035 nursing education program or programs according to the following  
4036 metrics:

4037 (a) The number of nursing education program completers, by  
4038 program.

4039 (b)1. The first-time National Council of State Boards of  
4040 Nursing Licensing Examination passage rate of the institution's  
4041 nursing education program completers, by program.

4042 2. The allocations shall reward excellence among nursing  
4043 education programs with an average first-time National Council  
4044 of State Boards of Nursing Licensing Examination passage rate  
4045 above the national average.

4046 (4) The Board of Governors shall adopt regulations and  
4047 State Board of Education shall adopt rules to administer this  
4048 section.

4049 Section 52. Paragraph (a) of subsection (3) of section  
4050 1010.20, Florida Statutes, is amended to read:

4051 1010.20 Cost accounting and reporting for school  
4052 districts.—

4053 (3) PROGRAM EXPENDITURE REQUIREMENTS.—

4054 (a) Each district shall expend at least the percent of the  
4055 funds generated by each of the programs listed in this section  
4056 on the aggregate total school costs for such programs:

4057 1. Kindergarten and grades 1, 2, and 3, 90 percent.

4058 2. Grades 4, 5, 6, 7, and 8, 80 percent.

4059 3. Grades 9, 10, 11, and 12, 80 percent.

4060 4. Programs for exceptional students, on an aggregate

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4061 program basis, 90 percent.

4062 5. Grades 7 through 12 career education programs, on an  
4063 aggregate program basis, 80 percent.

4064 6. Students-at-risk programs, on an aggregate program  
4065 basis, 80 percent.

4066 7. Juvenile justice programs, on an aggregate program  
4067 basis, 95 ~~90~~ percent.

4068 8. Any new program established and funded under s.  
4069 1011.62(1)(c), that is not included under subparagraphs 1.-7.,  
4070 on an aggregate basis as appropriate, 80 percent.

4071 Section 53. Subsection (3) of section 1011.48, Florida  
4072 Statutes, is amended to read:

4073 1011.48 Establishment of educational research centers for  
4074 child development.—

4075 (3) Each center is authorized to charge fees for the care  
4076 and services it provides, subject to the fees authorized by s.  
4077 1009.24(14). ~~Such fees must be approved by the Board of~~  
4078 ~~Governors and may be imposed on a sliding scale based on ability~~  
4079 ~~to pay or any other factors deemed relevant by the board.~~

4080 Section 54. Subsections (11) through (14) of section  
4081 1011.62, Florida Statutes, are renumbered as (10) through (13),  
4082 respectively, subsections (16) through (19) are renumbered as  
4083 subsections (14) through (17), respectively, and paragraph (s)  
4084 of subsection (1), paragraph (a) of subsection (4), paragraphs  
4085 (b) and (d) of subsection (6), paragraphs (a) and (b) of  
4086 subsection (7), subsection (8), subsection (10), and present  
4087 subsections (12) and (15) of that section are amended, to read:

4088 1011.62 Funds for operation of schools.—If the annual  
4089 allocation from the Florida Education Finance Program to each

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4090 district for operation of schools is not determined in the  
4091 annual appropriations act or the substantive bill implementing  
4092 the annual appropriations act, it shall be determined as  
4093 follows:

4094 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
4095 OPERATION.—The following procedure shall be followed in  
4096 determining the annual allocation to each district for  
4097 operation:

4098 (s) *Determination of the basic amount for current*  
4099 *operation.*—The basic amount for current operation to be included  
4100 in the Florida Education Finance Program for kindergarten  
4101 through grade 12 for each district shall be the product of the  
4102 following:

4103 1. The full-time equivalent student membership in each  
4104 program, multiplied by

4105 2. The cost factor for each program, adjusted for the  
4106 maximum as provided by paragraph (c), multiplied by

4107 3. The district cost differential, multiplied by

4108 ~~4.3.~~ The base student allocation.

4109 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The  
4110 Legislature shall prescribe the aggregate required local effort  
4111 for all school districts collectively as an item in the General  
4112 Appropriations Act for each fiscal year. The amount that each  
4113 district shall provide annually toward the cost of the Florida  
4114 Education Finance Program for kindergarten through grade 12  
4115 programs shall be calculated as follows:

4116 (a) *Estimated taxable value calculations.*—

4117 1.a. Not later than 2 working days before July 19, the  
4118 Department of Revenue shall certify to the Commissioner of

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4119 Education its most recent estimate of the taxable value for  
4120 school purposes in each school district and the total for all  
4121 school districts in the state for the current calendar year  
4122 based on the latest available data obtained from the local  
4123 property appraisers. The value certified shall be the taxable  
4124 value for school purposes for that year, and no further  
4125 adjustments shall be made, except those made pursuant to  
4126 paragraphs (c) and (d), or an assessment roll change required by  
4127 final judicial decisions as specified in paragraph (15) (b)  
4128 ~~(17) (b)~~. Not later than July 19, the Commissioner of Education  
4129 shall compute a millage rate, rounded to the next highest one  
4130 one-thousandth of a mill, which, when applied to 96 percent of  
4131 the estimated state total taxable value for school purposes,  
4132 would generate the prescribed aggregate required local effort  
4133 for that year for all districts. The Commissioner of Education  
4134 shall certify to each district school board the millage rate,  
4135 computed as prescribed in this subparagraph, as the minimum  
4136 millage rate necessary to provide the district required local  
4137 effort for that year.

4138       b. The General Appropriations Act shall direct the  
4139 computation of the statewide adjusted aggregate amount for  
4140 required local effort for all school districts collectively from  
4141 ad valorem taxes to ensure that no school district's revenue  
4142 from required local effort millage will produce more than 90  
4143 percent of the district's total Florida Education Finance  
4144 Program calculation as calculated and adopted by the  
4145 Legislature, and the adjustment of the required local effort  
4146 millage rate of each district that produces more than 90 percent  
4147 of its total Florida Education Finance Program entitlement to a

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4148 level that will produce only 90 percent of its total Florida  
4149 Education Finance Program entitlement in the July calculation.

4150 2. On the same date as the certification in sub-  
4151 subparagraph 1.a., the Department of Revenue shall certify to  
4152 the Commissioner of Education for each district:

4153 a. Each year for which the property appraiser has certified  
4154 the taxable value pursuant to s. 193.122(2) or (3), if  
4155 applicable, since the prior certification under sub-subparagraph  
4156 1.a.

4157 b. For each year identified in sub-subparagraph a., the  
4158 taxable value certified by the appraiser pursuant to s.  
4159 193.122(2) or (3), if applicable, since the prior certification  
4160 under sub-subparagraph 1.a. This is the certification that  
4161 reflects all final administrative actions of the value  
4162 adjustment board.

4163 (6) CATEGORICAL FUNDS.—

4164 (b) If a district school board finds and declares in a  
4165 resolution adopted at a regular meeting of the school board that  
4166 the funds received for any of the following categorical  
4167 appropriations are urgently needed to maintain school board  
4168 specified academic classroom instruction or improve school  
4169 safety, the school board may consider and approve an amendment  
4170 to the school district operating budget transferring the  
4171 identified amount of the categorical funds to the appropriate  
4172 account for expenditure:

4173 1. Funds for student transportation.

4174 2. ~~Funds for evidence-based reading instruction if the~~  
4175 ~~required additional hour of instruction beyond the normal school~~  
4176 ~~day for each day of the entire school year has been provided for~~



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4177 ~~the students in each low-performing elementary school in the~~  
4178 ~~district pursuant to paragraph (8) (a).~~

4179 ~~3.~~ Funds for instructional materials if all instructional  
4180 material purchases necessary to provide updated materials that  
4181 are aligned with applicable state standards and course  
4182 descriptions and that meet statutory requirements of content and  
4183 learning have been completed for that fiscal year, but no sooner  
4184 than March 1. Funds available after March 1 may be used to  
4185 purchase computers and device hardware for student instruction  
4186 that comply with the requirements of s. 1001.20(4)(a)1.b.

4187 ~~3.4.~~ Funds for the guaranteed allocation as provided in  
4188 subparagraph (1)(e)2.

4189 ~~4.5.~~ Funds for the supplemental academic instruction  
4190 allocation as provided in paragraph (1)(f).

4191 ~~6.~~ Funds for the Florida digital classrooms allocation as  
4192 provided in subsection (10).

4193 ~~5.7.~~ Funds for the federally connected student supplement  
4194 as provided in subsection (10) ~~(11)~~.

4195 ~~6.8.~~ Funds for class size reduction as provided in s.  
4196 1011.685.

4197 ~~(d) If a district school board transfers funds from its~~  
4198 ~~evidence-based reading instruction allocation, the board must~~  
4199 ~~also submit to the Department of Education an amendment~~  
4200 ~~describing the changes that the district is making to its~~  
4201 ~~reading plan approved pursuant to paragraph (8) (d).~~

4202 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

4203 (a) Annually, in an amount to be determined by the  
4204 Legislature through the General Appropriations Act, there shall  
4205 be added to the basic amount for current operation of the FEFP

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4206 qualified districts a sparsity supplement which shall be  
4207 computed as follows:

4208  
4209  
4210           Sparsity Factor =           1101.8918           - 0.1101  
  
  2700 + district  
  sparsity  
  index

4211  
4212  
4213  
4214 except that districts with a sparsity index of 1,000 or less  
4215 shall be computed as having a sparsity index of 1,000, and  
4216 districts having a sparsity index of 7,308 and above shall be  
4217 computed as having a sparsity factor of zero. A qualified  
4218 district's full-time equivalent student membership shall equal  
4219 or be less than that prescribed annually by the Legislature in  
4220 the appropriations act. The amount prescribed annually by the  
4221 Legislature shall be no less than 17,000, but no more than  
4222 30,000 ~~24,000~~.

4223           (b) The district sparsity index shall be computed by  
4224 dividing the total number of full-time equivalent students in  
4225 all programs in the district by the number of senior high school  
4226 centers in the district, not in excess of three, which centers  
4227 are approved as permanent centers by a survey made by the  
4228 Department of Education. For districts with a full-time  
4229 equivalent student membership of at least 20,000, but no more  
4230 than 30,000 ~~24,000~~, the index shall be computed by dividing the

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4231 total number of full-time equivalent students in all programs by  
4232 the number of permanent senior high school centers in the  
4233 district, not in excess of four.

4234 (8) EVIDENCE-BASED READING INSTRUCTION ALLOCATION.—

4235 (a) The evidence-based reading instruction allocation is  
4236 created to provide comprehensive reading instruction to students  
4237 in prekindergarten ~~kindergarten~~ through grade 12, ~~including~~  
4238 ~~certain students who have completed the Voluntary~~  
4239 ~~Prekindergarten Education Program and who are at risk of being~~  
4240 ~~identified as having a substantial deficiency in early literacy~~  
4241 ~~skills under s. 1008.25(8)(c). Each school district that has one~~  
4242 ~~or more of the 300 lowest-performing elementary schools based on~~  
4243 ~~a 3-year average of the state reading assessment data must use~~  
4244 ~~the school's portion of the allocation to provide an additional~~  
4245 ~~hour per day of intensive reading instruction for the students~~  
4246 ~~in each school. The additional hour may be provided within the~~  
4247 ~~school day. Students enrolled in these schools who earned a~~  
4248 ~~level 4 or level 5 score on the statewide, standardized English~~  
4249 ~~Language Arts assessment for the previous school year may~~  
4250 ~~participate in the additional hour of instruction. Exceptional~~  
4251 ~~student education centers may not be included in the 300~~  
4252 ~~schools. The~~

4253 (b) Intensive reading instruction for students who have  
4254 reading deficiencies must ~~delivered in this additional hour~~  
4255 ~~shall include:~~ evidence-based reading instruction ~~that has been~~  
4256 proven to accelerate progress of students exhibiting a reading  
4257 deficiency; differentiated instruction based on screening,  
4258 diagnostic, progress monitoring, or student assessment data to  
4259 meet students' specific reading needs; explicit and systematic

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4260 reading strategies to develop phonemic awareness, phonics,  
4261 fluency, vocabulary, and comprehension, with more extensive  
4262 opportunities for guided practice, error correction, and  
4263 feedback; and the coordinated integration of civic literacy,  
4264 science, and mathematics-text reading, text discussion, and  
4265 writing in response to reading.

4266 (c)~~(b)~~ Funds for comprehensive, evidence-based reading  
4267 instruction shall be allocated annually to each school district  
4268 in the amount provided in the General Appropriations Act. Each  
4269 eligible school district shall receive the same minimum amount  
4270 as specified in the General Appropriations Act, and any  
4271 remaining funds shall be distributed to eligible school  
4272 districts based on each school district's proportionate share of  
4273 K-12 base funding.

4274 (d)~~(e)~~ Funds allocated under this subsection must be used  
4275 to provide a system of comprehensive reading instruction to  
4276 students enrolled in the prekindergarten-12 ~~K-12~~ programs and  
4277 certain students who exhibit a substantial deficiency in early  
4278 literacy and ~~completed the Voluntary Prekindergarten Education~~  
4279 ~~Program pursuant to s. 1008.25(5)(b)~~, which may include the  
4280 following:

4281 1. Additional time ~~An additional hour~~ per day of evidence-  
4282 based intensive reading instruction to students, which may be  
4283 delivered during or outside of the regular school day ~~in the 300~~  
4284 ~~lowest-performing elementary schools by teachers and reading~~  
4285 ~~specialists who have demonstrated effectiveness in teaching~~  
4286 ~~reading as required in paragraph (a).~~

4287 2. Kindergarten through grade 12 ~~5~~ evidence-based intensive  
4288 reading interventions ~~provided by reading intervention teachers~~

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4289 ~~during the school day and in the required extra hour for~~  
4290 ~~students identified as having a substantial reading deficiency.~~

4291       3. Highly qualified reading coaches, who must be endorsed  
4292 in reading, to specifically support teachers in making  
4293 instructional decisions based on student data, and improve  
4294 teacher delivery of effective reading instruction, intervention,  
4295 and reading in the content areas based on student need.

4296       4. Professional development ~~for school district teachers in~~  
4297 ~~scientifically researched and evidence-based reading~~  
4298 ~~instruction, including strategies to teach reading in content~~  
4299 ~~areas and with an emphasis on technical and informational text,~~  
4300 to help instructional personnel and certified prekindergarten  
4301 teachers funded in the Florida Education Finance Program ~~school~~  
4302 ~~district teachers~~ earn a certification, a credential, ~~or an~~  
4303 endorsement, or an advanced degree in scientifically researched  
4304 and evidence-based reading instruction.

4305       5. Summer reading camps, using only teachers or other  
4306 district personnel who possess a micro-credential as specified  
4307 in s. 1003.485 or are certified or endorsed in reading  
4308 consistent with s. 1008.25(7)(b)3., for all students in  
4309 kindergarten through grade 5 ~~2~~ who demonstrate a reading  
4310 deficiency as determined by district and state assessments,  
4311 ~~students in grades 3 through 5 who score at Level 1 on the~~  
4312 ~~statewide, standardized English Language Arts assessment, and~~  
4313 ~~certain students who exhibit a substantial deficiency in early~~  
4314 ~~literacy and completed the Voluntary Prekindergarten Education~~  
4315 ~~Program under s. 1008.25(5)(b).~~

4316       6. Scientifically researched and evidence-based  
4317 supplemental instructional materials as identified by the Just

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4318 Read, Florida! Office pursuant to s. 1001.215(8).

4319       7. Incentives for instructional personnel and certified  
4320 prekindergarten teachers funded in the Florida Education Finance  
4321 Program who possess a reading certification or endorsement or  
4322 micro-credential as specified in s. 1003.485 and provide  
4323 educational support to improve student literacy ~~Evidence-based~~  
4324 ~~intensive reading interventions for students in kindergarten~~  
4325 ~~through grade 12 who have been identified as having a~~  
4326 ~~substantial reading deficiency or who are reading below grade~~  
4327 ~~level as determined by the statewide, standardized English~~  
4328 ~~Language Arts assessment or for certain students who exhibit a~~  
4329 ~~substantial deficiency in early literacy and completed the~~  
4330 ~~Voluntary Prekindergarten Education Program under s.~~  
4331 ~~1008.25(5)(b).~~

4332       8. Tutoring in reading.

4333       (e)1.~~(d)1.~~ Annually, by a date determined by the Department  
4334 of Education ~~but before May 1,~~ each school district ~~districts~~  
4335 shall submit a comprehensive reading plan approved by the  
4336 applicable district school board, charter school governing  
4337 board, or lab school board of trustees, for the specific use of  
4338 the evidence-based reading instruction allocation, based upon a  
4339 root-cause analysis. The State Regional Literacy Director may  
4340 assist in the development of the plan ~~in the format prescribed~~  
4341 ~~by the department for review and approval by the Just Read,~~  
4342 ~~Florida! Office created pursuant to s. 1001.215. The plan format~~  
4343 ~~shall be developed with input from school district personnel,~~  
4344 ~~including teachers and principals, and shall provide for~~  
4345 ~~intensive reading interventions identified through a root-cause~~  
4346 ~~analysis of student performance data and reflection tool~~

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4347 ~~developed by the department to evaluate the effectiveness of~~  
4348 ~~interventions implemented in the prior year. The department~~  
4349 shall provide a plan format. A district school board may use the  
4350 format developed by the department or a format developed by the  
4351 district school board.

4352 2. Intensive reading interventions must be delivered by  
4353 instructional personnel who possess the micro-credential as  
4354 provided in s. 1003.485 or are certified or endorsed in reading  
4355 and must incorporate evidence-based strategies identified by the  
4356 Just Read, Florida! Office pursuant to s. 1001.215(8).  
4357 Instructional personnel who possess a micro-credential as  
4358 specified in s. 1003.485 and are delivering intensive reading  
4359 interventions must be supervised by an individual certified or  
4360 endorsed in reading. For the purposes of this subsection, the  
4361 term "supervision" means the ability to communicate by way of  
4362 telecommunication with or physical presence of the certified or  
4363 endorsed personnel for consultation and direction of the actions  
4364 of the personnel with the micro-credential.

4365 ~~3.2. By July 1 of each year, the department shall release~~  
4366 ~~to each school district with an approved plan its allocation of~~  
4367 ~~appropriated funds. If a school district and the Just Read,~~  
4368 ~~Florida! Office cannot reach agreement on the contents of the~~  
4369 ~~plan, the school district may appeal to the State Board of~~  
4370 ~~Education for resolution. School districts shall be allowed~~  
4371 ~~reasonable flexibility in designing their plans and shall be~~  
4372 ~~encouraged to offer reading intervention through innovative~~  
4373 ~~methods, including career academies. The department shall~~  
4374 ~~withhold funds upon a determination that reading instruction~~  
4375 ~~allocation funds are not being used to implement the approved~~

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4376 ~~plan.~~ The department shall evaluate the implementation of each  
4377 district plan, including conducting site visits and collecting  
4378 specific data on expenditures and reading improvement results.  
4379 By February 1 of each year, the department shall report its  
4380 findings to the Legislature and the State Board of Education,  
4381 including any recommendations for improving implementation of  
4382 evidence-based reading and intervention strategies in  
4383 classrooms.

4384 ~~3. Each school district that has a school designated as one~~  
4385 ~~of the 300 lowest-performing elementary schools as specified in~~  
4386 ~~paragraph (a) shall specifically delineate in the comprehensive~~  
4387 ~~reading plan, or in an addendum to the comprehensive reading~~  
4388 ~~plan, the implementation design and reading intervention~~  
4389 ~~strategies that will be used for the required additional hour of~~  
4390 ~~reading instruction. The term "reading intervention" includes~~  
4391 ~~evidence-based strategies frequently used to remediate reading~~  
4392 ~~deficiencies and also includes individual instruction, tutoring,~~  
4393 ~~mentoring, or the use of technology that targets specific~~  
4394 ~~reading skills and abilities.~~

4395  
4396 For purposes of this subsection, the term "evidence-based" means  
4397 demonstrating a statistically significant effect on improving  
4398 student outcomes or other relevant outcomes as provided in 20  
4399 U.S.C. s. 8101(21)(A)(i).

4400 ~~(10) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—~~

4401 ~~(a) The Florida digital classrooms allocation is created to~~  
4402 ~~support the efforts of school districts and schools, including~~  
4403 ~~charter schools, to integrate technology in classroom teaching~~  
4404 ~~and learning to ensure students have access to high-quality~~



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4405 ~~electronic and digital instructional materials and resources,~~  
4406 ~~and empower classroom teachers to help their students succeed.~~  
4407 ~~Each school district shall receive a minimum digital classrooms~~  
4408 ~~allocation in the amount provided in the General Appropriations~~  
4409 ~~Act. The remaining balance of the digital classrooms allocation~~  
4410 ~~shall be allocated based on each school district's proportionate~~  
4411 ~~share of the state's total unweighted full-time equivalent~~  
4412 ~~student enrollment.~~

4413 ~~(b) Funds allocated under this subsection must be used for~~  
4414 ~~costs associated with:~~

4415 ~~1. Acquiring and maintaining the items on the eligible~~  
4416 ~~services list authorized by the Universal Service Administrative~~  
4417 ~~Company for the Schools and Libraries Program, more commonly~~  
4418 ~~referred to as the federal E-rate program.~~

4419 ~~2. Acquiring computer and device hardware and associated~~  
4420 ~~operating system software that comply with the requirements of~~  
4421 ~~s. 1001.20(4)(a)1.b.~~

4422 ~~3. Providing professional development, including in-state~~  
4423 ~~conference attendance or online coursework, to enhance the use~~  
4424 ~~of technology for digital instructional strategies.~~

4425 ~~(11)-(12)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may  
4426 annually in the General Appropriations Act determine a  
4427 percentage increase in funds per K-12 unweighted FTE as a  
4428 minimum guarantee to each school district. The guarantee shall  
4429 be calculated from prior year base funding per unweighted FTE  
4430 student which shall include the adjusted FTE dollars as provided  
4431 in subsection (15) ~~(17)~~, quality guarantee funds, and actual  
4432 nonvoted discretionary local effort from taxes. From the base  
4433 funding per unweighted FTE, the increase shall be calculated for

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4434 the current year. The current year funds from which the  
4435 guarantee shall be determined shall include the adjusted FTE  
4436 dollars as provided in subsection (15) ~~(17)~~ and potential  
4437 nonvoted discretionary local effort from taxes. A comparison of  
4438 current year funds per unweighted FTE to prior year funds per  
4439 unweighted FTE shall be computed. For those school districts  
4440 which have less than the legislatively assigned percentage  
4441 increase, funds shall be provided to guarantee the assigned  
4442 percentage increase in funds per unweighted FTE student. Should  
4443 appropriated funds be less than the sum of this calculated  
4444 amount for all districts, the commissioner shall prorate each  
4445 district's allocation. This provision shall be implemented to  
4446 the extent specifically funded.

4447 ~~(15) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION. The~~  
4448 ~~Legislature may provide an annual funding compression and hold~~  
4449 ~~harmless allocation in the General Appropriations Act. The~~  
4450 ~~allocation is created to provide additional funding to school~~  
4451 ~~districts if the school district's total funds per FTE in the~~  
4452 ~~prior year were less than the statewide average or if the school~~  
4453 ~~district's district cost differential in the current year is~~  
4454 ~~less than the prior year. The total allocation shall be~~  
4455 ~~distributed to eligible school districts as follows:~~

4456 ~~(a) Using the most recent prior year FEFP calculation for~~  
4457 ~~each eligible school district, subtract the total school~~  
4458 ~~district funds per FTE from the state average funds per FTE, not~~  
4459 ~~including any adjustments made pursuant to paragraph (17) (b).~~  
4460 ~~The resulting funds per FTE difference, or a portion thereof, as~~  
4461 ~~designated in the General Appropriations Act, shall then be~~  
4462 ~~multiplied by the school district's total unweighted FTE.~~

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4463           ~~(b) Multiply the absolute value of the difference between~~  
4464 ~~the eligible school district's current year district cost~~  
4465 ~~differential and the prior year district cost differential by a~~  
4466 ~~hold harmless factor as designated in the General Appropriations~~  
4467 ~~Act. The result is the district cost differential hold harmless~~  
4468 ~~index. Multiply the index by the eligible school district's~~  
4469 ~~weighted FTE and by the base student allocation as designated in~~  
4470 ~~the General Appropriations Act.~~

4471           ~~(c) For each district, select the greater of the amounts~~  
4472 ~~calculated in paragraphs (a) and (b) and upon summation, if the~~  
4473 ~~total amount is greater than the amount included in the General~~  
4474 ~~Appropriations Act, the allocation shall be prorated to the~~  
4475 ~~appropriation amount based on each participating school~~  
4476 ~~district's share.~~

4477  
4478 ~~This subsection expires July 1, 2022.~~

4479           Section 55. Subsection (5) of section 1011.68, Florida  
4480 Statutes, is amended to read:

4481           1011.68 Funds for student transportation.—The annual  
4482 allocation to each district for transportation to public school  
4483 programs, including charter schools as provided in s.  
4484 1002.33(17)(b), of students in membership in kindergarten  
4485 through grade 12 and in migrant and exceptional student programs  
4486 below kindergarten shall be determined as follows:

4487           (5) Funds allocated or apportioned for the payment of  
4488 student transportation services may be used to pay for  
4489 transportation of students to and from school on local general  
4490 purpose transportation systems. Student transportation funds may  
4491 also be used to pay for transportation of students to and from

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4492 school in private passenger cars and boats when ~~the~~  
4493 transportation on a school bus is impractical or when the  
4494 transportation is for isolated students~~,~~ or students with  
4495 disabilities, or to support parents or carpools, as defined by  
4496 rule. Subject to the rules of the State Board of Education, each  
4497 school district shall determine and report the number of  
4498 assigned students using general purpose transportation private  
4499 passenger cars and boats. The allocation per student must be  
4500 equal to the allocation per student riding a school bus.

4501 Section 56. Subsection (1) of section 1011.71, Florida  
4502 Statutes, is amended to read:

4503 1011.71 District school tax.—

4504 (1) If the district school tax is not provided in the  
4505 General Appropriations Act or the substantive bill implementing  
4506 the General Appropriations Act, each district school board  
4507 desiring to participate in the state allocation of funds for  
4508 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(17)~~  
4509 shall levy on the taxable value for school purposes of the  
4510 district, exclusive of millage voted under s. 9(b) or s. 12,  
4511 Art. VII of the State Constitution, a millage rate not to exceed  
4512 the amount certified by the commissioner as the minimum millage  
4513 rate necessary to provide the district required local effort for  
4514 the current year, pursuant to s. 1011.62(4)(a)1. In addition to  
4515 the required local effort millage levy, each district school  
4516 board may levy a nonvoted current operating discretionary  
4517 millage. The Legislature shall prescribe annually in the  
4518 appropriations act the maximum amount of millage a district may  
4519 levy.

4520 **Section 57.** Effective upon this act becoming a law,

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4521 paragraph (c) of subsection (1) of section 1012.22, Florida  
4522 Statutes, is amended to read:

4523 1012.22 Public school personnel; powers and duties of the  
4524 district school board.—The district school board shall:

4525 (1) Designate positions to be filled, prescribe  
4526 qualifications for those positions, and provide for the  
4527 appointment, compensation, promotion, suspension, and dismissal  
4528 of employees as follows, subject to the requirements of this  
4529 chapter:

4530 (c) *Compensation and salary schedules.*—

4531 1. Definitions.—As used in this paragraph:

4532 a. “Adjustment” means an addition to the base salary  
4533 schedule that is not a bonus and becomes part of the employee’s  
4534 permanent base salary and shall be considered compensation under  
4535 s. 121.021(22).

4536 b. “Grandfathered salary schedule” means the salary  
4537 schedule or schedules adopted by a district school board before  
4538 July 1, 2014, pursuant to subparagraph 4.

4539 c. “Instructional personnel” means instructional personnel  
4540 as defined in s. 1012.01(2)(a)–(d), excluding substitute  
4541 teachers.

4542 d. “Performance salary schedule” means the salary schedule  
4543 or schedules adopted by a district school board pursuant to  
4544 subparagraph 5.

4545 e. “Salary schedule” means the schedule or schedules used  
4546 to provide the base salary for district school board personnel.

4547 f. “School administrator” means a school administrator as  
4548 defined in s. 1012.01(3)(c).

4549 g. “Supplement” means an annual addition to the base salary

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4550 for the term of the negotiated supplement as long as the  
4551 employee continues his or her employment for the purpose of the  
4552 supplement. A supplement does not become part of the employee's  
4553 continuing base salary but shall be considered compensation  
4554 under s. 121.021(22).

4555 2. Cost-of-living adjustment.—A district school board may  
4556 provide a cost-of-living salary adjustment if the adjustment:

4557 a. Does not discriminate among comparable classes of  
4558 employees based upon the salary schedule under which they are  
4559 compensated.

4560 b. Does not exceed 50 percent of the annual adjustment  
4561 provided to instructional personnel rated as effective.

4562 3. Advanced degrees.—A district school board may not use  
4563 advanced degrees in setting a salary schedule for instructional  
4564 personnel or school administrators hired on or after July 1,  
4565 2011, unless the advanced degree is held in the individual's  
4566 area of certification and is only a salary supplement.

4567 4. Grandfathered salary schedule.—

4568 a. The district school board shall adopt a salary schedule  
4569 or salary schedules to be used as the basis for paying all  
4570 school employees hired before July 1, 2014. Instructional  
4571 personnel on annual contract as of July 1, 2014, shall be placed  
4572 on the performance salary schedule adopted under subparagraph 5.  
4573 Instructional personnel on continuing contract or professional  
4574 service contract may opt into the performance salary schedule if  
4575 the employee relinquishes such contract and agrees to be  
4576 employed on an annual contract under s. 1012.335. Such an  
4577 employee shall be placed on the performance salary schedule and  
4578 may not return to continuing contract or professional service

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4579 contract status. Any employee who opts into the performance  
4580 salary schedule may not return to the grandfathered salary  
4581 schedule.

4582       b. In determining the grandfathered salary schedule for  
4583 instructional personnel, a district school board must base a  
4584 portion of each employee's compensation upon performance  
4585 demonstrated under s. 1012.34 and shall provide differentiated  
4586 pay for both instructional personnel and school administrators  
4587 based upon district-determined factors, including, but not  
4588 limited to, additional responsibilities, school demographics,  
4589 critical shortage areas, and level of job performance  
4590 difficulties.

4591       5. Performance salary schedule.—By July 1, 2014, the  
4592 district school board shall adopt a performance salary schedule  
4593 that provides annual salary adjustments for instructional  
4594 personnel and school administrators based upon performance  
4595 determined under s. 1012.34. Employees hired on or after July 1,  
4596 2014, or employees who choose to move from the grandfathered  
4597 salary schedule to the performance salary schedule shall be  
4598 compensated pursuant to the performance salary schedule once  
4599 they have received the appropriate performance evaluation for  
4600 this purpose.

4601       a. Base salary.—The base salary shall be established as  
4602 follows:

4603       (I) The base salary for instructional personnel or school  
4604 administrators who opt into the performance salary schedule  
4605 shall be the salary paid in the prior year, including  
4606 adjustments only.

4607       (II) Instructional personnel or school administrators new

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4608 to the district, returning to the district after a break in  
4609 service without an authorized leave of absence, or appointed for  
4610 the first time to a position in the district in the capacity of  
4611 instructional personnel or school administrator shall be placed  
4612 on the performance salary schedule. Beginning July 1, 2021, and  
4613 until such time as the minimum base salary as defined in s.  
4614 1011.62(14) ~~s. 1011.62(16)~~ equals or exceeds \$47,500, the annual  
4615 increase to the minimum base salary shall not be less than 150  
4616 percent of the largest adjustment made to the salary of an  
4617 employee on the grandfathered salary schedule. Thereafter, the  
4618 annual increase to the minimum base salary shall not be less  
4619 than 75 percent of the largest adjustment for an employee on the  
4620 grandfathered salary schedule.

4621 b. Salary adjustments.—Salary adjustments for highly  
4622 effective or effective performance shall be established as  
4623 follows:

4624 (I) The annual salary adjustment under the performance  
4625 salary schedule for an employee rated as highly effective must  
4626 be at least 25 percent greater than the highest annual salary  
4627 adjustment available to an employee of the same classification  
4628 through any other salary schedule adopted by the district.

4629 (II) The annual salary adjustment under the performance  
4630 salary schedule for an employee rated as effective must be equal  
4631 to at least 50 percent and no more than 75 percent of the annual  
4632 adjustment provided for a highly effective employee of the same  
4633 classification.

4634 (III) A salary schedule shall not provide an annual salary  
4635 adjustment for an employee who receives a rating other than  
4636 highly effective or effective for the year.



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4637 c. Salary supplements.—In addition to the salary  
4638 adjustments, each district school board shall provide for salary  
4639 supplements for activities that must include, but are not  
4640 limited to:

4641 (I) Assignment to a Title I eligible school.

4642 (II) Assignment to a school that earned a grade of "F" or  
4643 three consecutive grades of "D" pursuant to s. 1008.34 such that  
4644 the supplement remains in force for at least 1 year following  
4645 improved performance in that school.

4646 (III) Certification and teaching in critical teacher  
4647 shortage areas. Statewide critical teacher shortage areas shall  
4648 be identified by the State Board of Education under s. 1012.07.  
4649 However, the district school board may identify other areas of  
4650 critical shortage within the school district for purposes of  
4651 this sub-sub-subparagraph and may remove areas identified by the  
4652 state board which do not apply within the school district.

4653 (IV) Assignment of additional academic responsibilities.

4654  
4655 If budget constraints in any given year limit a district school  
4656 board's ability to fully fund all adopted salary schedules, the  
4657 performance salary schedule shall not be reduced on the basis of  
4658 total cost or the value of individual awards in a manner that is  
4659 proportionally greater than reductions to any other salary  
4660 schedules adopted by the district. Any compensation for  
4661 longevity of service awarded to instructional personnel who are  
4662 on any other salary schedule must be included in calculating the  
4663 salary adjustments required by sub-subparagraph b.

4664 Section 58. Effective January 1, 2023, section 1012.315,  
4665 Florida Statutes, is amended to read:

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4666           1012.315 Screening standards.—A person is ineligible for  
4667 educator certification or employment in any position that  
4668 requires direct contact with students in a district school  
4669 system, a charter school, or a private school that participates  
4670 in a state scholarship program under chapter 1002 if the person  
4671 is on the disqualification list maintained by the department  
4672 pursuant to s. 1001.10(4)(b), is registered as a sex offender as  
4673 described in 42 U.S.C. s. 9858f(c)(1)(C), would be ineligible  
4674 for an exemption under s. 435.07(4)(c), or has been convicted or  
4675 found guilty of, has had adjudication withheld for, or has pled  
4676 guilty or nolo contendere to:

4677           (1) Any felony offense prohibited under any of the  
4678 following statutes:

4679           (a) Section 393.135, relating to sexual misconduct with  
4680 certain developmentally disabled clients and reporting of such  
4681 sexual misconduct.

4682           (b) Section 394.4593, relating to sexual misconduct with  
4683 certain mental health patients and reporting of such sexual  
4684 misconduct.

4685           (c) Section 415.111, relating to adult abuse, neglect, or  
4686 exploitation of aged persons or disabled adults.

4687           (d) Section 782.04, relating to murder.

4688           (e) Section 782.07, relating to manslaughter, aggravated  
4689 manslaughter of an elderly person or disabled adult, aggravated  
4690 manslaughter of a child, or aggravated manslaughter of an  
4691 officer, a firefighter, an emergency medical technician, or a  
4692 paramedic.

4693           (f) Section 784.021, relating to aggravated assault.

4694           (g) Section 784.045, relating to aggravated battery.

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4695 (h) Section 784.075, relating to battery on a detention or  
4696 commitment facility staff member or a juvenile probation  
4697 officer.

4698 (i) Section 787.01, relating to kidnapping.

4699 (j) Section 787.02, relating to false imprisonment.

4700 (k) Section 787.025, relating to luring or enticing a  
4701 child.

4702 (l) Section 787.04(2), relating to leading, taking,  
4703 enticing, or removing a minor beyond the state limits, or  
4704 concealing the location of a minor, with criminal intent pending  
4705 custody proceedings.

4706 (m) Section 787.04(3), relating to leading, taking,  
4707 enticing, or removing a minor beyond the state limits, or  
4708 concealing the location of a minor, with criminal intent pending  
4709 dependency proceedings or proceedings concerning alleged abuse  
4710 or neglect of a minor.

4711 (n) Section 790.115(1), relating to exhibiting firearms or  
4712 weapons at a school-sponsored event, on school property, or  
4713 within 1,000 feet of a school.

4714 (o) Section 790.115(2)(b), relating to possessing an  
4715 electric weapon or device, destructive device, or other weapon  
4716 at a school-sponsored event or on school property.

4717 (p) Section 794.011, relating to sexual battery.

4718 (q) Former s. 794.041, relating to sexual activity with or  
4719 solicitation of a child by a person in familial or custodial  
4720 authority.

4721 (r) Section 794.05, relating to unlawful sexual activity  
4722 with certain minors.

4723 (s) Section 794.08, relating to female genital mutilation.

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- 4724 (t) Chapter 796, relating to prostitution.
- 4725 (u) Chapter 800, relating to lewdness and indecent  
4726 exposure.
- 4727 (v) Section 800.101, relating to offenses against students  
4728 by authority figures.
- 4729 (w) Section 806.01, relating to arson.
- 4730 (x) Section 810.14, relating to voyeurism.
- 4731 (y) Section 810.145, relating to video voyeurism.
- 4732 (z) Section 812.014(6), relating to coordinating the  
4733 commission of theft in excess of \$3,000.
- 4734 (aa) Section 812.0145, relating to theft from persons 65  
4735 years of age or older.
- 4736 (bb) Section 812.019, relating to dealing in stolen  
4737 property.
- 4738 (cc) Section 812.13, relating to robbery.
- 4739 (dd) Section 812.131, relating to robbery by sudden  
4740 snatching.
- 4741 (ee) Section 812.133, relating to carjacking.
- 4742 (ff) Section 812.135, relating to home-invasion robbery.
- 4743 (gg) Section 817.563, relating to fraudulent sale of  
4744 controlled substances.
- 4745 (hh) Section 825.102, relating to abuse, aggravated abuse,  
4746 or neglect of an elderly person or disabled adult.
- 4747 (ii) Section 825.103, relating to exploitation of an  
4748 elderly person or disabled adult.
- 4749 (jj) Section 825.1025, relating to lewd or lascivious  
4750 offenses committed upon or in the presence of an elderly person  
4751 or disabled person.
- 4752 (kk) Section 826.04, relating to incest.

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4753 (ll) Section 827.03, relating to child abuse, aggravated  
4754 child abuse, or neglect of a child.

4755 (mm) Section 827.04, relating to contributing to the  
4756 delinquency or dependency of a child.

4757 (nn) Section 827.071, relating to sexual performance by a  
4758 child.

4759 (oo) Section 843.01, relating to resisting arrest with  
4760 violence.

4761 (pp) Chapter 847, relating to obscenity.

4762 (qq) Section 874.05, relating to causing, encouraging,  
4763 soliciting, or recruiting another to join a criminal street  
4764 gang.

4765 (rr) Chapter 893, relating to drug abuse prevention and  
4766 control, if the offense was a felony of the second degree or  
4767 greater severity.

4768 (ss) Section 916.1075, relating to sexual misconduct with  
4769 certain forensic clients and reporting of such sexual  
4770 misconduct.

4771 (tt) Section 944.47, relating to introduction, removal, or  
4772 possession of contraband at a correctional facility.

4773 (uu) Section 985.701, relating to sexual misconduct in  
4774 juvenile justice programs.

4775 (vv) Section 985.711, relating to introduction, removal, or  
4776 possession of contraband at a juvenile detention facility or  
4777 commitment program.

4778 (2) Any misdemeanor offense prohibited under any of the  
4779 following statutes:

4780 (a) Section 784.03, relating to battery, if the victim of  
4781 the offense was a minor.

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4782 (b) Section 787.025, relating to luring or enticing a  
4783 child.

4784 (3) Any criminal act committed in another state or under  
4785 federal law which, if committed in this state, constitutes an  
4786 offense prohibited under any statute listed in subsection (1) or  
4787 subsection (2).

4788 (4) Any delinquent act committed in this state or any  
4789 delinquent or criminal act committed in another state or under  
4790 federal law which, if committed in this state, qualifies an  
4791 individual for inclusion on the Registered Juvenile Sex Offender  
4792 List under s. 943.0435(1)(h)1.d.

4793 Section 59. Effective January 1, 2023, subsections (2) and  
4794 (3) of section 1012.32, Florida Statutes, are amended to read:

4795 1012.32 Qualifications of personnel.—

4796 (2)(a) Instructional and noninstructional personnel who are  
4797 hired or contracted to fill positions that require direct  
4798 contact with students in any district school system or  
4799 university lab school must, upon employment or engagement to  
4800 provide services, undergo background screening as required under  
4801 s. 1012.465 or s. 1012.56, whichever is applicable.

4802 (b)1. Instructional and noninstructional personnel who are  
4803 hired or contracted to fill positions in a charter school other  
4804 than a school of hope as defined in s. 1002.333, and members of  
4805 the governing board of such charter school, in compliance with  
4806 s. 1002.33(12)(g), upon employment, engagement of services, or  
4807 appointment, shall undergo background screening as required  
4808 under s. 1012.465 or s. 1012.56, whichever is applicable, ~~by~~  
4809 ~~filing with the district school board for the school district in~~  
4810 ~~which the charter school is located a complete set of~~

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4811 ~~fingerprints taken by an authorized law enforcement agency or an~~  
4812 ~~employee of the school or school district who is trained to take~~  
4813 ~~fingerprints.~~

4814 2. Instructional and noninstructional personnel who are  
4815 hired or contracted to fill positions in a school of hope as  
4816 defined in s. 1002.333, and members of the governing board of  
4817 such school of hope, upon employment, engagement of services, or  
4818 appointment, shall undergo background screening as required  
4819 under s. 1012.465 or s. 1012.56, whichever is applicable ~~file~~  
4820 ~~with the school of hope a complete set of fingerprints taken by~~  
4821 ~~an authorized law enforcement agency, by an employee of the~~  
4822 ~~school of hope or school district who is trained to take~~  
4823 ~~fingerprints, or by any other entity recognized by the~~  
4824 ~~Department of Law Enforcement to take fingerprints.~~

4825 (c) Instructional and noninstructional personnel who are  
4826 hired or contracted to fill positions that require direct  
4827 contact with students in an alternative school that operates  
4828 under contract with a district school system must, upon  
4829 employment or engagement to provide services, undergo background  
4830 screening as required under s. 1012.465 or s. 1012.56, whichever  
4831 is applicable, ~~by filing with the district school board for the~~  
4832 ~~school district to which the alternative school is under~~  
4833 ~~contract a complete set of fingerprints taken by an authorized~~  
4834 ~~law enforcement agency or an employee of the school or school~~  
4835 ~~district who is trained to take fingerprints.~~

4836 (d) Student teachers and persons participating in a field  
4837 experience pursuant to s. 1004.04(5) or s. 1004.85 in any  
4838 district school system, lab school, or charter school must, upon  
4839 engagement to provide services, undergo background screening as

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4840 required under s. 1012.56.

4841

4842 ~~Required fingerprints must be submitted to the Department of Law~~  
4843 ~~Enforcement for statewide criminal and juvenile records checks~~  
4844 ~~and to the Federal Bureau of Investigation for federal criminal~~  
4845 ~~records checks.~~ A person subject to this subsection who is found  
4846 ineligible for employment under s. 1012.315, or otherwise found  
4847 through background screening to have been convicted of any crime  
4848 involving moral turpitude as defined by rule of the State Board  
4849 of Education, may ~~shall~~ not be employed, engaged to provide  
4850 services, or serve in any position that requires direct contact  
4851 with students. ~~Probationary persons subject to this subsection~~  
4852 ~~terminated because of their criminal record have the right to~~  
4853 ~~appeal such decisions.~~ The cost of the background screening may  
4854 be borne by the employer ~~district school board, the charter~~  
4855 ~~school, the employee, the contractor, or a person subject to~~  
4856 ~~this subsection. A district school board shall reimburse a~~  
4857 ~~charter school the cost of background screening if it does not~~  
4858 ~~notify the charter school of the eligibility of a governing~~  
4859 ~~board member or instructional or noninstructional personnel~~  
4860 ~~within the earlier of 14 days after receipt of the background~~  
4861 ~~screening results from the Florida Department of Law Enforcement~~  
4862 ~~or 30 days of submission of fingerprints by the governing board~~  
4863 ~~member or instructional or noninstructional personnel.~~

4864 (3) A background screening required under this section  
4865 shall be conducted in accordance with s. 435.12.

4866 ~~(3)(a) All fingerprints submitted to the Department of Law~~  
4867 ~~Enforcement as required by subsection (2) shall be retained by~~  
4868 ~~the Department of Law Enforcement in a manner provided by rule~~



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4869 ~~and entered in the statewide automated biometric identification~~  
4870 ~~system authorized by s. 943.05(2)(b). Such fingerprints shall~~  
4871 ~~thereafter be available for all purposes and uses authorized for~~  
4872 ~~arrest fingerprints entered in the statewide automated biometric~~  
4873 ~~identification system pursuant to s. 943.051.~~

4874 ~~(b) The Department of Law Enforcement shall search all~~  
4875 ~~arrest fingerprints received under s. 943.051 against the~~  
4876 ~~fingerprints retained in the statewide automated biometric~~  
4877 ~~identification system under paragraph (a). Any arrest record~~  
4878 ~~that is identified with the retained fingerprints of a person~~  
4879 ~~subject to the background screening under this section shall be~~  
4880 ~~reported to the employing or contracting school district or the~~  
4881 ~~school district with which the person is affiliated. Each school~~  
4882 ~~district is required to participate in this search process by~~  
4883 ~~payment of an annual fee to the Department of Law Enforcement~~  
4884 ~~and by informing the Department of Law Enforcement of any change~~  
4885 ~~in the affiliation, employment, or contractual status or place~~  
4886 ~~of affiliation, employment, or contracting of its instructional~~  
4887 ~~and noninstructional personnel whose fingerprints are retained~~  
4888 ~~under paragraph (a). The Department of Law Enforcement shall~~  
4889 ~~adopt a rule setting the amount of the annual fee to be imposed~~  
4890 ~~upon each school district for performing these searches and~~  
4891 ~~establishing the procedures for the retention of instructional~~  
4892 ~~and noninstructional personnel fingerprints and the~~  
4893 ~~dissemination of search results. The fee may be borne by the~~  
4894 ~~district school board, the contractor, or the person~~  
4895 ~~fingerprinted.~~

4896 ~~(c) Personnel whose fingerprints are not retained by the~~  
4897 ~~Department of Law Enforcement under paragraphs (a) and (b) must~~

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4898 ~~be re-fingerprinted and rescreened in accordance with subsection~~  
4899 ~~(2) upon reemployment or reengagement to provide services in~~  
4900 ~~order to comply with the requirements of this subsection.~~

4901 Section 60. The changes made to s. 1012.315, Florida  
4902 Statutes, by this act apply to individuals who are screened  
4903 after January 1, 2024.

4904 Section 61. Effective upon this act becoming a law,  
4905 paragraph (a) of subsection (1) of section 1012.34, Florida  
4906 Statutes, is amended to read:

4907 1012.34 Personnel evaluation procedures and criteria.—

4908 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

4909 (a) For the purpose of increasing student academic  
4910 performance by improving the quality of instructional,  
4911 administrative, and supervisory services in the public schools  
4912 of the state, the district school superintendent shall establish  
4913 procedures for evaluating the performance of duties and  
4914 responsibilities of all instructional, administrative, and  
4915 supervisory personnel employed by the school district. The  
4916 procedures established by the district school superintendent set  
4917 the standards of service to be offered to the public within the  
4918 meaning of s. 447.209 and are not subject to collective  
4919 bargaining. The district school superintendent shall provide  
4920 instructional personnel the opportunity to review their class  
4921 rosters for accuracy and to correct any mistakes. The district  
4922 school superintendent shall report accurate class rosters for  
4923 the purpose of calculating district and statewide student  
4924 performance and annually report the evaluation results of  
4925 instructional personnel and school administrators to the  
4926 Department of Education in addition to the information required

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4927 under subsection (5).

4928 Section 62. Effective January 1, 2023, section 1012.465,  
4929 Florida Statutes, is amended to read:

4930 1012.465 Background screening requirements for certain  
4931 noninstructional school district employees and contractors.—

4932 (1) Except as provided in s. 1012.467 or s. 1012.468,  
4933 noninstructional school district employees or contractual  
4934 personnel who are permitted access on school grounds when  
4935 students are present, who have direct contact with students or  
4936 who have access to or control of school funds must meet the  
4937 ~~level 2~~ screening requirements of ~~as described in~~ s. 1012.32.  
4938 Contractual personnel shall include any vendor, individual, or  
4939 entity under contract with a school or the school board.

4940 (2) ~~Every 5 years following employment or entry into a~~  
4941 ~~contract in a capacity described in subsection (1), each person~~  
4942 ~~who is so employed or under contract with the school district~~  
4943 ~~must meet level 2 screening requirements as described in s.~~  
4944 ~~1012.32, at which time the school district shall request the~~  
4945 ~~Department of Law Enforcement to forward the fingerprints to the~~  
4946 ~~Federal Bureau of Investigation for the level 2 screening. If,~~  
4947 ~~for any reason following employment or entry into a contract in~~  
4948 ~~a capacity described in subsection (1), the fingerprints of a~~  
4949 ~~person who is so employed or under contract with the school~~  
4950 ~~district are not retained by the Department of Law Enforcement~~  
4951 ~~under s. 1012.32(3)(a) and (b), the person must file a complete~~  
4952 ~~set of fingerprints with the district school superintendent of~~  
4953 ~~the employing or contracting school district. Upon submission of~~  
4954 ~~fingerprints for this purpose, the school district shall request~~  
4955 ~~the Department of Law Enforcement to forward the fingerprints to~~

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4956 ~~the Federal Bureau of Investigation for the level 2 screening,~~  
4957 ~~and the fingerprints shall be retained by the Department of Law~~  
4958 ~~Enforcement under s. 1012.32(3) (a) and (b).~~ The cost of the  
4959 state and federal criminal history check required by level 2  
4960 screening may be borne by the district school board, the  
4961 contractor, or the person fingerprinted. Under penalty of  
4962 perjury, each person who is employed or under contract in a  
4963 capacity described in subsection (1) must agree to inform his or  
4964 her employer or the party with whom he or she is under contract  
4965 within 48 hours if convicted of any disqualifying offense while  
4966 he or she is employed or under contract in that capacity.

4967 (3) If it is found that a person who is employed or under  
4968 contract in a capacity described in subsection (1) does not meet  
4969 the screening ~~level 2~~ requirements, the person shall be  
4970 immediately suspended from working in that capacity and shall  
4971 remain suspended until final resolution of any appeals.

4972 Section 63. Effective January 1, 2023, subsections (2)  
4973 through (7) of section 1012.467, Florida Statutes, are amended  
4974 to read:

4975 1012.467 Noninstructional contractors who are permitted  
4976 access to school grounds when students are present; background  
4977 screening requirements.-

4978 (2) (a) A fingerprint-based criminal history check shall be  
4979 performed on each noninstructional contractor who is permitted  
4980 access to school grounds when students are present, whose  
4981 performance of the contract with the school or school board is  
4982 not anticipated to result in direct contact with students, and  
4983 for whom any unanticipated contact would be infrequent and  
4984 incidental using the process described in s. 1012.32(3).

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4985 ~~Criminal history checks shall be performed at least once every 5~~  
4986 ~~years. For the initial criminal history check, each~~  
4987 ~~noninstructional contractor who is subject to the criminal~~  
4988 ~~history check shall file with the Department of Law Enforcement~~  
4989 ~~a complete set of fingerprints taken by an authorized law~~  
4990 ~~enforcement agency or an employee of a school district, a public~~  
4991 ~~school, or a private company who is trained to take~~  
4992 ~~fingerprints. The fingerprints shall be electronically submitted~~  
4993 ~~for state processing to the Department of Law Enforcement, which~~  
4994 ~~shall in turn submit the fingerprints to the Federal Bureau of~~  
4995 ~~Investigation for national processing. The results of each~~  
4996 ~~criminal history check shall be reported to the school district~~  
4997 ~~in which the individual is seeking access and entered into the~~  
4998 ~~shared system described in subsection (7). The school district~~  
4999 ~~shall screen the results using the disqualifying offenses in~~  
5000 ~~paragraph (b) ~~(g)~~. The cost of the criminal history check may be~~  
5001 ~~borne by the district school board, the school, or the~~  
5002 ~~contractor. A fee that is charged by a district school board for~~  
5003 ~~such checks may not exceed 30 percent of the total amount~~  
5004 ~~charged by the Department of Law Enforcement and the Federal~~  
5005 ~~Bureau of Investigation.~~

5006 ~~(b) As authorized by law, the Department of Law Enforcement~~  
5007 ~~shall retain the fingerprints submitted by the school districts~~  
5008 ~~pursuant to this subsection to the Department of Law Enforcement~~  
5009 ~~for a criminal history background screening in a manner provided~~  
5010 ~~by rule and enter the fingerprints in the statewide automated~~  
5011 ~~biometric identification system authorized by s. 943.05(2)(b).~~  
5012 ~~The fingerprints shall thereafter be available for all purposes~~  
5013 ~~and uses authorized for arrest fingerprints entered into the~~

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5014 ~~statewide automated biometric identification system under s.~~  
5015 ~~943.051.~~

5016 ~~(c) As authorized by law, the Department of Law Enforcement~~  
5017 ~~shall search all arrest fingerprints received under s. 943.051~~  
5018 ~~against the fingerprints retained in the statewide automated~~  
5019 ~~biometric identification system under paragraph (b).~~

5020 ~~(d) School districts may participate in the search process~~  
5021 ~~described in this subsection by paying an annual fee to the~~  
5022 ~~Department of Law Enforcement.~~

5023 ~~(e) A fingerprint retained pursuant to this subsection~~  
5024 ~~shall be purged from the automated biometric identification~~  
5025 ~~system 5 years following the date the fingerprint was initially~~  
5026 ~~submitted. The Department of Law Enforcement shall set the~~  
5027 ~~amount of the annual fee to be imposed upon each participating~~  
5028 ~~agency for performing these searches and establishing the~~  
5029 ~~procedures for retaining fingerprints and disseminating search~~  
5030 ~~results. The fee may be borne as provided by law. Fees may be~~  
5031 ~~waived or reduced by the executive director of the Department of~~  
5032 ~~Law Enforcement for good cause shown.~~

5033 ~~(f) A noninstructional contractor who is subject to a~~  
5034 ~~criminal history check under this section shall inform a school~~  
5035 ~~district that he or she has completed a criminal history check~~  
5036 ~~in another school district within the last 5 years. The school~~  
5037 ~~district shall verify the results of the contractor's criminal~~  
5038 ~~history check using the shared system described in subsection~~  
5039 ~~(7). The school district may not charge the contractor a fee for~~  
5040 ~~verifying the results of his or her criminal history check.~~

5041 ~~(b)(g)~~ (b) A noninstructional contractor for whom a criminal  
5042 history check is required under this section may not have been

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5043 convicted of any of the following offenses designated in the  
5044 Florida Statutes, any similar offense in another jurisdiction,  
5045 or any similar offense committed in this state which has been  
5046 redesignated from a former provision of the Florida Statutes to  
5047 one of the following offenses:

5048 1. Any offense listed in s. 943.0435(1)(h)1., relating to  
5049 the registration of an individual as a sexual offender.

5050 2. Section 393.135, relating to sexual misconduct with  
5051 certain developmentally disabled clients and the reporting of  
5052 such sexual misconduct.

5053 3. Section 394.4593, relating to sexual misconduct with  
5054 certain mental health patients and the reporting of such sexual  
5055 misconduct.

5056 4. Section 775.30, relating to terrorism.

5057 5. Section 782.04, relating to murder.

5058 6. Section 787.01, relating to kidnapping.

5059 7. Any offense under chapter 800, relating to lewdness and  
5060 indecent exposure.

5061 8. Section 826.04, relating to incest.

5062 9. Section 827.03, relating to child abuse, aggravated  
5063 child abuse, or neglect of a child.

5064 (3) If it is found that a noninstructional contractor has  
5065 been convicted of any of the offenses listed in paragraph (2) (b)  
5066 ~~(2) (g)~~, the individual shall be immediately suspended from  
5067 having access to school grounds and shall remain suspended  
5068 unless and until the conviction is set aside in any  
5069 postconviction proceeding.

5070 (4) A noninstructional contractor who has been convicted of  
5071 any of the offenses listed in paragraph (2) (b) ~~(2) (g)~~ may not be

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5072 permitted on school grounds when students are present unless the  
5073 contractor has received a full pardon or has had his or her  
5074 civil rights restored. A noninstructional contractor who is  
5075 present on school grounds in violation of this subsection  
5076 commits a felony of the third degree, punishable as provided in  
5077 s. 775.082 or s. 775.083.

5078 (5) If a school district has reasonable cause to believe  
5079 that grounds exist for the denial of a contractor's access to  
5080 school grounds when students are present, it shall notify the  
5081 contractor in writing, stating the specific record that  
5082 indicates noncompliance with the standards set forth in this  
5083 section. It is the responsibility of the affected contractor to  
5084 contest his or her denial. The only basis for contesting the  
5085 denial is proof of mistaken identity or that an offense from  
5086 another jurisdiction is not disqualifying under paragraph (2) (b)  
5087 ~~(2) (g)~~.

5088 (6) Each contractor who is subject to the requirements of  
5089 this section shall agree to inform his or her employer or the  
5090 party to whom he or she is under contract and the school  
5091 district within 48 hours if he or she is arrested for any of the  
5092 disqualifying offenses in paragraph (2) (b) ~~(2) (g)~~. A contractor  
5093 who willfully fails to comply with this subsection commits a  
5094 felony of the third degree, punishable as provided in s. 775.082  
5095 or s. 775.083. If the employer of a contractor or the party to  
5096 whom the contractor is under contract knows the contractor has  
5097 been arrested for any of the disqualifying offenses in paragraph  
5098 (2) (b) ~~(2) (g)~~ and authorizes the contractor to be present on  
5099 school grounds when students are present, such employer or such  
5100 party commits a felony of the third degree, punishable as



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5101 provided in s. 775.082 or s. 775.083.

5102 (7) (a) The Department of Law Enforcement shall implement a  
5103 system that allows for the results of a criminal history check  
5104 provided to a school district to be shared with other school  
5105 districts through a secure Internet website or other secure  
5106 electronic means. School districts must accept reciprocity of  
5107 level 2 screenings for Florida High School Athletic Association  
5108 officials.

5109 (b) An employee of a school district, a charter school, a  
5110 lab school, a charter lab school, or the Florida School for the  
5111 Deaf and the Blind who requests or shares criminal history  
5112 information under this section is immune from civil or criminal  
5113 liability for any good faith conduct that occurs during the  
5114 performance of and within the scope of responsibilities related  
5115 to the record check.

5116 (c) This subsection is repealed July 31, 2026.

5117 Section 64. Effective January 1, 2023, present paragraph  
5118 (c) of subsection (10) of section 1012.56, Florida Statutes, is  
5119 redesignated as paragraph (d), and paragraph (b) of that  
5120 subsection is amended, to read:

5121 1012.56 Educator certification requirements.—

5122 (10) BACKGROUND SCREENING REQUIRED, INITIALLY AND  
5123 PERIODICALLY.—

5124 (b) To maintain the safety and well-being of children and  
5125 the integrity of the system of public education, a person may  
5126 not be certified ~~receive a certificate~~ under this chapter to  
5127 have the responsibility for the safety and well-being of  
5128 children until the person's screening under s. 1012.32 is  
5129 completed and the results have been submitted to the Department

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5130 of Education or to the person's employer ~~district school~~  
5131 ~~superintendent of the school district that employs the person.~~  
5132 Every 5 years after obtaining initial certification, each person  
5133 who is required to be certified under this chapter must be  
5134 rescreened in accordance with s. 1012.32, at which time the  
5135 employer ~~school district~~ shall request the Department of Law  
5136 Enforcement to forward the fingerprints to the Federal Bureau of  
5137 Investigation for federal criminal records checks pursuant to s.  
5138 435.12.

5139 (c) If, for any reason after obtaining initial  
5140 certification, the fingerprints of a person who is required to  
5141 be certified under this chapter are not retained by the  
5142 Department of Law Enforcement under s. 1012.32(3) ~~s.~~  
5143 ~~1012.32(3)(a) and (b)~~, the person must file a complete set of  
5144 fingerprints with the employer ~~district school superintendent of~~  
5145 ~~the employing school district~~. Upon submission of fingerprints  
5146 for this purpose, the employer ~~school district~~ shall request the  
5147 Department of Law Enforcement to forward the fingerprints to the  
5148 Federal Bureau of Investigation for federal criminal records  
5149 checks, and the fingerprints shall be retained by the Department  
5150 of Law Enforcement under s. 1012.32(3) ~~s. 1012.32(3)(a) and (b)~~.  
5151 The cost of the state and federal criminal history checks  
5152 required by paragraph (a) and this paragraph may be borne by the  
5153 employer ~~district school board~~ or the employee. Under penalty of  
5154 perjury, each person who is certified under this chapter must  
5155 agree to inform his or her employer within 48 hours if convicted  
5156 of any disqualifying offense while he or she is employed in a  
5157 position for which such certification is required.

5158 Section 65. The changes made to ss. 1012.32 and 1012.56,

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5159 Florida Statutes, by this act must be implemented by January 1,  
5160 2024, or by a later date determined by the Agency for Health  
5161 Care Administration.

5162 Section 66. Subsection (4) of section 1012.584, Florida  
5163 Statutes, is amended to read:

5164 1012.584 Continuing education and inservice training for  
5165 youth mental health awareness and assistance.—

5166 (4) Each school district shall notify all school personnel  
5167 who have received training pursuant to this section of mental  
5168 health services that are available in the school district, and  
5169 the individual to contact if a student needs services. The term  
5170 “mental health services” includes, but is not limited to,  
5171 community mental health services, health care providers, and  
5172 services provided under ss. 1006.04 and 1011.62(13) ~~1011.62(14)~~.

5173 Section 67. Section 1003.4204, Florida Statutes, is created  
5174 to read:

5175 1003.4204 Safer, Smarter Schools Program.—As authorized by  
5176 and consistent with funding appropriated in the General  
5177 Appropriations Act, the Safer, Smarter Schools Program is  
5178 created to implement the revised Health Education standards  
5179 established pursuant to s. 1003.42(2). The program shall provide  
5180 students and educators with a comprehensive personal safety  
5181 curriculum that helps students attain the protective principles  
5182 to remain safe from abuse and exploitation.

5183 Section 68. Subsection (4) of section 1013.40, Florida  
5184 Statutes, is amended to read:

5185 1013.40 Planning and construction of Florida College System  
5186 institution facilities; property acquisition.—

5187 (4) The campus of a Florida College System institution

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5188 within a municipality designated as an area of critical state  
5189 concern, as defined in s. 380.05, and having a comprehensive  
5190 plan and land development regulations containing a building  
5191 permit allocation system that limits annual growth, may  
5192 construct dormitories for up to 340 ~~300~~ beds for Florida College  
5193 System institution students, and an additional 25 beds for  
5194 employees, educators, and first responders. Such dormitories are  
5195 exempt from the building permit allocation system and may be  
5196 constructed up to 60 ~~45~~ feet in height if the dormitories are  
5197 otherwise consistent with the comprehensive plan, the Florida  
5198 College System institution has a hurricane evacuation plan that  
5199 requires all dormitory occupants to be evacuated 48 hours in  
5200 advance of tropical force winds, and transportation is provided  
5201 for dormitory occupants during an evacuation. State funds and  
5202 tuition and fee revenues may not be used for construction, debt  
5203 service payments, maintenance, or operation of such dormitories.  
5204 Additional dormitory beds constructed after July 1, 2016, may  
5205 not be financed through the issuance of bonds by the Florida  
5206 College System institution; however, bonds may be issued by  
5207 nonpublic entities as part of a public-private partnership  
5208 between the college and a nonpublic entity.

5209 Section 69. Except as otherwise expressly provided in this  
5210 act and except for this section, which shall take effect upon  
5211 this act becoming a law, this act shall take effect July 1,  
5212 2022.