

1 A bill to be entitled
2 An act relating to education; amending s. 1002.31,
3 F.S.; providing for certain students to receive a
4 stipend for transportation to certain public schools,
5 subject to legislative appropriation; providing
6 eligibility requirements; providing requirements for
7 the award and distribution of the stipends; providing
8 duties for the Department of Education; providing for
9 the amount of the stipend; providing that each
10 household may only receive one stipend; providing that
11 the stipend is not taxable income; providing
12 liability; amending s. 1002.32, F.S.; revising the
13 list of universities exempt from a certain limitation
14 relating to charter lab schools; deleting the Lab
15 School Educational Facility Trust Fund; conforming
16 provisions to changes made by the act; amending s.
17 1002.33, F.S.; revising provisions relating to budget
18 projections for charter schools; requiring charter
19 schools to report full-time equivalent student
20 membership rather than student enrollments for funding
21 purposes; providing that a specified funding
22 calculation applies to charter schools sponsored by a
23 school district; authorizing charter schools to
24 receive specified funding under certain circumstances;
25 providing that funding for students enrolled in

26 charter schools sponsored by state universities or
27 Florida College System institutions is provided in the
28 Florida Education Finance Program and General
29 Appropriations Act; providing calculations for such
30 funding; providing for the recalculation of such
31 funding; providing a calculation for such charter
32 school's capital outlay funding; deleting charter
33 school eligibility for a specified incentive program;
34 amending s. 1002.394, F.S.; revising the authorized
35 uses of funds from the Family Empowerment Scholarship
36 Program; conforming provisions to changes made by the
37 act; amending s. 1002.395, F.S.; revising authorized
38 uses of funds from the Florida Tax Credit Scholarship
39 Program; conforming provisions to changes made by the
40 act; amending s. 1002.68, F.S.; revising the program
41 year for the Department of Education to adopt a
42 specified methodology for the Voluntary
43 Prekindergarten Education Program; revising the
44 program year that specified provisions take effect
45 relating to program providers and public schools;
46 deleting provisions relating to program providers and
47 public schools assessment composite scores; amending
48 s. 1006.27, F.S.; deleting the Driving Choice Grant
49 Program; amending s. 1008.25, F.S.; revising the
50 criteria for a student to be referred to his or her

51 local school district to receive specified early
52 literacy support; requiring such students to receive
53 such support through a certain summer bridge program;
54 providing requirements for such program; deleting a
55 requirement for certain students with an individual
56 education plan to receive instruction in early
57 literacy skills; amending s. 1011.62, F.S.; revising
58 specified percentages within the Florida Education
59 Finance Program; providing that certain charter
60 schools are eligible for the state-funded
61 discretionary contribution; providing requirements for
62 the calculation of the base amount for school
63 districts' educational enrichment allocation; amending
64 s. 1011.765, F.S.; including specified organizations
65 and foundations as public school district education
66 foundations for specified purposes; amending s.
67 1013.62, F.S.; providing that charter schools
68 sponsored by Florida College System institutions and
69 state universities are ineligible for specified
70 funding; conforming a cross-reference; providing an
71 effective date.

72
73 Be It Enacted by the Legislature of the State of Florida:

74
75 Section 1. Subsection (7) is added to section 1002.31,

76 Florida Statutes, to read:

77 1002.31 Controlled open enrollment; public school parental
78 choice.—

79 (7) Contingent upon a legislative appropriation, and on a
80 first-come, first-served basis, a public school student enrolled
81 in kindergarten through grade 8 may receive a stipend from an
82 eligible nonprofit scholarship-funding organization, as defined
83 in s. 1002.395(2), for transportation to a Florida nonvirtual
84 public school that is different from the school to which the
85 student is assigned or to a developmental research school
86 authorized under s. 1002.32.

87 (a) For an eligible student to receive a stipend, the
88 student's parent must:

89 1. Submit an application to an eligible nonprofit
90 scholarship-funding organization for the specified school year
91 and by the deadline established by the organization.

92 2. Provide the documentation necessary to verify the
93 student's eligibility for the specified school year.

94 3. Be responsible for the payment of all transportation-
95 related expenses in excess of the amount of the stipend.

96 (b) An eligible nonprofit scholarship-funding organization
97 shall distribute the stipends to the parents of the eligible
98 students in accordance with the requirements for the
99 organization under this chapter.

100 (c) The Department of Education shall have the same duties

101 imposed by this chapter upon the department regarding the
102 oversight of scholarship programs administered by an eligible
103 nonprofit scholarship-funding organization.

104 (d) The amount of the stipend for an eligible student
105 shall be as specified in the General Appropriations Act. A
106 household that has more than one eligible student may only
107 receive one stipend.

108 (e) Upon notification from the eligible nonprofit
109 scholarship-funding organization that a student has been
110 determined eligible for a stipend, the department shall release
111 the student's stipend to the organization.

112 (f) Moneys received pursuant to this subsection do not
113 constitute taxable income to the qualified student or his or her
114 parent.

115 (g) No liability shall arise on the part of the state
116 based on the stipend or use of the stipend.

117 Section 2. Subsection (2) and paragraphs (b) through (g)
118 of subsection (9) of section 1002.32, Florida Statutes, are
119 amended to read:

120 1002.32 Developmental research (laboratory) schools.—

121 (2) ESTABLISHMENT.—There is established a category of
122 public schools to be known as developmental research
123 (laboratory) schools (lab schools). Each lab school shall
124 provide sequential instruction and shall be affiliated with the
125 college of education within the state university of closest

126 geographic proximity. A lab school to which a charter has been
 127 issued under s. 1002.33(5)(a)2. must be affiliated with the
 128 college of education within the state university that issued the
 129 charter, but is not subject to the requirement that the state
 130 university be of closest geographic proximity. For the purpose
 131 of state funding, Florida Agricultural and Mechanical
 132 University, Florida Atlantic University, Florida State
 133 University, the University of Florida, and other universities
 134 approved by the State Board of Education and the Legislature are
 135 authorized to sponsor a lab school. The limitation of one lab
 136 school per university shall not apply to the following
 137 legislatively allowed charter lab schools: Florida State
 138 University Charter Lab K-12 School in Broward County, Florida
 139 State University Charter Lab K-12 School in Leon County, and
 140 Florida Atlantic University Charter Lab K-12 School in Palm
 141 Beach County, ~~and Florida Atlantic University Charter Lab K-12~~
 142 ~~School in St. Lucie County.~~ The limitation of one lab school per
 143 university does not apply to a university that establishes a lab
 144 school to serve families of a military installation that is
 145 within the same county as a branch campus that offers programs
 146 from the university's college of education.

147 (9) FUNDING.—Funding for a lab school, including a charter
 148 lab school, shall be provided as follows:

149 ~~(b) There is created a Lab School Educational Facility~~
 150 ~~Trust Fund to be administered by the Commissioner of Education.~~

151 ~~Allocations from such fund shall be expended solely for the~~
152 ~~purpose of facility construction, repair, renovation,~~
153 ~~remodeling, site improvement, or maintenance. The commissioner~~
154 ~~shall administer the fund in accordance with ss. 1013.60,~~
155 ~~1013.64, 1013.65, and 1013.66.~~

156 (b) ~~(e)~~ All operating funds provided under this section
157 shall be deposited in a Lab School Trust Fund and shall be
158 expended for the purposes of this section. The university
159 assigned a lab school shall be the fiscal agent for these funds,
160 and all rules of the university governing the budgeting and
161 expenditure of state funds shall apply to these funds unless
162 otherwise provided by law or rule of the State Board of
163 Education. The university board of trustees shall be the public
164 employer of lab school personnel for collective bargaining
165 purposes for lab schools in operation prior to the 2002-2003
166 fiscal year. Employees of charter lab schools authorized prior
167 to June 1, 2003, but not in operation prior to the 2002-2003
168 fiscal year shall be employees of the entity holding the charter
169 and must comply with the provisions of s. 1002.33(12).

170 (c) ~~(d)~~ Each lab school shall receive funds for capital
171 improvement purposes in an amount determined as follows:
172 multiply the maximum allowable nonvoted discretionary millage
173 for capital improvements pursuant to s. 1011.71(2) by 96 percent
174 of the current year's taxable value for school purposes for the
175 district in which each lab school is located; divide the result

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176 by the total full-time equivalent membership of the district;
177 and multiply the result by the full-time equivalent membership
178 of the lab school. The amount obtained shall be discretionary
179 capital improvement funds and shall be appropriated from state
180 funds in the General Appropriations Act ~~to the Lab School~~
181 ~~Educational Facility Trust Fund.~~

182 (d)~~(e)~~ In addition to the funds appropriated for capital
183 outlay budget needs, lab schools may receive specific funding as
184 specified in the General Appropriations Act for upgrading,
185 renovating, and remodeling science laboratories.

186 (e)~~(f)~~ Each lab school is designated a teacher education
187 center and may provide inservice training to school district
188 personnel. The Department of Education shall provide funds to
189 the Lab School Trust Fund for this purpose from appropriations
190 for inservice teacher education.

191 ~~(g) A lab school to which a charter has been issued under~~
192 ~~s. 1002.33(5)(a)2. is eligible to receive funding for charter~~
193 ~~school capital outlay if it meets the eligibility requirements~~
194 ~~of s. 1013.62. If the lab school receives funds from charter~~
195 ~~school capital outlay, the school shall receive capital outlay~~
196 ~~funds otherwise provided in this subsection only to the extent~~
197 ~~that funds allocated pursuant to s. 1013.62 are insufficient to~~
198 ~~provide capital outlay funds to the lab school at one-fifteenth~~
199 ~~of the cost per student station.~~

200 Section 3. Paragraphs (b) and (c) of subsection (6) and

201 subsections (17) and (19) of section 1002.33, Florida Statutes,
 202 are amended to read:

203 1002.33 Charter schools.—

204 (6) APPLICATION PROCESS AND REVIEW.—Charter school
 205 applications are subject to the following requirements:

206 (b) A sponsor shall receive and review all applications
 207 for a charter school using the evaluation instrument developed
 208 by the Department of Education. A sponsor shall receive and
 209 consider charter school applications for charter schools to be
 210 opened at a time determined by the applicant. A sponsor may not
 211 charge an applicant for a charter any fee for the processing or
 212 consideration of an application, and a sponsor may not base its
 213 consideration or approval of a final application upon the
 214 promise of future payment of any kind. Before approving or
 215 denying any application, the sponsor shall allow the applicant,
 216 upon receipt of written notification, at least 7 calendar days
 217 to make technical or nonsubstantive corrections and
 218 clarifications, including, but not limited to, corrections of
 219 grammatical, typographical, and like errors or missing
 220 signatures, if such errors are identified by the sponsor as
 221 cause to deny the final application.

222 ~~1. In order to facilitate an accurate budget projection~~
 223 ~~process, a sponsor shall be held harmless for FTE students who~~
 224 ~~are not included in the FTE projection due to approval of~~
 225 ~~charter school applications after the FTE projection deadline.~~

226 ~~In a further effort to facilitate an accurate budget projection,~~
227 ~~within 15 calendar days after receipt of a charter school~~
228 ~~application, a sponsor shall report to the Department of~~
229 ~~Education the name of the applicant entity, the proposed charter~~
230 ~~school location, and its projected FTE.~~

231 1.2. In order to ensure fiscal responsibility, an
232 application for a charter school shall include a full accounting
233 of expected assets, a projection of expected sources and amounts
234 of income, including income derived from projected student
235 enrollments and from community support, and an expense
236 projection that includes full accounting of the costs of
237 operation, including start-up costs.

238 ~~2.a.3.a.~~ A sponsor shall by a majority vote approve or
239 deny an application no later than 90 calendar days after the
240 application is received, unless the sponsor and the applicant
241 mutually agree in writing to temporarily postpone the vote to a
242 specific date, at which time the sponsor shall by a majority
243 vote approve or deny the application. If the sponsor fails to
244 act on the application, an applicant may appeal to the State
245 Board of Education as provided in paragraph (c). If an
246 application is denied, the sponsor shall, within 10 calendar
247 days after such denial, articulate in writing the specific
248 reasons, based upon good cause, supporting its denial of the
249 application and shall provide the letter of denial and
250 supporting documentation to the applicant and to the Department

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251 of Education.

252 b. An application submitted by a high-performing charter
253 school identified pursuant to s. 1002.331 or a high-performing
254 charter school system identified pursuant to s. 1002.332 may be
255 denied by the sponsor only if the sponsor demonstrates by clear
256 and convincing evidence that:

257 (I) The application of a high-performing charter school
258 does not materially comply with the requirements in paragraph
259 (a) or, for a high-performing charter school system, the
260 application does not materially comply with s. 1002.332(2)(b);

261 (II) The charter school proposed in the application does
262 not materially comply with the requirements in paragraphs
263 (9)(a)-(f);

264 (III) The proposed charter school's educational program
265 does not substantially replicate that of the applicant or one of
266 the applicant's high-performing charter schools;

267 (IV) The applicant has made a material misrepresentation
268 or false statement or concealed an essential or material fact
269 during the application process; or

270 (V) The proposed charter school's educational program and
271 financial management practices do not materially comply with the
272 requirements of this section.

273
274 Material noncompliance is a failure to follow requirements or a
275 violation of prohibitions applicable to charter school

276 applications, which failure is quantitatively or qualitatively
277 significant either individually or when aggregated with other
278 noncompliance. An applicant is considered to be replicating a
279 high-performing charter school if the proposed school is
280 substantially similar to at least one of the applicant's high-
281 performing charter schools and the organization or individuals
282 involved in the establishment and operation of the proposed
283 school are significantly involved in the operation of replicated
284 schools.

285 c. If the sponsor denies an application submitted by a
286 high-performing charter school or a high-performing charter
287 school system, the sponsor must, within 10 calendar days after
288 such denial, state in writing the specific reasons, based upon
289 the criteria in sub-subparagraph b., supporting its denial of
290 the application and must provide the letter of denial and
291 supporting documentation to the applicant and to the Department
292 of Education. The applicant may appeal the sponsor's denial of
293 the application in accordance with paragraph (c).

294 3.4. ~~For budget projection purposes,~~ The sponsor shall
295 report to the Department of Education the approval or denial of
296 an application within 10 calendar days after such approval or
297 denial. In the event of approval, the report to the Department
298 of Education shall include the final projected FTE for the
299 approved charter school.

300 4.5. A charter school may defer the opening of the

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301 school's operations for up to 3 years to provide time for
302 adequate facility planning. The charter school must provide
303 written notice of such intent to the sponsor and the parents of
304 enrolled students at least 30 calendar days before the first day
305 of school.

306 (c)1. An applicant may appeal any denial of that
307 applicant's application or failure to act on an application to
308 the State Board of Education no later than 30 calendar days
309 after receipt of the sponsor's decision or failure to act and
310 shall notify the sponsor of its appeal. Any response of the
311 sponsor shall be submitted to the State Board of Education
312 within 30 calendar days after notification of the appeal. Upon
313 receipt of notification from the State Board of Education that a
314 charter school applicant is filing an appeal, the Commissioner
315 of Education shall convene a meeting of the Charter School
316 Appeal Commission to study and make recommendations to the State
317 Board of Education regarding its pending decision about the
318 appeal. The commission shall forward its recommendation to the
319 state board at least 7 calendar days before the date on which
320 the appeal is to be heard.

321 2. The Charter School Appeal Commission may reject an
322 appeal submission for failure to comply with procedural rules
323 governing the appeals process. The rejection shall describe the
324 submission errors. The appellant shall have 15 calendar days
325 after notice of rejection in which to resubmit an appeal that

326 meets the requirements set forth in State Board of Education
 327 rule. An appeal submitted subsequent to such rejection is
 328 considered timely if the original appeal was filed within 30
 329 calendar days after receipt of notice of the specific reasons
 330 for the sponsor's denial of the charter application.

331 3.a. The State Board of Education shall by majority vote
 332 accept or reject the decision of the sponsor no later than 90
 333 calendar days after an appeal is filed in accordance with State
 334 Board of Education rule. The State Board of Education shall
 335 remand the application to the sponsor with its written decision
 336 that the sponsor approve or deny the application. The sponsor
 337 shall implement the decision of the State Board of Education.
 338 The decision of the State Board of Education is not subject to
 339 the provisions of the Administrative Procedure Act, chapter 120.

340 b. If an appeal concerns an application submitted by a
 341 high-performing charter school identified pursuant to s.
 342 1002.331 or a high-performing charter school system identified
 343 pursuant to s. 1002.332, the State Board of Education shall
 344 determine whether the sponsor's denial was in accordance with
 345 sub-subparagraph (b) 2.b. ~~(b) 3.b.~~

346 (17) FUNDING.—Students enrolled in a charter school,
 347 regardless of the sponsorship, shall be funded based upon the
 348 applicable program pursuant to s. 1011.62(1)(c) ~~as if they are~~
 349 ~~in a basic program or a special program~~, the same as students
 350 enrolled in ~~other~~ public schools in a school district. Funding

351 for a charter lab school shall be as provided in s. 1002.32.

352 (a) Each charter school shall report its full-time
353 equivalent student membership enrollment to the sponsor as
354 required in s. 1011.62 (1) (a) ~~s. 1011.62~~ and in accordance with
355 the definitions in s. 1011.61. The sponsor shall include each
356 charter school's full-time equivalent student membership
357 enrollment in the sponsor's full-time equivalent student
358 membership report to the Department of Education ~~of student~~
359 ~~enrollment~~. All charter schools submitting full-time equivalent
360 student membership record information required by the department
361 ~~of Education~~ shall comply with the department's ~~Department of~~
362 ~~Education's~~ guidelines for electronic data formats for such
363 data, and all sponsors shall accept electronic data that
364 complies with the department's ~~Department of Education's~~
365 electronic format.

366 (b)1. ~~The basis for the agreement for~~ Funding students
367 enrolled in a charter school sponsored by a school district
368 shall be the sum of the school district's operating funds from
369 the Florida Education Finance Program as defined in s.
370 1011.61 (5) ~~provided in s. 1011.62~~ and the General Appropriations
371 Act, including gross state and local funds, ~~discretionary~~
372 ~~lottery funds,~~ and funds from the school district's current
373 operating discretionary millage levy; divided by total funded
374 weighted full-time equivalent students in the school district;
375 and multiplied by the weighted full-time equivalent students for

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376 | the charter school. Charter schools whose students or programs
377 | meet the eligibility criteria in law are entitled to their
378 | proportionate share of categorical program funds included in the
379 | total funds available in the Florida Education Finance Program
380 | by the Legislature, including the student transportation
381 | allocation, and the educational enrichment ~~evidence-based~~
382 | ~~reading~~ allocation. Total funding for each charter school shall
383 | be recalculated during the year to reflect the revised
384 | calculations under the Florida Education Finance Program by the
385 | state and the actual weighted full-time equivalent students
386 | reported by the charter school during the full-time equivalent
387 | student survey periods designated by the Commissioner of
388 | Education. For charter schools operated by a not-for-profit or
389 | municipal entity, any unrestricted current and capital assets
390 | identified in the charter school's annual financial audit may be
391 | used for other charter schools operated by the not-for-profit or
392 | municipal entity within the school district. For charter schools
393 | operated by a not-for-profit entity, any unrestricted current or
394 | capital assets identified in the charter school's annual audit
395 | may be used for other charter schools operated by the not-for-
396 | profit entity which are located outside of the originating
397 | charter school's school district, but within the state, through
398 | an unforgivable loan that must be repaid within 5 years to the
399 | originating charter school by the receiving charter school.
400 | Unrestricted current assets shall be used in accordance with s.

401 1011.62, and any unrestricted capital assets shall be used in
402 accordance with s. 1013.62(2).

403 2.a. Funding for students enrolled in a charter school
404 sponsored by a state university or Florida College System
405 institution pursuant to paragraph (5)(a) shall be provided in
406 ~~funded as if they are in a basic program or a special program in~~
407 ~~the school district. The basis for funding these students is the~~
408 ~~sum of the total operating funds from~~ the Florida Education
409 Finance Program ~~for the school district in which the school is~~
410 ~~located as defined provided in s. 1011.61(5) s. 1011.62 and~~
411 specified in the General Appropriations Act. The calculation to
412 determine the amount of state funds includes: the sum of the
413 basic amount for current operations established in s.
414 1011.62(1)(s), the discretionary millage compression supplement
415 established in s. 1011.62(5), and the state-funded discretionary
416 contribution established in s. 1011.62(6). Charter schools whose
417 students or programs meet the eligibility criteria in law are
418 entitled to their proportionate share of categorical program
419 funds included in the total funds available in the Florida
420 Education Finance Program. The Florida College System
421 institution or state university sponsoring the charter school
422 shall be the fiscal agent for these funds, and all rules of the
423 institution governing the budgeting and expenditure of state
424 funds shall apply to these funds unless otherwise provided by
425 law or rule of the State Board of Education.

426 (I) The nonvoted required local millage established
 427 pursuant to s. 1011.71(1) that would otherwise be required for
 428 the charter schools shall be allocated from state funds.

429 (II) An equivalent amount of funds for the operating
 430 discretionary millage authorized pursuant to s. 1011.71(1) shall
 431 be allocated to each charter school through a state-funded
 432 discretionary contribution established pursuant to s.
 433 1011.62(6).

434 (III) The comparable wage factor as provided in s.
 435 1011.62(2) shall be established as 1.000.

436 b. Total funding for each charter school shall be
 437 recalculated during the year to reflect the revised calculations
 438 under the Florida Education Finance Program by the state and the
 439 actual weighted full-time equivalent students reported by the
 440 charter school during the full-time equivalent student survey
 441 periods designated by the Commissioner of Education., ~~including~~
 442 ~~gross state and local funds, discretionary lottery funds, and~~
 443 ~~funds from each school district's current operating~~
 444 ~~discretionary millage levy, divided by total funded weighted~~
 445 ~~full-time equivalent students in the district, and multiplied by~~
 446 ~~the full-time equivalent membership of the charter school.~~

447 c. The Department of Education shall develop a tool that
 448 each state university or Florida College System institution
 449 sponsoring a charter school shall use for purposes of
 450 calculating the funding amount for each eligible charter school

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451 student. ~~The total amount obtained from the calculation must be~~
452 ~~appropriated from state funds in the General Appropriations Act~~
453 ~~to the charter school.~~

454 ~~d.b.~~ Capital outlay funding for a charter school sponsored
455 by a state university or Florida College System institution
456 pursuant to paragraph (5) (a) is determined as follows: multiply
457 the maximum allowable nonvoted discretionary millage under s.
458 1011.71(2) by 96 percent of the current year's taxable value for
459 school purposes for the district in which the charter school is
460 located; divide the result by the total full-time equivalent
461 student membership; and multiply the result by the full-time
462 equivalent student membership of the charter school. The amount
463 obtained shall be the discretionary capital improvement funds
464 and shall be appropriated from state funds in ~~pursuant to s.~~
465 ~~1013.62~~ and the General Appropriations Act.

466 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
467 schools shall receive all federal funding for which the school
468 is otherwise eligible, including Title I funding, not later than
469 5 months after the charter school first opens and within 5
470 months after any subsequent expansion of enrollment. Unless
471 otherwise mutually agreed to by the charter school and its
472 sponsor, and consistent with state and federal rules and
473 regulations governing the use and disbursement of federal funds,
474 the sponsor shall reimburse the charter school on a monthly
475 basis for all invoices submitted by the charter school for

476 federal funds available to the sponsor for the benefit of the
477 charter school, the charter school's students, and the charter
478 school's students as public school students in the school
479 district. Such federal funds include, but are not limited to,
480 Title I, Title II, and Individuals with Disabilities Education
481 Act (IDEA) funds. To receive timely reimbursement for an
482 invoice, the charter school must submit the invoice to the
483 sponsor at least 30 days before the monthly date of
484 reimbursement set by the sponsor. In order to be reimbursed, any
485 expenditures made by the charter school must comply with all
486 applicable state rules and federal regulations, including, but
487 not limited to, the applicable federal Office of Management and
488 Budget Circulars; the federal Education Department General
489 Administrative Regulations; and program-specific statutes,
490 rules, and regulations. Such funds may not be made available to
491 the charter school until a plan is submitted to the sponsor for
492 approval of the use of the funds in accordance with applicable
493 federal requirements. The sponsor has 30 days to review and
494 approve any plan submitted pursuant to this paragraph.

495 (d) Charter schools shall be included by the Department of
496 Education and the district school board in requests for federal
497 stimulus funds in the same manner as district school board-
498 operated public schools, including Title I and IDEA funds and
499 shall be entitled to receive such funds. Charter schools are
500 eligible to participate in federal competitive grants that are

501 available as part of the federal stimulus funds.

502 (e) Sponsors shall make timely and efficient payment and
503 reimbursement to charter schools, including processing paperwork
504 required to access special state and federal funding for which
505 they may be eligible, including the timely review and
506 reimbursement of federal grant funds. Payments of funds under
507 paragraph (b) shall be made monthly or twice a month, beginning
508 with the start of the sponsor's fiscal year. Each payment shall
509 be one-twelfth, or one twenty-fourth, as applicable, of the
510 total state and local funds described in paragraph (b) and
511 adjusted as set forth therein. For the first 2 years of a
512 charter school's operation, if a minimum of 75 percent of the
513 projected enrollment is entered into the sponsor's student
514 information system by the first day of the current month, the
515 sponsor shall distribute funds to the school for the months of
516 July through October based on the projected full-time equivalent
517 student membership of the charter school as submitted in the
518 approved application. If less than 75 percent of the projected
519 enrollment is entered into the sponsor's student information
520 system by the first day of the current month, the sponsor shall
521 base payments on the actual number of student enrollment entered
522 into the sponsor's student information system. Thereafter, the
523 results of full-time equivalent student membership surveys shall
524 be used in adjusting the amount of funds distributed monthly to
525 the charter school for the remainder of the fiscal year. The

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526 | payments shall be issued no later than 10 working days after the
527 | sponsor receives a distribution of state or federal funds or the
528 | date the payment is due pursuant to this subsection. With
529 | respect to federal grant funds submitted for reimbursement, the
530 | sponsor shall have 60 calendar days from the date of the
531 | submission to reimburse the charter school if the submission
532 | provides all the necessary information to qualify for
533 | reimbursement. If a warrant for payment is not issued within 10
534 | working days after receipt of funding by the sponsor or within
535 | 60 calendar days after an approved submittal for reimbursement
536 | of federal grant funds, the sponsor shall pay to the charter
537 | school, in addition to the amount of the scheduled disbursement,
538 | interest at a rate of 1 percent per month calculated on a daily
539 | basis on the unpaid balance from the expiration of the 10
540 | working days or 60 calendar days for the reimbursement of
541 | federal grant funds, until such time as the warrant is issued.
542 | The district school board may not delay payment to a charter
543 | school of any portion of the funds provided in paragraph (b)
544 | based on the timing of receipt of local funds by the district
545 | school board.

546 | (f) Funding for a virtual charter school shall be as
547 | provided in s. 1002.45(6).

548 | (g) To be eligible for public education capital outlay
549 | (PECO) funds, a charter school must be located in the State of
550 | Florida.

551 ~~(h) A charter school that implements a schoolwide standard~~
 552 ~~student attire policy pursuant to s. 1011.78 is eligible to~~
 553 ~~receive incentive payments.~~

554 (19) CAPITAL OUTLAY FUNDING.—Charter schools sponsored by
 555 a school district are eligible for capital outlay funds pursuant
 556 to ss. 1011.71(2) and 1013.62. Capital outlay funds authorized
 557 in ss. 1011.71(2) and 1013.62 which have been shared with a
 558 charter school-in-the-workplace prior to July 1, 2010, are
 559 deemed to have met the authorized expenditure requirements for
 560 such funds.

561 Section 4. Paragraph (a) of subsection (4), paragraph (a)
 562 of subsection (10), and paragraph (a) of subsection (12) of
 563 section 1002.394, Florida Statutes, are amended to read:

564 1002.394 The Family Empowerment Scholarship Program.—

565 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

566 (a) Program funds awarded to a student determined eligible
 567 pursuant to paragraph (3) (a) may be used for:

- 568 1. Tuition and fees at an eligible private school.
- 569 ~~2. Transportation to a Florida public school in which a~~
 570 ~~student is enrolled and that is different from the school to~~
 571 ~~which the student was assigned or to a lab school as defined in~~
 572 ~~s. 1002.32.~~

573 ~~2.3.~~ Instructional materials, including digital materials
 574 and Internet resources.

575 ~~3.4.~~ Curriculum as defined in subsection (2).

576 ~~4.5.~~ Tuition and fees associated with full-time or part-
577 time enrollment in an eligible postsecondary educational
578 institution or a program offered by the postsecondary
579 educational institution, unless the program is subject to s.
580 1009.25 or reimbursed pursuant to s. 1009.30; an approved
581 preapprenticeship program as defined in s. 446.021(5) which is
582 not subject to s. 1009.25 and complies with all applicable
583 requirements of the department pursuant to chapter 1005; a
584 private tutoring program authorized under s. 1002.43; a virtual
585 program offered by a department-approved private online provider
586 that meets the provider qualifications specified in s.
587 1002.45(2)(a); the Florida Virtual School as a private paying
588 student; or an approved online course offered pursuant to s.
589 1003.499 or s. 1004.0961.

590 ~~5.6.~~ Fees for nationally standardized, norm-referenced
591 achievement tests, Advanced Placement Examinations, industry
592 certification examinations, assessments related to postsecondary
593 education, or other assessments.

594 ~~6.7.~~ Contracted services provided by a public school or
595 school district, including classes. A student who receives
596 contracted services under this subparagraph is not considered
597 enrolled in a public school for eligibility purposes as
598 specified in subsection (6) but rather attending a public school
599 on a part-time basis as authorized under s. 1002.44.

600 ~~7.8.~~ Tuition and fees for part-time tutoring services or

601 fees for services provided by a choice navigator. Such services
602 must be provided by a person who holds a valid Florida
603 educator's certificate pursuant to s. 1012.56, a person who
604 holds an adjunct teaching certificate pursuant to s. 1012.57, a
605 person who has a bachelor's degree or a graduate degree in the
606 subject area in which instruction is given, a person who has
607 demonstrated a mastery of subject area knowledge pursuant to s.
608 1012.56(5), or a person certified by a nationally or
609 internationally recognized research-based training program as
610 approved by the department. As used in this subparagraph, the
611 term "part-time tutoring services" does not qualify as regular
612 school attendance as defined in s. 1003.01(16)(e).

613 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
614 PARTICIPATION.—

615 (a) A parent who applies for program participation under
616 paragraph (3)(a) whose student will be enrolled full time in a
617 private school must:

618 1. Select the private school and apply for the admission
619 of his or her student.

620 2. Request the scholarship by a date established by the
621 organization, in a manner that creates a written or electronic
622 record of the request and the date of receipt of the request.

623 3. Inform the applicable school district when the parent
624 withdraws his or her student from a public school to attend an
625 eligible private school.

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626 4. Require his or her student participating in the program
627 to remain in attendance throughout the school year unless
628 excused by the school for illness or other good cause.

629 5. Meet with the private school's principal or the
630 principal's designee to review the school's academic programs
631 and policies, specialized services, code of student conduct, and
632 attendance policies before enrollment.

633 6. Require that the student participating in the
634 scholarship program takes the norm-referenced assessment offered
635 by the private school. The parent may also choose to have the
636 student participate in the statewide assessments pursuant to
637 paragraph (7)(d). If the parent requests that the student
638 participating in the program take all statewide assessments
639 required pursuant to s. 1008.22, the parent is responsible for
640 transporting the student to the assessment site designated by
641 the school district.

642 7. Approve each payment before the scholarship funds may
643 be deposited by funds transfer pursuant to subparagraph
644 (12)(a)3. ~~(12)(a)4.~~ The parent may not designate any entity or
645 individual associated with the participating private school as
646 the parent's attorney in fact to approve a funds transfer. A
647 participant who fails to comply with this paragraph forfeits the
648 scholarship.

649 8. Agree to have the organization commit scholarship funds
650 on behalf of his or her student for tuition and fees for which

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651 the parent is responsible for payment at the private school
652 before using empowerment account funds for additional authorized
653 uses under paragraph (4) (a). A parent is responsible for all
654 eligible expenses in excess of the amount of the scholarship.

655 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

656 (a)1. Scholarships for students determined eligible
657 pursuant to paragraph (3) (a) may be funded once all scholarships
658 have been funded in accordance with s. 1002.395(6) (1)2. The
659 calculated scholarship amount for a participating student
660 determined eligible pursuant to paragraph (3) (a) shall be based
661 upon the grade level and school district in which the student
662 was assigned as 100 percent of the funds per unweighted full-
663 time equivalent in the Florida Education Finance Program for a
664 student in the basic program established pursuant to s.
665 1011.62(1) (c)1., plus a per-full-time equivalent share of funds
666 for the categorical programs established in s. 1011.62(5),
667 (7) (a), and (16), as funded in the General Appropriations Act.

668 ~~2. A scholarship of \$750 or an amount equal to the school~~
669 ~~district expenditure per student riding a school bus, as~~
670 ~~determined by the department, whichever is greater, may be~~
671 ~~awarded to an eligible student who is enrolled in a Florida~~
672 ~~public school that is different from the school to which the~~
673 ~~student was assigned or in a lab school as defined in s. 1002.32~~
674 ~~if the school district does not provide the student with~~
675 ~~transportation to the school.~~

676 ~~2.3.~~ The organization must provide the department with the
677 documentation necessary to verify the student's participation.
678 Upon receiving the documentation, the department shall transfer,
679 beginning August 1, from state funds only, the amount calculated
680 pursuant to subparagraph 1. ~~2.~~ to the organization for quarterly
681 disbursement to parents of participating students each school
682 year in which the scholarship is in force. For a student exiting
683 a Department of Juvenile Justice commitment program who chooses
684 to participate in the scholarship program, the amount of the
685 Family Empowerment Scholarship calculated pursuant to
686 subparagraph 1. ~~2.~~ must be transferred from the school district
687 in which the student last attended a public school before
688 commitment to the Department of Juvenile Justice. When a student
689 enters the scholarship program, the organization must receive
690 all documentation required for the student's participation,
691 including the private school's and the student's fee schedules,
692 at least 30 days before the first quarterly scholarship payment
693 is made for the student.

694 ~~3.4.~~ The initial payment shall be made after the
695 organization's verification of admission acceptance, and
696 subsequent payments shall be made upon verification of continued
697 enrollment and attendance at the private school. Payment must be
698 by funds transfer or any other means of payment that the
699 department deems to be commercially viable or cost-effective. An
700 organization shall ensure that the parent has approved a funds

701 transfer before any scholarship funds are deposited.

702 ~~4.5.~~ An organization may not transfer any funds to an
 703 account of a student determined eligible pursuant to paragraph
 704 (3)(a) which has a balance in excess of \$24,000.

705 Section 5. Paragraph (b) of subsection (2), paragraph (d)
 706 of subsection (6), and paragraph (a) of subsection (11) of
 707 section 1002.395, Florida Statutes, are amended to read:

708 1002.395 Florida Tax Credit Scholarship Program.—

709 (2) DEFINITIONS.—As used in this section, the term:

710 (b) "Choice navigator" means an individual who meets the
 711 requirements of sub-subparagraph (6)(d)2.g. ~~(6)(d)2.h.~~ and who
 712 provides consultations, at a mutually agreed upon location, on
 713 the selection of, application for, and enrollment in educational
 714 options addressing the academic needs of a student; curriculum
 715 selection; and advice on career and postsecondary education
 716 opportunities. However, nothing in this section authorizes a
 717 choice navigator to oversee or exercise control over the
 718 curricula or academic programs of a personalized education
 719 program.

720 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
 721 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
 722 organization:

723 (d)1. For the 2023-2024 school year, may fund no more than
 724 20,000 scholarships for students who are enrolled pursuant to
 725 paragraph (7)(b). The number of scholarships funded for such

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726 students may increase by 40,000 in each subsequent school year.
727 This subparagraph is repealed July 1, 2027.

728 2. Must establish and maintain separate empowerment
729 accounts from eligible contributions for each eligible student.
730 For each account, the organization must maintain a record of
731 accrued interest retained in the student's account. The
732 organization must verify that scholarship funds are used for:

733 a. Tuition and fees for full-time or part-time enrollment
734 in an eligible private school.

735 ~~b. Transportation to a Florida public school in which a~~
736 ~~student is enrolled and that is different from the school to~~
737 ~~which the student was assigned or to a lab school as defined in~~
738 ~~s. 1002.32.~~

739 ~~b.e.~~ Instructional materials, including digital materials
740 and Internet resources.

741 ~~c.d.~~ Curriculum as defined in s. 1002.394(2).

742 ~~d.e.~~ Tuition and fees associated with full-time or part-
743 time enrollment in a home education instructional program; an
744 eligible postsecondary educational institution or a program
745 offered by the postsecondary educational institution, unless the
746 program is subject to s. 1009.25 or reimbursed pursuant to s.
747 1009.30; an approved preapprenticeship program as defined in s.
748 446.021(5) which is not subject to s. 1009.25 and complies with
749 all applicable requirements of the Department of Education
750 pursuant to chapter 1005; a private tutoring program authorized

751 | under s. 1002.43; a virtual program offered by a department-
752 | approved private online provider that meets the provider
753 | qualifications specified in s. 1002.45(2)(a); the Florida
754 | Virtual School as a private paying student; or an approved
755 | online course offered pursuant to s. 1003.499 or s. 1004.0961.

756 | e.f. Fees for nationally standardized, norm-referenced
757 | achievement tests, Advanced Placement Examinations, industry
758 | certification examinations, assessments related to postsecondary
759 | education, or other assessments.

760 | f.g. Contracted services provided by a public school or
761 | school district, including classes. A student who receives
762 | contracted services under this sub-subparagraph is not
763 | considered enrolled in a public school for eligibility purposes
764 | as specified in subsection (11) but rather attending a public
765 | school on a part-time basis as authorized under s. 1002.44.

766 | g.h. Tuition and fees for part-time tutoring services or
767 | fees for services provided by a choice navigator. Such services
768 | must be provided by a person who holds a valid Florida
769 | educator's certificate pursuant to s. 1012.56, a person who
770 | holds an adjunct teaching certificate pursuant to s. 1012.57, a
771 | person who has a bachelor's degree or a graduate degree in the
772 | subject area in which instruction is given, a person who has
773 | demonstrated a mastery of subject area knowledge pursuant to s.
774 | 1012.56(5), or a person certified by a nationally or
775 | internationally recognized research-based training program as

776 approved by the Department of Education. As used in this
777 paragraph, the term "part-time tutoring services" does not
778 qualify as regular school attendance as defined in s.
779 1003.01(16)(e).

780

781 Information and documentation provided to the Department of
782 Education and the Auditor General relating to the identity of a
783 taxpayer that provides an eligible contribution under this
784 section shall remain confidential at all times in accordance
785 with s. 213.053.

786 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

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

792 1. For a student who received a scholarship in the 2018-
793 2019 school year, who remains eligible, and who is enrolled in
794 an eligible private school, the amount shall be the greater
795 amount calculated pursuant to subparagraph 2. or a percentage of
796 the unweighted FTE funding amount for the 2018-2019 state fiscal
797 year and thereafter as follows:

798 a. Eighty-eight percent for a student enrolled in
799 kindergarten through grade 5.

800 b. Ninety-two percent for a student enrolled in grade 6

801 through grade 8.

802 c. Ninety-six percent for a student enrolled in grade 9
803 through grade 12.

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

808 ~~3. The scholarship amount awarded to a student enrolled in~~
809 ~~a Florida public school that is different from the school to~~
810 ~~which the student was assigned, or in a lab school as defined in~~
811 ~~s. 1002.32, must be an amount equal to the school district~~
812 ~~expenditure per student riding a school bus, as determined by~~
813 ~~the department, or \$750, whichever is greater.~~

814 Section 6. Paragraphs (a) and (f) of subsection (4),
815 subsection (5), and paragraph (e) of subsection (6) of section
816 1002.68, Florida Statutes, are amended to read:

817 1002.68 Voluntary Prekindergarten Education Program
818 accountability.—

819 (4)(a) Beginning with the 2023-2024 ~~2022-2023~~ program
820 year, the department shall adopt a methodology for calculating
821 each private prekindergarten provider's and public school
822 provider's performance metric, which must be based on a
823 combination of the following:

824 1. Program assessment composite scores under subsection
825 (2), which must be weighted at no less than 50 percent.

826 2. Learning gains operationalized as change-in-ability
827 scores from the initial and final progress monitoring results
828 described in subsection (1).

829 3. Norm-referenced developmental learning outcomes
830 described in subsection (1).

831 (f) The department shall adopt procedures to annually
832 calculate each private prekindergarten provider's and public
833 school's performance metric, based on the methodology adopted in
834 paragraphs (a) and (b), and assign a designation under paragraph
835 (d). Beginning with the 2024-2025 ~~2023-2024~~ program year, each
836 private prekindergarten provider or public school shall be
837 assigned a designation within 45 days after the conclusion of
838 the school-year Voluntary Prekindergarten Education Program
839 delivered by all participating private prekindergarten providers
840 or public schools and within 45 days after the conclusion of the
841 summer Voluntary Prekindergarten Education Program delivered by
842 all participating private prekindergarten providers or public
843 schools.

844 ~~(5)(a) If a public school's or private prekindergarten~~
845 ~~provider's program assessment composite score for its~~
846 ~~prekindergarten classrooms fails to meet the minimum program~~
847 ~~assessment composite score for contracting adopted in rule by~~
848 ~~the department, the private prekindergarten provider or public~~
849 ~~school may not participate in the Voluntary Prekindergarten~~
850 ~~Education Program beginning in the consecutive program year and~~

851 ~~thereafter until the public school or private prekindergarten~~
852 ~~provider meets the minimum composite score for contracting. A~~
853 ~~public school or private prekindergarten provider may request~~
854 ~~one program assessment per program year in order to requalify~~
855 ~~for participation in the Voluntary Prekindergarten Education~~
856 ~~Program, provided that the public school or private~~
857 ~~prekindergarten provider is not excluded from participation~~
858 ~~under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9)(b), or~~
859 ~~paragraph (5)(b) of this section. If a public school or private~~
860 ~~prekindergarten provider would like an additional program~~
861 ~~assessment completed within the same program year, the public~~
862 ~~school or private prekindergarten provider shall be responsible~~
863 ~~for the cost of the program assessment.~~

864 (5)(a) ~~(b)~~ If a private prekindergarten provider's or
865 public school's performance metric or designation falls below
866 the minimum performance metric or designation, the early
867 learning coalition shall:

868 1. Require the provider or school to submit for approval
869 to the early learning coalition an improvement plan and
870 implement the plan.

871 2. Place the provider or school on probation.

872 3. Require the provider or school to take certain
873 corrective actions, including the use of a curriculum approved
874 by the department under s. 1002.67(2)(c) and a staff development
875 plan approved by the department to strengthen instructional

876 practices in emotional support, classroom organization,
877 instructional support, language development, phonological
878 awareness, alphabet knowledge, and mathematical thinking.

879 (b)~~(e)~~ A private prekindergarten provider or public school
880 that is placed on probation must continue the corrective actions
881 required under paragraph (a) ~~(b)~~ until the provider or school
882 meets the minimum performance metric or designation adopted by
883 the department. Failure to meet the requirements of
884 subparagraphs (a)1. ~~(b)1.~~ and 3. shall result in the termination
885 of the provider's or school's contract to deliver the Voluntary
886 Prekindergarten Education Program for a period of at least 2
887 years but no more than 5 years.

888 (c)~~(d)~~ If a private prekindergarten provider or public
889 school remains on probation for 2 consecutive years and fails to
890 meet the minimum performance metric or designation, or is not
891 granted a good cause exemption by the department, the department
892 shall require the early learning coalition to revoke the
893 provider's eligibility and the school district to revoke the
894 school's eligibility to deliver the Voluntary Prekindergarten
895 Education Program and receive state funds for the program for a
896 period of at least 2 years but no more than 5 years.

897 (6)

898 (e) A private prekindergarten provider or public school
899 granted a good cause exemption shall continue to implement its
900 improvement plan and continue the corrective actions required

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901 under paragraph (5) (a) ~~(5) (b)~~ until the provider or school meets
902 the minimum performance metric.

903 Section 7. Subsection (3) of section 1006.27, Florida
904 Statutes, is amended to read:

905 1006.27 Pooling of school buses and other vehicles and
906 related purchases by district school boards; transportation
907 services contracts.—

908 ~~(3) The Driving Choice Grant Program is created within the~~
909 ~~department to improve access to reliable and safe transportation~~
910 ~~for students participating in public educational school choices~~
911 ~~pursuant to s. 1002.20 (6) (a) and to support innovative solutions~~
912 ~~that increase the efficiency of public school transportation.~~

913 ~~(a) Grant proposals may include:~~

914 ~~1. Transportation resource planning and sharing among~~
915 ~~school districts and local governments.~~

916 ~~2. Developing or contracting with rideshare programs or~~
917 ~~developing carpool strategies.~~

918 ~~3. Developing options to reduce costs and increase~~
919 ~~efficiencies while improving access to transportation options~~
920 ~~for families.~~

921 ~~4. Developing options to address personnel challenges.~~

922 ~~5. Expanding the use of transportation funds under ss.~~

923 ~~1002.394, 1002.395, and 1011.68 to help cover the cost of~~
924 ~~transporting students to and from school.~~

925 ~~(b) The department shall publish on its website, by~~

926 ~~December 31, 2023, an interim report and by December 31, 2024, a~~
927 ~~final report that includes:~~

928 ~~1. The best practices used by grant recipients to increase~~
929 ~~transportation options for students, including any~~
930 ~~transportation barriers addressed by grant recipients.~~

931 ~~2. The number of students served by grant recipients,~~
932 ~~including the number of students transported to a school that is~~
933 ~~different from the school to which the student is assigned.~~

934 Section 8. Paragraph (b) of subsection (5) of section
935 1008.25, Florida Statutes, is amended to read:

936 1008.25 Public school student progression; student
937 support; coordinated screening and progress monitoring;
938 reporting requirements.—

939 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

940 (b) A Voluntary Prekindergarten Education Program student
941 who exhibits a substantial deficiency and scored below the 10th
942 percentile on in early literacy skills based upon the results of
943 the administration of the final coordinated screening and
944 progress monitoring under subsection (9) shall be referred to
945 the local school district and may be eligible to receive early
946 literacy skill instructional support through a summer bridge
947 program the summer instruction in early literacy skills before
948 participating in kindergarten. The summer bridge program must
949 meet requirements adopted by the department and shall consist of
950 4 hours of instruction per day for a minimum of 100 total hours

951 ~~A student with an individual education plan who has been~~
 952 ~~retained pursuant to paragraph (2)(g) and has demonstrated a~~
 953 ~~substantial deficiency in early literacy skills must receive~~
 954 ~~instruction in early literacy skills.~~

955 Section 9. Paragraph (a) of subsection (4), subsection
 956 (6), and paragraph (a) of subsection (7) of section 1011.62,
 957 Florida Statutes, are amended to read:

958 1011.62 Funds for operation of schools.—If the annual
 959 allocation from the Florida Education Finance Program to each
 960 district for operation of schools is not determined in the
 961 annual appropriations act or the substantive bill implementing
 962 the annual appropriations act, it shall be determined as
 963 follows:

964 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
 965 Legislature shall prescribe the aggregate required local effort
 966 for all school districts collectively as an item in the General
 967 Appropriations Act for each fiscal year. The amount that each
 968 district shall provide annually toward the cost of the Florida
 969 Education Finance Program for kindergarten through grade 12
 970 programs shall be calculated as follows:

971 (a) Estimated taxable value calculations.—

972 1.a. Not later than 2 working days before July 19, the
 973 Department of Revenue shall certify to the Commissioner of
 974 Education its most recent estimate of the taxable value for
 975 school purposes in each school district and the total for all

976 school districts in the state for the current calendar year
 977 based on the latest available data obtained from the local
 978 property appraisers. The value certified shall be the taxable
 979 value for school purposes for that year, and no further
 980 adjustments shall be made, except those made pursuant to
 981 paragraphs (c) and (d), or an assessment roll change required by
 982 final judicial decisions as specified in paragraph (15) (b). Not
 983 later than July 19, the Commissioner of Education shall compute
 984 a millage rate, rounded to the next highest one one-thousandth
 985 of a mill, which, when applied to 96 percent of the estimated
 986 state total taxable value for school purposes, would generate
 987 the prescribed aggregate required local effort for that year for
 988 all districts. The Commissioner of Education shall certify to
 989 each district school board the millage rate, computed as
 990 prescribed in this subparagraph, as the minimum millage rate
 991 necessary to provide the district required local effort for that
 992 year.

993 b. The General Appropriations Act shall direct the
 994 computation of the statewide adjusted aggregate amount for
 995 required local effort for all school districts collectively from
 996 ad valorem taxes to ensure that no school district's revenue
 997 from required local effort millage will produce more than 85 ~~90~~
 998 percent of the district's total Florida Education Finance
 999 Program calculation as calculated and adopted by the
 1000 Legislature, and the adjustment of the required local effort

1001 millage rate of each district that produces more than 85 ~~90~~
 1002 percent of its total Florida Education Finance Program
 1003 entitlement to a level that will produce only 85 ~~90~~ percent of
 1004 its total Florida Education Finance Program entitlement in the
 1005 July calculation.

1006 2. On the same date as the certification in sub-
 1007 subparagraph 1.a., the Department of Revenue shall certify to
 1008 the Commissioner of Education for each district:

1009 a. Each year for which the property appraiser has
 1010 certified the taxable value pursuant to s. 193.122(2) or (3), if
 1011 applicable, since the prior certification under sub-subparagraph
 1012 1.a.

1013 b. For each year identified in sub-subparagraph a., the
 1014 taxable value certified by the appraiser pursuant to s.
 1015 193.122(2) or (3), if applicable, since the prior certification
 1016 under sub-subparagraph 1.a. This is the certification that
 1017 reflects all final administrative actions of the value
 1018 adjustment board.

1019 (6) STATE-FUNDED DISCRETIONARY CONTRIBUTION.—The state-
 1020 funded discretionary contribution is created to fund the
 1021 nonvoted discretionary millage for operations pursuant to s.
 1022 1011.71(1) and (3) for developmental research schools (lab
 1023 schools) established in s. 1002.32, ~~and~~ and the Florida Virtual
 1024 School established in s. 1002.37, and charter schools sponsored
 1025 by a Florida College System institution or a state university

1026 | pursuant to s. 1002.33(5).

1027 | (a) To calculate the state-funded discretionary
 1028 | contribution for lab schools, multiply the maximum allowable
 1029 | nonvoted discretionary millage for operations pursuant to s.
 1030 | 1011.71(1) and (3) by the value of 96 percent of the current
 1031 | year's taxable value for school purposes for the school district
 1032 | in which the lab school is located; divide the result by the
 1033 | total full-time equivalent membership of the school district;
 1034 | and multiply the result by the full-time equivalent membership
 1035 | of the lab school. The amount obtained shall be appropriated in
 1036 | the General Appropriations Act to the Lab School Trust Fund
 1037 | established pursuant to s. 1002.32(9).

1038 | (b) To calculate the state-funded discretionary
 1039 | contribution for the Florida Virtual School and for charter
 1040 | schools sponsored by a Florida College System institution or a
 1041 | state university pursuant to s. 1002.33(5), multiply the maximum
 1042 | allowable nonvoted discretionary millage for operations pursuant
 1043 | to s. 1011.71(1) and (3) by the value of 96 percent of the
 1044 | current year's taxable value for school purposes for the state;
 1045 | divide the result by the total full-time equivalent membership
 1046 | of the state; and multiply the result by the full-time
 1047 | equivalent membership of the Florida Virtual School.

1048 | (7) EDUCATIONAL ENRICHMENT ALLOCATION.—

1049 | (a)1. The educational enrichment allocation is created to
 1050 | assist school districts in providing educational enrichment

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1051 activities and services that support and increase the academic
1052 achievement of students in grades kindergarten through 12.
1053 Educational enrichment activities and services may be provided
1054 in a manner and at any time during or beyond the regular 180-day
1055 term identified by the school district as being the most
1056 effective and efficient way to best help the student progress
1057 from grade to grade and graduate from high school. For fiscal
1058 year 2023-2024, the educational enrichment allocation shall
1059 consist of a base amount as specified in the General
1060 Appropriations Act. Beginning in fiscal year 2024-2025, the
1061 educational enrichment allocation shall consist of the base
1062 amount that includes a workload adjustment based on changes in
1063 the unweighted full-time equivalent membership.

1064 2. The base amount of each school district's educational
1065 enrichment allocation shall be the greater of either the school
1066 district's educational enrichment allocation base per eligible
1067 full-time equivalent student or the educational enrichment
1068 allocation factor as specified in the General Appropriations
1069 Act, unless the school district's total Florida Education
1070 Finance Program funds per unweighted full-time equivalent
1071 student is greater than the statewide total Florida Education
1072 Finance Program funds per unweighted full-time equivalent
1073 student.

1074 Section 10. Subsection (1) of section 1011.765, Florida
1075 Statutes, is amended to read:

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1076 1011.765 Florida Academic Improvement Trust Fund matching
 1077 grants.—

1078 (1) MATCHING GRANTS.—The Florida Academic Improvement
 1079 Trust Fund shall be utilized to provide matching grants to the
 1080 Florida School for the Deaf and the Blind Endowment Fund and to
 1081 any public school district education foundation that meets the
 1082 requirements of this section. For purposes of this section, a
 1083 public school district education foundation includes each
 1084 district school board direct-support organization established
 1085 pursuant to s. 1001.453 and the education foundation established
 1086 by the Florida Virtual School established pursuant to s. 1002.37
 1087 ~~and is recognized by the local school district as its designated~~
 1088 ~~K-12 education foundation.~~ Donations, state matching funds, or
 1089 proceeds from endowments established pursuant to this section
 1090 shall be used at the discretion of the public school district
 1091 education foundation or the Florida School for the Deaf and the
 1092 Blind for academic achievement within the school district or
 1093 school, and shall not be expended for the construction of
 1094 facilities or for the support of interscholastic athletics. No
 1095 public school district education foundation or the Florida
 1096 School for the Deaf and the Blind shall accept or purchase
 1097 facilities for which the state will be asked for operating funds
 1098 unless the Legislature has granted prior approval for such
 1099 acquisition.

1100 Section 11. Paragraph (b) of subsection (1) of section

HB 5101

2024

1101 1013.62, Florida Statutes, is amended to read:

1102 1013.62 Charter schools capital outlay funding.—

1103 (1) Charter school capital outlay funding shall consist of
 1104 state funds when such funds are appropriated in the General
 1105 Appropriations Act and revenue resulting from the discretionary
 1106 millage authorized in s. 1011.71(2).

1107 (b) A charter school is not eligible to receive capital
 1108 outlay funds if:

1109 1. It was created by the conversion of a public school and
 1110 operates in facilities provided by the charter school's sponsor
 1111 for a nominal fee, or at no charge, or if it is directly or
 1112 indirectly operated by the school district;

1113 2. It is a developmental research (laboratory) school that
 1114 receives state funding for capital improvement purposes pursuant
 1115 to s. 1002.32(9)(d); ~~s. 1002.32(9)(e)~~; ~~or~~

1116 3. A member of the governing board, or his or her family
 1117 member as defined in s. 440.13(1)(b), has an interest in or is
 1118 an employee of the lessor, excluding charter schools operating
 1119 pursuant to s. 1002.33(15); or

1120 4. It is a Florida College System institution or state
 1121 university sponsored charter school that receives state funding
 1122 for capital improvement purposes pursuant to s.
 1123 1002.33(17)(b)2.d.

1124 Section 12. This act shall take effect July 1, 2024.