

Tab 1	SJR 94 by Gruters ; (Identical to H 00031) Partisan Election of Members of District School Boards					
Tab 2	SB 804 by Simon ; (Compare to H 00479) Required African-American Instruction					
Tab 3	SB 832 by Berman ; (Identical to H 00863) Holocaust Remembrance Day					
Tab 4	SB 986 by Burgess ; (Similar to H 00443) Education					
218074	D	S	WD	ED, Burgess	Delete everything after	03/27 04:55 PM
747058	D	S	WD	ED, Burgess	Delete everything after	03/27 04:55 PM
299576	D	S	RCS	ED, Burgess	Delete everything after	03/28 09:47 AM
Tab 5	SB 1112 by Burgess ; (Similar to CS/H 00733) Middle School and High School Start Times					
Tab 6	SB 1236 by Wright ; (Compare to CS/CS/H 00633) Class Size					
219758	D	S	RCS	ED, Wright	Delete everything after	03/28 09:47 AM
Tab 7	SB 1424 by Calatayud ; (Similar to CS/CS/H 07039) Student Outcomes					
Tab 8	SB 1446 by Wright ; (Similar to CS/H 01125) Interstate Education Compacts					
Tab 9	SB 1448 by Wright ; (Similar to CS/H 01127) Public Records and Meetings/Interstate Teacher Mobility Compact Commission					

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K -12
Senator Simon, Chair
Senator Burgess, Vice Chair

MEETING DATE: Monday, March 27, 2023**TIME:** 11:30 a.m.—2:30 p.m.**PLACE:** Pat Thomas Committee Room, 412 Knott Building**MEMBERS:** Senator Simon, Chair; Senator Burgess, Vice Chair; Senators Avila, Berman, Calatayud, Collins, Grall, Hutson, Jones, Osgood, Perry, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SJR 94 Gruters (Identical HJR 31)	Partisan Election of Members of District School Boards; Proposing amendments to the State Constitution to require members of a district school board to be elected in a partisan election, etc. EE 03/14/2023 Favorable ED 03/27/2023 Favorable RC	Favorable Yeas 7 Nays 2
2	SB 804 Simon (Compare H 479, CS/H 551, S 1008)	Required African-American Instruction; Requiring each school district to certify and provide certain evidence to the Department of Education regarding certain instruction; authorizing the department to seek input from and contract with certain educational organizations for specified purposes, etc. ED 03/27/2023 Temporarily Postponed AED FP	Temporarily Postponed
3	SB 832 Berman (Identical H 863)	Holocaust Remembrance Day; Requiring the Governor to proclaim January 27 of each year as "Holocaust Remembrance Day"; requiring such day to be observed in public schools and by public exercises as the Governor may designate, etc. ED 03/27/2023 Favorable GO RC	Favorable Yeas 9 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K -12

Monday, March 27, 2023, 11:30 a.m.—2:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 986 Burgess (Similar H 443)	Education; Requiring the Department of Education to develop a review and evaluation form for charter schools which meets specified criteria; revising the length of time for which a statement of status of eligibility is valid; revising how a district school board calculates teachers' shares of funds from the Florida Teachers Classroom Supply Assistance Program; authorizing a school administrator or substitute teacher to petition the department for Florida Teacher Classroom Supply Assistance Program funds under certain conditions, etc. ED 03/14/2023 Temporarily Postponed ED 03/27/2023 Fav/CS AED FP	Fav/CS Yeas 10 Nays 0
5	SB 1112 Burgess (Similar CS/H 733)	Middle School and High School Start Times; Providing requirements for middle school and high school start times; requiring such school start times to be implemented by a specified date; providing district school board requirements, etc. ED 03/27/2023 Favorable AED FP	Favorable Yeas 9 Nays 0
6	SB 1236 Wright (Compare CS/CS/H 633)	Class Size; Revising a specified reduction calculation for certain school district funding for school districts that fail to meet certain class size requirements; providing that certain dependent children of active duty military personnel must be enrolled in certain programs; authorizing certain students of military personnel to enroll in any school within the school district under certain circumstances, etc. ED 03/27/2023 Fav/CS AED FP	Fav/CS Yeas 10 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K -12

Monday, March 27, 2023, 11:30 a.m.—2:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	SB 1424 Calatayud (Similar CS/CS/H 7039, Compare S 758)	Student Outcomes; Revising the responsibilities of the Just Read, Florida! Office; providing that a charter school application must include certain reading instructional strategies; providing that district school board instructional materials must include certain reading instructional strategies; revising requirements for an individualized progress monitoring plan; requiring a school district to evaluate the students at the end of each grading period for a mathematics deficiency; revising training requirements for reading coaches, classroom teachers, and school administrators to include certain instructional strategies, etc. ED 03/27/2023 Favorable AED FP	Favorable Yeas 10 Nays 0
8	SB 1446 Wright (Similar CS/H 1125, Compare H 1127, Linked S 1448)	Interstate Education Compacts; Creating the Interstate Teacher Mobility Compact; providing requirements for the licensure of teachers in member states who hold specified licenses in other member states; providing requirements for licensed teachers who are also eligible military spouses; establishing the Interstate Teacher Mobility Compact Commission; requiring courts and administrative agencies of member states to take judicial notice of the compact, commission rules, and certain information, etc. ED 03/27/2023 Favorable AED FP	Favorable Yeas 10 Nays 0
9	SB 1448 Wright (Identical H 1127, Compare CS/H 1125, Linked S 1446)	Public Records and Meetings/Interstate Teacher Mobility Compact Commission; Providing an exemption from public meetings requirements for certain portions of meetings of the Interstate Teacher Mobility Compact Commission and its executive committee; providing an exemption from public records requirements for recordings, minutes, and records generated during exempt portions of such meetings and for certain files and information relating to specified investigations; providing for future legislative review and repeal of the exemptions; providing statements of public necessity, etc. ED 03/27/2023 Favorable AED FP	Favorable Yeas 9 Nays 1

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education PreK-12

BILL: SJR 94

INTRODUCER: Senator Gruters

SUBJECT: Partisan Election of Members of District School Boards

DATE: March 24, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Biehl</u>	<u>Roberts</u>	<u>EE</u>	Favorable
2.	<u>Sagues</u>	<u>Bouck</u>	<u>ED</u>	Favorable
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

I. Summary:

Senate Joint Resolution 94 proposes an amendment to the Florida Constitution to require members of a district school board to be elected in a partisan race. If SJR 94 is adopted, members of district boards may not be elected on a partisan basis until the general election held in November 2026. Primary elections for purposes of nominating political party candidates to district school boards may occur before the 2026 general election.

SJR 94 requires three-fifths vote of the membership of each house of the Legislature for passage.¹

If adopted by 60 percent of the electors voting on the measure at the 2024 general election, the amendment will go into effect upon approval by the electors.

II. Present Situation:

District School Boards

Unless otherwise voted upon by electors, each county must constitute a school district.² In Florida, there are 67 school districts to match the 67 counties in the state.³ Each school district must have a school board composed of five or more members.⁴ The school boards operate, control, and supervise all free public schools within the school district and determine the rate of

¹ FLA. CONST. art. XI, s.1, (Amended 1998).

² FLA. CONST. art. IX, s. 4(a), (Amended 1998). Section 1001.30, F.S. Two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district.

³ Florida Department of Education, *Public Schools / Districts*, https://web03.fldoe.org/Schools/schoolmap_text.asp (last visited March 23, 2023).

⁴ FLA. CONST. art. IX, s. 4(a), (Amended 1998).

school district taxes within constitutional limits.⁵ The powers and duties of the district school board are further set forth in law.⁶

Election of School Board Members

School board members are chosen by vote of qualified electors in non-partisan elections and serve in appropriately staggered terms of four years, as provided by law.⁷

For election purposes, a school district is divided into at least five district school board member residence areas.⁸ For districts with more than five school board members, the district can be divided into five district school board member residence areas, with the remaining district school board members serving at large, or the district can be divided into district school board member residence areas for each member.⁹ A candidate for a district school board must be a resident of the district board member residence area from which the candidate seeks election at the time he or she qualifies.¹⁰

Members of the district school board can be elected by either district-wide election or a single-member district election.¹¹ In a district-wide election, all qualified electors in the district must be entitled to vote for one candidate from each district school board member residence area.¹² In school districts with single-member representation, candidates for the school board must be elected only by qualified electors who reside in the same residence area as the candidate.¹³

Candidates for school board must qualify to run for office with the supervisor of elections in their respective district.¹⁴ If two or more candidates, neither of whom is a write-in candidate, qualify, their names must appear on the ballot at the primary election.¹⁵ Their names must appear with no reference to political party affiliation.¹⁶ If none of the candidates receive a majority of the votes cast for school board, the names of the two candidates receiving the highest number votes must be placed on the general election ballot with no reference to political party affiliation.¹⁷

⁵ FLA. CONST. art. IX, s. 4(b), (Amended 1998).

⁶ Sections 1001.41 and 1001.42, F.S.

⁷ Section 1001.35, F.S. FLA. CONST. art. IX, s. 4(a), (Amended 1998) was amended as part of a larger election reform package offered by the 1997-98 Constitution Revision Commission. Prior to the amendment, school board members were elected in partisan races. William A. Buzzett and Deborah K. Kearney, Annotation, Article IX, s. 4, FLA. CONST., West's Florida Statutes Annotated, Florida Constitution – 1968 Revision (2020).

⁸ Section 1001.36(1), F.S.

⁹ Section 1001.36(1)(a), F.S.

¹⁰ Sections 1001.361 and 1001.362(2)(b)1.-2., F.S.

¹¹ In 43 school districts, school members are elected by a district-wide vote of electors. In 21 school districts, school board members are elected by a vote of the electors within their residence area (single member district election). In four school districts, some school board members are elected by a vote of the electors within their residence area and others are elected by a district wide vote. Florida School Boards Association, *2018-2019 Florida School Board Fast Facts* (2019), available at <https://fsba.org/wp-content/uploads/2019/08/2018-2019-School-Board-Fast-Facts.pdf>.

¹² Section 1001.361, F.S.

¹³ Section 1001.362(2)(b), F.S.

¹⁴ Section 105.031(1), F.S.

¹⁵ Section 105.051(1)(b), F.S.

¹⁶ Section 105.041(3), F.S.

¹⁷ Section 105.051(1)(b), F.S.

A school board member's term begins on the second Tuesday following the general election in which the school board member is elected.¹⁸

III. Effect of Proposed Changes:

SJR 94 requires a candidate for school board to be elected in a partisan race. At the time of qualifying, a partisan candidate for school board would be required to file a written statement identifying the political party of which they are a member.¹⁹ They must also state they have been a member of the political party for 365 days before the beginning of qualifying preceding the general election for which they seek to qualify and that they have paid any assessment levied against them by the executive committee of their political party.²⁰ A school board candidate with no party affiliation must state they have not been a registered member of any political party for 365 day before the beginning of the qualifying preceding the general election for which the person seeks to qualify.²¹

In a primary election with a partisan race, qualified electors will be entitled to vote for school board candidates of the political party designated in the elector's registration, and no other.²² If all candidates in a partisan race for school board have the same party affiliation and the winner will have no opposition in the general election, all qualified electors, regardless of party affiliation, may vote in the primary election for that office.²³

On a general election ballot, the appropriate three-letter abbreviation of a political party or no party affiliation (NPA) in capital letters will be included for each school board candidate.²⁴

If SJR 94 is adopted, members of district boards may not be elected on a partisan basis until the general election held in November 2026. Primary elections for purposes of nominating political party candidates to district school boards may occur before the 2026 general election. The amendment will go into effect upon approval of the electors.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. Bills that affect state or local elections are exempt from Art. VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

¹⁸ Section 100.041(3), F.S.

¹⁹ Section 99.021(1)(b), F.S.

²⁰ *Id.*

²¹ Section 99.021(1)(c), F.S.

²² Section 101.021, F.S.

²³ FLA. CONST. art. VI, s.5(b), (Amended 1998).

²⁴ Rule 1S-2.032(9)(c), F.A.C.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Article XI, s. 5(d) of the Florida Constitution requires proposed amendments or constitutional revisions to be published in a newspaper of general circulation in each county where a newspaper is published. The amendment must be published once in the tenth week and again in the sixth week immediately preceding the week the election is held. The Division of Elections within the Department of State is also required to provide each supervisor of elections with either booklets or posters displaying to full text of each proposed amendment.²⁵ The cost to advertise the amendment and procure booklets would be paid from non-recurring General Revenue funds. The fiscal impact of this requirement is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends Article IX, s. 4 and Article XII of the Florida Constitution.

²⁵ Section 101.171, F.S.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Gruters

22-00247A-23

202394__

Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution to require members of a district school board to be elected in a partisan election.

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

That the following amendment to Section 4 of Article IX and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IX

EDUCATION

SECTION 4. School districts; school boards.—

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district. In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a partisan ~~nonpartisan~~ election for appropriately staggered terms of four years, as provided by law.

(b) The school board shall operate, control and supervise all free public schools within the school district and determine the rate of school district taxes within the limits prescribed herein. Two or more school districts may operate and finance

Page 1 of 2

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

22-00247A-23

202394__

joint educational programs.

ARTICLE XII

SCHEDULE

Partisan election of members of district school boards.—

This section and the amendment to Section 4 of Article IX requiring members of a district school board to be elected in a partisan election rather than a nonpartisan election shall take effect upon approval by the electors, except that members of district school boards may not be elected on a partisan basis until the general election held in November 2026. However, partisan primary elections may occur before the general election held on November 3, 2026, for purposes of nominating political party candidates to that office for placement on the 2026 general election ballot.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE IX, SECTION 4

ARTICLE XII

PARTISAN ELECTION OF MEMBERS OF DISTRICT SCHOOL BOARDS.—

Proposing an amendment to the State Constitution to require members of a district school board to be elected in a partisan election rather than a nonpartisan election and to specify that the amendment only applies to elections held on or after the November 2026 general election. However, partisan primary elections may occur before the 2026 general election for purposes of nominating political party candidates to that office for placement on the 2026 general election ballot.

Page 2 of 2

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

The Florida Senate

APPEARANCE RECORD

3/27/2023

Meeting Date

Education Pre-K-12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 0094

Bill Number or Topic

Amendment Barcode (if applicable)

Name Sherene Tolbert

Phone 813.407.6060

Address 3623 E Shadowhawn
Street

Email Stolbert606@gmail.com

Tampa
City

FL
State

33610
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

94

03-27-2023

Meeting Date

Bill Number or Topic

Education - pre K-12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Cheryl Bright

Phone 813-270 6485

Address 3512 Potter St

Email Slomotionn41@yahoo.com

Street

Tampa FL

State

33605

Zip

Speaking:

☐

For



Against

☐

Information

OR

Waive Speaking:

☐

In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-27-2023

Meeting Date

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SB 94

Bill Number or Topic

Education

Committee

Amendment Barcode (if applicable)

Name FRANCISCO ANGEL

Phone 708-933-6254

Address 21180 VIA EDEN

Email

Street

BOCA RATON

FL

33433

City

State

Zip

Speaking:

☐

For

☒ Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/27
Meeting Date

Ed Pre K-12
Committee

SB 94
Bill Number or Topic

Ed Pre K-12
Amendment Barcode (if applicable)

Name Dr. Rich Tempkin

Phone 850 224 6926

Address 135 S. Monroe
Street

Email

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida AFL-CIO

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SJR 94

Bill Number or Topic

3-27-23

Meeting Date

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Senate professional staff conducting the meeting

Education Pre K-12

Committee

Amendment Barcode (if applicable)

Name Eileen Segal (Florida PTA)

Phone 407 - 855 7604

Address 1747 Orlando Central

Email legislation@Floridaptae.org

Street

Orlando

City

FL

State

Parkway

32809

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3-27-23

Meeting Date

PRE-K Ed

Committee

SB94

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Roger Simmermaker

Phone

407-234-4626

Address

13112 Aronovink Ln

Email

roger@howtobuyamerican.com

Street

Orlando FL 32828

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-27-23

Meeting Date

SJR94

Bill Number (if applicable)

Topic Education PreK - 12

Amendment Barcode (if applicable)

Name Adrienne Vihlen

Job Title President, Parker Elem. PTA

Address 1912 NW 5th Ave

Phone 904-403-8209

Street

Gainesville FL 32603

City

State

Zip

Email president@parkerpta.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Parker Elementary PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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3/27/2023
Meeting Date

ED
Committee

SB 94
Bill Number or Topic

Name Vanessa Blaszczyk, As Pasco County Council PTA President Phone 8133951084

Address 2725 Wesley Chapel Blvd Email Pasco.CC@FloridaPTA.org
Street PO Box 207

Wesley Chapel, FL 33543
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

- ☐ I am appearing without compensation or sponsorship.
- ☐ I am a registered lobbyist, representing:
- ☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: Florida PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3-27-2023

Meeting Date

SB-94

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Kim Vaughn

Phone

407-556-5974

Address

1422 Illinois Ave

Street

Email

mvzic407@yahoo.com

St Cloud

City

FL

State

34769

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/27/23

Meeting Date

ED

SB94

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Melanie Armour

Dr. John Long
Middle School PTSA

Phone

612-310-5096

Address

2025 Mansfield Blvd

Email

mtorzy@gmail.com

Street

Westey Chapel, FL

33543

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

JLMSP TSA

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S-001 (08/10/2021)

3/27/2023

Meeting Date

ED

Committee

The Florida Senate
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SB94

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Margaret Fincke

Phone

813-956-3912

Address

27251 Wesley Chapel Blvd.

Email

mags-shea@yahoo.com

Street

P.O. BOX 207

Wesley Chapel, FL

33543

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

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JLMS PTSA

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

03/27/2023

Meeting Date

SB94

Bill Number or Topic

Senate Pre-K12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Sylvia Weber

Phone _____

Address _____
Street

Email _____

Tallahassee

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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03/27/2023
Meeting Date

SJR 94
Bill Number or Topic

Education Pre-K12
Committee

Amendment Barcode (if applicable)

Name Fatima Chai Kim (Miami Dade PTA) Phone 305 995-1102

Address 1450 NE 2nd Ave. Suite 103 Email vp.advocacy@legislators.mdcapla.net
Street
Miami FL 33132
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

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The Florida Senate

APPEARANCE RECORD

3/27/23
Meeting Date

SB 94
Bill Number or Topic

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name

GAIL MARIE PERRY

Phone

954 850 4055

Address

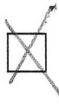
PO Box 1766
Street

Email

Pompano Beach FL 33061
City State Zip

Speaking:

☐ For



☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/27/2023

Meeting Date

SB 0094

Bill Number or Topic

Senate PRE K-12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Kevin Parker

Phone _____

Address 1903 Harbor Bay Ct
Street

Email _____

Kissimmee
City

FL
State

3474
Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

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The Florida Senate

APPEARANCE RECORD

SB 94

Bill Number or Topic

3-27-23

Meeting Date

Education Pre K-12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Daniel Navarro

Phone 352-239-3916

Address 5709 Pecan Rd
Street

Email daniel.a.navarro493@outlook.com

Ocala
City

FL
State

34472
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

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S-001 (08/10/2021)

3-27-2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

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SB-94

Bill Number or Topic

Committee

Name

Adam Campbell

Phone

(561) 452-7748

Address

13800 87th St N

Email

Street

W.P.B

City

FL

State

33412

Zip

Amendment Barcode (if applicable)

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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The Florida Senate

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3/27/23

Meeting Date

SB94

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

David Bryant

Phone

904-233-4040

Address

8853 Atter Ln

Email

davidbryant177@gmail.com

Street

Jaxi

City

FL

State

32216

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

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The Florida Senate

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Bill Number or Topic

Meeting Date

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

03-27-2023

Meeting Date

Education Pre-K-12

Committee

Deliver both copies of this form to
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SB 0094

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jackie McColister

Phone

813 918 9559

Address

6400 Coronet Rd

Email

clan7mac@aol.com

Street

Lakeland

FL

33811

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 94

3/27/23

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Education Pre K-12

Committee

Amendment Barcode (if applicable)

Name

Alec Wilcosky

Phone

309 258 2296

Address

3752 38TH AVE N

Email

alecwilcosky@gmail.com

Street

ST PETERSBURG FL 33713

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
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S-001 (08/10/2021)

3/27/23
Meeting Date

The Florida Senate
APPEARANCE RECORD

SJR 94
Bill Number or Topic

Education Pre-K-12
Committee

Deliver both copies of this form to
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Amendment Barcode (if applicable)

Name LeAnn Campbell Phone

Address 9911 NW 24th Pl. Email legislation@accepta.org
Street

Gainesville FL 32606
City State Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

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representing:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/27/23

Meeting Date

SB-94

Bill Number or Topic

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name

J Ferguson

Phone

(813) 390-7076

Address

5102 Belmere Pkwy,

Street

Email

~~jferguson@dc78.org~~ jf@dc78.org

Tampa

City

FL

State

33624

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:



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compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

STR 94

Meeting Date

Bill Number or Topic

Education

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Committee

Amendment Barcode (if applicable)

Name

Mary Reeves

Phone

305-318-4740

Address

1521 N.W. 168th Terr.

Email

crnreed@aol.com

Street

Miami Gardens FL 33169

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
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☐

I am a registered lobbyist,
representing:

☒

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sponsored by:

4 OUR CHILDREN COMMUNITY PTA

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S-001 (08/10/2021)

3/27/23

Meeting Date

Education Pre-K-12

Committee

The Florida Senate

APPEARANCE RECORD

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SB 0094

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Lucy Bravo

Phone

Address

201 E Park Ave

Email

Street

Tally

FL

32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

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☐

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 0094

Bill Number or Topic

Amendment Barcode (if applicable)

Meeting Date

3/27/23
Education Pre K -12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Name

Jamie Harmon

Phone

Address

201 E Park Ave

Email

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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SB 0094

Bill Number or Topic

Amendment Barcode (if applicable)

3/27/23

Meeting Date

Education Pre-K-12

Committee

Name

Quinn Warner Swearingen

Phone

Address

201 E Park Ave

Street

Email

Tallahassee

City

FL

State

32301

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: SB 804

INTRODUCER: Senator Simon

SUBJECT: Required African-American Instruction

DATE: March 24, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sabitsch	Bouck	ED	Pre-meeting
2. _____	_____	AED	_____
3. _____	_____	FP	_____

I. Summary:

SB 804 adds requirements regarding the required instruction in Florida schools related to the history of African Americans.

The bill requires school districts to annually certify and provide evidence to the Department of Education (DOE) that the requirements for African American history instruction are met.

The bill expands entities from whom the DOE may seek input regarding standards and curriculum from state or national African American organizations, and authorizes the DOE to contract with state or national African American educational organizations to develop training for instructional personnel and classroom resources.

This bill does not have an impact on state revenues or expenditures.

The bill takes effect on July 1, 2023.

II. Present Situation:

Required Instruction

Each district school board must provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet the state's adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.¹

¹ Section 1003.42(1)(a), F.S.

Instructional personnel must, subject to the rules of the State Board of Education and the district school board, teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, topics that include:²

- The history and content of the Declaration of Independence and Constitution of the United States.
- The elements of civil government.
- The history of the United States.
- The history of the Holocaust.
- The history of the state.
- Comprehensive age-appropriate and developmentally appropriate health education and life skills.
- The study of women's contributions to the United States.
- Civic and character education.

African American History

African American history is part of the required instruction that must be taught in all public schools.³ For African American history, the following areas of study are required:⁴

- The history of African peoples before the political conflicts that led to the development of slavery;
- The passage to America;
- The enslavement experience;
- Abolition; and
- The history and contributions of Americans of the African diaspora to society.⁵

The purpose of such instruction is for students to develop an understanding of the ramifications of prejudice, racism, and stereotyping on individual freedoms, and examine what it means to be a responsible and respectful person, for the purpose of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions.⁶

Instruction must include the roles and contributions of individuals from all walks of life and their endeavors to learn and thrive throughout history as artists, scientists, educators, businesspeople, influential thinkers, members of the faith community, and political and governmental leaders and the courageous steps they took to fulfill the promise of democracy and unite the nation.⁷

Instructional materials must include the vital contributions of African Americans to build and strengthen American society and celebrate the inspirational stories of African Americans who prospered, even in the most difficult circumstances.⁸

² Section 1003.42(2), F.S.

³ Section 1003.42, F.S.

⁴ Rule 6A-1.094124, F.A.C.

⁵ Florida Department of Education, *African American History*, <https://www.fldoe.org/academics/standards/subject-areas/social-studies/african-amer-hist.stml> (last visited Mar. 21, 2023).

⁶ Section 1003.42(1)(h), F.S.

⁷ *Id.*

⁸ *Id.*

The Department of Education must prepare and offer standards and curriculum for the instruction required by this paragraph and may seek input from the Commissioner of Education's African American History Task Force.⁹

In accordance with State Board of Education rule,¹⁰ each school district is required to submit to the Commissioner of Education, by July 1 of each year, a report that describes how instruction was provided for all required areas of instruction, including African American history, for the prior school year. The required report is submitted online through the Required Instruction Reporting Portal and contains:

- The specific courses in which instruction has been delivered for each grade level.
- A description of the materials and resources utilized to deliver instruction.
- The professional qualifications of the person delivering instruction for certain types of instruction.

In 1994, Florida law began requiring the instruction of history, culture, experiences, and contributions of African Americans in the state's K-12 curriculum. The African American History Task Force (AAHTF) was formulated to sustain this effort, and grant supported initiatives were developed to effectively execute the spirit of the law's original legislative intent.¹¹ The AAHTF is an advocate for Florida's school districts, teacher education training centers, and the community at large, in implementing the teaching of the history of African peoples and the contributions of African Americans to society. The Task Force works to ensure awareness of the requirements, identify and recommend needed state education leadership action, assist in adoption of instructional materials by the state, and build supporting partnerships. The stated goals of the ASHTF are:¹²

- Promoting awareness, understanding, and the infusing of the required instruction that addresses the African and African American experience into the curriculum of Florida's schools.
- Development of instructional guidelines, standardized framework, and supplemental materials /resources that include the African and African American experience.
- Provide pre- and in-service training for implementation of the required instruction using various technologies and materials.
- Make recommendations to the Commissioner of Education and the appropriate Florida Department of Education leaders that support the full implementation of the required instruction mandate.¹³

III. Effect of Proposed Changes:

SB 804 modifies s. 1003.42, F.S., regarding African American History instruction.

⁹ Florida Department of Education, *African American History*, <https://www.fldoe.org/academics/standards/subject-areas/social-studies/african-amer-hist.stml> (last visited Mar. 21, 2023)

¹⁰ Rule 6A-1.094124, F.A.C.

¹¹ Commissioner of Education's African American History Task Force, *History*, <https://afroamfl.org/history/> (last visited: Mar. 21, 2023).

¹² Commissioner of Education's African American History Task Force, *Mission and Goals*, <https://afroamfl.org/mission-and-goals/> (last visited Mar. 21, 2023).

¹³ *Id.*

Reporting of Instruction

The bill modifies s. 1003.42(2), F.S., to add reporting requirements for African American history instruction by district school boards. The bill requires each school district to annually certify and provide evidence to the Department of Education (DOE) of compliance with such instruction, and for the DOE to establish the reporting requirements.

Curriculum and Resources

The bill modifies s. 1003.42(2), F.S., to allow the DOE to seek input from any state or nationally recognized African American educational organization regarding the development of standards and curriculum, rather than only the Commissioner of Education's African American History Task Force.

The bill also allows DOE to contract with any state or nationally recognized African American educational organization to develop training for instructional personnel and grade-appropriate classroom resources to support curriculum.

The bill takes effect July 1, 2023.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.42 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Simon

3-01652-23

2023804__

1 A bill to be entitled
 2 An act relating to required African-American
 3 instruction; amending s. 1003.42, F.S.; requiring each
 4 school district to certify and provide certain
 5 evidence to the Department of Education regarding
 6 certain instruction; authorizing the department to
 7 seek input from and contract with certain educational
 8 organizations for specified purposes; providing an
 9 effective date.
 10
 11 Be It Enacted by the Legislature of the State of Florida:
 12
 13 Section 1. Paragraph (h) of subsection (2) of section
 14 1003.42, Florida Statutes, is amended to read:
 15 1003.42 Required instruction.—
 16 (2) Members of the instructional staff of the public
 17 schools, subject to the rules of the State Board of Education
 18 and the district school board, shall teach efficiently and
 19 faithfully, using the books and materials required that meet the
 20 highest standards for professionalism and historical accuracy,
 21 following the prescribed courses of study, and employing
 22 approved methods of instruction, the following:
 23 (h) The history of African Americans, including the history
 24 of African peoples before the political conflicts that led to
 25 the development of slavery, the passage to America, the
 26 enslavement experience, abolition, and the history and
 27 contributions of Americans of the African diaspora to society.
 28 Students shall develop an understanding of the ramifications of
 29 prejudice, racism, and stereotyping on individual freedoms, and

Page 1 of 3

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

3-01652-23

2023804__

30 examine what it means to be a responsible and respectful person,
 31 for the purpose of encouraging tolerance of diversity in a
 32 pluralistic society and for nurturing and protecting democratic
 33 values and institutions. Instruction shall include the roles and
 34 contributions of individuals from all walks of life and their
 35 endeavors to learn and thrive throughout history as artists,
 36 scientists, educators, businesspeople, influential thinkers,
 37 members of the faith community, and political and governmental
 38 leaders and the courageous steps they took to fulfill the
 39 promise of democracy and unite the nation. Instructional
 40 materials shall include the vital contributions of African
 41 Americans to build and strengthen American society and celebrate
 42 the inspirational stories of African Americans who prospered,
 43 even in the most difficult circumstances. Instructional
 44 personnel may facilitate discussions and use curricula to
 45 address, in an age-appropriate manner, how the individual
 46 freedoms of persons have been infringed by slavery, racial
 47 oppression, racial segregation, and racial discrimination, as
 48 well as topics relating to the enactment and enforcement of laws
 49 resulting in racial oppression, racial segregation, and racial
 50 discrimination and how recognition of these freedoms has
 51 overturned these unjust laws. However, classroom instruction and
 52 curriculum may not be used to indoctrinate or persuade students
 53 to a particular point of view inconsistent with the principles
 54 enumerated in subsection (3) or the state academic standards.
 55 Each school district must annually certify and provide evidence
 56 to the department, in a manner prescribed by the department,
 57 that the requirements of this paragraph are met. The department
 58 shall prepare and offer standards and curriculum for the

Page 2 of 3

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3-01652-23

2023804

instruction required by this paragraph and may seek input from the Commissioner of Education's African American History Task Force or from any state or nationally recognized African-American educational organizations. The department may contract with any state or nationally recognized African-American educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (t).

Section 2. This act shall take effect July 1, 2023.

3/27/2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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SB 804

Bill Number or Topic

~~ED~~

Committee

Amendment Barcode (if applicable)

Name

Vanessa Blaszyk, Council PTA President
Pasco County

Phone

8133951084

Address

27251 Wesley Chapel Blvd
Street

Email

pasco.cc@
FloridaPTA.org

City

Wesley Chapel FL 33543

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
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Florida
PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/27/2023
Meeting Date

Education
Committee

SB 804
Bill Number or Topic

Amendment Barcode (if applicable)

Name Elisabeth Richmond, Dr. John Long Middle School Pasco Co. Phone 586-244-2375

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Wesley Chapel FL 33543
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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representing:

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(travel, meals, lodging, etc.),
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S-001 (08/10/2021)

The Florida Senate

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3/27/23

Meeting Date

ED

Committee

SB864

Bill Number or Topic

Amendment Barcode (if applicable)

Name

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State

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Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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compensation or sponsorship.

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representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

JLMS PISA

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S-001 (08/10/2021)

3.27.23

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 804

Bill Number or Topic

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EDUCATION

Committee

Amendment Barcode (if applicable)

Name

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TCH

City

FL

State

32303

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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S-001 (08/10/2021)

March 27, 2023

Meeting Date

ED

The Florida Senate

APPEARANCE RECORD

SB 804

Bill Number or Topic

Deliver both copies of this form to
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Committee

Name Mary Reeves

Amendment Barcode (if applicable)

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Miami Gardens FL 33169

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

4 OUR CHILDREN COMMUNITY

PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3-27-23
Meeting Date
Education Pre K-12
Committee

SB. 804
Bill Number or Topic
Amendment Barcode (if applicable)

Name Eileen Segal (FLORIDA PTA) Phone 407 - 855 7604

Address 1747 Orlando Central Parkway Email legislation@floridapta.org
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Orlando FL 32809
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: SB 832

INTRODUCER: Senator Berman

SUBJECT: Holocaust Remembrance Day

DATE: March 24, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	Favorable
2.			GO	
3.			RC	

I. Summary:

SB 832 requires the Governor to proclaim January 27 of each year to be “Holocaust Remembrance Day,” to be suitably observed in public schools and by public exercise in the State Capitol and elsewhere as the Governor may designate.

The bill specifies that if January 27 falls on a day that is not a school day, Holocaust Remembrance Day must be observed in the schools on the preceding school day or on such school day as may be designated by local school authorities.

The bill requires instruction about the Holocaust, anti-Semitism, and their harmful impacts on humanity to be provided as part of public educational instruction on Holocaust Remembrance day.

The bill has no impact on state revenues and expenditures.

This bill is effective July 1, 2023

II. Present Situation:

Legal Holidays and Observances

Chapter 683, F.S., provides designations for legal holidays and special observances. Recognition of a legal holiday or special observance may apply statewide or may be limited to a particular region. For example, “Gasparilla Day”¹ is a legal holiday observed only in Hillsborough County, while “Bill of Rights Day,”² if issued by the Governor, applies throughout the state.

¹ Section 683.08, F.S.

² Section 683.25, F.S.

Depending on the holiday or special observance, certain actions may be required to be performed for the commemoration or observance of the date, day, or month. For example, Florida law recognizes the month of September as “American Founders’ Month,”³ urging all civic, fraternal, and religious organizations and public and private educational institutions to recognize this occasion through appropriate programs and celebrations, and the last full week of classes in September as “Celebrate Freedom Week,”⁴ in which public schools are required to include at least three hours of grade-appropriate instruction related to the meaning and importance of the Declaration of Independence in social studies classes.⁵ The Governor is directed to proclaim November 7 of each year as “Victims of Communism Day,” which must be observed in public schools. In the 2023-2024 school year, high school students enrolled in a United States Government class must receive at least 45 minutes of instruction on victims who suffered under specified communist regimes.⁶

There are 21 legal holidays⁷ established in law and 36 special observances.⁸ The state recognizes nine paid holidays that are observed by all state branches and agencies.⁹

The Holocaust

The Holocaust (1933-1945) was the systematic, state-sponsored persecution and murder of six million European Jews and others by the Nazi German regime and its allies and collaborators. At the beginning of Nazi rule, Dictator Adolf Hitler used the government to target and exclude Jews from German society. Among other anti-Semitic measures, the Nazi German regime enacted discriminatory laws and organized violence targeting Germany’s Jews.¹⁰

The Nazi persecution of Jews became radicalized with the culminated plan known as the “Final Solution to the Jewish Question”. The “Final Solution” came to fruition during World War II, with mass shootings and gas poisoning killing centers in concentration camps. About six million Jews and some five million others, targeted for racial, political, ideological, and behavioral reasons, died in the Holocaust, more than one million of those who perished were children.¹¹

Commemoration of the Holocaust

The United Nations (UN) General Assembly designated January 27, the anniversary of the liberation of Auschwitz-Birkenau, as International Holocaust Remembrance Day. On this annual day of commemoration, the UN urges every member state to honor the six million Jewish

³ Section 683.1455, F.S.

⁴ Section 1003.421, F.S.

⁵ See Florida Department of Education, *American Founders’ Month*, <http://www.fldoe.org/academics/standards/subject-areas/social-studies/American-Founders-Month.shtml> (last visited March 22, 2023).

⁶ Section 683.334, F.S.

⁷ Section 683.01, F.S.

⁸ Sections 683.04 - 683.3341, F.S.

⁹ Section 110.117(1), F.S. Paid state holidays include: New Year’s Day, the Birthday of Martin Luther King, Jr., Memorial Day, Independence Day, Labor Day, Veterans’ Day, Thanksgiving Day, the Friday after Thanksgiving, and Christmas Day.

¹⁰ United States Holocaust Memorial Museum, *Introduction to the Holocaust*, <https://encyclopedia.ushmm.org/content/en/article/introduction-to-the-holocaust> (last visited March 22, 2023).

¹¹ *Id.*

victims of the Holocaust and millions of other victims of Nazism and to develop education programs to help prevent future genocides.¹²

Holocaust Education in Florida

In 2020, the Legislature directed the DOE to develop standards for Holocaust Education.¹³ The DOE worked closely with the Commissioner of Education's Task Force on Holocaust Education and Florida teachers to develop content-rich and developmentally appropriate Holocaust Education standards. In the process, DOE received and considered comments from state and nationally recognized Holocaust educational organizations, Florida educators, school administrators, representatives of the Florida College System and state universities, business and industry leaders, and the public.¹⁴

In July 2021, the SBE adopted the updated State Standards for Social Studies, incorporating revised civics and government standards¹⁵ and new standards for grades 5-12 for Holocaust education.¹⁶

Required instruction on the Holocaust (1933-1945) must include the history of the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, and be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism.¹⁷

Each school district must annually certify and provide evidence to the DOE that they have to meet the instructional requirements on Holocaust education. In addition, the DOE may contract with any state or nationally-recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.¹⁸

Florida recognized the second week in November as Holocaust Education Week, which coincided with the anniversary of Kristallnacht, November 9-10, 1938. Kristallnacht is widely recognized as a precipitating event that led to the Holocaust.¹⁹ The DOE has created a portal dedicated to Holocaust Education Week, which offers commemoration resources, educational

¹² United Nations General Assembly Resolution 60/7. *See also*, United Nations, *Outreach Programme on the Holocaust*, <https://www.un.org/en/holocaustremembrance/observance/> (last visited March 22, 2023).

¹³ Ch. 2020-88, s. 5, Laws of Fla.

¹⁴ Florida Department of Education, *Next Generation Sunshine Standards – Social Studies, 2021*, <https://www.fldoe.org/core/fileparse.php/18736/urlt/SR-SocialStudies.pdf>.

¹⁵ Ch. 2019-150, s.1, Laws of Fla.

¹⁶ Florida Department of Education, *Next Generation Sunshine Standards – Social Studies, 2021*, <https://www.fldoe.org/core/fileparse.php/18736/urlt/SR-SocialStudies.pdf>.

¹⁷ Section 1003.42(2)(g)1., F.S.

¹⁸ *Id.*

¹⁹ Section 1003.42(2)(g)2., F.S.

programs, and materials concerning the Holocaust, for school districts, teachers, parents, and the general public.²⁰

III. Effect of Proposed Changes:

SB 832 creates s. 683.045, F.S., to require the Governor to proclaim January 27 of each year to be “Holocaust Remembrance Day”. This day must be suitably observed in public schools and by public exercise in the State Capitol and elsewhere as the Governor may designate.

The bill specifies that if January 27 falls on a day that is not a school day, Holocaust Remembrance Day must be observed in the schools on the preceding school day or on such school day as may be designated by local school authorities.

The bill requires instruction about the Holocaust, anti-Semitism, and their harmful impacts on humanity to be provided as part of public educational instruction on Holocaust Remembrance day.

This bill is effective July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

²⁰ Florida Department of Education, *Holocaust Education Week*, <https://www.fldoe.org/holocausteducation/holo-ed-week.shtml> (last visited March 22, 2023).

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 683.045 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Berman

26-01881-23

2023832__

A bill to be entitled

An act relating to Holocaust Remembrance Day; creating s. 683.045, F.S.; requiring the Governor to proclaim January 27 of each year as "Holocaust Remembrance Day"; requiring such day to be observed in public schools and by public exercises as the Governor may designate; requiring educational instruction to be provided; providing an effective date.

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

Section 1. Section 683.045, Florida Statutes, is created to read:

683.045 Holocaust Remembrance Day.—

(1) The Governor shall proclaim January 27 of each year to be "Holocaust Remembrance Day," which day shall be suitably observed in the public schools of the state, and which day shall otherwise be suitably observed by such public exercises in the State Capitol and elsewhere as the Governor may designate.

(2) If January 27 falls on a day that is not a school day, Holocaust Remembrance Day shall be observed in the schools on the preceding school day or on such school day as may be designated by local school authorities.

(3) Instruction about the Holocaust, anti-Semitism, and their harmful impacts on humanity shall be provided as part of public educational instruction on Holocaust Remembrance Day.

Section 2. This act shall take effect July 1, 2023.

The Florida Senate

APPEARANCE RECORD

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SB 832

Bill Number or Topic

Amendment Barcode (if applicable)

3/27/2023
Meeting Date

ED Pre K 12
Committee

Name Fatima Chai Ken (Miami Dade PFA)

Phone _____

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Street

Email Vp.Advocacy@legislature.mdc
PFA

Miami Fl. 33134
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
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S-001 (08/10/2021)

The Florida Senate
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3/27/2023

Meeting Date

SB 832

Bill Number or Topic

ED

Committee

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Pasco County Council President
8133951084

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Street

City

State

Zip

Wesley Chapel, FL 33813

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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3/27/2023
Meeting Date

SB 832

Bill Number or Topic

Education
Committee

Amendment Barcode (if applicable)

Name Elisabeth Richmond Dr. John Long Middle School Phone 586-244-2375
Pasco County

Address 2025 Mansfield Blvd Email e.richmond76@gmail.com
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Wesley Chapel FL 33543
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/27/23

Meeting Date

ED

Committee

SB 832

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Melanie Armour

Phone

402-3105096

Address

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~~2725 Wesley Chapel Blvd~~

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mtorzy@gmail.com

Street

Wesley Chapel, FL 33543

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

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(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

5B 832

3-27-23

Meeting Date

Education Pre K-12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Eileen Segal (Florida PTA)

Phone

407-855 7604

Address

1747 Orlando Central Parkway

Email

legislation@floridapta.org

Street

Orlando

City

FL

State

32809

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Corey Simon, Chair
Committee on Education Pre-K -12

Subject: Committee Agenda Request

Date: February 24, 2023

I respectfully request that **Senate Bill #832**, relating to Holocaust Remembrance Day, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in cursive script that reads "Lori Berman" followed by a horizontal line.

Senator Lori Berman
Florida Senate, District 26

cc: Senator Danny Burgess, Vice Chair
Matthew Bouck, Staff Director

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: CS/SB 986

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

SUBJECT: Education

DATE: March 28, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sagues	Bouck	ED	Fav/CS
2.			AED	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 986 modifies provisions related to charter school enrollment preferences, charter school sponsors, and the Florida Teachers Classroom Supply Assistance Program. The bill authorizes a charter school to give enrollment preference to students who are the children of a school safety officer or officers assigned to the charter school, and adds accountability measures for charter school sponsors by requiring the:

- Sponsor to provide training to charter schools on systems the sponsor will require the charter school to use.
- Sponsor to annually provide a report to its charter schools and the Florida Department of Education on what services are being rendered from the sponsor's portion of the administrative fee.
- State Board of Education to adopt rules for a standard charter school monitoring tool.

In addition, the bill modifies the Florida Teachers Classroom Supply Assistance Program (Program) to support more classroom teachers by:

- Expanding the definition of a classroom teacher for purposes of the Program.
- Requiring a school district to calculate a prorated share of the funds to a classroom teacher who teaches less than full time.

The bill takes effect on July 1, 2023.

II. Present Situation:

Charter Schools

Charter schools are tuition-free public schools created through an agreement or “charter” that provides flexibility relative to regulations created for traditional public schools.¹ Forty-five states and the District of Columbia have enacted charter school laws as of January 2020.² Nationally, between the 2009-2010 and 2018-2019 school years, the percentage of all public schools that were charter schools increased from 5 to 8 percent, and the total number of charter schools increased from 5,000 to 7,400. The percentage of public school students nationwide attending charter schools increased from 3 to 7 percent between fall 2009 and fall 2018.³

All charter schools in Florida are public schools and are part of the state’s public education system.⁴ During the 2021-2022 school year, 361,939 students were enrolled in 703 charter schools in 47 districts.⁵ Seventy percent of the students attending charter schools in the 2021-2022 school year were minorities. Hispanic students comprised 45 percent of Florida’s charter school enrollment, and 19 percent were African-American students.⁶

Charter School Student Eligibility

Charter schools are open to all students residing within the district; however, charter schools are allowed to target students within specific age groups or grade levels, students considered at-risk of dropping out or failing, students wishing to enroll in a charter school-in-the-workplace or charter school-in-a-municipality, students residing within a reasonable distance of the school, students who meet reasonable academic, artistic or other eligibility standards established by the charter school, or students articulating from one charter school to another.⁷ Additionally, a charter school may give enrollment preference to the following student populations:⁸

- Siblings of current charter school students.
- Children of a charter school governing board member or employee.
- Children of employees of the business partner of a charter school-in-the-workplace⁹ or resident of the municipality in which such a charter is located.
- Children of residents of a municipality that operates a charter school-in-a-municipality.¹⁰

¹ Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida’s Charter Schools* (September 2022), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

² Education Commission of the States, *50-State Comparison: Charter School Policies* <https://www.ecs.org/charter-school-policies/> (last visited Mar. 5, 2022).

³ National Center for Education Statistics, *Public Charter School Enrollment*, <https://nces.ed.gov/programs/coe/indicator/cgb> (last visited Mar. 5, 2022).

⁴ Section 1002.33(1), F.S.

⁵ Florida Department of Education, Fact Sheet Office of Independent Education & Parental Choice, *Florida’s Charter Schools* (September 2022), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

⁶ *Id.*

⁷ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (last visited Mar. 27, 2023). Section 1002.33(10), F.S.

⁸ *Id.*

⁹ Section 1002.33(15), F.S.

¹⁰ *Id.*

- Students who have successfully completed a voluntary prekindergarten¹¹ program provided by the charter school during the previous year.
- Children of an active-duty member of any branch of the US Armed Forces.
- Students who attended or are assigned to failing schools.¹²

Charter School Sponsors

A district school board may sponsor a charter school in the county over which the district school board has jurisdiction.¹³ A state university may sponsor a charter school (charter lab school)¹⁴ and upon the approval by the State Board of Education (SBE), may sponsor a charter school to meet regional education or workforce demands by serving students from multiple school districts.¹⁵ Additionally, Florida College System (FCS) institutions, upon the approval of the SBE, may sponsor a charter school in any county within its service area to meet workforce demands and may offer postsecondary programs leading to industry certification to eligible charter school students.¹⁶

A charter school sponsor has several responsibilities, including:¹⁷

- Approving or denying charter school applications.
- Overseeing each sponsored school's progress toward the goals established in the charter.
- Monitoring the revenues and expenditures of the school.
- Ensuring that the school participates in the state's education accountability system.
- Ensuring that the charter is innovative and consistent with state education goals.
- Intervening when a sponsored school demonstrates deficient student performance or financial instability.

Administrative and Educational Services

A sponsor must provide administrative and educational services including contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure school lunch services under the National School Lunch Program; test administration services; processing of teacher certificate data services; and information services.¹⁸

A sponsor may withhold an administrative fee of up to five percent of each charter school's total operating funds for enrollment of up to and including:¹⁹

- 250 students in a charter school or virtual charter school.

¹¹ See Sections 1002.51-1002.79, F.S.

¹² Section 1002.38, F.S.

¹³ Section 1002.33(5)(a)1., F.S.

¹⁴ Section 1002.33(5)(a)2., F.S.

¹⁵ Section 1002.33(5)(a)3., F.S.

¹⁶ A charter school currently operated by an FCS institution is not eligible to be sponsored by an FCS institution until its existing charter with the school district expires. Section 1002.33(5)(a)3.b., F.S. and Section 1002.34(3)(b), F.S.

¹⁷ Section 1002.33(5)(b), F.S.

¹⁸ Section 1002.33(20)(a)1., F.S.

¹⁹ Section 1002.33(20)(a)2., F.S.

- 500 students within a charter school system which meets specified conditions.²⁰

A sponsor may withhold an administrative fee of up to 2 percent of each charter school's total operating funds for enrollment of up to and including 250 students in a high performing charter school²¹ or 250 students in an exceptional student education center that meets specified requirements.²²

Safe-school Officers

For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent must partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement any combination of the following options in to best meet the needs of the school district and charter schools:²³

- School Resource Officer.
- School Safety Officer.
- School Guardian.
- School Security Guard.

The Florida Teachers Classroom Supply Assistance Program

The Florida Teachers Classroom Supply Assistance Program (Program) provides funds for classroom teachers to purchase supplemental materials and supplies for public school students assigned to them.²⁴ Program funds are appropriated by the Legislature in the General Appropriations Act (GAA) and distributed by July 15 to each school district by the Commissioner of Education based on each district's unweighted full-time equivalent student enrollment.²⁵

School districts are required to calculate an identical amount from the funds available to the school districts for the program for each classroom teacher who will be employed by the district or a charter school in the district on September 1. A job-share classroom teacher²⁶ may receive a prorated share of the amount provided to a full-time classroom teacher. As of July 1, if a teacher is expected to be employed by a school district or a charter school in the district on September 1, the district school board and each charter school board may provide the teacher with the teacher's proportionate share of funds by August 1. If a teacher's expected employment is

²⁰ Section 1002.33(20)(a)2., F.S. The charter school system must include conversion charter schools and non-conversion charter schools, have all of its schools located in the same county, have a total enrollment exceeding the total enrollment of at least one school district in Florida, have the same governing board for all of its schools, and does not contract with a for-profit service provider for management of school operations.

²¹ Section 1002.331, F.S.

²² *Id.* and Section 1008.3415, F.S.

²³ Section 1006.12, F.S.

²⁴ Section 1012.71, F.S.

²⁵ Section 1012.71(2), F.S. Funds from the Program may not be used to purchase equipment. *Id.*

²⁶ Section 1012.71(3), F.S. A job-share classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher.

determined after July 1, the district school board and each charter school board must provide the teacher with the teacher's proportionate share of funds by September 30.²⁷

A teacher must acknowledge receipt of the funds and keep receipts for at least four years to show that funds were spent in accordance with Program requirements.²⁸ Any unused funds must be returned to the district school board at the end of the school year.²⁹

The 2022-2023 GAA appropriated \$54,143,275 to the Program.³⁰

III. Effect of Proposed Changes:

CS/SB 986 modifies provisions related to charter schools and the Florida Teachers Classroom Supply Assistance Program (Program).

Charter Schools

The bill modifies s. 1002.33, F.S., to authorize a charter school to give enrollment preference to students who are the children of a school safety officer or officers assigned to the charter school, and adds accountability measures for charter school sponsors by requiring the sponsor to:

- Provide training to charter schools on systems the sponsor will require the charter school to use.
- Annually provide a report to its charter schools on the services provided from the sponsor's portion of the administrative fee. The report must include the listed services and be submitted to the FDOE annually by September 15.
- Require the State Board of Education to adopt rules for a standard monitoring tool.

The Florida Teachers Classroom Supply Assistance Program

The bill modifies s. 1012.71, F.S., to expand the reach of the Florida Teachers Classroom Supply Assistance Program (Program) by:

- Expanding the definition of a classroom teacher for purposes of the Program to include an administrator or a substitute teacher who is filling a vacancy in an identified teaching position on or before September 1 of each year and who holds a valid teaching certificate.
- Requiring a school district to calculate a prorated share of the funds to a classroom teacher who teaches less than full time.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

²⁷ Section 1012.71(3), F.S.

²⁸ Section 1012.71(4), F.S.

²⁹ *Id.* Funds that are returned to the district board shall be deposited into the school advisory council account of the school at which the classroom teacher returning the funds was employed when that teacher received the funds or deposited into the Florida Teachers Classroom Supply Assistance Program account of the school district in which a charter school is sponsored, as applicable.

³⁰ Specific Appropriation 5 and 86, s. 2, ch. 2022-156, Laws of Fla.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:**VIII. Statutes Affected:**

This bill substantially amends sections 1002.33 and 1012.71 of the Florida Statutes.

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

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

CS by Education PreK-12 on March 27, 2023:

The committee substitute removes from the bill the provisions that:

- Require the Florida Department of Education (DOE) to develop a standardized annual periodic review and evaluation form to meet the criteria of the charter contract and

replacing it with requiring the State Board of Education to adopt rules to implement a standard monitoring tool.

- Require the charter school sponsor to provide training to charter schools, to the same extent it provides training to its employees, and to notify charter schools of open vacancies for training in the district and allow them to participate, subject to financial penalties and replacing it with requiring a sponsor to provide training on systems the sponsor will require the charter school to use.
- Assess financial penalties associated with the report submitted to the DOE by the sponsor on what services are being rendered from the sponsor's portion of the administrative fee.
- Extend the validity period of a professional certificate from 5 years to 10 years, and removing general knowledge and subject area knowledge requirements for educators meeting specified training and evaluation criteria.
- Authorize an administrator or a substitute teacher acting dually as a classroom teacher to petition the DOE for a portion of the Florida Teachers Classroom Supply Assistance Program allocation.

In addition, the committee substitute adds children of a school safety officer or officers assigned to a charter school to receive enrollment preference at the charter school.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/27/2023	.	
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	.	

The Committee on Education Pre-K -12 (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (a) of subsection (20) and subsection
(28) of section 1002.33, Florida Statutes, are amended to read:
1002.33 Charter schools.—

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and
educational services to charter schools. These services must



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~~shall~~ include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the National School Lunch Program, consistent with the needs of the charter school, are provided by the sponsor at the request of the charter school, that any funds due to the charter school under the National School Lunch Program be paid to the charter school as soon as the charter school begins serving food under the National School Lunch Program, and that the charter school is paid at the same time and in the same manner under the National School Lunch Program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to the sponsor's student information systems that are used by public schools in the district in which the charter school is located or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district.

2. A sponsor may withhold an administrative fee for the provision of such services which is ~~shall be~~ a percentage of the



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available funds defined in paragraph (17)(b) calculated based on weighted full-time equivalent students. If the charter school serves 75 percent or more exceptional education students as defined in s. 1003.01(3), the percentage must ~~shall~~ be calculated based on unweighted full-time equivalent students. The administrative fee is ~~shall be~~ calculated as follows:

a. Up to 5 percent for:

(I) Enrollment of up to and including 250 students in a charter school as defined in this section.

(II) Enrollment of up to and including 500 students within a charter school system which meets all of the following:

(A) Includes conversion charter schools and nonconversion charter schools.

(B) Has all of its schools located in the same county.

(C) Has a total enrollment exceeding the total enrollment of at least one school district in this state.

(D) Has the same governing board for all of its schools.

(E) Does not contract with a for-profit service provider for management of school operations.

(III) Enrollment of up to and including 250 students in a virtual charter school.

b. Up to 2 percent for enrollment of up to and including 250 students in a high-performing charter school as defined in s. 1002.331.

c. Up to 2 percent for enrollment of up to and including 250 students in an exceptional student education center that meets the requirements of the rules adopted by the State Board of Education pursuant to s. 1008.3415(3).

3. A sponsor may not charge charter schools any additional



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fees or surcharges for administrative and educational services in addition to the maximum percentage of administrative fees withheld pursuant to this paragraph. A sponsor may not charge or withhold any administrative fee against a charter school for any funds specifically allocated by the Legislature for teacher compensation.

4. A sponsor shall provide to the department by September 15 of each year the total amount of funding withheld from charter schools pursuant to this subsection for the prior fiscal year. The department must include the information in the report required under sub-sub-subparagraph (5)(b)1.k.(III).

5. A sponsor shall annually provide a report to its charter schools on what services are being rendered from the sponsor's portion of the administrative fee. The report must include the listed services and must be submitted to the department by September 15 of each year.

(28) RULEMAKING.—The Department of Education, after consultation with sponsors and charter school directors, shall recommend that the State Board of Education adopt rules to implement specific subsections of this section. Such rules must ~~shall~~ require minimum paperwork and may ~~shall~~ not limit charter school flexibility authorized by statute. The State Board of Education shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to implement a standard monitoring tool, standard charter application form, standard application form for the replication of charter schools in a high-performing charter school system, standard evaluation instrument, and standard charter and charter renewal contracts in accordance with this section.



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Section 2. Subsection (1) and paragraph (a) of subsection (7) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(1) APPLICATION.—Each person seeking certification pursuant to this chapter shall submit a completed application containing the applicant's social security number to the Department of Education and remit the fee required pursuant to s. 1012.59 and rules of the State Board of Education. Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement is limited to the purpose of administration of the Title IV-D program of the Social Security Act for child support enforcement.

(a) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application a professional certificate to a qualifying applicant covering the classification, level, and area for which the applicant is deemed qualified and a document explaining the requirements for renewal of the professional certificate.

(b) The department shall issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer with a professional education competence demonstration program pursuant to paragraphs (6)(f) and (8)(b). The temporary certificate must cover the classification, level, and area for which the applicant is deemed qualified. The department shall electronically notify the applicant's employer that the temporary certificate has been



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issued and provide the applicant an official statement of status of eligibility at the time the certificate is issued.

(c) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application, if an applicant does not meet the requirements for either certificate, an official statement of status of eligibility.

The statement of status of eligibility must be provided electronically and must advise the applicant of any qualifications that must be completed to qualify for certification. Each method by which an applicant can complete the qualifications for a professional certificate must be included in the statement of status of eligibility. Each statement of status of eligibility is valid for 5 ~~3~~ years after its date of issuance, except as provided in paragraph (2)(d).

(7) TYPES AND TERMS OF CERTIFICATION.—

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

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

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

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

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

c. Teaches a high school course in the subject of the



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advanced degree.

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

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

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

At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed. The State Board of Education shall adopt rules to allow the department to extend the validity period of a temporary certificate for 2 years when the requirements for the professional certificate were not



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completed due to the serious illness or injury of the applicant, the military service of an applicant's spouse, other extraordinary extenuating circumstances, or if the certificateholder is rated highly effective in the immediate prior year's performance evaluation pursuant to s. 1012.34 or has completed a 2-year mentorship program pursuant to subsection (8). The department shall extend the temporary certificate upon approval by the Commissioner of Education. A written request for extension of the certificate shall be submitted by the district school superintendent, the governing authority of a university lab school, the governing authority of a state-supported school, or the governing authority of a private school.

Section 3. Paragraph (a) of subsection (2) and paragraph (g) of subsection (3) of section 1012.585, Florida Statutes, are amended to read:

1012.585 Process for renewal of professional certificates.—

(2)(a) All professional certificates, except a nonrenewable professional certificate, shall be renewable for successive periods not to exceed 10 ~~5~~ years after the date of submission of documentation of completion of the requirements for renewal provided in subsection (3). Only one renewal may be granted during each 10-year ~~5-year~~ validity period of a professional certificate.

(3) For the renewal of a professional certificate, the following requirements must be met:

(g) A teacher may earn inservice points only once during each 10-year ~~5-year~~ validity period for any mandatory training topic that is not linked to student learning or professional



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growth.

Section 4. Subsections (1) and (3) of section 1012.71, Florida Statutes, are amended to read:

1012.71 The Florida Teachers Classroom Supply Assistance Program.—

(1) For purposes of the Florida Teachers Classroom Supply Assistance Program, the term “classroom teacher” means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A “job-share” classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher. The term “classroom teacher” may also include an administrator or a substitute teacher who holds a valid teaching certificate and who is filling a vacancy in an identified teaching position on or before September 1 of each year.

(3) From the funds allocated to each school district and any funds received from local contributions for the Florida Teachers Classroom Supply Assistance Program, the district school board shall calculate an identical amount for each classroom teacher who is estimated to be employed by the school district or a charter school in the district on September 1 of each year, which is that teacher’s proportionate share of the total amount allocated to the district from state funds and



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funds received from local contributions. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The school district shall calculate a prorated share of the funds for a classroom teacher who teaches less than full time. For a classroom teacher determined eligible on July 1, the district school board and each charter school board may provide the teacher with his or her total proportionate share by August 1 based on the estimate of the number of teachers who will be employed on September 1. For a classroom teacher determined eligible after July 1, the district school board and each charter school board shall provide the teacher with his or her total proportionate share by September 30. The proportionate share may be provided by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card. If a debit card is used, an identifier must be placed on the front of the debit card which clearly indicates that the card has been issued for the Florida Teachers Classroom Supply Assistance Program. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause.

Section 5. This act shall take effect July 1, 2023.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:



218074

272 Delete everything before the enacting clause
273 and insert:

274 A bill to be entitled
275 An act relating to education; amending s. 1002.33,
276 F.S.; specifying reporting requirements for charter
277 school sponsors; requiring the State Board of
278 Education to adopt rules to implement a standard
279 monitoring tool; amending s. 1012.56, F.S.; revising
280 the length of time for which a statement of status of
281 eligibility is valid; revising the requirements needed
282 for a professional certificate; amending s. 1012.585,
283 F.S.; revising the length of time for which a
284 professional certificate is valid; revising the time
285 period for which a teacher may earn inservice points;
286 amending s. 1012.71, F.S.; revising the definition of
287 the term "classroom teacher"; revising how a district
288 school board calculates teachers' shares of funds from
289 the Florida Teachers Classroom Supply Assistance
290 Program; providing an effective date.



747058

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/27/2023	.	
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The Committee on Education Pre-K -12 (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (d) of subsection (10), paragraph (a)
of subsection (20), and subsection (28) of section 1002.33,
Florida Statutes, are amended to read:

1002.33 Charter schools.—

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the



747058

following student populations:

1. Students who are siblings of a student enrolled in the charter school.

2. Students who are the children of a member of the governing board of the charter school.

3. Students who are the children of an employee of the charter school.

4. Students who are the children of:

a. An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or

b. A resident or employee of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c) or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school.

5. Students who have successfully completed, during the previous year, a voluntary prekindergarten education program under ss. 1002.51-1002.79 provided by the charter school, the charter school's governing board, or a voluntary prekindergarten provider that has a written agreement with the governing board.

6. Students who are the children of an active duty member of any branch of the United States Armed Forces.

7. Students who attended or are assigned to failing schools pursuant to s. 1002.38(2).

8. Students who are the children of a school safety officer or officers assigned to the charter school.

(20) SERVICES.—



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(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the National School Lunch Program, consistent with the needs of the charter school, are provided by the sponsor at the request of the charter school, that any funds due to the charter school under the National School Lunch Program be paid to the charter school as soon as the charter school begins serving food under the National School Lunch Program, and that the charter school is paid at the same time and in the same manner under the National School Lunch Program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to the sponsor's student information systems that are used by public schools in the district in which the charter school is located or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district.



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69 2. A sponsor shall provide training on systems the sponsor
70 will require the charter school to use.

71 3. A sponsor may withhold an administrative fee for the
72 provision of such services which shall be a percentage of the
73 available funds defined in paragraph (17)(b) calculated based on
74 weighted full-time equivalent students. If the charter school
75 serves 75 percent or more exceptional education students as
76 defined in s. 1003.01(3), the percentage shall be calculated
77 based on unweighted full-time equivalent students. The
78 administrative fee shall be calculated as follows:

79 a. Up to 5 percent for:

80 (I) Enrollment of up to and including 250 students in a
81 charter school as defined in this section.

82 (II) Enrollment of up to and including 500 students within
83 a charter school system which meets all of the following:

84 (A) Includes conversion charter schools and nonconversion
85 charter schools.

86 (B) Has all of its schools located in the same county.

87 (C) Has a total enrollment exceeding the total enrollment
88 of at least one school district in this state.

89 (D) Has the same governing board for all of its schools.

90 (E) Does not contract with a for-profit service provider
91 for management of school operations.

92 (III) Enrollment of up to and including 250 students in a
93 virtual charter school.

94 b. Up to 2 percent for enrollment of up to and including
95 250 students in a high-performing charter school as defined in
96 s. 1002.331.

97 c. Up to 2 percent for enrollment of up to and including



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250 students in an exceptional student education center that meets the requirements of the rules adopted by the State Board of Education pursuant to s. 1008.3415(3).

~~4.3.~~ A sponsor may not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum percentage of administrative fees withheld pursuant to this paragraph. A sponsor may not charge or withhold any administrative fee against a charter school for any funds specifically allocated by the Legislature for teacher compensation.

~~5.4.~~ A sponsor shall provide to the department by September 15 of each year the total amount of funding withheld from charter schools pursuant to this subsection for the prior fiscal year. The department must include the information in the report required under sub-sub-subparagraph (5)(b)1.k.(III).

6. A sponsor shall annually provide a report to its charter schools on what services are being rendered from the sponsor's portion of the administrative fee. The report must include the listed services and be submitted to the department by September 15 of each year.

(28) RULEMAKING.—The Department of Education, after consultation with sponsors and charter school directors, shall recommend that the State Board of Education adopt rules to implement specific subsections of this section. Such rules shall require minimum paperwork and shall not limit charter school flexibility authorized by statute. The State Board of Education shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to implement a standard charter application form, standard application form for the replication of charter schools in a



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high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts in accordance with this section.

Section 2. Subsection (1) and paragraph (a) of subsection (7) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(1) APPLICATION.—Each person seeking certification pursuant to this chapter shall submit a completed application containing the applicant's social security number to the Department of Education and remit the fee required pursuant to s. 1012.59 and rules of the State Board of Education. Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement is limited to the purpose of administration of the Title IV-D program of the Social Security Act for child support enforcement.

(a) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application a professional certificate to a qualifying applicant covering the classification, level, and area for which the applicant is deemed qualified and a document explaining the requirements for renewal of the professional certificate.

(b) The department shall issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer with a professional education competence demonstration program pursuant to paragraphs (6)(f) and (8)(b). The temporary certificate must cover the



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classification, level, and area for which the applicant is deemed qualified. The department shall electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant an official statement of status of eligibility at the time the certificate is issued.

(c) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application, if an applicant does not meet the requirements for either certificate, an official statement of status of eligibility.

The statement of status of eligibility must be provided electronically and must advise the applicant of any qualifications that must be completed to qualify for certification. Each method by which an applicant can complete the qualifications for a professional certificate must be included in the statement of status of eligibility. Each statement of status of eligibility is valid for 5 ~~3~~ years after its date of issuance, except as provided in paragraph (2)(d).

(7) TYPES AND TERMS OF CERTIFICATION.—

(a) The Department of Education shall issue a professional certificate for a period not to exceed 10 ~~5~~ years to any applicant who fulfills one of the following:

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

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

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



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

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

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

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

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

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



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shall adopt rules to allow the department to extend the validity period of a temporary certificate for 2 years when the requirements for the professional certificate were not completed due to the serious illness or injury of the applicant, the military service of an applicant's spouse, other extraordinary extenuating circumstances, or if the certificateholder is rated highly effective in the immediate prior year's performance evaluation pursuant to s. 1012.34 or has completed a 2-year mentorship program pursuant to subsection (8). The department shall extend the temporary certificate upon approval by the Commissioner of Education. A written request for extension of the certificate shall be submitted by the district school superintendent, the governing authority of a university lab school, the governing authority of a state-supported school, or the governing authority of a private school.

Section 3. Subsections (1) and (3) of section 1012.71, Florida Statutes, are amended to read:

1012.71 The Florida Teachers Classroom Supply Assistance Program.—

(1) For purposes of the Florida Teachers Classroom Supply Assistance Program, the term "classroom teacher" means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance



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Program. A "job-share" classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher. The term "classroom teacher" may also include an administrator or a substitute teacher who holds a valid teaching certificate and who is filling a vacancy in an identified teaching position on or before September 1 of each year.

(3) From the funds allocated to each school district and any funds received from local contributions for the Florida Teachers Classroom Supply Assistance Program, the district school board shall calculate an identical amount for each classroom teacher who is estimated to be employed by the school district or a charter school in the district on September 1 of each year, which is that teacher's proportionate share of the total amount allocated to the district from state funds and funds received from local contributions. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The school district shall calculate a prorated share of the funds for a classroom teacher who teaches less than full time. For a classroom teacher determined eligible on July 1, the district school board and each charter school board may provide the teacher with his or her total proportionate share by August 1 based on the estimate of the number of teachers who will be employed on September 1. For a classroom teacher determined eligible after July 1, the district school board and each charter school board shall provide the teacher with his or her total proportionate share by September 30. The proportionate share may be provided by any means determined appropriate by the district school board or charter



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school board, including, but not limited to, direct deposit, check, debit card, or purchasing card. If a debit card is used, an identifier must be placed on the front of the debit card which clearly indicates that the card has been issued for the Florida Teachers Classroom Supply Assistance Program. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause.

Section 4. This act shall take effect July 1, 2023.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to education; amending s. 1002.33, F.S.; revising which students may be eligible for an enrollment preference for charter schools; specifying training and reporting requirements for charter school sponsors; requiring the State Board of Education to adopt rules to implement a standard monitoring tool; amending s. 1012.56, F.S.; revising the length of time for which a statement of status of eligibility is valid; revising the length of time for which the department may issue a professional certificate; revising the requirements needed for a professional



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301 certificate; amending s. 1012.71, F.S.; revising the
302 definition of the term "classroom teacher"; revising
303 how a district school board calculates certain
304 teachers' shares of funds from the Florida Teachers
305 Classroom Supply Assistance Program; providing an
306 effective date.



299576

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/28/2023	.	
	.	
	.	
	.	

The Committee on Education Pre-K -12 (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (d) of subsection (10), paragraph (a)
of subsection (20), and subsection (28) of section 1002.33,
Florida Statutes, are amended to read:

1002.33 Charter schools.—

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the



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following student populations:

1. Students who are siblings of a student enrolled in the charter school.

2. Students who are the children of a member of the governing board of the charter school.

3. Students who are the children of an employee of the charter school.

4. Students who are the children of:

a. An employee of the business partner of a charter school-in-the-workplace established under paragraph (15)(b) or a resident of the municipality in which such charter school is located; or

b. A resident or employee of a municipality that operates a charter school-in-a-municipality pursuant to paragraph (15)(c) or allows a charter school to use a school facility or portion of land provided by the municipality for the operation of the charter school.

5. Students who have successfully completed, during the previous year, a voluntary prekindergarten education program under ss. 1002.51-1002.79 provided by the charter school, the charter school's governing board, or a voluntary prekindergarten provider that has a written agreement with the governing board.

6. Students who are the children of an active duty member of any branch of the United States Armed Forces.

7. Students who attended or are assigned to failing schools pursuant to s. 1002.38(2).

8. Students who are the children of a school safety officer or officers assigned to the charter school.

(20) SERVICES.—



299576

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the National School Lunch Program, consistent with the needs of the charter school, are provided by the sponsor at the request of the charter school, that any funds due to the charter school under the National School Lunch Program be paid to the charter school as soon as the charter school begins serving food under the National School Lunch Program, and that the charter school is paid at the same time and in the same manner under the National School Lunch Program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to the sponsor's student information systems that are used by public schools in the district in which the charter school is located or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district.



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69 2. A sponsor shall provide training on systems the sponsor
70 will require the charter school to use.

71 3. A sponsor may withhold an administrative fee for the
72 provision of such services which shall be a percentage of the
73 available funds defined in paragraph (17)(b) calculated based on
74 weighted full-time equivalent students. If the charter school
75 serves 75 percent or more exceptional education students as
76 defined in s. 1003.01(3), the percentage shall be calculated
77 based on unweighted full-time equivalent students. The
78 administrative fee shall be calculated as follows:

79 a. Up to 5 percent for:

80 (I) Enrollment of up to and including 250 students in a
81 charter school as defined in this section.

82 (II) Enrollment of up to and including 500 students within
83 a charter school system which meets all of the following:

84 (A) Includes conversion charter schools and nonconversion
85 charter schools.

86 (B) Has all of its schools located in the same county.

87 (C) Has a total enrollment exceeding the total enrollment
88 of at least one school district in this state.

89 (D) Has the same governing board for all of its schools.

90 (E) Does not contract with a for-profit service provider
91 for management of school operations.

92 (III) Enrollment of up to and including 250 students in a
93 virtual charter school.

94 b. Up to 2 percent for enrollment of up to and including
95 250 students in a high-performing charter school as defined in
96 s. 1002.331.

97 c. Up to 2 percent for enrollment of up to and including



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250 students in an exceptional student education center that meets the requirements of the rules adopted by the State Board of Education pursuant to s. 1008.3415(3).

~~4.3.~~ A sponsor may not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum percentage of administrative fees withheld pursuant to this paragraph. A sponsor may not charge or withhold any administrative fee against a charter school for any funds specifically allocated by the Legislature for teacher compensation.

~~5.4.~~ A sponsor shall provide to the department by September 15 of each year the total amount of funding withheld from charter schools pursuant to this subsection for the prior fiscal year. The department must include the information in the report required under sub-sub-subparagraph (5)(b)1.k.(III).

6. A sponsor shall annually provide a report to its charter schools on what services are being rendered from the sponsor's portion of the administrative fee. The report must include the listed services and be submitted to the department by September 15 of each year.

(28) RULEMAKING.—The Department of Education, after consultation with sponsors and charter school directors, shall recommend that the State Board of Education adopt rules to implement specific subsections of this section. Such rules shall require minimum paperwork and shall not limit charter school flexibility authorized by statute. The State Board of Education shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to implement a standard charter application form, standard application form for the replication of charter schools in a



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high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts in accordance with this section.

Section 2. Subsections (1) and (3) of section 1012.71, Florida Statutes, are amended to read:

1012.71 The Florida Teachers Classroom Supply Assistance Program.—

(1) For purposes of the Florida Teachers Classroom Supply Assistance Program, the term “classroom teacher” means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A “job-share” classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher. The term “classroom teacher” may also include an administrator or a substitute teacher who holds a valid teaching certificate and who is filling a vacancy in an identified teaching position on or before September 1 of each year.

(3) From the funds allocated to each school district and any funds received from local contributions for the Florida Teachers Classroom Supply Assistance Program, the district school board shall calculate an identical amount for each classroom teacher who is estimated to be employed by the school district or a charter school in the district on September 1 of



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each year, which is that teacher's proportionate share of the total amount allocated to the district from state funds and funds received from local contributions. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The school district shall calculate a prorated share of the funds for a classroom teacher who teaches less than full time. For a classroom teacher determined eligible on July 1, the district school board and each charter school board may provide the teacher with his or her total proportionate share by August 1 based on the estimate of the number of teachers who will be employed on September 1. For a classroom teacher determined eligible after July 1, the district school board and each charter school board shall provide the teacher with his or her total proportionate share by September 30. The proportionate share may be provided by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card. If a debit card is used, an identifier must be placed on the front of the debit card which clearly indicates that the card has been issued for the Florida Teachers Classroom Supply Assistance Program. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause.

Section 4. This act shall take effect July 1, 2023.



299576

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to education; amending s. 1002.33,
F.S.; revising which students may be eligible for an
enrollment preference for charter schools; specifying
training and reporting requirements for charter school
sponsors; requiring the State Board of Education to
adopt rules to implement a standard monitoring tool;
amending s. 1012.71, F.S.; revising the definition of
the term "classroom teacher"; revising how a district
school board calculates certain teachers' shares of
funds from the Florida Teachers Classroom Supply
Assistance Program; providing an effective date.

By Senator Burgess

23-00391C-23

2023986__

A bill to be entitled

An act relating to education; amending s. 1002.33, F.S.; requiring the Department of Education to develop a review and evaluation form for charter schools which meets specified criteria; providing requirements for training that sponsors must provide to charter schools; authorizing the department to request that the State Board of Education withhold funding from a sponsor under certain conditions; specifying reporting requirements for sponsors; authorizing the department to refund a portion of the administrative fee to charter schools under certain conditions; amending s. 1012.56, F.S.; revising the length of time for which a statement of status of eligibility is valid; revising the length of time for which the department may issue a professional certificate; revising the requirements needed for a professional certificate; amending s. 1012.71, F.S.; revising the definition of the term "classroom teacher"; revising how a district school board calculates teachers' shares of funds from the Florida Teachers Classroom Supply Assistance Program; authorizing a school administrator or substitute teacher to petition the department for Florida Teacher Classroom Supply Assistance Program funds under certain conditions; requiring the department to review the petition and render a decision within a specified timeframe; specifying applicability of other program requirements; providing an effective date.

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

Section 1. Paragraph (b) of subsection (5) and paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) *Sponsor duties*.—

1.a. The sponsor shall monitor and review the charter school in its progress toward the goals established in the charter.

b. The sponsor shall monitor the revenues and expenditures of the charter school and perform the duties provided in s. 1002.345.

c. The sponsor may approve a charter for a charter school before the applicant has identified space, equipment, or personnel, if the applicant indicates approval is necessary for it to raise working funds.

d. The sponsor may not apply its policies to a charter school unless mutually agreed to by both the sponsor and the charter school. If the sponsor subsequently amends any agreed-upon sponsor policy, the version of the policy in effect at the time of the execution of the charter, or any subsequent modification thereof, shall remain in effect and the sponsor may not hold the charter school responsible for any provision of a newly revised policy until the revised policy is mutually agreed upon.

e. The sponsor shall ensure that the charter is innovative and consistent with the state education goals established by s.

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1000.03(5).

f. The sponsor shall ensure that the charter school participates in the state's education accountability system. If a charter school falls short of performance measures included in the approved charter, the sponsor shall report such shortcomings to the Department of Education.

g. The sponsor is not liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of an officer, employee, agent, or governing body of the charter school.

h. The sponsor is not liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.

i. The sponsor's duties to monitor the charter school do not constitute the basis for a private cause of action.

j. The sponsor may not impose additional reporting requirements on a charter school as long as the charter school has not been identified as having a deteriorating financial condition or financial emergency pursuant to s. 1002.345.

k. The sponsor shall submit an annual report to the Department of Education in a web-based format to be determined by the department.

(I) The report shall include the following information:

(A) The number of applications received during the school year and up to August 1 and each applicant's contact information.

(B) The date each application was approved, denied, or withdrawn.

(C) The date each final contract was executed.

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(II) Annually, by November 1, the sponsor shall submit to the department the information for the applications submitted the previous year.

(III) (A) The department shall compile an annual report, by sponsor, and post the report on its website by January 15 of each year.

(B) The department shall develop a standardized annual periodic review and evaluation form to be completed by sponsors which meets the standard charter contract's or virtual charter contract's criteria. Any term or condition of a proposed charter annual periodic review and evaluation form or proposed virtual charter annual periodic review and evaluation form which differs from the standard annual periodic review and evaluation form adopted by rule of the State Board of Education shall be presumed a limitation on charter school flexibility.

2. Immunity for the sponsor of a charter school under subparagraph 1. applies only with respect to acts or omissions not under the sponsor's direct authority as described in this section.

3. This paragraph does not waive a sponsor's sovereign immunity.

4. A Florida College System institution may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. If a Florida College System institution operates an approved teacher preparation program under s. 1004.04 or s. 1004.85, the

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117 institution may operate charter schools that serve students in
 118 kindergarten through grade 12 in any school district within the
 119 service area of the institution. District school boards shall
 120 cooperate with and assist the Florida College System institution
 121 on the charter application. Florida College System institution
 122 applications for charter schools are not subject to the time
 123 deadlines outlined in subsection (6) and may be approved by the
 124 district school board at any time during the year. Florida
 125 College System institutions may not report FTE for any students
 126 participating under this subparagraph who receive FTE funding
 127 through the Florida Education Finance Program.

128 5. For purposes of assisting the development of a charter
 129 school, a school district may enter into nonexclusive interlocal
 130 agreements with federal and state agencies, counties,
 131 municipalities, and other governmental entities that operate
 132 within the geographical borders of the school district to act on
 133 behalf of such governmental entities in the inspection,
 134 issuance, and other necessary activities for all necessary
 135 permits, licenses, and other permissions that a charter school
 136 needs in order for development, construction, or operation. A
 137 charter school may use, but may not be required to use, a school
 138 district for these services. The interlocal agreement must
 139 include, but need not be limited to, the identification of fees
 140 that charter schools will be charged for such services. The fees
 141 must consist of the governmental entity's fees plus a fee for
 142 the school district to recover no more than actual costs for
 143 providing such services. These services and fees are not
 144 included within the services to be provided pursuant to
 145 subsection (20). Notwithstanding any other provision of law, an

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146 interlocal agreement or ordinance that imposes a greater
 147 regulatory burden on charter schools than school districts or
 148 that prohibits or limits the creation of a charter school is
 149 void and unenforceable. An interlocal agreement entered into by
 150 a school district for the development of only its own schools,
 151 including provisions relating to the extension of
 152 infrastructure, may be used by charter schools.

153 6. The board of trustees of a sponsoring state university
 154 or Florida College System institution under paragraph (a) is the
 155 local educational agency for all charter schools it sponsors for
 156 purposes of receiving federal funds and accepts full
 157 responsibility for all local educational agency requirements and
 158 the schools for which it will perform local educational agency
 159 responsibilities. A student enrolled in a charter school that is
 160 sponsored by a state university or Florida College System
 161 institution may not be included in the calculation of the school
 162 district's grade under s. 1008.34(5) for the school district in
 163 which he or she resides.

164 (20) SERVICES.—

165 (a)1. A sponsor shall provide certain administrative and
 166 educational services to charter schools. These services shall
 167 include contract management services; full-time equivalent and
 168 data reporting services; exceptional student education
 169 administration services; services related to eligibility and
 170 reporting duties required to ensure that school lunch services
 171 under the National School Lunch Program, consistent with the
 172 needs of the charter school, are provided by the sponsor at the
 173 request of the charter school, that any funds due to the charter
 174 school under the National School Lunch Program be paid to the

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175 charter school as soon as the charter school begins serving food
 176 under the National School Lunch Program, and that the charter
 177 school is paid at the same time and in the same manner under the
 178 National School Lunch Program as other public schools serviced
 179 by the sponsor or the school district; test administration
 180 services, including payment of the costs of state-required or
 181 district-required student assessments; processing of teacher
 182 certificate data services; and information services, including
 183 equal access to the sponsor's student information systems that
 184 are used by public schools in the district in which the charter
 185 school is located or by schools in the sponsor's portfolio of
 186 charter schools if the sponsor is not a school district. Student
 187 performance data for each student in a charter school,
 188 including, but not limited to, FCAT scores, standardized test
 189 scores, previous public school student report cards, and student
 190 performance measures, shall be provided by the sponsor to a
 191 charter school in the same manner provided to other public
 192 schools in the district or by schools in the sponsor's portfolio
 193 of charter schools if the sponsor is not a school district.

194 2. A sponsor shall provide training to charter schools on
 195 any statutory requirements, systems the sponsor will require
 196 charter schools to use, and rule changes from the department to
 197 the same extent that the sponsor provides training to employees
 198 of that sponsor. The sponsor shall notify charter schools of
 199 open vacancies for training in the district and must allow them
 200 to participate. If a sponsor does not allow a charter school to
 201 participate in the trainings specified in this subparagraph, the
 202 department may ask the State Board of Education to withhold
 203 funding.

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204 3. A sponsor may withhold an administrative fee for the
 205 provision of such services which shall be a percentage of the
 206 available funds defined in paragraph (17)(b) calculated based on
 207 weighted full-time equivalent students. If the charter school
 208 serves 75 percent or more exceptional education students as
 209 defined in s. 1003.01(3), the percentage shall be calculated
 210 based on unweighted full-time equivalent students. The
 211 administrative fee shall be calculated as follows:

212 a. Up to 5 percent for:

213 (I) Enrollment of up to and including 250 students in a
 214 charter school as defined in this section.

215 (II) Enrollment of up to and including 500 students within
 216 a charter school system which meets all of the following:

217 (A) Includes conversion charter schools and nonconversion
 218 charter schools.

219 (B) Has all of its schools located in the same county.

220 (C) Has a total enrollment exceeding the total enrollment
 221 of at least one school district in this state.

222 (D) Has the same governing board for all of its schools.
 223 (E) Does not contract with a for-profit service provider
 224 for management of school operations.

225 (III) Enrollment of up to and including 250 students in a
 226 virtual charter school.

227 b. Up to 2 percent for enrollment of up to and including
 228 250 students in a high-performing charter school as defined in
 229 s. 1002.331.

230 c. Up to 2 percent for enrollment of up to and including
 231 250 students in an exceptional student education center that
 232 meets the requirements of the rules adopted by the State Board

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

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of Education pursuant to s. 1008.3415(3).

~~4.3-~~ A sponsor may not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum percentage of administrative fees withheld pursuant to this paragraph. A sponsor may not charge or withhold any administrative fee against a charter school for any funds specifically allocated by the Legislature for teacher compensation.

~~5.4-~~ A sponsor shall provide to the department by September 15 of each year the total amount of funding withheld from charter schools pursuant to this subsection for the prior fiscal year. The department must include the information in the report required under sub-sub-paragraph (5)(b)1.k.(III).

6. A sponsor shall annually provide a report to its charter schools on what services are being rendered from the sponsor's portion of the administrative fee. The report must include the listed services and be submitted to the department by September 15 of each year. Upon the department's review of the report, it may withdraw the district's portion of the administrative fee if the department determines that services are not being rendered. Any withdrawn funds shall be refunded to the appropriate charter schools within 30 days of such a determination.

Section 2. Subsection (1) and paragraph (a) of subsection (7) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(1) APPLICATION.—Each person seeking certification pursuant to this chapter shall submit a completed application containing the applicant's social security number to the Department of Education and remit the fee required pursuant to s. 1012.59 and

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rules of the State Board of Education. Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement is limited to the purpose of administration of the Title IV-D program of the Social Security Act for child support enforcement.

(a) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application a professional certificate to a qualifying applicant covering the classification, level, and area for which the applicant is deemed qualified and a document explaining the requirements for renewal of the professional certificate.

(b) The department shall issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer with a professional education competence demonstration program pursuant to paragraphs (6)(f) and (8)(b). The temporary certificate must cover the classification, level, and area for which the applicant is deemed qualified. The department shall electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant an official statement of status of eligibility at the time the certificate is issued.

(c) Pursuant to s. 120.60, the department shall issue within 90 calendar days after receipt of the completed application, if an applicant does not meet the requirements for either certificate, an official statement of status of eligibility.

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291 The statement of status of eligibility must be provided
 292 electronically and must advise the applicant of any
 293 qualifications that must be completed to qualify for
 294 certification. Each method by which an applicant can complete
 295 the qualifications for a professional certificate must be
 296 included in the statement of status of eligibility. Each
 297 statement of status of eligibility is valid for 5 3 years after
 298 its date of issuance, except as provided in paragraph (2) (d).
 299 (7) TYPES AND TERMS OF CERTIFICATION.—
 300 (a) The Department of Education shall issue a professional
 301 certificate for a period not to exceed 10 5 years to any
 302 applicant who fulfills one of the following:
 303 1. Meets all the applicable requirements outlined in
 304 subsection (2).
 305 2. For a professional certificate covering grades 6 through
 306 12:
 307 a. Meets the applicable requirements of paragraphs (2) (a)-
 308 (h).
 309 b. Holds a master's or higher degree in the area of
 310 science, technology, engineering, or mathematics.
 311 c. Teaches a high school course in the subject of the
 312 advanced degree.
 313 d. Is rated highly effective as determined by the teacher's
 314 performance evaluation under s. 1012.34, based in part on
 315 student performance as measured by a statewide, standardized
 316 assessment or an Advanced Placement, Advanced International
 317 Certificate of Education, or International Baccalaureate
 318 examination.
 319

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320 e. Achieves a passing score on the Florida professional
 321 education competency examination required by state board rule.
 322 3. Meets the applicable requirements of paragraphs (2) (a)-
 323 (f) (2) (a)-(h) and completes a professional preparation and
 324 education competence program approved by the department pursuant
 325 to paragraph (8) (c) or an educator preparation institute
 326 approved by the department pursuant to s. 1004.85. An applicant
 327 who completes one of these programs and is rated highly
 328 effective as determined by his or her performance evaluation
 329 under s. 1012.34 is not required to take or achieve a passing
 330 score on the professional education competency examination in
 331 order to be awarded a professional certificate.
 332
 333 At least 1 year before an individual's temporary
 334 certificate is set to expire, the department shall
 335 electronically notify the individual of the date on which
 336 his or her certificate will expire and provide a list of
 337 each method by which the qualifications for a professional
 338 certificate can be completed. The State Board of Education
 339 shall adopt rules to allow the department to extend the
 340 validity period of a temporary certificate for 2 years when
 341 the requirements for the professional certificate were not
 342 completed due to the serious illness or injury of the
 343 applicant, the military service of an applicant's spouse,
 344 other extraordinary extenuating circumstances, or if the
 345 certificateholder is rated highly effective in the
 346 immediate prior year's performance evaluation pursuant to
 347 s. 1012.34 or has completed a 2-year mentorship program
 348 pursuant to subsection (8). The department shall extend the

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temporary certificate upon approval by the Commissioner of Education. A written request for extension of the certificate shall be submitted by the district school superintendent, the governing authority of a university lab school, the governing authority of a state-supported school, or the governing authority of a private school.

Section 3. Subsections (1) and (3) of section 1012.71, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

1012.71 The Florida Teachers Classroom Supply Assistance Program.—

(1) For purposes of the Florida Teachers Classroom Supply Assistance Program, the term “classroom teacher” means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A “job-share” classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher. The term “classroom teacher” may also include an administrator or a substitute teacher who is filling a vacancy in an identified teaching position on or before September 1 of each year who holds a valid teaching certificate.

(3) From the funds allocated to each school district and any funds received from local contributions for the Florida

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Teachers Classroom Supply Assistance Program, the district school board shall calculate an identical amount for each classroom teacher who is estimated to be employed by the school district or a charter school in the district on September 1 of each year, which is that teacher’s proportionate share of the total amount allocated to the district from state funds and funds received from local contributions. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The school district shall calculate a prorated share of the funds to a classroom teacher who teaches less than full time. For a classroom teacher determined eligible on July 1, the district school board and each charter school board may provide the teacher with his or her total proportionate share by August 1 based on the estimate of the number of teachers who will be employed on September 1. For a classroom teacher determined eligible after July 1, the district school board and each charter school board shall provide the teacher with his or her total proportionate share by September 30. The proportionate share may be provided by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card. If a debit card is used, an identifier must be placed on the front of the debit card which clearly indicates that the card has been issued for the Florida Teachers Classroom Supply Assistance Program. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective

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bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause.

(7) (a) An administrator or a substitute teacher acting dually as a classroom teacher to fill a vacancy in an identified teaching position on or before September 1 of each year who holds a valid teaching certification may petition the department, on a form developed by the department, for that classroom teacher's portion of the Florida Teacher Classroom Supply Assistance Program allocation. The department shall review the petition to determine the validity of the vacancy and that the administrator or substitute teacher meets the requirements specified in this section. The department must render a decision to the applicant and the appropriate district within 30 days on any petition made pursuant to this paragraph.

(b) An applicant whose petition is approved pursuant to paragraph (a) is otherwise subject to all other requirements set forth in this section.

Section 4. This act shall take effect July 1, 2023.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3/27/23

Meeting Date

986

Bill Number or Topic

Education

Committee

Amendment Barcode (if applicable)

Name Edward Briggs

Phone 850-933-5994

Address 113 E. College Ave.
Street

Email edward@teamrsa.com

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Charter School Leaders - FL, Inc.

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

3/27/2023

APPEARANCE RECORD

986

Meeting Date

Education Pre-K - 12

Deliver both copies of this form to
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Bill Number or Topic

299576

Committee

Amendment Barcode (if applicable)

Name **Matt Dunagan**

Phone **850-877-2165**

Address **2617 Mahan Drive**

Email **mdunagan@flsheriffs.org**

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Sheriffs Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/27/23

Meeting Date

Education Pre K-12

Committee

Deliver both copies of this form to
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986

Bill Number or Topic

299576

Amendment Barcode (if applicable)

Name

Marco Paredes

Phone

850-354-7608

Address

106 E College Ave, 700

Street

Email

Tallahassee FL 32301

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

On Top of the World
Communities

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

APPEARANCE RECORD

3/27/23

Meeting Date

986

Bill Number or Topic

Education Pre K-12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Marco Paredes

Phone

850-354-7608

Address

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Email

Street

Tallahassee

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32301

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.☒ I am a registered lobbyist,
representing:On Top of the World
Communities☐ I am not a lobbyist, but received
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This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Corey Simon, Chair
Committee on Education Pre-K -12

Subject: Committee Agenda Request

Date: February 28, 2023

I respectfully request that **Senate Bill #986**, relating to Education, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Danny", is written over a horizontal line.

Senator Danny Burgess
Florida Senate, District 23

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: SB 1112

INTRODUCER: Senator Burgess

SUBJECT: Middle School and High School Start Times

DATE: March 24, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sabitsch	Bouck	ED	Favorable
2. _____	_____	AED	_____
3. _____	_____	FP	_____

I. Summary:

SB 1112 provides requirements for middle school and high school start times. Specifically the bill requires that, by July 1, 2026, district school boards must implement a school start time no earlier than 8:00 a.m. for middle schools and 8:30 a.m. for high schools.

The bill requires each district school board to inform its community concerning impacts of sleep habits of middle and high school students, and to discuss strategies to implement the later school start times.

The bill also specifies that charter schools must comply with the school start times required in the bill.

The bill has no impact on state revenues or expenditures, but could have a significant fiscal impact to school districts.

The bill takes effect on July 1, 2023.

II. Present Situation:

District School Boards

Each district school board is responsible for the establishment, organization, and operation of schools in the district's geographic area.¹ Each district school board is required to adopt policies for the opening and closing of schools within the district, however the opening date of schools may not be earlier than August 10th of each year.² Current law does not prescribe daily start times for schools. However district school board policy must ensure that no more than one and

¹ Section 1001.42(4), F.S.

² Section 1001.42(4)(f), F.S.

one-half hours will elapse between the time a student boards a district operated bus and the time school begins.³

Charter Schools

Charter schools are tuition-free public schools created through an agreement or “charter” that provides flexibility relative to regulations created for traditional public schools.⁴ All charter schools in Florida are public schools and are part of the state’s public education system. During the 2021-2022 school year, 361,939 students were enrolled in 703 charter schools in 47 districts.⁵ Charter schools are afforded a number of exemptions from certain requirements which include matters related to the overall operation of the school such as facilities, operations, and finance.⁶ However, charter schools must comply with certain statutory requirements which are described in law.⁷ Like other public schools, no law directs charter schools to establish specific daily start times for the schools.

Importance of Sleep for Adolescents

The American Academy of Pediatrics (AAP) recognizes insufficient sleep in adolescents as an important public health issue that significantly affects the health and safety, as well as the academic success, of our nation’s middle and high school students. Although a number of factors, including biological changes in sleep associated with puberty, lifestyle choices, and academic demands, negatively affect middle and high school students’ ability to obtain sufficient sleep, the evidence strongly implicates earlier school start times (i.e., before 8:30 a.m.) as a key modifiable contributor to insufficient sleep, as well as circadian rhythm disruption, in this population.⁸ Furthermore, a substantial body of research has now demonstrated that delaying school start times is an effective countermeasure to chronic sleep loss and has a wide range of potential benefits to students with regard to physical and mental health, safety, and academic achievement.⁹ The AAP strongly supports the efforts of school districts to optimize sleep in students and urges high schools and middle schools to aim for start times that allow students the opportunity to achieve optimal levels of sleep (i.e., 8.5 to 9.5 hours) and to improve physical and mental health (e.g., reduced obesity risk and lower rates of depression), safety (e.g., drowsy driving crashes), academic performance, and quality of life.¹⁰

The Florida chapter of the AAP stresses that medical and academic research on teens’ developing bodies and brains show that sleep is directly linked to their physical and mental health, learning, and academic success. Teenagers in high school need, on average, 8 to 10 hours

³ Rule 6A-3.0171(6), F.A.C.

⁴ Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida’s Charter Schools* (September 2022), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

⁵ Florida Department of Education, Fact Sheet Office of Independent Education & Parental Choice, *Florida’s Charter Schools* (September 2022), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

⁶ Section 1002.33(16), F.S.

⁷ Section 1002.33(16)(a), F.S.

⁸ American Association of Pediatrics, *School Start Times for Adolescents*, Policy statement, (Sept 1., 2014), available at: <https://publications.aap.org/pediatrics/article/134/3/642/74175/School-Start-Times-for-Adolescents?autologincheck=redirected> (last visited Mar. 14, 2023).

⁹ *Id.*

¹⁰ *Id.*

of sleep each school night. A policy change to start high schools after 8:00 a.m. is needed.¹¹ School districts across the nation, where 8:00 a.m. school start times have been implemented, have decreased tardiness, decreased sleeping in class, increased attendance, increased graduation rates, and higher standardized test scores. Students are reported to be better prepared, more alert, and motivated to do well. Economists suggest that delaying school start times would have a substantial benefit-to-cost ratio (9:1). This finding is based on a conservative estimate of both costs per student largely related to transportation and the increase in projected future earnings per student in present value because of test score gains related to moving start times 1 hour later (approximately \$17,500).¹²

School Start Times in Florida

According to the Office of Program Policy Analysis and Government Accountability (OPPAGA), the average start time for all Florida high schools (541 schools) is 7:45 a.m. Forty-six percent of high schools start before 7:30 a.m., and 19 percent of high schools start between 7:30 a.m. and 8:00 a.m. There were 49 Florida school districts with at least one high school that started before 8:00 a.m. and of those, 22 districts had a least one high school that started before 7:30 a.m. For Florida middle schools (490 schools) the average start time is 9:03 a.m., with only eight percent of schools starting prior to 8:00 a.m.¹³

OPPAGA requested specific information from twelve districts that had either recently changed or are considered changing school start times to determine motivations and barriers. Eight of those school districts had recently changed some or all of their start times while four school districts had considered changes to start time but did not make changes. Reported motivations among the respondents included:¹⁴

- Transportation issues to improve on-time bus schedules, address driver shortages, reduce transit times, comply with Center for Disease Control (CDC) social distancing recommendations, and improve operational efficiencies.
- Student health and safety issues to improve general student health and to address the health needs of high school students in particular.
- Student learning issues to promote student academic achievement, increase learning time lost due to weather-related closures, and increase the length of the elementary school day.

Reported barriers that were confronted when considering start time changes included:¹⁵

- Child care and student supervision issues concerning care for siblings, childcare arrangements, limited school staff and concerns about child safety in dawn/pre-dawn hours.
- Afterschool activities issues concerning afterschool employment for high school students, effects on extended day programs, and the ability to attend afterschool activities.
- Transportation issues concerning costs of adding bus routes and buses, rising bus driver wages and limited bus drivers, and capital funding issues.

¹¹ Email, Florida Chapter of the American Academy of Pediatrics, *Position Statement: Start Schools after 8:00 a.m.* (Mar. 13, 2023).

¹² *Id.*

¹³ Email, OPPAGA Report: *OPPAGA Research on School Start Times*, (Mar. 13, 2023)

¹⁴ *Id.*

¹⁵ *Id.*

III. Effect of Proposed Changes:

SB 1112 amends s. 1001.42 F.S., regarding school start times for middle and high schools. Specifically, the bill requires each school district to adopt policies regarding middle school and high school start times such that, by July 1, 2026, the instructional day:

- For a middle school begins no later than 8:00 a.m.
- For a high school start times begins no later than 8:30 a.m.

The bill requires each district school board to inform parents, students, teachers, school administrations, athletic coaches, and other stake-holders about the health, safety, and the academic impacts of sleep deprivation on middle and high school students and the benefits of a later school start time. The bill also requires the board to discuss local strategies to successfully implement the later school start times.

The bill amends s. 1002.33, F.S., to clarify that charter schools must comply with the start time requirements for middle and high schools established in the bill.

The bill takes effect on July 1, 2023.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There may be a significant, but indeterminate, fiscal impact to school district transportation costs in preparation for a July 1, 2026, implementation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill does not modify the provision in State Board of Education Rule 6A-3.0171(6), F.A.C., authorizing up to 1.5 hours between a bus pickup and the school start time. Therefore, the positive effect of a later school start time may be moderated by an early bus pickup time.

VIII. Statutes Affected:

This bill substantially amends sections 1001.42 and 1002.33 of the Florida Statutes.

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

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

None.

B. Amendments:

None.

By Senator Burgess

23-01764-23

20231112__

A bill to be entitled

An act relating to middle school and high school start times; amending s. 1001.42, F.S.; providing requirements for middle school and high school start times; requiring such school start times to be implemented by a specified date; providing district school board requirements; amending s. 1002.33, F.S.; requiring charter schools to meet certain requirements relating to middle school and high school start times; providing an effective date.

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

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

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

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.—Adopt and provide for the execution of plans for the establishment, organization, and operation of the schools of the district, including, but not limited to, the following:

(f) *Opening and closing of schools; fixing uniform date; middle school and high school start times.*—Adopt policies for the opening and closing of schools, and fix uniform dates, and middle school and high school start times. ~~—however,~~

1. The opening date for schools in the district may not be earlier than August 10 of each year.

2. By July 1, 2026, the instructional day for middle

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schools may not begin earlier than 8 a.m. and the instructional day for high schools may not begin earlier than 8:30 a.m. Each district school board must inform its community, including parents, students, teachers, school administrators, athletic coaches, and other stakeholders, about the health, safety, and academic impacts of sleep deprivation on middle school and high school students and the benefits of a later school start time and discuss local strategies to successfully implement the later school start times.

Section 2. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.

2. Chapter 119, relating to public records.

3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.

4. Section 1012.22(1)(c), relating to compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.

7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.

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59 8. Section 1006.12, relating to safe-school officers.
60 9. Section 1006.07(7), relating to threat assessment teams.
61 10. Section 1006.07(9), relating to School Environmental
62 Safety Incident Reporting.
63 11. Section 1006.07(10), relating to reporting of
64 involuntary examinations.
65 12. Section 1006.1493, relating to the Florida Safe Schools
66 Assessment Tool.
67 13. Section 1006.07(6)(d), relating to adopting an active
68 assailant response plan.
69 14. Section 943.082(4)(b), relating to the mobile
70 suspicious activity reporting tool.
71 15. Section 1012.584, relating to youth mental health
72 awareness and assistance training.
73 16. Section 1001.42(4)(f)2., relating to middle school and
74 high school start times.
75 Section 3. This act shall take effect July 1, 2023.

The Florida Senate

APPEARANCE RECORD

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03/27/2023

Meeting Date

SB 1112

Bill Number or Topic

Education Pre-K12

Committee

None

Amendment Barcode (if applicable)

Name

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Phone

(305) 995-1102

Address

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Miami

City

Florida

State

33132

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.

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I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-27-23

Meeting Date

SB1112

Bill Number or Topic

Education Pre K-12

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Eileen Segal (Florida PTA)

Phone 407 855-7604

Address 1747 Orlando Central Parkway

Email legislation@FloridaPTA.org

Orlando

FL

32809

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without compensation or sponsorship.

☐ I am a registered lobbyist, representing:

☒ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-27-23

Meeting Date

K-12

Committee

1112

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Chris Doolin

Phone

850-508-5492

Address

1018 Thomasville Rd 102B

Street

Email

cdoolin@doolinandassoc.com

City

Talla

State

Fl.

Zip

32303

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without compensation or sponsorship.

☒

I am a registered lobbyist, representing:

Small School District Consortium

☐

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Corey Simon, Chair
Committee on Education Pre-K -12

Subject: Committee Agenda Request

Date: February 28, 2023

I respectfully request that **Senate Bill #1112**, relating to Middle School and High School Start Times, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink, appearing to read "Danny", is written over a horizontal line.

Senator Danny Burgess
Florida Senate, District 23

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: CS/SB 1236

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

SUBJECT: Class Size

DATE: March 28, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	Fav/CS
2.			AED	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1236 repeals the class size reduction penalty calculation. However, the bill maintains the requirement that the Department of Education monitors compliance and requires a compliance plan for any school that exceeds class size maximums based on the October student membership survey.

For a student whose parent is active duty military personnel and meets the eligibility criteria for special academic programs offered through public schools, the bill requires the student to be enrolled in such a program if the student's parent is transferred to the state during the school year.

The bill also provides that a student whose parent is on active military duty and is transferred within the state after the controlled open enrollment window can enroll in any school within the school district.

The bill has no impact on state revenues or expenditures. The bill may have a positive impact on school districts. See section V.

The bill is effective July 1, 2023.

II. Present Situation:

Maximum Class Size Requirements

In November 2002, Florida voters approved a state constitutional amendment setting the limits on the number of students in a class attending public schools.¹ The amendment required the Legislature, by the beginning of the 2010 school year, to make adequate provisions to ensure that there are a sufficient number of classrooms in Florida so that the maximum number of students assigned to each teacher, who is teaching core-curricula courses,² does not exceed:

- 18 students in prekindergarten through grade 3;
- 22 students in grades 4 through 8; and
- 25 students in grades 9-12.

Additionally, the amendment requires that the Legislature provide sufficient funds, beginning in Fiscal Year (FY) 2003-2004, for school districts to reduce the average number of students in each classroom by at least two annually until the constitutionally prescribed maximum number of students is achieved. Under the initial implementing statute³, compliance with the class size requirements was to be determined at the:

- District level for each of the three grade groupings during FYs 2003-2004, 2004-2005, and 2005-2006;
- School level for each of the three grade groupings in FYs 2006-2007 and 2007-2008; and
- Individual classroom level for each of the three grade groupings in FY 2008-2009 and thereafter.

The timeframe for measuring class size at the school level was extended twice. In 2008, the Legislature extended school-level measurement through FY 2008-2009.⁴ The next year, the Legislature extended this timeframe by one more year, thereby delaying the measurement of class size at the individual classroom level until FY 2010-2011 and thereafter.⁵ Legislation enacted in 2010 established the compliance calculation for charter schools at the school level average,⁶ and in 2013 the same treatment was granted to district-operated schools of choice⁷ and district innovation schools of technology.⁸ Subsequently, legislation enacted in 2016 and 2017 extended the compliance calculation using the school-level average to schools participating in the Principal Autonomy Program Initiative⁹ and Schools of Excellence.¹⁰

In 2013, the Legislature added a provision to exempt “blended learning courses” from the core courses required to be in compliance with class size.¹¹

¹ FLA. CONST. Art. IX, s. 1(a).

² Section 1003.01(14), F.S. See Florida Department of Education, *2022-2023 Course Code Directory Class Size Core Courses*, available at <https://www.fldoe.org/core/fileparse.php/7746/urlt/2223ClassSizeCore.pdf>.

³ Ch. 2003-391, s.2, Laws of Fla.

⁴ Ch. 2008-142, s. 5, Laws of Fla.

⁵ Ch. 2009-59, s. 13, Laws of Fla.

⁶ Section 1002.33(16)(b)3., F.S.

⁷ Section 1002.31(5), F.S.

⁸ Section 1002.451, F.S.

⁹ Section 1011.6202(3)(b)7, F.S.

¹⁰ Section 1003.631(2)(e), F.S.

¹¹ Section 1003.01(14), F.S.

Class Size Reduction Funding

To implement the class size amendment, the Legislature annually appropriates class size reduction categorical funding for school district operating costs. Additionally, the Legislature has appropriated funds for capital outlay (facility) needs and granted bonding authority to fund classroom construction and other capital needs related to class size reduction.¹² Since 2003, the Legislature has appropriated more than \$52 billion for operational expenses and over \$2.5 billion in facilities funding to implement the Class Size Reduction Amendment.¹³ The table below shows the history of funding for Class Size Reduction.¹⁴

History of Funding for Class Size Reduction			
Fiscal Year	Operating Funds	Facilities Funds	Total Funds
2003-2004	\$ 468,198,634	\$ 600,000,000	\$ 1,068,198,634
2004-2005	\$ 972,191,216	\$ 100,000,000	\$ 1,072,191,216
2005-2006	\$ 1,507,199,696	\$ 83,400,000	\$ 1,590,599,696
2006-2007	\$ 2,108,529,344	\$1,100,000,000	\$ 3,208,529,344
2007-2008	\$ 2,640,719,730	\$ 650,000,000	\$ 3,290,719,730
2008-2009	\$ 2,729,491,033	\$ -	\$ 2,729,491,033
2009-2010	\$ 2,845,578,849	\$ -	\$ 2,845,578,849
2010-2011	\$ 2,913,825,383	\$ -	\$ 2,913,825,383
2011-2012	\$ 2,927,464,879	\$ -	\$ 2,927,464,879
2012-2013	\$ 2,974,748,257	\$ -	\$ 2,974,748,257
2013-2014	\$ 2,974,766,164	\$ -	\$ 2,974,766,164
2014-2015	\$ 3,013,103,776	\$ -	\$ 3,013,103,776
2015-2016	\$ 3,035,025,330	\$ -	\$ 3,035,025,330
2016-2017	\$ 3,071,776,000	\$ -	\$ 3,071,776,000
2017-2018	\$ 3,081,304,285	\$ -	\$ 3,081,304,285
2018-2019	\$ 3,097,618,502	\$ -	\$ 3,097,618,502
2019-2020	\$ 3,111,099,382	\$ -	\$ 3,111,099,382
2020-2021	\$ 3,145,795,385	\$ -	\$ 3,145,795,385
2021-2022	\$ 2,837,752,505	\$ -	\$ 2,837,752,505
2022-2023 ¹⁵	\$ 2,896,071,526	\$ -	\$ 2,896,071,526
Total	\$52,352,259,884	\$2,533,400,000	\$54,885,659,884

Class Size Compliance Calculation

The Department of Education (DOE) calculates compliance with class size maximums for traditional schools, charter schools, and district-operated schools of choice using data from the October student membership survey (Survey 2). Prior to the survey, the DOE allows school districts and charter schools to participate in the class size trial runs occurring in September. The class size trial runs allow school districts and charter schools the opportunity to reduce data

¹² Sections 1013.735 and 1013.737, F.S.

¹³ Florida Department of Education, Finance, Budget, *Class Size*, <https://www.fldoe.org/finance/budget/class-size/> (last visited March 21, 2023).

¹⁴ *Id.*

¹⁵ Florida Department of Education, *2022-23 FEFP Third Calculation* (January 17, 2023), available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/2223FEFPThirdCalc.pdf>.

reporting errors or appropriately adjust class schedules to be within the class size maximum requirements before Survey 2.¹⁶

During the Survey 2 reporting window, the DOE provides a number of class size calculation reports that allow school districts and charter schools to view class size calculations at the classroom and school levels. The final class size calculation reports are created at the close of the Survey 2 reporting window and are used to determine compliance at the classroom level for traditional schools, compliance by grade group at the school-level average for charter schools and district-operated schools of choice,¹⁷ and conduct initial penalty calculations.¹⁸

A memorandum is sent from the DOE to notify school districts and charter schools of class size compliance and the details of the process and timeline for appeals, as well as a follow-up memorandum with the pre-appeals initial reduction calculation. School districts and charter schools are able to submit an appeal regarding the class size compliance findings by the DOE. The DOE then performs a post-appeals alternate reduction calculation.¹⁹

Class Size Reduction Penalty Calculation

The DOE is required to reduce class size categorical funding for school districts and charter schools that are out of compliance with class size requirements.²⁰ The penalty is calculated at the classroom level for traditional public schools²¹ and at the school level for charter schools,²² district-operated schools of choice,²³ schools of excellence,²⁴ innovation schools of technology,²⁵ and schools participating in the Principal Autonomy Program Initiative.²⁶ The DOE must calculate the penalty for traditional public schools out of compliance as follows:²⁷

Step 1: Identify, for each grade group, the number of classrooms that exceed the maximum and the total number of students which exceeds the maximum for all classes.

Step 2: Determine the number of full-time equivalent (FTE) students which exceeds the maximum for each grade group.

¹⁶ Florida Department of Education, *Intro to Class Size Reporting, Presentation at the FAMIS Summer Conference* (June 30, 2020), available at https://famisonline.org/wp-content/uploads/2020/06/Intro_to_Class_Size_Reporting.pdf.

¹⁷ The DOE reported for FY 2022-2023 that there are 9,842 traditional public school classrooms, 700 charter schools, 6 lab schools, and 2,952 district-operated schools of choice. Florida Department of Education, *Memorandum: 2022-23 School Class Size Compliance and Timeline for Appeals* (January 4, 2023), available at <https://www.fldoe.org/core/fileparse.php/7603/urlt/2223SchClassSizesProTimeLineAppeals.pdf>.

¹⁸ Florida Department of Education, *Intro to Class Size Reporting, Presentation at the FAMIS Summer Conference* (June 30, 2020), available at https://famisonline.org/wp-content/uploads/2020/06/Intro_to_Class_Size_Reporting.pdf.

¹⁹ Florida Department of Education, *Class Size Reduction – Memorandums*, <https://www.fldoe.org/finance/budget/class-size/class-size-reduction-memorums.shtml> (last visited March 21, 2023).

²⁰ Section 1003.03(4), F.S.

²¹ Section 1003.03(4)(a), F.S.

²² Section 1002.33(16)(b)3., F.S.

²³ Section 1002.31(5), F.S.

²⁴ Section 1003.631(2)(e), F.S.

²⁵ Section 1002.451, F.S.

²⁶ Section 1011.6202(3)(b)7., F.S.

²⁷ Section 1003.03(4)(a), F.S.

Step 3: Multiply the total number of FTE students over the maximum for each grade group by the district's FTE dollar amount of the class size reduction operating categorical allocation for that year and calculate the total for all three grade groups.

Step 4: Multiply the total number of FTE students over the maximum for all classes by an amount equal to 100 percent of the base student allocation adjusted by the district cost differential.²⁸

A school district's class size reduction operating categorical allocation is then reduced by an amount equal to the sum of the calculations in Steps 3 and 4.²⁹ The amount of funds reduced is the lesser of the DOE's calculation or the undistributed balance of the school district's class size reduction categorical allocation.³⁰

The district-operated schools of choice and charter school reductions are calculated using the same methodology as traditional public schools, except that compliance is measured at the school-level average. The district-operated schools of choice and charter school reduction calculations are independent of each other and of the traditional public school reduction calculation. The amount of funds reduced for a school district is the lesser of the sum of the reduction amounts for traditional public schools, district-operated schools of choice and charter schools, or the undistributed balance of the district's class size categorical allocation.

If a district made appropriate efforts to reduce class sizes but still failed to achieve compliance or an emergency caused noncompliance, the Commissioner of Education (commissioner) is authorized to recommend an alternative transfer amount for approval by the Legislative Budget Commission.³¹ Once the reduced amount is determined, the commissioner must prepare a reallocation of funds, made available as a bonus to districts that have fully met the class size requirements by calculating an amount that is up to five percent of the base student allocation multiplied by the total district FTE students. The reallocation total may not exceed 25 percent of the total funds reduced.³²

²⁸ In Fiscal Year, 2022-2023, the class size reduction allocation per FTE student is \$964.60 for grades prekindergarten through 3; \$920.98 for grades 4-8; and \$923.21 for grades 9-12. The base student allocation is \$4,587.40. Specific Appropriations 6 and 86, ch. 2022-156, s. 2, Laws of Fla.

²⁹ Section 1003.03(5)(a)5., F.S.

³⁰ Section 1003.03(4)(b), F.S.

³¹ Section 1003.03(4)(c), F.S.

³² Section 1003.03(4)(d), F.S.

The table below shows the history for the calculated initial reduction, the adjusted reduction post appeals, and the reallocations of funds for schools in compliance.³³

History of Class Size Transfer and Reallocation Calculations For Traditional Schools, Charter Schools, and District-Operated Schools of Choice									
Fiscal Year	Initial Reduction			Reduction Adjusted			Reallocation for Schools in Compliance		
	Traditional Schools	Charter Schools	District-Operated Schools of Choice	Traditional Schools	Charter Schools	District-Operated Schools of Choice	Traditional Schools	Charter Schools	District-Operated Schools of Choice
2003-04	\$21,488,179	\$0		\$1,479,948	\$0				
2004-05	\$11,354,475	\$0		\$1,076,719	\$0				
2005-06	\$5,222,735	\$0		\$496,059	\$0				
2006-07	\$7,836,834	\$6,831,504		\$3,273,943	\$2,724,878				
2007-08	\$5,330,411	\$802,515		\$333,302	\$194,836				
2008-09	\$1,396,108	\$0		\$0	\$0				
2009-10	\$1,912,030	\$0		\$267,263	\$0				
2010-11	\$40,795,637	\$2,292,191		\$31,305,124	\$355,539		\$7,826,281	\$88,885	
2011-12	\$58,749,605	\$3,921,323		\$43,407,465	\$652,851		\$10,851,866	\$163,213	
2012-13	\$26,965,789	\$1,570,397		\$22,698,784	\$431,345		\$5,674,696	\$107,836	
2013-14	\$12,674,357	\$835,448	\$1,129,183	\$9,558,513	\$204,863	\$475,592	\$2,389,628	\$51,216	\$118,898
2014-15	\$11,306,609	\$2,789,830	\$421,513	\$1,260,083	\$562,397	\$177,347	\$315,021	\$140,599	\$44,337
2015-16	\$2,302,910	\$3,763,908	\$927,533	\$921,429	\$816,147	\$194,578	\$230,357	\$204,037	\$48,645
2016-17	\$2,562,990	\$5,075,827	\$305,915	\$724,620	\$859,117	\$115,534	\$181,155	\$214,779	\$28,884
2017-18	\$232,550	\$2,242,009	\$395,563	\$123,955	\$1,170,120	\$64,684	\$30,989	\$292,530	\$16,171
2018-19	\$1,092,986	\$617,981	\$844,802	\$392,103	\$133,435	\$653,264	\$98,026	\$33,359	\$163,316
2019-20	\$633,808	\$1,352,176	\$956,440	\$50,723	\$0	\$240,200	\$12,681	\$0	\$60,050
2020-21	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2021-22	\$603,517	\$1,903,769	\$8,030,525	\$113,701	\$51,755	\$945,293	\$28,425	\$12,939	\$236,323

Districts and charter schools that fail to comply with class size requirements must submit a plan to the commissioner by February 1, which describes the actions that they will take in order to be in compliance by October of the following year. For districts and charter schools that submit the plan by the required deadline, 75 percent of the funds remaining after the reallocation calculation for schools in compliance must be added back to the district's class size categorical allocation based on each qualifying district's proportion of the total reduction for all qualifying districts for

³³ Florida Department of Education, Class Size Reduction – Memorandums, <https://www.fldoe.org/finance/budget/class-size/class-size-reduction-memorums.shtml> (last visited March 21, 2023). Pursuant to DOE Emergency Order No. 2020-EO-06, Section III.a., the FEFP funding was not reduced based on the July and October 2020 FTE student membership surveys for districts with an approved reopening plan. Because all school districts had an approved plan, class size categorical funding for FY 2020-2021 remained as calculated in the FY 2020-2021 FEFP Second Calculation. Thus, the funding adjustment for noncompliance with class size requirements, as outlined in s. 1003.03(4), F.S., was not administered.

which a reduction was calculated. The amount added back may not be greater than the amount that was reduced.³⁴

Assistance to Transitioning Students from Military Families

Children in active duty military families face unique educational challenges. The average military family moves three times more often than the average non-military family. These frequent moves can cause children to miss out on extracurricular activities and to face challenges in meeting graduation requirements.³⁵

The Interstate Compact on Educational Opportunity for Military Children (Compact) assists member states in uniformly addressing educational transition issues faced by active duty military families. The Compact will ensure that the children of military families are afforded the same opportunities for educational success as other children and are not penalized or delayed in achieving their educational goals by inflexible administrative and bureaucratic practices. States participating in the Compact work to coordinate graduation requirements, transfer of records and course placement and other administrative policies. The Compact was developed by the Council of State Governments in cooperation with the U.S. Department of Defense (DoD).³⁶

Additionally, the Legislature recognizes the challenges faced by military students and requires the DOE to assist in the transition of these students in military families by:³⁷

- Improving the timely transfer of records;
- Developing systems to ease student transition during the first two weeks of enrollment;
- Promoting practices that foster access to extracurricular programs;
- Establishing procedures to lessen the adverse impact of moves;
- Encouraging or continuing partnerships between the military base and the school system;
- Providing services for transitioning students when applying to and finding funding for postsecondary study; and
- Providing other assistance as identified by the department, school, and military personnel.

The DOE is further required to facilitate the development and implementation of memoranda of agreement between school districts and military installations that address strategies for assisting students who are the children of active duty military personnel in the transition to Florida schools.³⁸

The DOE also provides for special accommodations to students of military families transitioning between schools. A dependent child of active duty military personnel who meets the eligibility criteria for a special academic program³⁹ at a public school is given preference for admission

³⁴ Section 1003.03(4)(e), F.S.

³⁵ Council of State Governments, *Interstate Compact on Education Opportunity for Military Children*, <https://www.dodea.edu/partnership/interstatecompact.cfm> (last visited March 21, 2023).

³⁶ Council of State Governments, *Interstate Compact on Education Opportunity for Military Children*, <https://www.dodea.edu/partnership/interstatecompact.cfm> (last visited March 21, 2023).

³⁷ Section 1003.05(1), F.S.

³⁸ Section 1003.05(2), F.S.

³⁹ Special academic programs include magnet schools, advanced studies programs, advanced placement, dual enrollment, Advanced International Certificate of Education, and International Baccalaureate. *See s. 1003.05(3), F.S.*

even if the program is offered through a different public school than the school at which the student would be assigned.⁴⁰

Further, a student whose parent is transferred or is pending a transfer to a military installation within a school district pursuant to a military order is considered a resident of the school district for purposes of enrollment at the point in time in which the order is submitted to the district and is given preferential treatment in the controlled open enrollment process.⁴¹

III. Effect of Proposed Changes:

CS/SB 1236 amends s. 1003.03, F.S., to repeal the class size reduction penalty calculation for schools exceeding the class size maximums. However, the bill maintains the requirement that the Department of Education monitors compliance and requires a compliance plan for any school that exceeds class size maximums based on the October student membership survey.

The bill amends s. 1003.05, F.S., to require that a student whose parent is active duty military personnel and who meets the eligibility criteria for special academic programs offered through public schools, must be enrolled in such a program if the student's parent is transferred to the state during the school year.

The bill also provides that a student whose parent is on active military duty and is transferred within the state after the controlled open enrollment window can enroll in any school within the school district.

The bill is effective July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

⁴⁰ Section. 1003.05(3), F.S.

⁴¹ Section 1003.05(4), F.S.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures. The revisions the bill makes to the class size reduction penalty would have a positive impact on school districts and charter schools that exceed the class size maximums by eliminating the penalty assessed against such schools.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1003.03 and 1003.05 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K -12 on March 27, 2023:

The committee substitute retains the requirements in the bill regarding dependent children of active duty military personnel. The committee substitute also:

- Repeals the class size reduction penalty calculation.
- Maintains the requirement that the Department of Education monitors compliance and requires a compliance plan for any school that exceeds class size limitations based on the October student membership survey.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/28/2023	.	
	.	
	.	
	.	

The Committee on Education Pre-K -12 (Wright) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (4) of section 1003.03, Florida
Statutes, is amended to read:

1003.03 Maximum class size.—

(4) ACCOUNTABILITY.—

~~(a) If the department determines that the number of
students assigned to any individual class exceeds the class size~~



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~~maximum, as required in subsection (1), based upon the October student membership survey, the department shall:~~

~~1. Identify, for each grade group, the number of classes in which the number of students exceeds the maximum and the total number of students which exceeds the maximum for all classes.~~

~~2. Determine the number of FTE students which exceeds the maximum for each grade group.~~

~~3. Multiply the total number of FTE students which exceeds the maximum for each grade group by the district's FTE dollar amount of the class size categorical allocation for that year and calculate the total for all three grade groups.~~

~~4. Multiply the total number of FTE students which exceeds the maximum for all classes by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for each of the 2010-2011 through 2013-2014 fiscal years and by an amount equal to the base student allocation adjusted by the district cost differential in the 2014-2015 fiscal year and thereafter.~~

~~5. Reduce the district's class size categorical allocation by an amount equal to the sum of the calculations in subparagraphs 3. and 4.~~

~~(b) The amount of funds reduced shall be the lesser of the amount calculated in paragraph (a) or the undistributed balance of the district's class size categorical allocation. The Florida Education Finance Program Appropriation Allocation Conference shall verify the department's calculation in paragraph (a). The commissioner may withhold distribution of the class size categorical allocation to the extent necessary to comply with paragraph (a).~~



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~~(c) In lieu of the reduction calculation in paragraph (a), if the Commissioner of Education has evidence that a district was unable to meet the class size requirements despite appropriate efforts to do so or because of an extreme emergency, the commissioner may recommend by February 15, subject to approval of the Legislative Budget Commission, the reduction of an alternate amount of funds from the district's class size categorical allocation.~~

~~(d) Upon approval of the reduction calculation in paragraphs (a) - (c), the commissioner must prepare a reallocation of the funds made available for the districts that have fully met the class size requirements. The funds shall be reallocated by calculating an amount of up to 5 percent of the base student allocation multiplied by the total district FTE students. The reallocation total may not exceed 25 percent of the total funds reduced.~~

~~(e) Each district that has not complied with the requirements in subsection (1), based on the October student membership survey, shall submit to the commissioner by February 1 a plan certified by the district school board that describes the specific actions the district will take in order to fully comply with the requirements in subsection (1) by October of the following school year. If a district submits the certified plan by the required deadline, the funds remaining after the reallocation calculation in paragraph (d) shall be added back to the district's class size categorical allocation based on each qualifying district's proportion of the total reduction for all qualifying districts for which a reduction was calculated in paragraphs (a) - (c). However, no district shall have an amount~~



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~~added back that is greater than the amount that was reduced.~~

~~(f) The department shall adjust school district class size reduction categorical allocation distributions based on the calculations in paragraphs (a) (e).~~

Section 2. Subsections (3) and (4) of section 1003.05, Florida Statutes, are amended to read:

1003.05 Assistance to transitioning students from military families.—

(3) (a) Dependent children of active duty military personnel who otherwise meet the eligibility criteria for special academic programs offered through public schools:

1. Shall be given first preference for admission to such programs even if the program is being offered through a public school other than the school to which the student would generally be assigned.

2. Must be enrolled in such programs if the student's parent is transferred to the state during the school year.

(b) If such a program is offered through a public school other than the school to which the student would generally be assigned, the parent or guardian of the student must assume responsibility for transporting the student to that school. For purposes of this subsection, special academic programs include magnet schools, advanced studies programs, advanced placement, dual enrollment, Advanced International Certificate of Education, and International Baccalaureate.

(4) A student whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order shall be considered a resident of the school district for



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purposes of enrollment when the order is submitted to the school district and shall be provided preferential treatment in the controlled open enrollment process of the school district pursuant to s. 1002.31. A student whose parent is transferred within this state after the controlled open enrollment window may enroll in any school within this state.

Section 3. This act shall take effect July 1, 2023.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to K-12 education; amending s. 1003.03, F.S.; deleting a specified reduction calculation for certain school district funding for school districts that fail to meet certain class size requirements; conforming provisions to changes made by the act; amending s. 1003.05, F.S.; providing that certain dependent children of active duty military personnel must be enrolled in certain programs; authorizing certain students of military personnel to enroll in any school within this state under certain circumstances; providing an effective date.

By Senator Wright

8-01594-23

20231236__

A bill to be entitled

An act relating to class size; amending s. 1003.03, F.S.; revising a specified reduction calculation for certain school district funding for school districts that fail to meet certain class size requirements; amending s. 1003.05, F.S.; providing that certain dependent children of active duty military personnel must be enrolled in certain programs; authorizing certain students of military personnel to enroll in any school within the school district under certain circumstances; providing an effective date.

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

Section 1. Paragraph (a) of subsection (4) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

(4) ACCOUNTABILITY.—

(a) If the department determines that the number of students assigned to any individual class exceeds the class size maximum, as required in subsection (1), based upon the October student membership survey, the department shall:

1. Identify, for each grade group, the number of classes in which the number of students exceeds the maximum and the total number of students which exceeds the maximum for all classes.

2. Determine the number of FTE students which exceeds the maximum for each grade group.

3. Beginning in the 2023-2024 fiscal year and thereafter, multiply the total number of FTE students which exceeds the

8-01594-23

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maximum for each grade group by an amount equal to 50 percent of the district's FTE dollar amount of the class size categorical allocation for that year and calculate the total for all three grade groups.

~~4. Multiply the total number of FTE students which exceeds the maximum for all classes by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for each of the 2010-2011 through 2013-2014 fiscal years and by an amount equal to the base student allocation adjusted by the district cost differential in the 2014-2015 fiscal year and thereafter.~~

~~4.5-~~ Reduce the district's class size categorical allocation by an amount equal to the product sum of the calculation ~~calculations~~ in subparagraph 3. ~~subparagraphs 3. and 4.~~

Section 2. Subsections (3) and (4) of section 1003.05, Florida Statutes, are amended to read:

1003.05 Assistance to transitioning students from military families.—

(3) (a) Dependent children of active duty military personnel who otherwise meet the eligibility criteria for special academic programs offered through public schools:

1. Shall be given first preference for admission to such programs even if the program is being offered through a public school other than the school to which the student would generally be assigned.

2. Must be enrolled in such program if the student's parent is transferred to this state during the school year.

(b) If such a program is offered through a public school

8-01594-23

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other than the school to which the student would generally be assigned, the parent or guardian of the student must assume responsibility for transporting the student to that school. For purposes of this subsection, special academic programs include magnet schools, advanced studies programs, advanced placement, dual enrollment, Advanced International Certificate of Education, and International Baccalaureate.

(4) A student whose parent is transferred or is pending transfer to a military installation within this ~~the~~ state while on active military duty pursuant to an official military order shall be considered a resident of the school district for purposes of enrollment when the order is submitted to the school district and shall be provided preferential treatment in the controlled open enrollment process of the school district pursuant to s. 1002.31. A student whose parent is transferred within this state after the controlled open enrollment window may enroll in any school within the school district.

Section 3. This act shall take effect July 1, 2023.

The Florida Senate

APPEARANCE RECORD

3-27-23

Meeting Date

SB 1236

Bill Number or Topic

Education Pre K-12

Committee

Deliver both copies of this form to
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Amendment Barcode (if applicable)

Name

Eileen Segal (Florida PTA)

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407-855-7604

Address

1747 Orlando Central

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Street

Parkway

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FL

32809

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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CS/CS/HB 633 / SB 234
Bill Number or Topic

Amendment Barcode (if applicable)

3/27/23
Meeting Date

ED
Committee

Name Melanie Armour Phone 407-310-5096

Address 2025 Mansfield Blvd Email mtarzy@gmail.com
~~4900 E 29th Ave~~
Street

Westley Chapel, FL 33543
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

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representing:

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(travel, meals, lodging, etc.),
sponsored by:

JLMS PTSA

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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CS/KS/HB/33/SB/1236
Bill Number or Topic

3/27/2028
Meeting Date

ED
Committee

Name Vanessa Baszcyk, as President - Pasco County Council PTA Phone 813 395 1084

Address 2725 Wesley Chapel Blvd, PB207 Email Pasco.CC@FloridaPTA.org
Wesley Chapel, FL 33543
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FloridaPTA

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

★ Revised ★

3/27/23

Meeting Date

Education Pre K-12

Committee

Name

Mary

Reeves (4 our children ADHD)

Phone

305-318-4740

Address

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Miami

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33189

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State

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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SB 1236

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

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compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

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something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

March 27, 2023
Ednc.

Meeting Date

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 1236

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

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Street

Miami Gardens FL 33169

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

4 OUR CHILDREN COMMUNITY

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Corey Simon, Chair
Committee on Education Pre-K -12

Subject: Committee Agenda Request

Date: March 13, 2023

I respectfully request that **Senate Bill 1236**, relating to Class Size, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

Thank you for your consideration.

A handwritten signature in black ink that reads "Tom A. Wright". The signature is written in a cursive style with a large, sweeping "T" and "W".

Senator Tom A. Wright
Florida Senate, District 8

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: SB 1424

INTRODUCER: Senator Calatayud

SUBJECT: Student Outcomes

DATE: March 24, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sabitsch/Brick	Bouck	ED	Favorable
2. _____	_____	AED	_____
3. _____	_____	FP	_____

I. Summary:

SB 1424 provides various supports to student outcomes through specifying strategies related to students struggling in literacy and mathematics from prekindergarten through grade 4.

Specifically the bill:

- Directs the Just Read, Florida! Office to develop, along with the and the New Worlds Reading Initiative administrator, and provide access to an online repository of digital science of reading instructional resources, and to identify instructional and intervention programs grounded in science.
- Requires that the primary instructional strategies for teaching word reading is phonics instruction and prohibits the use of the three-cueing model.
- Modifies the requirements of the charter school application and agreement, VPK instructor training and standards, educator professional development, teacher preparation programs, district certification add-on programs, instructional materials programs, resources provided by the Florida Center for Reading Research, the Reading Achievement Initiative for Scholastic Excellence program, and the Evidence-Based Reading Instruction Allocation to ensure instruction and materials are grounded in the science of reading and prohibits use of the three-cueing model or visual memory for teaching word reading.
- Modifies the requirements of the coordinated screening and progress monitoring system to:
 - Require a progress monitoring plan and interventions for a student struggling in mathematics.
 - Require the Department of Education to provide a list of comprehensive reading and intervention programs for students with dyslexia and for all struggling readers.
- Requires school districts to include substantial mathematics deficiencies in their Early Warning System.
- Adds mathematics interventions to the Supplemental Academic Instruction Allocation.

The bill takes effect on July 1, 2023.

II. Present Situation:

Florida Student Performance

Florida Statewide Assessment Performance

For more than twenty years Florida has, at the statewide level, administered a variety of assessments to gauge student performance. Up until 2022, the state administered the Florida Statewide Assessment (FSA) to students in grades 3 through 10 as well as End of Course (EOC) assessments. At the student level, scaled scores are reported that classify student performance levels, also referred to as achievement levels. Performance levels range from 1 to 5, with Level 1 as the lowest, and Level 5 as the highest. For all assessments, Level 3 indicates satisfactory performance. The passing score for each assessment is the minimum scale score in Performance Level 3.¹ Results from the last five years are shown below for grades 3-8. These results show a decline in the percent of students passing or meeting a “satisfactory” level (performance level 3)² of performance in 2021 and 2022 when compared to the results prior to the impact of the COVID-19 Public Health Emergency where no results are shown for 2020.³

Results on Florida Standards and End of Course Assessments					
Grade-Subject	Percent at or Above Achievement Level 3				
	2018	2019	2020	2021	2022
Grades 3-5 English Language Arts	56%	57%	Not Reported	53%	55%
Grades 6-8 English Language Arts	53%	54%	Not Reported	51%	50%
Grades 3-8 Mathematics	60%	61%	Not Reported	51%	55%

The Nation’s Report Card

The National Assessment of Educational Progress (NAEP) is the largest nationally representative and continuing assessment of student comprehension and skills in various subject areas. Assessments are conducted periodically in mathematics, reading, science, writing, the arts, civics, economics, geography, U.S. history, and technology and engineering literacy. Each subject is assessed at grades 4, 8, and 12, although not all grades are assessed each time. Results for the nation, states, and some urban districts are released as The Nation’s Report Card.⁴

¹ Florida Department of Education, *Understanding Florida Statewide Assessment Report* (2022), page 2, available at <https://www.fldoe.org/core/fileparse.php/5663/urlt/USFL-SWAssessReports.pdf>.

² *Id.*

³ Florida Department of Education, *Florida Standards Assessments, English Language Arts and Mathematics* (2022), available at <https://www.fldoe.org/core/fileparse.php/5668/urlt/80FSAResults22.pdf>.

⁴ Florida Department of Education, *National assessment of Educational Progress (NAEP)*, <https://www.fldoe.org/accountability/assessments/national-international-assessments/naep/> (last visited Mar. 16, 2023).

NAEP is a congressionally mandated project administered by the National Center for Education Statistics (NCES) and overseen by the National Assessment Governing Board (NAGB). In the state of Florida, participation in NAEP is mandated by s. 1008.22(2), Florida Statutes.⁵ NAEP reports achievement level percentages that show the percentage of students who meet or exceed expectation of what students should know and be able to do.⁶ The results of the NAEP assessment are shown below for grades 4 and 8 for the most recent four years.⁷ These results show consistent performance in each grade where at grade 4 approximately sixty percent of students are below proficient in both reading and mathematics for 2022 and at grade 8 over seventy percent of students are below proficient in both subjects. Grade 4 performance over time is consistent for reading but the 2022 performance for mathematics is noticeably lower than the two prior years. Grade 8 performance over time shows lower scores in both reading and mathematics for 2022 when compared to the prior two years.

Florida Results on NAEP

Grade-Subject	Percent at or Above Proficient			
	2015	2017	2019	2022
Grade 4 Reading	39%	41%	38%	39%
Grade 8 Reading	30%	35%	34%	29%
Grade 4 Mathematics	42%	48%	48%	41%
Grade 8 Mathematics	26%	29%	31%	23%

International Performance

The Program for International Student Assessment tests 15-year-old students around the world and is administered by the Organization for Economic Cooperation and Development (OECD). In 2018, when the test was last administered, the U.S. placed 11th out of 79 countries in science and did much worse in math, ranking 30th. When analyzing the U.S.'s results over the years, the scores have been stable over time. There has been no detectable change in U.S. students' math scores since 2003 or science scores since 2006.⁸

Strategies for Reading Instruction

The science of reading (SOR)⁹ is a body of research that incorporates insights and research from disciplines that include developmental psychology, educational psychology, cognitive science, and cognitive neuroscience. The science of reading has been documented around the world, in all languages and cultures. The National Reading Panel (NRP) report in 2000 found that explicit, systematic, cumulative instruction in these five essential elements is key to reading success:

⁵ Florida Department of Education, *National assessment of Educational Progress (NAEP)*, <https://www.fldoe.org/accountability/assessments/national-international-assessments/naep/> (last visited Mar. 16, 2023).

⁶ The Nation's Report Card, *The NAEP Glossary of Terms*, <https://www.nationsreportcard.gov/glossary.aspx?ispopup=false> (last visited Mar. 16, 2023).

⁷ The Nation's Report Card, *How has your state performed?*, <https://www.nationsreportcard.gov/> (last visited Mar. 16, 2023).

⁸ The balance, *U.S. Educational Rankings are Falling Behind the Rest of the World*, <https://www.thebalancemoney.com/the-u-s-is-losing-its-competitive-advantage-3306225> (last visited Mar. 16, 2023).

⁹ Email, ExcelinEd, *Why The Three-Cueing Systems Model Doesn't Teach Children to Read*, (Mar. 16, 2023).

phonemic awareness; phonics; vocabulary; fluency; and comprehension.¹⁰ Decoding and encoding are defined as follows:

- **Decoding** is the art of applying knowledge of phonics, the relationship between letters and sounds, to pronounce words correctly. To apply decoding strategies, students employ knowledge of individual phoneme/grapheme relationships, including identifying vowels and consonants. Next, they discover the syllable division pattern(s), which indicates how to cut the word into syllables. Then, students look at each syllable and determine the syllable type, which indicates how to pronounce the vowel sounds.¹¹
- **Encoding** is the process of breaking a spoken word into each of its individual sounds, known as phonemes. Phonemes are the smallest units in our spoken language that distinguish one word from another. Knowledge of spelling patterns and rules knit together the layers of the English language as students use phonology (sound patterns that occur within languages), orthography (the way in which the words of a language are spelled), and morphology (how words are formed in language) to identify how to spell words. Ensuring mastery of phonological awareness skills as a foundation upon which students build phonetic knowledge is extremely important. Students will segment to spell the phonemes in monosyllabic and polysyllabic words with increasing automaticity in order to become fluent writer.¹²

The three-cueing method or Meaning, Syntax and Visual cues (MSV) is defined as a methodology that directs teachers to prompt students who are not able to read a word to first think about what would make sense (Meaning). If the student guesses incorrectly, then the student is prompted to think of a word that sounds right (Syntax). If the student guesses incorrectly again, then the student is prompted to look at the first few letters (Visual) and say a word that matches those letters. In each case, the student relies on guessing to think of a word that fits the text.¹³

Conditions Effecting Performance in Reading and Mathematics

Dyslexia is a language-based learning disability that causes difficulties with word recognition, spelling, and reading comprehension. Dyslexia is classified as a neurodevelopmental condition and is closely related to other learning disabilities like dyscalculia, dyspraxia, and dysgraphia. It affects learning ability in people of normal and above-average intelligence.¹⁴

Dyscalculia is a learning disability that affects the ability to learn arithmetic and mathematics in someone of normal intelligence, as compared with those of the same age who receive identical instruction. It may cause difficulty with counting, measuring quantity, working memory for numbers, sequential memory, ability to recognize patterns, time perception, telling time, sense of direction, and mental retrieval of mathematical facts and procedures. Dyscalculia is a lifelong

¹⁰ Email, ExcelinEd, Why The Three-Cueing Systems Model Doesn't Teach Children to Read, (Mar. 16, 2023).

¹¹ Institute for Multi-Sensory Education, *What Is Decoding?*, <https://journal.imse.com/what-is-decoding/> (last visited Mar. 16, 2023).

¹² Institute for Multi-Sensory Education, *What Is Encoding?*, <https://journal.imse.com/what-is-encoding/> (last visited Mar. 16, 2023).

¹³ Informed Literacy, *5 Problems with Using MSV (aka The Three-Cueing System)*, <https://informedliteracy.com/five-problems-with-using-msv/> (last visited Mar. 16, 2023).

¹⁴ Psychology Today, *Dyslexia*, <https://www.psychologytoday.com/us/conditions/dyslexia> (last visited Mar. 18, 2023).

condition that can hinder academic progress and self-esteem; however, it can be managed with treatment, especially that which is initiated in early childhood.¹⁵

Florida Center for Reading Research

The Florida Center for Reading Research (FCRR) is a multidisciplinary research center at the Florida State University established in 2002.¹⁶ Drawing from multiple disciplines, FCRR investigates all aspects of reading and reading-related skills across the lifespan. Through rigorous and robust research, innovation, and engagement, FCRR advances the science of reading to improve learning and achievement from birth through adulthood.

FCRR contributes to the quality, accessibility, use and relevance of reading and reading-related research by leveraging our talent, resources, and partnerships to:¹⁷

- Conduct basic and applied interdisciplinary research on all aspects of reading and reading-related skills to benefit learners;
- Apply rigorous and innovative approaches that are responsive to the pressing problems of practice, policy, and research;
- Develop innovative multimedia resources to translate and disseminate results of high quality research relevant to a diverse group of stakeholders;
- Create and sustain meaningful, mutually supportive, and lasting cross-sector partnerships with diverse organizations to solve high leverage problems locally, nationally, and internationally;
- Engage in leadership and entrepreneurial activities to empower researchers, practitioners, and other stakeholders to discover solutions, transform practices, and make improvements continuously; and
- Foster a diverse intellectual community of researchers and practitioners to advance the science of reading and develop the next generation of scholars and leaders.¹⁸

Additional elements of the Present Situation that related to specific portions of the bill will be provided with the related topic in Section III, Effect of the Proposed Changes.

III. Effect of Proposed Changes:

Reading Instructional Resources

Present Situation

On September 7, 2001, Governor Jeb Bush signed Executive Order 01-260, designating Just Read, Florida! as a comprehensive and coordinated reading initiative, that prioritizes reading in Florida's public schools and among all the community groups and volunteer organizations that support literacy. Just Read, Florida! was launched with the unequivocal goal of every child being able to read at or above grade level. Just Read, Florida! is based on the latest reading research that includes emphasis on oral language development, phonological awareness, phonics,

¹⁵ Psychology Today, *Dyscalculia*, <https://www.psychologytoday.com/us/conditions/dyscalculia> (last visited Mar. 18, 2023).

¹⁶ Florida Center for Reading Research, <https://fcrr.org/about>, (last visited: Mar. 16, 2023).

¹⁷ *Id.*

¹⁸ *Id.*

vocabulary, fluency and comprehension. With that goal in mind, Just Read, Florida! focuses on three main components: student success, educator quality, and parent support.¹⁹

The Just Read, Florida! Office was established in the Department of Education (DOE) in 2006²⁰ to develop training, curriculum, and other resources to help students read at their highest level.²¹ Duties include:

- The development of sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills.²²
- Working with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.²³

Effect of Proposed Changes

The bill modifies s. 1001.215, F.S., to direct the Just Read, Florida! Office to develop and provide access to an online repository of digital science of reading instructional resources. The resources and instructional programs to be developed in partnership with the Florida Center for Reading Research must:

- Be grounded in the Science of Reading (SOR).
- Utilize phonics instruction for decoding and encoding as the primary instructional strategy for teaching word reading.
- Not utilize the three-cueing system model of reading or visual memory (MSV) as a basis for teaching word reading. However, the bill authorizes use of visual information and strategies to improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but not to be used to teach word reading.

Charter Schools

Present Situation

Charter schools are tuition-free public schools created through an agreement or "charter" typically between the school and the local district school board. This agreement gives the charter school a measure of expanded freedom relative to traditional public schools in return for a commitment to higher standards of accountability. Since 1996, Florida charter schools have played a key role in increasing parental options in public education and providing innovative learning opportunities for students.²⁴

¹⁹ Florida Department of Education, *Just Read, Florida!*, <https://www.fldoe.org/academics/standards/just-read-fl/> (last visited, Mar. 17, 2023).

²⁰ Ch. 2006-74, s. 8, Laws of Fla.

²¹ Section 1001.215, F.S.

²² Section 1001.215(4), F.S.

²³ Section 1001.215(8), F.S.

²⁴ Florida Department of Education, *Florida's Charter Schools*, Sept. 2022, available at <https://www.fldoe.org/core/fileparse.php/7778/urlt/Charter-Sept-2022.pdf>

Charter schools must provide parents with information about whether their child is reading at grade level, and must increase learning opportunities, with emphasis on reading.²⁵

The charter school application requirements and the requirements of the charter agreement itself are set in law.²⁶ The application must describe the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level.²⁷ The application must be denied if the strategies are not consistent with effective teaching strategies and are grounded in scientifically-based reading research.²⁸

The terms and conditions for the operation of a charter school, including a virtual charter school, are set by the sponsor and the applicant in a written contractual agreement, called a charter.²⁹

Effect of Proposed Changes

The bill modifies s. 1002.33, F.S., to require a charter school to include in its application reading instructional strategies for foundational skills that include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory (also known as MSV) as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. The same limitation must also be included in the charter agreement itself.

Voluntary Prekindergarten Program Requirements

Present Situation

The Voluntary Prekindergarten Education Program (VPK) prepares early learners for success in kindergarten and beyond. VPK helps build a strong foundation for school using educational material corresponding to various stages in a child's development. To be eligible, children must live in Florida and be 4 years old on or before September 1 of the current school year.³⁰ Private child care centers and schools, public schools, and specialized instructional services providers offer VPK. Since the program began in 2005-06, more than 2.6 million children have benefited from VPK. Data collected by the DOE show that children who participate in VPK are more ready for kindergarten than children who do not participate in VPK.³¹

The DOE is responsible for administration of the VPK program. Those responsibilities include adopting minimum standards for courses in emergent literacy that are required of all VPK

²⁵ Section 1002.33(2)(a)3. and (b)2., F.S.

²⁶ Section 1002.33, F.S.

²⁷ Section 1002.33(6)(a)4., F.S.

²⁸ *Id.*

²⁹ Section 1002.33(7), F.S.

³⁰ Section 1002.53(2), F.S.

³¹ Florida Division of Early Learning, *About Voluntary Prekindergarten*, <https://www.floridaearlylearning.com/vpk/floridas-vpk-program> (last visited Mar. 11, 2023).

instructors³² and the development and adoption of performance standards³³ for the program. All VPK providers are required to utilize a curriculum that is developmentally appropriate and be designed to:

- Prepare a student for early literacy and provide for instruction in early math skills.
- Enhance the age-appropriate progress of students in attaining the performance standards.
- Support student learning gains through differentiated instruction measured by the coordinated screening and progress monitoring program.

However, VPK providers are not required to use a state approved curriculum unless the program is required to as part of an improvement plan.

Effect of Proposed Changes

The bill modifies s. 1002.59, F.S., to add that each emergent literacy course developed by the DOE must include foundational background knowledge designed to correlate with the content that students will encounter in grades K-12 and that content and strategies must be grounded in the science of reading.

The bill modifies s. 1002.67, F.S., to add:

- That the performance standards developed and adopted by DOE must address emergent literacy skills that are grounded in the science of reading. The performance standards must also include foundational background knowledge designed to correlate with the content that students will encounter in grades K-12.
- A requirement that a VPK provider's curriculum must develop student background knowledge through a content-rich and sequential knowledge-building early literacy curriculum.

New Worlds Reading Initiative

Present situation

In 2021, the Florida Legislature created the New Worlds Reading Initiative (NWRI), Florida's first statewide book distribution program, to provide at-home literacy supports for students identified with a substantial reading deficiency or students who scored below a Level 3 on the preceding year's statewide, standardized ELA assessment.³⁴ To improve the literacy skills of students, the NWRI provides home delivery of high-quality, hardcopy free books on a monthly basis to eligible public and charter school students in kindergarten through grade 5. Students remain in the initiative until they are promoted to 6th grade or their parent opts out. Parents are provided resources to help improve their student's reading skills and instill a love of reading.³⁵

The Lastinger Center for Learning at the University of Florida administers the NWRI and is responsible for:

³² Section 1002.59(1), F.S.

³³ Section 1002.67(1), F.S.

³⁴ Section 1003.485(2), F.S.

³⁵ Staff of the Florida House of Representatives, *Legislative Bill Analysis for HB 7039* (2023).

- Developing, in consultation with the Just Read, Florida! Office, a selection of high-quality books encompassing diverse subjects and genres for each grade level.
- Distributing books at no cost to students either directly or through an agreement with a book distribution company.
- Maintaining a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to improve literacy and provide books to children.
- Developing, for parents of students in the initiative, resources and training materials that engage families in reading and support the reading achievement of their students.
- Developing a micro-credential that requires teachers to demonstrate competency to diagnose literacy difficulties and determine the appropriate range of literacy interventions based upon the age and literacy deficiency of the student; use evidence-based instructional and intervention practices; and effectively use progress monitoring and intervention materials.
- Administering the early literacy micro-credential program, designed specifically for instructional personnel in prekindergarten through grade 3, which includes components on content, student learning, pedagogy, and professional development, built on a strong foundation of scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.

In 2022 the New Worlds Reading Initiative served all 67 Florida Counties, 2,387 schools, 165,672 students with over two million books shipped. Over \$7.6 million was raised in tax credit donations.³⁶

The Lastinger Center for Learning has developed three micro-credentials, known as the Flamingo Literacy Micro-Credentials that are a hybrid model of online modules, instructor-supported online course and job-embedded practicum. All three credentials are designed so they can be completed in four months.

The application for the micro-credential became available in January of 2023, and 1,327 individuals have enrolled for the emergent micro-credential, 704 for the elementary micro-credential, and 197 for the secondary micro-credential (as of Mar. 6, 2023)³⁷

Effect of Proposed Changes

The bill modifies s. 1003.485, F.S., to define that the evidence-based professional development activities that are included in the Micro-credential must be grounded in the science of reading. The bill also requires the teachers participating the in micro-credential to demonstrate competency in the use of evidence-based instructional and intervention practices that are grounded in the science of reading.

The bill requires the administrator of the New World Reading Initiative to develop, in consultation with the Just Read, Florida! Office an online repository of digital science of reading

³⁶ Email, Lastinger Center for Learning, External Affairs and Communication (Mar. 20, 2023).

³⁷ Email, Florida Department of Education, Legislative Affairs, (Mar. 6, 2023).

materials and science of reading instructional resources that is accessible to public school teachers, school leaders, parents, and educator preparation programs and associated faculty.

Teacher Preparation Programs

Present Situation

In Florida, teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve state education goals.³⁸ State approved teacher preparation program uniform core curricula must include scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.³⁹ Teacher preparation program completers are eligible for a Florida Professional Educator's Certification upon program completion.⁴⁰

Educator Preparation Institutes (EPIs) are offered by Florida postsecondary institutions or qualified private providers to provide instruction for non-education baccalaureate or higher degree holders,⁴¹ resulting in qualification for an initial Florida Professional Educator's Certificate.

Effect of Proposed Changes

The bill modifies ss. 1004.04, F.S. and 1004.85, F.S., to require that the rules to establish uniform core curricula for each state-approved teacher preparation program and each educator preparation institute must include:

- Scientifically researched and evidence-based reading instructional strategies that are grounded in the science of reading.
- Approaches to teaching that must include phonics instruction for decoding and encoding as the primary instructional strategy for word reading.

Approaches to teaching instructional strategies may not include those that employ the three-cueing system model of reading or visual memory (also known as MSV) as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

District School Board Educational Materials

Present Situation

Each Florida district school board or a consortium of school districts may implement an instructional materials program for the review, recommendation, adoption and purchase of instructional materials. Each year the district school superintendent must certify to the DOE by

³⁸ Section 1004.04(1)(b), F.S.

³⁹ Section 1004.04(2)(b)3., F.S.

⁴⁰ Florida Department of Education (DOE), *Educator Preparation*, <http://www.fldoe.org/teaching/preparation/> (last visited Mar. 17, 2023), and Rule 6A-5.066(1)(k), F.A.C.

⁴¹ Section 1004.85, F.S.

March 31 of each year that all materials for core courses used the by district are aligned with state standards. The certification must include a list of the core instructional materials that will be used or purchased for use.⁴² Instructional materials that have been reviewed by district instructional materials reviewers must meet state academic standards⁴³ and must meet the requirements of reviewers set in statute.⁴⁴

Effect of Proposed Changes

The bill modifies ss. 1006.283 and 1006.31, F.S., to require that all instructional materials reviewed and approved through the school district, consortium, or state-level evaluation process for foundational reading skills must be based on the science of reading and include phonics instruction for decoding and encoding as the primary strategies for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory (also known as MSV) as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

Support for Underperforming Students

Present Situation

It is the intent of the Legislature that each student's progression from one grade to another be determined, in part, upon satisfactory performance in English Language Arts, social studies, science, and mathematics. District school board policies should facilitate student achievement and each student and his or her parent be informed of that student's academic progress.⁴⁵ Students should have access to educational options that provide academically challenging coursework or accelerated instruction.⁴⁶

Reading

State Board of Education (SBE) rule provides criteria for determining whether a student has a substantial deficiency in reading. A student is identified as having a substantial deficiency in reading if:⁴⁷

- For kindergarten⁴⁸ and grades 1 and 2,⁴⁹ the student scores below the tenth (10th) percentile or is unable to complete the practice items on the coordinated screening and progress monitoring system and the student has demonstrated, through progress monitoring, formative assessments, or teacher observation data, minimum skill levels for reading competency in one or more of the following areas:⁵⁰
 - phonological awareness

⁴² Section 1006.283(1), F.S.

⁴³ Section 1003.41, F.S.

⁴⁴ Section 1006.31, F.S.

⁴⁵ Section 1002.25(1), F.S.

⁴⁶ Section 1002.3105, F.S.

⁴⁷ Rule 6A-6.053(10), F.A.C.

⁴⁸ Section 1002.25(8), F.S.

⁴⁹ Section 1002.25(8), F.S.

⁵⁰ Rule 6A-6.053(10), F.A.C.

- phonics
- vocabulary, including oral language skills
- fluency, or
- comprehension.
- For grade 3, the student scores a Level 1 on the end of the year statewide, standardized English Language Arts assessment,⁵¹ or below the twentieth (20th) percentile at the beginning or middle of the year on the coordinated screening and progress monitoring system⁵² and the student has demonstrated, through progress monitoring, formative assessments, or teacher observation data, minimum skill levels for reading competency in one or more of the following areas;
 - phonological awareness,
 - phonics,
 - vocabulary, including oral language skills,
 - fluency, or
 - comprehension.

The parent of any student who exhibits a substantial deficiency in reading must be notified in writing of the deficiency and of all available services and proposed interventions, and be provided with a “read at home plan,” which outlines strategies that parents can use to help their children improve in reading⁵³

Mathematics

Florida law requires all public school students in grades 3 through 8 to participate in the annual statewide, standardized mathematics assessment.⁵⁴ The law also provides that students enrolled in Algebra 1 and Geometry courses must take the associated statewide, standardized end-of-course (EOC) assessment.⁵⁵ A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score,⁵⁶ in order to earn a standard high school diploma.⁵⁷ A student who does not achieve a Level 3 or above on the statewide, standardized Mathematics assessment or the Algebra I EOC assessment must be evaluated to determine the nature of the student’s difficulty, the areas of academic need, and strategies for providing academic supports to improve the student’s performance.⁵⁸

A student who is not meeting the school district or state requirements for satisfactory performance in mathematics must be covered by one of the following plans:⁵⁹

⁵¹ Section 1008.22(3), F.S.

⁵² Section 1002.25(8), F.S.

⁵³ Section 1008.25

⁵⁴ Section 1008.22(3)(a), F.S. Beginning with the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment is the statewide, standardized mathematics assessment for students in grades 3 through 8.

⁵⁵ Section 1008.22(3)(b), F.S. An EOC assessment counts as 30 percent of a student’s final course grade. Section 1008.22(3)(b)4., F.S.

⁵⁶ Beginning with students entering grade 9 in the 2019-2020 school year, a comparative passing score on the Math section of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), the SAT or the ACT, or on the Geometry EOC assessment may be used to meet the Algebra I EOC assessment graduation requirement. See rule 6A-1.09422(8)(b)2., F.A.C.

⁵⁷ Section 1003.4282(3)(b), F.S.

⁵⁸ Section 1008.25(4)(a), F.S.

⁵⁹ Section 1008.25(4)(b), F.S.

- A federally required student plan such as an individual education plan;
- A school-wide system of progress monitoring for all students, except that a student who scores Level 4 or above on the mathematics assessment may be exempted from participation by the principal; or
- An individualized progress monitoring plan.

Effect of the Proposed Changes

The bill modifies s. 1008.25, F.S., to modify or create a number of requirements for struggling students in reading mathematics.

Reading

The bill requires students with a substantial deficiency in mathematics to be provided with services such as an individual education plan (IEP) or an individualized progress monitoring plan or both. The bill adds requirements to the individualized progress monitoring plan to include the following:

- The student's specific, diagnosed reading or mathematics skill deficiencies.
- Goals and benchmarks for student growth in reading or mathematics.
- A description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress.
- For a substantial reading deficiency, the specific evidence-based literacy instruction grounded in the science of reading which the student will receive.
- Strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress.
- Any additional services the teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

The bill requires the following for programs aimed at helping students in kindergarten through grade 3 with a reading deficiency:

- A student who exhibits the characteristics of dyslexia must be provided specified reading interventions, which must be specified in SBE rule.
- The DOE must provide a list of state-vetted and approved reading and intervention programs beyond what is provided for all students.
- Reading intervention programs must:
 - Include explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension.
 - Include daily targeted small group reading interventions based on student need in phonological awareness, phonics including decoding and encoding, sight words, vocabulary, or comprehension.
 - Be implemented during regular school hours.

The bill requires school districts to evaluate students at the end of every grading period to determine if the student exhibits a reading deficiency, and provide supports. The district may not wait to provide supports until the student is identified using screening, diagnostic, progress monitoring or assessment data, statewide assessments, or teacher observations. The coordinated

screening and progress monitoring system must identify students who have a substantial deficiency in mathematics and dyscalculia.

The bill modifies requirements for students retained in third grade to clarify that:

- Reading instruction must be grounded in the science of reading.
- Reading instruction may include explicit and systematic instruction with more explanations, guided practice and feedback, and supplemental evidence-based reading interventions grounded in the science of reading that is delivered by a highly-effective teacher certified or endorsed in reading.

The bill requires that the primary instructional strategy for word reading for retained students is phonics instruction for decoding and encoding. Instructional strategies must not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

Mathematics

The bill creates an identification, intervention, and parental notification structure in mathematics similar to that of reading for students in kindergarten through grade 4 who exhibit a substantial deficiency in mathematics or the characteristics of dyscalculia. The program must include:

- Providing systematic and explicit mathematics instruction to address deficiencies that include either:
 - Daily targeted small group intervention.
 - Supplemental evidence-based interventions delivered by a highly qualified math teacher or trained tutor.
- Monitoring of student progress.

The bill requires the DOE to adopt rules to provide guidelines for determining whether a student in kindergarten through grade 4 has a substantial deficiency in mathematics.

The bill requires the DOE to provide a list of state vetted and approved mathematics intervention programs, curricula, and high quality supplemental materials which may be used to address a student's mathematics deficiencies. The DOE will work with the Florida Center for Mathematics and Science Education Research⁶⁰ to disseminate information to school district and teachers. The resources much include programs that schools can share with parents as part of a home-based plan that is available online and includes:

- Developmentally appropriate, evidence-based strategies including links to video training and the ability for parent to sign up for activities delivered via text or email.
- An overview of the types of assessments used to identify mathematics deficiencies and the types of interventions and supports.

⁶⁰ Section 1004.86, F.S. The Florida Center for Research in Science, Technology, Engineering and Mathematics (FCR–STEM), a multidisciplinary research center created by the Florida Legislature and competitively awarded to Florida State University in 2007. The FCR-STEM's mission is to help the State of Florida improve STEM teaching and learning in grades K- 12 and prepare students for higher education and STEM careers in the 21st century, <https://lsi.fsu.edu/fcrstem> (last visited Mar. 23, 2023).

- An overview of the process of initiating and conducting evaluations for exceptional education eligibility.
- Characteristics of conditions associated with learning disorders including dyslexia, dysgraphia, dyscalculia and developmental aphasia.
- Resources for parents to support informed decision making processes which upon request of the parent must be provided in hardcopy.

The bill requires that schools not wait for a student to receive a failing grade at the end of a grading period to identify a student as having a substantial mathematics deficiency and initiating interventions or an evaluation for exceptional student status⁶¹ if the parent submits documentation from a profession licensed under psychological services which demonstrates that the student has been diagnosed with dyscalculia.

The bill requires monitoring of the student's progress until the student demonstrates grade level proficiency as determined by the district.

The bill modifies requirements of the coordinated screening and progress monitoring program used to measure student performance in Voluntary Prekindergarten (VPK) and public schools. Specifically the bill requires:

- The coordinated screening and progress monitoring system to identify students who have a substantial deficiency in mathematics.
- The coordinated screening and progress monitoring system to identify students with the characteristics of dyscalculia.
- Reporting results from the coordinated screening and progress monitoring system must include the number of students who demonstrate characteristics of dyscalculia.

The bill adds requirements for students retained at grade 3. Specifically the bill requires:

- Reading instruction to be "grounded in science"
- Summer reading camps to place rigor and grade-level learning at the forefront.
- Small group instruction to be targeted.
- Explicit and systematic instruction with more explanations, guided practice and feedback.
- Supplemental evidence-based reading interventions to be delivered by a teacher who is certified or endorsed in reading and is rated highly effective on their performance evaluation.

The bill requires the parents of a student with a substantial deficiency in mathematics to be notified. The notification must be in writing and must include the following:

- An explanation of the exact nature of the student's difficulty.
- A description of the current services provided to the student.
- A description of the proposed intensive interventions.
- Strategies the parent can use in a home-based plan to help the student succeed including access to resources developed by the DOE specifically for use in a home-based plan.
- Monthly notice of the student's progress.

⁶¹ Section 1003.57, F.S.

Early Warning System

Present Situation

Each school in Florida that serves students in kindergarten through grade 8 is required to implement an early warning system to identify students in such grades who need additional support to improve academic performance and stay engaged in school. The early warning system must include the following early warning indicators:⁶²

- Attendance below 90 percent, regardless of whether absence is excused or a result of out-of-school suspension.
- One or more suspensions, whether in school or out of school.
- Course failure in English Language Arts or mathematics during any grading period.
- A Level 1 score on the statewide, standardized assessments in English Language Arts or mathematics or, for students in kindergarten through grade 3, a substantial reading deficiency as prescribed in law.⁶³

Effect of Proposed Change

The bill modifies s. 1001.42, F.S., to add to the early warning system an indicator that includes a substantial mathematics deficiency for students in kindergarten through grade 4.

Reading Achievement Initiative for Scholastic Excellence

Present Situation

In 2021 the Reading Achievement Initiative for Scholastic Excellence (RAISE) Program was established within the DOE to provide instructional supports to school districts and their staff in implementing evidence-based reading instruction and interventions in order to improve student reading achievement. The RAISE program established 20 literacy support regions and regional support teams to assist school districts in improving low reading scores. Directors and teams are required to consist of personnel who have completed the competency-based reading endorsement pathway and meet other specified requirements related to reading instruction and progress monitoring.⁶⁴

The RAISE High School Tutoring Program prepares eligible high school students to tutor students in kindergarten through grade three. School districts that wish to participate in the RAISE High School Tutoring Program must recruit, train and deploy eligible high school students using the materials developed by the Florida DOE.⁶⁵

Effect of the Proposed Changes

The bill modifies s. 1008.365, F.S., related to the RAISE Act. The bill requires that activities related to the regional literacy support directors, the regional support team, and tutoring program be grounded in the science of reading.

⁶² Section 1008.25(5)(a), F.S.

⁶³ *Id.*

⁶⁴ Section 1008.365, F.S.

⁶⁵ Florida Department of Education, *Reading Achievement Initiative for Scholastic Excellence Act (RAISE) High School Tutoring Program*, <https://www.fl DOE.org/academics/standards/just-read-fl/tutoring.html> (last visited Mar. 19, 2023).

Supplemental Academic Instruction

Present Situation

The Supplemental Academic Instruction (SAI) component of the Florida Education Finance Program (FEFP) provides additional funding for school districts for supplemental academic instruction. School districts with schools earning a “D” or “F” grade must use those schools’ portion of SAI funds to implement intervention and support strategies for school improvement and for salary incentives. For all other schools, the district may use SAI funds for reading instruction, modified curriculum, after-school instruction, tutoring, mentoring, class size reduction, extended school year instruction, summer instruction, dropout prevention programs, and other methods of improving student achievement or instruction provided during or beyond the 180-day school year. For the 2022-2023 fiscal year SAI funding was \$719,314,907.⁶⁶

The Evidenced-Based Reading Instruction Allocation is provided for a system of comprehensive reading instruction to students enrolled in prekindergarten through grade 12 programs as well as certain students who exhibit a substantial deficiency in early literacy. For the 2022-2023 fiscal year, the evidence-based reading allocation was \$170,000,000. An amount of \$115,000 is allocated to each district, and the remaining balance is allocated based on each district’s proportion of the total K-12 base funding.⁶⁷

Effect of the Proposed Changes

The bill modifies s. 1011.62, F.S., regarding the funds for operation of school and specifically for the supplemental academic instruction (SAI). Specifically the bill:

- Allows schools that are not “D” or “F” graded schools to use funding for evidence based mathematics interventions extending beyond the school day.
- Requires schools that are not “D” or “F” graded schools using funds for intensive skills development in summer school for those programs to place rigor and grade-level learning at the forefront.

The bill modifies the Evidence-based Reading Instruction Allocation to require:

- That supplemental instructional materials identified by the Just Read, Florida! Office be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies must not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.
- Each district in their annual comprehensive reading plan to describe how the district prioritizes the assignment of highly effective teachers and how reading coaches are assigned to individual schools.
- The new required plan provisions to be approved by the Just Read, Florida! Office.

⁶⁶ Florida Department of Education, *2022-23 Funding for Florida School Districts*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf>.

⁶⁷ *Id.*

Educator Certification

Present Situation

The DOE has developed, and each school district, charter school, and charter management organization may provide, a cohesive competency-based professional development certification and education competency program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in Florida law⁶⁸ and rule.⁶⁹ Participants must hold a state-issued temporary certificate. The program must include the following:⁷⁰

- A minimum period of initial preparation before assuming duties as the teacher of record.
- An option for collaboration with other supporting agencies or educational entities for implementation.
- A teacher mentorship and induction component.⁷¹

DOE and district school boards are responsible for issuing renewals of professional certificates depending on the employment status of the individual who holds a state issued professional certificate. District school boards are responsible for issuing renewals for those individuals employed the district, and the DOE is responsible for issuing renewals for those individuals who are not employed by a school district.⁷² General requirements are established in law⁷³ and rule.⁷⁴

Effects of the Proposed Changes

The bill modifies s. 1012.56, F.S., in regard to the professional development and education programs. Specifically the bill requires:

- Professional education preparation content knowledge to include researched and evidence-based instructional strategies grounded in the science of reading.
- That reading instructional strategies for foundational skills include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies must not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.
- That each district must maintain a system or program by which instructional staff may demonstrate mastery of professional and educational competence and the program must include scientifically researched and evidence-based reading instructional strategies grounded in the science of reading which improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, text comprehension, and multisensory intervention strategies.

⁶⁸ Section 1012.56(6), F.S.

⁶⁹ Rule 6A-5.069, F.A.C.

⁷⁰ Section 1012.56(8), F.S.

⁷¹ *Id.*

⁷² Section 1012.585(1), F.S.

⁷³ Section 1012.585(2), F.S.

⁷⁴ Rule 6A-4.0051, F.A.C.

The bill modifies s. 1012.585, F.S., regarding the requirements for renewal of a professional certificate. Specifically the bill:

- Requires knowledge-based reading literacy training as part of the college credits or in-service points to be grounded in the science of reading.
- Adds to the renewal requirements for a certificate with a validity date of July 1, 2020, or later, in an area identified by the DOE to include reading instruction or intervention for any students in kindergarten through grade 6, that the credits or points in evidence-based instructions and interventions must be grounded in the science of reading.

School Community Professional Development Act

Present Situation

The School Community Professional Development Act⁷⁵ outlines the expectations for a coordinated, statewide system of professional development that increases student achievement; enhances classroom instruction to promote rigor and relevance throughout the curriculum; and prepares students for success in college, career and life. The goals are to:⁷⁶

- Increase student achievement.
- Enhance classroom instruction to promote rigor and relevance throughout the curriculum.
- Prepare students for success in college, career, and life.

Responsibilities of the system are distributed among many collaborative partners including the Florida DOE; public postsecondary institutions, school districts, and schools; and state education foundations, consortia, and professional organizations. These responsibilities, as well as the scope, focus and required elements for Florida's professional learning system are set forth in a series of connected statutes and rules that address the importance of professional growth for educators and the essential need for school districts to maintain professional learning systems.⁷⁷

The state's has a systemic process for enabling professional learning. To support this key component of quality school improvement, Florida has several elements:

- State standards for high-quality professional learning.
- District professional learning systems.
- District professional learning catalogs.
- Professional learning review protocol materials and site visits for evaluation of district professional learning systems.⁷⁸

Effect of the Proposed Changes

The bill modifies s. 1012.98, F.S., regarding the School Community Professional Development Act, that:

⁷⁵ Section 1012.98, F.S.

⁷⁶ Florida Department of Education, *Florida's Coordinated System of Professional Development*, <https://www.fldoe.org/teaching/professional-dev/> (last visited Mar. 20, 2023).

⁷⁷ Florida Department of Education, *Florida's Coordinated System of Professional Development*, <https://www.fldoe.org/teaching/professional-dev/> (last visited Mar. 20, 2023).

⁷⁸ Florida Department of Education, *Florida's Coordinated System of Professional Development*, <https://www.fldoe.org/teaching/professional-dev/> (last visited Mar. 20, 2023).

- Requires training for foundational skills to reading coaches, classroom teachers, and school administrators to identify characteristics of dyslexia and other causes diminished phonological process skills be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.
- Requires that for contracted training for teaching foundational skills that those contracted trainings be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

The bill takes effect on July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill could have a significant but indeterminate negative fiscal impact on state revenues or expenditures. For example, the bill:

- Requires the DOE to work with Just Read Florida! to revise the minimum standards for courses in emergent literacy for prekindergarten instructors to include certain reading instructional criteria; and developing an online repository of reading and science of reading resources.
- Requires the administrator of the New Worlds Reading Initiative to develop an online repository of reading materials that is assessable to various users across the education community
- Requires implementation of identification, interventions and notifications regarding students with a substantial deficiency in mathematics.

VI. Technical Deficiencies:

None.

VII. Related Issues:

It is unclear how the requirement for the Just Read, Florida! Office, in conjunction with the Lastinger Center for Learning at the University of Florida, to develop an online repository will differ from a similar repository hosted by the Florida Center for Reading Research.⁷⁹

The bill is generally replacing the term “Next Generation Sunshine State Standard” with “the state standards.” Sections 3 and 10 still contain a reference to the Sunshine State Standards.

The Office of Early Learning was changed to the Division of Early Learning in the Department of Education in 2021; section 11 still contains a reference to the Office of Early Learning.

VIII. Statutes Affected:

The bill substantially amends the following sections of the Florida Statutes: 1001.215, 1001.42, 1002.33, 1002.59, 1002.67, 1003.485, 1004.04, 1004.85, 1006.283, 1006.31, 1008.25, 1008.365, 1011.62, 1012.56, 1012.585, 1012.98, 1002.37, 1002.45, 1002.53, 1002.68, 1008.2125, 1008.22, 1008.34, and 1008.345.

⁷⁹ Florida Center for Reading Research, *Reading Program Repository*, <https://fcrr.org/repository> (last visited Mar. 23, 2023).

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Calatayud

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1 A bill to be entitled
 2 An act relating to student outcomes; amending s.
 3 1001.215, F.S.; revising the responsibilities of the
 4 Just Read, Florida! Office; revising the primary
 5 instructional strategy for word reading; amending s.
 6 1001.42, F.S.; revising the early warning system that
 7 schools must implement for students with low academic
 8 performance; amending s. 1002.33, F.S.; providing that
 9 a charter school application must include certain
 10 reading instructional strategies; providing that a
 11 charter school charter must include certain reading
 12 instructional strategies; amending s. 1002.59, F.S.;
 13 revising the standards for emergent literacy and
 14 performance standards training courses; amending s.
 15 1002.67, F.S.; revising the performance standards of
 16 emergent literacy skills; adding a requirement for
 17 each prekindergarten provider's curriculum; amending
 18 s. 1003.485, F.S.; revising the definition of the term
 19 "micro-credential"; revising administrator
 20 responsibilities relating to the New Worlds Reading
 21 Initiative; amending s. 1004.04, F.S.; revising the
 22 rules for establishing uniform core curricula for
 23 teacher preparation programs; amending s. 1004.85,
 24 F.S.; providing that the certification program of a
 25 postsecondary educator preparation institute must
 26 include certain reading instructional strategies;
 27 amending s. 1006.283, F.S.; providing that district
 28 school board instructional materials must include
 29 certain reading instructional strategies; amending s.

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30 1006.31, F.S.; providing that instructional materials
 31 relating to foundational reading skills which are
 32 under review must include certain reading
 33 instructional strategies; amending s. 1008.25, F.S.;
 34 revising requirements for an individualized progress
 35 monitoring plan; requiring a student who has dyslexia
 36 to be provided with certain interventions to address
 37 the deficiency; requiring the Department of Education
 38 to provide a specified list of intervention programs;
 39 requiring the department to provide specified daily
 40 reading interventions to certain students; requiring a
 41 school district to evaluate students for a reading
 42 deficiency at the end of every grading period;
 43 requiring students in kindergarten through grade 4 who
 44 exhibit a substantial deficiency in mathematics or
 45 dyscalculia to be provided with certain instruction;
 46 providing methods for such instruction; requiring the
 47 student's performance to be monitored; requiring the
 48 Department of Education to provide a list of approved
 49 mathematics intervention programs, curricula, and
 50 supplemental materials; providing that a Voluntary
 51 Prekindergarten Education student may be eligible to
 52 receive mathematics interventions from the local
 53 school district; requiring the parent of a student who
 54 has a deficiency in mathematics to be notified;
 55 providing requirements for the notification; requiring
 56 the school to keep the parent informed of the
 57 student's progress; requiring a school district to
 58 evaluate the students at the end of each grading

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59 period for a mathematics deficiency; requiring a
 60 school to provide additional support to a student with
 61 a mathematics deficiency; requiring the department to
 62 collaborate with the Florida Center for Mathematics
 63 and Science Education Research to compile resources
 64 that each school district must incorporate into a
 65 home-based plan for students with a mathematics
 66 deficiency; providing requirements for the resources;
 67 providing that the resources must be provided to a
 68 parent in a hardcopy format, if requested; conforming
 69 provisions to changes made by the act; revising
 70 requirements for intensive interventions to address
 71 student reading deficiencies; revising requirements
 72 for a coordinated screening and progress monitoring
 73 system; conforming cross-references; amending s.
 74 1008.365, F.S.; conforming provisions to changes made
 75 by the act; amending s. 1011.62, F.S.; including
 76 specified mathematics interventions in a school
 77 district's use of funding for supplemental academic
 78 instruction; conforming a cross-reference; providing
 79 that supplemental materials must include certain
 80 instructional strategies to be eligible for an
 81 evidence-based reading instruction allocation;
 82 revising requirements for a comprehensive reading plan
 83 that each school district must submit to the
 84 department; amending s. 1012.56, F.S.; revising
 85 requirements for a competency-based professional
 86 development certification and education competency
 87 program; amending s. 1012.585, F.S.; revising the

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88 requirements for the renewal of a professional
 89 certificate; amending s. 1012.98, F.S.; revising
 90 training requirements for reading coaches, classroom
 91 teachers, and school administrators to include certain
 92 instructional strategies; providing construction with
 93 regard to district school boards contracting for
 94 certain training; amending ss. 1002.37, 1002.45,
 95 1002.53, 1002.68, 1008.2125, 1008.22, 1008.34, and
 96 1008.345, F.S.; conforming cross-references; providing
 97 an effective date.
 98
 99 Be It Enacted by the Legislature of the State of Florida:
 100
 101 Section 1. Subsections (4) and (8) of section 1001.215,
 102 Florida Statutes, are amended to read:
 103 1001.215 Just Read, Florida! Office.—There is created in
 104 the Department of Education the Just Read, Florida! Office. The
 105 office is fully accountable to the Commissioner of Education and
 106 shall:
 107 (4) Develop and provide access to an online repository of
 108 digital science of reading and science of reading instructional
 109 resources, sequenced, content-rich curriculum programming,
 110 instructional practices, and other resources that help
 111 elementary schools use state-adopted instructional materials to
 112 increase students' background knowledge and literacy skills,
 113 including student attainment of the state standards ~~Next~~
 114 ~~Generation Sunshine State Standards~~ for social studies, science,
 115 and the arts. The office shall, as part of the adoption cycle
 116 for English Language Arts instructional materials, assist in

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 117 evaluating elementary grades instructional materials submitted
 118 for adoption consideration in order to identify those materials
 119 that are closely aligned to the content and evidence-based
 120 strategies identified pursuant to subsection (8) and incorporate
 121 professional development to implement such strategies.

(8) Work with the Florida Center for Reading Research to
 123 identify scientifically researched and evidence-based reading
 124 instructional and intervention programs grounded in the science
 125 of reading that incorporate explicit, systematic, and sequential
 126 approaches to teaching phonemic awareness, phonics, vocabulary,
 127 fluency, and text comprehension and incorporate decodable or
 128 phonetic text instructional strategies. Reading intervention
 129 includes evidence-based strategies frequently used to remediate
 130 reading deficiencies and includes, but is not limited to,
 131 individual instruction, multisensory approaches, tutoring,
 132 mentoring, or the use of technology that targets specific
 133 reading skills and abilities. The primary instructional strategy
 134 for teaching word reading is phonics instruction for decoding
 135 and encoding. The identified reading instructional and
 136 intervention programs for foundational skills may not include
 137 those that employ the three-cueing system model of reading or
 138 visual memory as a basis for teaching word reading. Programs may
 139 include visual information and strategies which improve
 140 background and experiential knowledge, add context, and increase
 141 oral language and vocabulary to support comprehension, but
 142 should not be used to teach word reading.

Section 2. Paragraph (b) of subsection (18) of section
 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The

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 146 district school board, acting as a board, shall exercise all
 147 powers and perform all duties listed below:

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 149 Maintain a system of school improvement and education
 150 accountability as provided by statute and State Board of
 151 Education rule. This system of school improvement and education
 152 accountability shall be consistent with, and implemented
 153 through, the district's continuing system of planning and
 154 budgeting required by this section and ss. 1008.385, 1010.01,
 155 and 1011.01. This system of school improvement and education
 156 accountability shall comply with the provisions of ss. 1008.33,
 157 1008.34, 1008.345, and 1008.385 and include the following:

(b) *Early warning system.*—

1. A school that serves any students in kindergarten
 through grade 8 shall implement an early warning system to
 identify students in such grades who need additional support to
 improve academic performance and stay engaged in school. The
 early warning system must include the following early warning
 indicators:

a. Attendance below 90 percent, regardless of whether
 absence is excused or a result of out-of-school suspension.

b. One or more suspensions, whether in school or out of
 school.

c. Course failure in English Language Arts or mathematics
 during any grading period.

d. A Level 1 score on the statewide, standardized
 assessments in English Language Arts or mathematics or, for
 students in kindergarten through grade 3, a substantial reading
 deficiency under s. 1008.25(5)(a), and for students in

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175 kindergarten through grade 4, a substantial mathematics
 176 deficiency under s. 1008.25(6)(a).

177
 178 A school district may identify additional early warning
 179 indicators for use in a school's early warning system. The
 180 system must include data on the number of students identified by
 181 the system as exhibiting two or more early warning indicators,
 182 the number of students by grade level who exhibit each early
 183 warning indicator, and a description of all intervention
 184 strategies employed by the school to improve the academic
 185 performance of students identified by the early warning system.

186 2. A school-based team responsible for implementing the
 187 requirements of this paragraph shall monitor the data from the
 188 early warning system. The team may include a school
 189 psychologist. When a student exhibits two or more early warning
 190 indicators, the team, in consultation with the student's parent,
 191 shall determine appropriate intervention strategies for the
 192 student unless the student is already being served by an
 193 intervention program at the direction of a school-based,
 194 multidisciplinary team. Data and information relating to a
 195 student's early warning indicators must be used to inform any
 196 intervention strategies provided to the student.

197 Section 3. Paragraph (a) of subsection (6) and paragraph
 198 (a) of subsection (7) of section 1002.33, Florida Statutes, are
 199 amended to read:

200 1002.33 Charter schools.—

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

203 (a) A person or entity seeking to open a charter school

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204 shall prepare and submit an application on the standard
 205 application form prepared by the Department of Education which:

206 1. Demonstrates how the school will use the guiding
 207 principles and meet the statutorily defined purpose of a charter
 208 school.

209 2. Provides a detailed curriculum plan that illustrates how
 210 students will be provided services to attain the Sunshine State
 211 Standards.

212 3. Contains goals and objectives for improving student
 213 learning and measuring that improvement. These goals and
 214 objectives must indicate how much academic improvement students
 215 are expected to show each year, how success will be evaluated,
 216 and the specific results to be attained through instruction.

217 4. Describes the reading curriculum and differentiated
 218 strategies that will be used for students reading at grade level
 219 or higher and a separate curriculum and strategies for students
 220 who are reading below grade level. Reading instructional
 221 strategies for foundational skills shall include phonics
 222 instruction for decoding and encoding as the primary
 223 instructional strategy for word reading. Instructional
 224 strategies may not include those that employ the three-cueing
 225 system model of reading or visual memory as a basis for teaching
 226 word reading. Programs may include visual information and
 227 strategies which improve background and experiential knowledge,
 228 add context, and increase oral language and vocabulary to
 229 support comprehension, but should not be used to teach word
 230 reading. A sponsor shall deny an application if the school does
 231 not propose a reading curriculum that is consistent with
 232 effective teaching strategies that are grounded in

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233 scientifically based reading research.

234 5. Contains an annual financial plan for each year

235 requested by the charter for operation of the school for up to 5

236 years. This plan must contain anticipated fund balances based on

237 revenue projections, a spending plan based on projected revenues

238 and expenses, and a description of controls that will safeguard

239 finances and projected enrollment trends.

240 6. Discloses the name of each applicant, governing board

241 member, and all proposed education services providers; the name

242 and sponsor of any charter school operated by each applicant,

243 each governing board member, and each proposed education

244 services provider that has closed and the reasons for the

245 closure; and the academic and financial history of such charter

246 schools, which the sponsor shall consider in deciding whether to

247 approve or deny the application.

248 7. Contains additional information a sponsor may require,

249 which shall be attached as an addendum to the charter school

250 application described in this paragraph.

251 8. For the establishment of a virtual charter school,

252 documents that the applicant has contracted with a provider of

253 virtual instruction services pursuant to s. 1002.45(1)(d).

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

255 a charter school, including a virtual charter school, shall be

256 set forth by the sponsor and the applicant in a written

257 contractual agreement, called a charter. The sponsor and the

258 governing board of the charter school or virtual charter school

259 shall use the standard charter contract or standard virtual

260 charter contract, respectively, pursuant to subsection (21),

261 which shall incorporate the approved application and any addenda

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262 approved with the application. Any term or condition of a

263 proposed charter contract or proposed virtual charter contract

264 that differs from the standard charter or virtual charter

265 contract adopted by rule of the State Board of Education shall

266 be presumed a limitation on charter school flexibility. The

267 sponsor may not impose unreasonable rules or regulations that

268 violate the intent of giving charter schools greater flexibility

269 to meet educational goals. The charter shall be signed by the

270 governing board of the charter school and the sponsor, following

271 a public hearing to ensure community input.

272 (a) The charter shall address and criteria for approval of

273 the charter shall be based on:

274 1. The school's mission, the types of students to be

275 served, and, for a virtual charter school, the types of students

276 the school intends to serve who reside outside of the sponsoring

277 school district, and the ages and grades to be included.

278 2. The focus of the curriculum, the instructional methods

279 to be used, any distinctive instructional techniques to be

280 employed, and identification and acquisition of appropriate

281 technologies needed to improve educational and administrative

282 performance which include a means for promoting safe, ethical,

283 and appropriate uses of technology which comply with legal and

284 professional standards.

285 a. The charter shall ensure that reading is a primary focus

286 of the curriculum and that resources are provided to identify

287 and provide specialized instruction for students who are reading

288 below grade level. The curriculum and instructional strategies

289 for reading must be consistent with the state's academic

290 standards ~~Next Generation Sunshine State Standards~~ and grounded

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291 in scientifically based reading research. Reading instructional
 292 strategies for foundational skills shall include phonics
 293 instruction for decoding and encoding as the primary
 294 instructional strategy for word reading. Instructional
 295 strategies may not include those that employ the three-cueing
 296 system model of reading or visual memory as a basis for teaching
 297 word reading. Programs may include visual information and
 298 strategies which improve background and experiential knowledge,
 299 add context, and increase oral language and vocabulary to
 300 support comprehension, but should not be used to teach word
 301 reading.

302 b. In order to provide students with access to diverse
 303 instructional delivery models, to facilitate the integration of
 304 technology within traditional classroom instruction, and to
 305 provide students with the skills they need to compete in the
 306 21st century economy, the Legislature encourages instructional
 307 methods for blended learning courses consisting of both
 308 traditional classroom and online instructional techniques.
 309 Charter schools may implement blended learning courses which
 310 combine traditional classroom instruction and virtual
 311 instruction. Students in a blended learning course must be full-
 312 time students of the charter school pursuant to s.
 313 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
 314 1012.55 who provide virtual instruction for blended learning
 315 courses may be employees of the charter school or may be under
 316 contract to provide instructional services to charter school
 317 students. At a minimum, such instructional personnel must hold
 318 an active state or school district adjunct certification under
 319 s. 1012.57 for the subject area of the blended learning course.

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320 The funding and performance accountability requirements for
 321 blended learning courses are the same as those for traditional
 322 courses.

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

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

329 b. How these baseline rates will be compared to rates of
 330 academic progress achieved by these same students while
 331 attending the charter school.

332 c. To the extent possible, how these rates of progress will
 333 be evaluated and compared with rates of progress of other
 334 closely comparable student populations.

335
 336 A district school board is required to provide academic student
 337 performance data to charter schools for each of their students
 338 coming from the district school system, as well as rates of
 339 academic progress of comparable student populations in the
 340 district school system.

341 4. The methods used to identify the educational strengths
 342 and needs of students and how well educational goals and
 343 performance standards are met by students attending the charter
 344 school. The methods shall provide a means for the charter school
 345 to ensure accountability to its constituents by analyzing
 346 student performance data and by evaluating the effectiveness and
 347 efficiency of its major educational programs. Students in
 348 charter schools shall, at a minimum, participate in the

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statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

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

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

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

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

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

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11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

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

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate

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of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

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

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

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

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

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter

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school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

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

Section 4. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.—

(1) The department, in collaboration with the Just Read, Florida! Office, shall adopt minimum standards for courses in emergent literacy for prekindergarten instructors. Each course must consist of ~~comprise~~ 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, ~~and~~ vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that

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465 students will encounter in grades K-12, consistent with the
 466 evidence-based content and strategies grounded in the science of
 467 reading identified pursuant to s. 1001.215(8). The course
 468 standards must be reviewed as part of any review of subject
 469 coverage or endorsement requirements in the elementary, reading,
 470 and exceptional student educational areas conducted pursuant to
 471 s. 1012.586. Each course must also provide resources containing
 472 strategies that allow students with disabilities and other
 473 special needs to derive maximum benefit from the Voluntary
 474 Prekindergarten Education Program. Successful completion of an
 475 emergent literacy training course approved under this section
 476 satisfies requirements for approved training in early literacy
 477 and language development under ss. 402.305(2)(e)5., 402.313(6),
 478 and 402.3131(5).

479 Section 5. Paragraph (a) of subsection (1) and paragraph
 480 (b) of subsection (2) of section 1002.67, Florida Statutes, are
 481 amended to read:

482 1002.67 Performance standards and curricula.—

483 (1)(a) The department shall develop and adopt performance
 484 standards for students in the Voluntary Prekindergarten
 485 Education Program. The performance standards must address the
 486 age-appropriate progress of students in the development of:

487 1. The capabilities, capacities, and skills required under
 488 s. 1(b), Art. IX of the State Constitution;

489 2. Emergent literacy skills grounded in the science of
 490 reading, including oral communication, knowledge of print and
 491 letters, phonemic and phonological awareness, and vocabulary and
 492 comprehension development, and foundational background knowledge
 493 designed to correlate with the content that students will

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494 encounter in grades K-12; and
 495 3. Mathematical thinking and early math skills.
 496 (2)
 497 (b) Each private prekindergarten provider's and public
 498 school's curriculum must be developmentally appropriate and
 499 must:

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

502 2. Develop student's background knowledge through a
 503 content-rich and sequential knowledge-building early literacy
 504 curriculum;

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

508 ~~4.3.~~ Support student learning gains through differentiated
 509 instruction that shall be measured by the coordinated screening
 510 and progress monitoring program under s. 1008.25(9) ~~or~~
 511 ~~1008.25(8)~~.

512 Section 6. Present paragraphs (g) through (l) of subsection
 513 (4) of section 1003.485, Florida Statutes, are redesignated as
 514 paragraphs (h) through (m), respectively, a new paragraph (g) is
 515 added to that subsection, and paragraph (g) of subsection (1)
 516 and present paragraph (g) of subsection (4) of that section are
 517 amended, to read:

518 1003.485 The New Worlds Reading Initiative.—

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

520 (g) "Micro-credential" means evidence-based professional
 521 development activities grounded in the science of reading that
 522 are competency-based, personalized, and on-demand. Educators

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must demonstrate their competence via evidence submitted and reviewed by trained evaluators.

(4) ADMINISTRATOR RESPONSIBILITIES.—The administrator shall:

(g) Develop, in consultation with the Just Read, Florida! Office under s. 1001.215, an online repository of digital science of reading materials and science of reading instructional resources that is accessible to public school teachers, school leaders, parents, and educator preparation programs and associated faculty.

(h) ~~(g)~~ Develop a micro-credential that requires teachers to demonstrate competency to:

1. Diagnose literacy difficulties and determine the appropriate range of literacy interventions based upon the age and literacy deficiency of the student;

2. Use evidence-based instructional and intervention practices grounded in the science of reading, including strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8); and

3. Effectively use progress monitoring and intervention materials.

Section 7. Paragraph (b) of subsection (2) of section 1004.04, Florida Statutes, is amended to read:

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

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

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

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

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

3. Scientifically researched and evidence-based reading instructional strategies grounded in the science of reading that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies. The primary instructional strategy for teaching word reading is phonics instruction for decoding and encoding. Instructional strategies for foundational skills may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

4. Content literacy and mathematics practices.

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

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

7. Strategies to differentiate instruction based on student needs.

8. Strategies and practices to support evidence-based content aligned to state standards and grading practices.

9. Strategies appropriate for the early identification of a

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581 student in crisis or experiencing a mental health challenge and
582 the referral of such student to a mental health professional for
583 support.

584 10. Strategies to support the use of technology in
585 education and distance learning.

586 Section 8. Paragraph (a) of subsection (3) of section
587 1004.85, Florida Statutes, is amended to read:

588 1004.85 Postsecondary educator preparation institutes.—

589 (3) Educator preparation institutes approved pursuant to
590 this section may offer competency-based certification programs
591 specifically designed for noneducation major baccalaureate
592 degree holders to enable program participants to meet the
593 educator certification requirements of s. 1012.56. An educator
594 preparation institute choosing to offer a competency-based
595 certification program pursuant to the provisions of this section
596 must implement a program previously approved by the Department
597 of Education for this purpose or a program developed by the
598 institute and approved by the department for this purpose.
599 Approved programs shall be available for use by other approved
600 educator preparation institutes.

601 (a) Within 90 days after receipt of a request for approval,
602 the Department of Education shall approve a preparation program
603 pursuant to the requirements of this subsection or issue a
604 statement of the deficiencies in the request for approval. The
605 department shall approve a certification program if the
606 institute provides evidence of the institute's capacity to
607 implement a competency-based program that includes each of the
608 following:

609 1.a. Participant instruction and assessment in the Florida

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610 Educator Accomplished Practices across content areas.

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

613 c. Scientifically researched and evidence-based reading
614 instructional strategies grounded in the science of reading that
615 improve reading performance for all students, including
616 explicit, systematic, and sequential approaches to teaching
617 phonemic awareness, phonics, vocabulary, fluency, and text
618 comprehension and multisensory intervention strategies. The
619 primary instructional strategy for teaching word reading is
620 phonics instruction for decoding and encoding. Instructional
621 strategies for foundational skills may not include those that
622 employ the three-cueing system model of reading or visual memory
623 as a basis for teaching word reading. Programs may include
624 visual information and strategies which improve background and
625 experiential knowledge, add context, and increase oral language
626 and vocabulary to support comprehension, but should not be used
627 to teach word reading.

628 d. Content literacy and mathematical practices.

629 e. Strategies appropriate for instruction of English
630 language learners.

631 f. Strategies appropriate for instruction of students with
632 disabilities.

633 g. Strategies to differentiate instruction based on student
634 needs.

635 h. Strategies and practices to support evidence-based
636 content aligned to state standards and grading practices.

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

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639 the referral of such student to a mental health professional for
 640 support.

641 j. Strategies to support the use of technology in education
 642 and distance learning.

643 2. An educational plan for each participant to meet
 644 certification requirements and demonstrate his or her ability to
 645 teach the subject area for which the participant is seeking
 646 certification, which is based on an assessment of his or her
 647 competency in the areas listed in subparagraph 1.

648 3. Field experiences appropriate to the certification
 649 subject area specified in the educational plan with a diverse
 650 population of students in a variety of challenging environments,
 651 including, but not limited to, high-poverty schools, urban
 652 schools, and rural schools, under the supervision of qualified
 653 educators. The state board shall determine in rule the amount of
 654 field experience necessary to serve as the teacher of record,
 655 beginning with candidates entering a program in the 2023-2024
 656 school year.

657 4. A certification ombudsman to facilitate the process and
 658 procedures required for participants who complete the program to
 659 meet any requirements related to the background screening
 660 pursuant to s. 1012.32 and educator professional or temporary
 661 certification pursuant to s. 1012.56.

662 Section 9. Subsection (4) of section 1006.283, Florida
 663 Statutes, is amended to read:

664 1006.283 District school board instructional materials
 665 review process.—

666 (4) Instructional materials that have been reviewed by the
 667 district instructional materials reviewers and approved must

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668 have been determined to align with all applicable state
 669 standards pursuant to s. 1003.41, ~~and~~ the requirements in s.
 670 1006.31, and instructional materials for foundational reading
 671 skills shall be based on the science of reading and include
 672 phonics instruction for decoding and encoding as the primary
 673 instructional strategy for word reading. Instructional
 674 strategies may not include those that employ the three-cueing
 675 system model of reading or visual memory as a basis for teaching
 676 word reading. Programs may include visual information and
 677 strategies which improve background and experiential knowledge,
 678 add context, and increase oral language and vocabulary to
 679 support comprehension, but should not be used to teach word
 680 reading. The district school superintendent shall annually
 681 certify to the department that all instructional materials for
 682 core courses used by the district are aligned with all
 683 applicable state standards and have been reviewed, selected, and
 684 adopted by the district school board in accordance with the
 685 school board hearing and public meeting requirements of this
 686 section.

687 Section 10. Subsection (2) of section 1006.31, Florida
 688 Statutes, is amended to read:

689 1006.31 Duties of the Department of Education and school
 690 district instructional materials reviewer.—The duties of the
 691 instructional materials reviewer are:

692 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the
 693 selection criteria listed in s. 1006.34(2)(b) and recommend for
 694 adoption only those instructional materials aligned with the
 695 Next Generation Sunshine State Standards provided for in s.
 696 1003.41. Instructional materials for foundational reading skills

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697 shall be based on the science of reading and include phonics
 698 instruction for decoding and encoding as the primary
 699 instructional strategy for word reading. Instructional
 700 strategies may not include those that employ the three-cueing
 701 system model of reading or visual memory as a basis for teaching
 702 word reading. Programs may include visual information and
 703 strategies which improve background and experiential knowledge,
 704 add context, and increase oral language and vocabulary to
 705 support comprehension, but should not be used to teach word
 706 reading. Instructional materials recommended by each reviewer
 707 shall be, to the satisfaction of each reviewer, accurate,
 708 objective, balanced, noninflammatory, current, free of
 709 pornography and material prohibited under s. 847.012, and suited
 710 to student needs and their ability to comprehend the material
 711 presented. Reviewers shall consider for recommendation materials
 712 developed for academically talented students, such as students
 713 enrolled in advanced placement courses. When recommending
 714 instructional materials, each reviewer shall:

715 (a) Include only instructional materials that accurately
 716 portray the ethnic, socioeconomic, cultural, religious,
 717 physical, and racial diversity of our society, including men and
 718 women in professional, career, and executive roles, and the role
 719 and contributions of the entrepreneur and labor in the total
 720 development of this state and the United States.

721 (b) Include only materials that accurately portray,
 722 whenever appropriate, humankind's place in ecological systems,
 723 including the necessity for the protection of our environment
 724 and conservation of our natural resources and the effects on the
 725 human system of the use of tobacco, alcohol, controlled

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726 substances, and other dangerous substances.

727 (c) Include materials that encourage thrift, fire
 728 prevention, and humane treatment of people and animals.

729 (d) Require, when appropriate to the comprehension of
 730 students, that materials for social science, history, or civics
 731 classes contain the Declaration of Independence and the
 732 Constitution of the United States. A reviewer may not recommend
 733 any instructional materials that contain any matter reflecting
 734 unfairly upon persons because of their race, color, creed,
 735 national origin, ancestry, gender, religion, disability,
 736 socioeconomic status, or occupation or otherwise contradict the
 737 principles enumerated under s. 1003.42(3).

738 Section 11. Present subsections (6) through (10) of section
 739 1008.25, Florida Statutes, are redesignated as subsections (7)
 740 through (11), respectively, a new subsection (6) is added to
 741 that section, and subsections (4) and (5), present subsection
 742 (7), paragraphs (a) and (d) of present subsection (8), and
 743 present subsection (9) of that section, are amended, to read:

744 1008.25 Public school student progression; student support;
 745 coordinated screening and progress monitoring; reporting
 746 requirements.—

747 (4) ASSESSMENT AND SUPPORT.—

748 (a) Each student must participate in the statewide,
 749 standardized assessment program required under s. 1008.22 and
 750 the coordinated screening and progress monitoring system
 751 required under subsection (9) ~~(8)~~. Each student who does not
 752 achieve a Level 3 or above on the statewide, standardized
 753 English Language Arts assessment; the statewide, standardized
 754 Mathematics assessment; or the Algebra I EOC assessment must be

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evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

(b) A student who is not meeting the school district or state requirements for satisfactory performance in English Language Arts and mathematics must be covered by one of the following plans:

1. A federally required student plan such as an individual education plan;

2. A schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above on the English Language Arts and Mathematics assessments may be exempted from participation by the principal; or

3. An individualized progress monitoring plan.

(c) A student who has a substantial reading deficiency as determined in paragraph (5)(a) or a substantial mathematics deficiency as determined in paragraph (6)(a) must be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary. The individualized progress monitoring plan shall include, at a minimum:

1. The student's specific, diagnosed reading or mathematics skill deficiencies.

2. Goals and benchmarks for student growth in reading or mathematics.

3. A description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress.

4. For a substantial reading deficiency, the specific

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evidence-based literacy instruction grounded in the science of reading which the student will receive.

5. Strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress.

6. Any additional services the teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading or the characteristics of dyslexia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency to address his or her specific deficiencies.

1. The department shall provide a list of state vetted and approved comprehensive reading and intervention programs. The intervention programs shall be provided in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia-specific intervention, as defined by rule of the State Board of Education, shall be provided to students who have the characteristics of dyslexia and all struggling readers. The reading intervention program must do all of the following:

a. Provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as

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813 applicable.

814 b. Provide daily targeted small group reading interventions
 815 based on student need in phonological awareness, phonics
 816 including decoding and encoding, sight words, vocabulary, or
 817 comprehension.

818 c. Be implemented during regular school hours.

819 2. A school may not wait for a student to receive a failing
 820 grade at the end of a grading period to identify the student as
 821 having a substantial reading deficiency and initiate intensive
 822 reading interventions. In addition, a school may not wait until
 823 an evaluation conducted pursuant to s. 1003.57 is completed to
 824 provide appropriate, evidence-based interventions for a student
 825 whose parent submits documentation from a professional licensed
 826 under chapter 490 which demonstrates that the student has been
 827 diagnosed with dyslexia. Such interventions must be initiated
 828 upon receipt of the documentation and based on the student's
 829 specific areas of difficulty as identified by the licensed
 830 professional.

831 3. A student's reading proficiency must be monitored and
 832 the intensive interventions must continue until the student
 833 demonstrates grade level proficiency in a manner determined by
 834 the district, which may include achieving a Level 3 on the
 835 statewide, standardized English Language Arts assessment. The
 836 State Board of Education shall identify by rule guidelines for
 837 determining whether a student in kindergarten through grade 3
 838 has a substantial deficiency in reading.

839 (b) A Voluntary Prekindergarten Education Program student
 840 who exhibits a substantial deficiency in early literacy skills
 841 in accordance with the standards under s. 1002.67(1)(a) and

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842 based upon the results of the administration of the final
 843 coordinated screening and progress monitoring under subsection
 844 (9) ~~(8)~~ shall be referred to the local school district and may
 845 be eligible to receive intensive reading interventions before
 846 participating in kindergarten. Such intensive reading
 847 interventions shall be paid for using funds from the district's
 848 evidence-based reading instruction allocation in accordance with
 849 s. 1011.62(8).

850 (c) To be promoted to grade 4, a student must score a Level
 851 2 or higher on the statewide, standardized English Language Arts
 852 assessment required under s. 1008.22 for grade 3. If a student's
 853 reading deficiency is not remedied by the end of grade 3, as
 854 demonstrated by scoring Level 2 or higher on the statewide,
 855 standardized assessment required under s. 1008.22 for grade 3,
 856 the student must be retained.

857 (d) The parent of any student who exhibits a substantial
 858 deficiency in reading, as described in paragraph (a), must be
 859 notified in writing of the following:

860 1. That his or her child has been identified as having a
 861 substantial deficiency in reading, including a description and
 862 explanation, in terms understandable to the parent, of the exact
 863 nature of the student's difficulty in learning and lack of
 864 achievement in reading.

865 2. A description of the current services that are provided
 866 to the child.

867 3. A description of the proposed intensive interventions
 868 and supports that will be provided to the child that are
 869 designed to remediate the identified area of reading deficiency.

870 4. That if the child's reading deficiency is not remediated

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871 by the end of grade 3, the child must be retained unless he or
872 she is exempt from mandatory retention for good cause.

873 5. Strategies, including multisensory strategies and
874 programming, through a read-at-home plan the parent can use in
875 helping his or her child succeed in reading. The read-at-home
876 plan must provide access to the resources identified in
877 paragraph (e).

878 6. That the statewide, standardized English Language Arts
879 assessment is not the sole determiner of promotion and that
880 additional evaluations, portfolio reviews, and assessments are
881 available to the child to assist parents and the school district
882 in knowing when a child is reading at or above grade level and
883 ready for grade promotion.

884 7. The district's specific criteria and policies for a
885 portfolio as provided in subparagraph (7) (b) (4) ~~(6) (b)~~ 4. and the
886 evidence required for a student to demonstrate mastery of
887 Florida's academic standards for English Language Arts. A school
888 must immediately begin collecting evidence for a portfolio when
889 a student in grade 3 is identified as being at risk of retention
890 or upon the request of the parent, whichever occurs first.

891 8. The district's specific criteria and policies for
892 midyear promotion. Midyear promotion means promotion of a
893 retained student at any time during the year of retention once
894 the student has demonstrated ability to read at grade level.

895 9. Information about the student's eligibility for the New
896 Worlds Reading Initiative under s. 1003.485 and information on
897 parent training modules and other reading engagement resources
898 available through the initiative.
899

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900 After initial notification, the school shall apprise the parent
901 at least monthly of the student's progress in response to the
902 intensive interventions and supports. Such communications must
903 be in writing and must explain any additional interventions or
904 supports that will be implemented to accelerate the student's
905 progress if the interventions and supports already being
906 implemented have not resulted in improvement.

907 (e) A school district must evaluate a student, at a
908 minimum, at the end of every grading period to determine if the
909 student exhibits a reading deficiency. A school must provide
910 additional reading support to a student with a reading
911 deficiency, and may not wait to provide support until a student
912 is identified with a substantial reading deficiency as
913 determined in paragraph (5) (a).

914 (f) The Department of Education shall compile resources
915 that each school district must incorporate into a read-at-home
916 plan provided to the parent of a student who is identified as
917 having a substantial reading deficiency pursuant to paragraph
918 (d). The resources must be made available in an electronic
919 format that is accessible online and must include the following:

920 1. Developmentally appropriate, evidence-based strategies
921 and programming, including links to video training modules and
922 opportunities to sign up for at-home reading tips delivered
923 periodically via text and e-mail, which a parent can use to help
924 improve his or her child's literacy skills.

925 2. An overview of the types of assessments used to identify
926 reading deficiencies and what those assessments measure or do
927 not measure, the frequency with which the assessments are
928 administered, and the requirements for interventions and

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supports that districts must provide to students who do not make adequate academic progress.

3. An overview of the process for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan when necessary to inform school personnel responsible for implementing the plan.

4. Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.

5. A list of resources that support informed parent involvement in decisionmaking processes for students who have difficulty in learning.

Upon the request of a parent, resources meeting the requirements of this paragraph must be provided to the parent in a hardcopy format.

(6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must:

1. Immediately, following the identification of the mathematics deficiency, be provided systematic and explicit

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mathematics instruction to address his or her specific deficiencies through either:

a. Daily targeted small group mathematics intervention based on student need; or
b. Supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

2. The performance of a student receiving mathematics instruction under subparagraph 1. must be monitored and instruction must be adjusted based on the student's need.

3. The department shall provide a list of state vetted and approved mathematics intervention programs, curricula, and high-quality supplemental materials which may be used to improve a student's mathematics deficiencies. In addition, the department shall work, at a minimum, with the Florida Center for Mathematics and Science Education Research established in s. 1004.86 to disseminate information to school districts and teachers on effective evidence-based explicit mathematics instructional practices, strategies, and interventions.

4. A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial mathematics deficiency and initiate intensive mathematics interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyscalculia. Such interventions must be initiated upon receipt of the

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documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

5. A student's mathematics proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized Mathematics assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in kindergarten through grade 4 has a substantial deficiency in mathematics.

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early mathematics skills in accordance with the standards under s. 1002.67(1)(a) and based upon the results of the administration of the final coordinated screening and progress monitoring under subsection (8) shall be referred to the local school district and may be eligible to receive intensive mathematics interventions before participating in kindergarten.

(c) The parent of any student who exhibits a substantial deficiency in mathematics, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions

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and supports that will be provided to the child which are designed to remediate the identified area of mathematics deficiency.

4. Strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping his or her child succeed in mathematics. The home-based plan must provide access to the resources identified in paragraph (e).

After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

(d) A school district must evaluate a student, at a minimum, at the end of every grading period to determine if the student exhibits a mathematics deficiency. A school must provide additional mathematics support to a student with a mathematics deficiency, and may not wait to provide support until a student is identified with a substantial mathematics deficiency as determined in paragraph (a).

(e) The Department of Education, in collaboration with the Florida Center for Mathematics and Science Education Research established in s. 1004.86, shall compile resources that each school district must incorporate into a home-based plan provided to the parent of a student who is identified as having a substantial mathematics deficiency pursuant to paragraph (c).

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The resources must be made available in an electronic format that is accessible online and must include the following:

1. Developmentally appropriate, evidence-based strategies and programming, including links to video training modules and opportunities to sign up for family-guided home mathematics activities delivered periodically via text and e-mail, which a parent can use to help improve his or her child's mathematics skills.

2. An overview of the types of assessments used to identify mathematics deficiencies and what those assessments measure or do not measure, the frequency with which the assessments are administered, and the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.

3. An overview of the process for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan when necessary to inform school personnel responsible for implementing the plan.

4. Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.

5. A list of resources that support informed parent involvement in decisionmaking processes for students who have difficulty in learning.

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Upon the request of a parent, resources meeting the requirements of this paragraph must be provided to the parent in a hardcopy format.

~~(8)(7)~~ SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(a) Students retained under paragraph (5)(c) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction grounded in the science of reading, in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.

2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1. which place rigor and grade-level learning at the forefront.

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

a. Coordinated integration of content-rich texts in science and civic literacy within the 90-minute block.

b. Targeted small group instruction.

c. Explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback.

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1103 d. Reduced teacher-student ratios.

1104 e.~~d.~~ More frequent progress monitoring.

1105 f.~~e.~~ Tutoring or mentoring.

1106 g.~~f.~~ Transition classes containing 3rd and 4th grade

1107 students.

1108 h.~~g.~~ Extended school day, week, or year.

1109 i. Before school or after school, or both, supplemental

1110 evidence-based reading interventions grounded in the science of

1111 reading, delivered by a teacher who is certified or endorsed in

1112 reading and is rated highly effective as determined by the

1113 teacher's performance evaluation under s. 1012.34.

1114

1115 The primary instructional strategy for teaching word reading is

1116 phonics instruction for decoding and encoding. Instructional

1117 strategies may not include those that employ the three-cueing

1118 system model of reading or visual memory as a basis for teaching

1119 word reading. Programs may include visual information and

1120 strategies which improve background and experiential knowledge,

1121 add context, and increase oral language and vocabulary to

1122 support comprehension, but should not be used to teach word

1123 reading.

1124 (b) Each school district shall:

1125 1. Provide written notification to the parent of a student

1126 who is retained under paragraph (5)(c) that his or her child has

1127 not met the achievement level required for promotion and the

1128 reasons the child is not eligible for a good cause exemption as

1129 provided in paragraph (7)(b) ~~(6)(b)~~. The notification must

1130 comply with paragraph (5)(d) and must include a description of

1131 proposed interventions and supports that will be provided to the

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1132 child to remediate the identified areas of reading deficiency.

1133 2. Implement a policy for the midyear promotion of a

1134 student retained under paragraph (5)(c) who can demonstrate that

1135 he or she is a successful and independent reader and performing

1136 at or above grade level in reading or, upon implementation of

1137 English Language Arts assessments, performing at or above grade

1138 level in English Language Arts. Tools that school districts may

1139 use in reevaluating a student retained may include subsequent

1140 assessments, alternative assessments, and portfolio reviews, in

1141 accordance with rules of the State Board of Education. Students

1142 promoted during the school year after November 1 must

1143 demonstrate achievement levels in reading equivalent to the

1144 level necessary for the beginning of grade 4. The rules adopted

1145 by the State Board of Education must include standards that

1146 provide a reasonable expectation that the student's progress is

1147 sufficient to master appropriate grade 4 level reading skills.

1148 3. Provide students who are retained under paragraph

1149 (5)(c), including students participating in the school

1150 district's summer reading camp under subparagraph (a)2., with a

1151 teacher who is certified or endorsed in reading and is rated

1152 highly effective as determined by the teacher's performance

1153 evaluation under s. 1012.34.

1154 4. Establish at each school, when applicable, an intensive

1155 reading acceleration course for any student retained in grade 3

1156 who was previously retained in kindergarten, grade 1, or grade

1157 2. The intensive reading acceleration course must provide the

1158 following:

1159 a. Uninterrupted reading instruction grounded in the

1160 science of reading for the majority of student contact time each

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day and opportunities to master the grade 4 state academic standards in other core subject areas through content-rich texts.

b. Explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback.

c. Targeted small group instruction.

d. ~~e~~ Reduced teacher-student ratios.

e. ~~d~~ The use of explicit, systematic, and multisensory reading interventions grounded in the science of reading, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.

f. ~~e~~ A read-at-home plan.

(9) (d) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

(a) The Department of Education, in collaboration with the Office of Early Learning, shall procure and require the use of a statewide, standardized coordinated screening and progress monitoring system for the Voluntary Prekindergarten Education Program and public schools. The system must:

1. Measure student progress in meeting the appropriate expectations in early literacy and mathematics skills and in English Language Arts and mathematics standards as required by ss. 1002.67(1)(a) and 1003.41 and identify the educational strengths and needs of students.

2. For students in the Voluntary Prekindergarten Education Program through grade 3, measure student performance in oral

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language development, phonological and phonemic awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension, as applicable by grade level, and, at a minimum, provide interval level and norm-referenced data that measures equivalent levels of growth.

3. Be a valid, reliable, and developmentally appropriate computer-based direct instrument that provides screening and diagnostic capabilities for monitoring student progress; identifies students who have a substantial deficiency in reading and mathematics, including identifying students with characteristics of dyslexia, dyscalculia, and other learning disorders; and informs instruction. Any student identified by the system as having characteristics of dyslexia or dyscalculia shall undergo further screening. Beginning with the 2023-2024 school year, the coordinated screening and progress monitoring system must be computer-adaptive.

4. Provide data for Voluntary Prekindergarten Education Program accountability as required under s. 1002.68.

5. Provide Voluntary Prekindergarten Education Program providers, school districts, schools, teachers, and parents with data and resources that enhance differentiated instruction and parent communication.

6. Provide baseline data to the department of each student's readiness for kindergarten. The determination of kindergarten readiness must be based on the results of each student's initial progress monitoring assessment in kindergarten. The methodology for determining a student's readiness for kindergarten must be developed by the department and aligned to the methodology adopted pursuant to s.

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1002.68(4).

7. Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels and provide information to the department to aid in the development of educational programs, policies, and supports for providers, districts, and schools.

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

(10)~~(9)~~ ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5)(c), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student's results on each statewide, standardized assessment and the coordinated screening and progress monitoring system under subsection (9)~~(8)~~. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5)(a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board and must be accessible through secure, web-based options.

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(b) Each district school board must annually publish on the district website the following information on the prior school year:

1. The provisions of this section relating to public school student progression and the district school board's policies and procedures on student retention and promotion.

2. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the statewide, standardized English Language Arts assessment.

3. By grade, the number and percentage of all students retained in kindergarten through grade 10.

4. Information on the total number of students who were promoted for good cause, by each category of good cause as specified in paragraph (7)(b) ~~(6)(b)~~.

5. Any revisions to the district school board's policies and procedures on student retention and promotion from the prior year.

Section 12. Subsections (3), (4), and (8) of section 1008.365, Florida Statutes, are amended to read:

1008.365 Reading Achievement Initiative for Scholastic Excellence Act.—

(3) The department shall establish at least 20 literacy support regions and regional support teams, at the direction of a regional literacy support director appointed by the Commissioner of Education, to assist schools with improving low reading scores as provided in this section.

(a) A regional literacy support director must successfully demonstrate competence on the evidence-based strategies identified pursuant to s. 1001.215(8) and have the experience

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1277 and credentials necessary, as determined by the department, to:

1278 1. Effectively monitor student reading growth and

1279 achievement data;

1280 2. Oversee districtwide and schoolwide professional

1281 development and planning to establish evidence-based practices

1282 grounded in the science of reading among school administrators

1283 and instructional personnel;

1284 3. Evaluate implementation of evidence-based practices

1285 grounded in the science of reading; and

1286 4. Manage a regional support team.

1287 (b) A regional support team shall report to its regional

1288 literacy support director and must consist of individuals who:

1289 1. Successfully demonstrate competence on the evidence-

1290 based strategies identified pursuant to s. 1001.215(8);

1291 2. Have substantial experience in literacy coaching and

1292 monitoring student progress data in reading; and

1293 3. Have received training necessary to assist with the

1294 delivery of professional development and site-based supports,

1295 including modeling evidence-based practices grounded in the

1296 science of reading and providing feedback to instructional

1297 personnel.

1298 (4) The department may establish criteria to identify

1299 schools that must receive supports from a regional support team.

1300 However, regardless of its school grade designated pursuant to

1301 s. 1008.34, a school serving students in kindergarten through

1302 grade 5 must be identified for supports if 50 percent of its

1303 students who take the statewide, standardized English Language

1304 Arts assessment score below a Level 3 for any grade level, or,

1305 for students in kindergarten through grade 3, progress

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1306 monitoring data collected pursuant to s. 1008.25(9) ~~or~~

1307 ~~1008.25(8)~~ shows that 50 percent or more of the students are not

1308 on track to pass the statewide, standardized grade 3 English

1309 Language Arts assessment. A school identified for supports under

1310 this section must implement a school improvement plan pursuant

1311 to s. 1001.42(18), or, if the school is already implementing a

1312 school improvement plan, the plan must be amended to explicitly

1313 address strategies for improving reading performance consistent

1314 with this section.

1315 (8) As part of the RAISE Program, the department shall

1316 establish a tutoring program and develop training in effective

1317 reading tutoring practices and content, based on evidence-based

1318 practices grounded in the science of reading and aligned to the

1319 English Language Arts standards under s. 1003.41, which prepares

1320 eligible high school students to tutor students in kindergarten

1321 through grade 3 in schools identified under this section,

1322 instilling in those students a love of reading and improving

1323 their literacy skills.

1324 (a) To be eligible to participate in the tutoring program,

1325 a high school student must be a rising junior or senior who has

1326 a cumulative grade point average of 3.0 or higher, has no

1327 history of out-of-school suspensions or expulsions, is on track

1328 to complete all core course requirements to graduate, and has

1329 written recommendations from at least two of his or her present

1330 or former high school teachers of record or extracurricular

1331 activity sponsors.

1332 (b) School districts that wish to participate in the

1333 tutoring program must recruit, train, and deploy eligible high

1334 school students using the materials developed under this

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section. Tutoring must occur during the school day on school district property in the presence and under the supervision of instructional personnel who are school district employees. A parent must give written permission for his or her child to receive tutoring through the program.

(c) Tutoring may be part of a service-learning course adopted pursuant to s. 1003.497. Students may earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring under the program. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and an administrator or designee of the school in which the tutoring occurred. The hours that a high school student devotes to tutoring may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program as provided in s. 1003.497(3)(b). The department shall designate a high school student who provides at least 75 verified hours of tutoring under the program as a New Worlds Scholar and award the student with a pin indicating such designation.

Section 13. Paragraph (f) of subsection (1) and paragraphs (d) and (e) of subsection (8) of section 1011.62, Florida Statutes, are amended to read:

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

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follows:

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

(f) *Supplemental academic instruction allocation.*—

1. There is created the supplemental academic instruction allocation to provide supplemental academic instruction to students in kindergarten through grade 12.

2. The supplemental academic instruction allocation shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds are in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. Beginning with the 2018-2019 fiscal year, each school district that has a school earning a grade of "D" or "F" pursuant to s. 1008.34 must use that school's portion of the supplemental academic instruction allocation to implement intervention and support strategies for school improvement pursuant to s. 1008.33 and for salary incentives pursuant to s. 1012.2315(3) or salary supplements pursuant to s. 1012.22(1)(c)5.c. that are provided through a memorandum of understanding between the collective bargaining agent and the school board that addresses the selection, placement, and expectations of instructional personnel and school administrators. For all other schools, the school district's use of the supplemental academic instruction allocation may include, but is not limited to, the use of a modified curriculum; reading instruction; after-school

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1393 instruction; tutoring; mentoring; evidence-based mathematics
 1394 interventions extending beyond the school day; a reduction in
 1395 class size; extended school year; intensive skills development
 1396 in summer school which places rigor and grade-level learning at
 1397 the forefront; dropout prevention programs as defined in ss.
 1398 1003.52 and 1003.53(1)(a), (b), and (c); and other methods of
 1399 improving student achievement. Supplemental academic instruction
 1400 may be provided to a student in any manner and at any time
 1401 during or beyond the regular 180-day term identified by the
 1402 school as being the most effective and efficient way to best
 1403 help that student progress from grade to grade and to graduate.

1404 3. The supplemental academic instruction allocation shall
 1405 consist of a base amount that has a workload adjustment based on
 1406 changes in unweighted FTE. The supplemental academic instruction
 1407 allocation shall be recalculated during the fiscal year. Upon
 1408 recalculation of funding for the supplemental academic
 1409 instruction allocation, if the total allocation is greater than
 1410 the amount provided in the General Appropriations Act, the
 1411 allocation shall be prorated to the level provided to support
 1412 the appropriation, based on each district's share of the total.

1413 4. Funding on the basis of FTE membership beyond the 180-
 1414 day regular term shall be provided in the FEFP only for students
 1415 enrolled in juvenile justice education programs or in education
 1416 programs for juveniles placed in secure facilities or programs
 1417 under s. 985.19. Funding for instruction beyond the regular 180-
 1418 day school year for all other K-12 students shall be provided
 1419 through the supplemental academic instruction allocation and
 1420 other state, federal, and local fund sources with ample
 1421 flexibility for schools to provide supplemental instruction to

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1422 assist students in progressing from grade to grade and
 1423 graduating.

1424 (8) EVIDENCE-BASED READING INSTRUCTION ALLOCATION.—

1425 (d) Funds allocated under this subsection must be used to
 1426 provide a system of comprehensive reading instruction to
 1427 students enrolled in the prekindergarten-12 programs and certain
 1428 students who exhibit a substantial deficiency in early literacy,
 1429 which may include the following:

1430 1. Additional time per day of evidence-based intensive
 1431 reading instruction to students, which may be delivered during
 1432 or outside of the regular school day.

1433 2. Kindergarten through grade 12 evidence-based intensive
 1434 reading interventions.

1435 3. Highly qualified reading coaches, who must be endorsed
 1436 in reading, to specifically support teachers in making
 1437 instructional decisions based on student data, and improve
 1438 teacher delivery of effective reading instruction, intervention,
 1439 and reading in the content areas based on student need.

1440 4. Professional development to help instructional personnel
 1441 and certified prekindergarten teachers funded in the Florida
 1442 Education Finance Program earn a certification, a credential, an
 1443 endorsement, or an advanced degree in scientifically researched
 1444 and evidence-based reading instruction.

1445 5. Summer reading camps, using only teachers or other
 1446 district personnel who possess a micro-credential as specified
 1447 in s. 1003.485 or are certified or endorsed in reading
 1448 consistent with s. 1008.25(8)(b)3. ~~s. 1008.25(7)(b)3.~~, for all
 1449 students in kindergarten through grade 5 who demonstrate a
 1450 reading deficiency as determined by district and state

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assessments.

6. Scientifically researched and evidence-based supplemental instructional materials as identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). Such instructional materials for foundational reading skills shall be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not include those that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but should not be used to teach word reading.

7. Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.

8. Tutoring in reading.

(e)1. Annually, by a date determined by the Department of Education, each school district shall submit a comprehensive reading plan approved by the applicable district school board, charter school governing board, or lab school board of trustees, for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis. The plan shall also describe how the district prioritizes the assignment of highly effective teachers, as defined in s. 1012.34(2)(e), to kindergarten through grade 2 and how reading coaches are

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assigned to individual schools. These two provisions shall be approved by the Just Read, Florida! Office. The State Regional Literacy Director may assist in the development of the plan. The department shall provide a plan format. A district school board may use the format developed by the department or a format developed by the district school board.

2. Intensive reading interventions must be delivered by instructional personnel who possess the micro-credential as provided in s. 1003.485 or are certified or endorsed in reading and must incorporate evidence-based strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). Instructional personnel who possess a micro-credential as specified in s. 1003.485 and are delivering intensive reading interventions must be supervised by an individual certified or endorsed in reading. For the purposes of this subsection, the term "supervision" means the ability to communicate by way of telecommunication with or physical presence of the certified or endorsed personnel for consultation and direction of the actions of the personnel with the micro-credential.

3. By July 1 of each year, the department shall release to each school district its allocation of appropriated funds. The department shall evaluate the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature and the State Board of Education, including any recommendations for improving implementation of evidence-based reading and intervention strategies in classrooms.

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For purposes of this subsection, the term "evidence-based" means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes as provided in 20 U.S.C. s. 8101(21)(A)(i).

Section 14. Paragraphs (a) and (b) of subsection (8) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION COMPETENCY PROGRAM.—

(a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based professional development certification and education competency program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection (6) and rules of the State Board of Education. Participants must hold a state-issued temporary certificate. A school district, charter school, or charter management organization that implements the program shall provide a competency-based certification program developed by the Department of Education or developed by the district, charter school, or charter management organization and approved by the Department of Education. The program shall include the following:

1. A minimum period of initial preparation before assuming duties as the teacher of record.

2. An option for collaboration with other supporting agencies or educational entities for implementation.

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3. A teacher mentorship and induction component.

a. Each individual selected by the district as a mentor:

(I) Must hold a valid professional certificate issued pursuant to this section;

(II) Must have earned at least 3 years of teaching experience in prekindergarten through grade 12;

(III) Must have completed specialized training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional development under s. 1012.98(3)(e);

(IV) Must have earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34; and

(V) May be a peer evaluator under the district's evaluation system approved under s. 1012.34.

b. The teacher mentorship and induction component must, at a minimum, provide weekly opportunities for mentoring and induction activities, including common planning time, ongoing professional development targeted to a teacher's needs, opportunities for a teacher to observe other teachers, co-teaching experiences, and reflection and follow-up ~~followup~~ discussions. Mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate in accordance with this section. A principal who is rated highly effective as determined by his or her performance evaluation under s. 1012.34 must be provided flexibility in selecting professional development activities under this paragraph; however, the activities must be approved by the

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1567 department as part of the district's, charter school's, or
 1568 charter management organization's program.

1569 4. An assessment of teaching performance aligned to the
 1570 district's system for personnel evaluation under s. 1012.34
 1571 which provides for:

1572 a. An initial evaluation of each educator's competencies to
 1573 determine an appropriate individualized professional development
 1574 plan.

1575 b. A summative evaluation to assure successful completion
 1576 of the program.

1577 5. Professional education preparation content knowledge,
 1578 which must be included in the mentoring and induction activities
 1579 under subparagraph 3., that includes, but is not limited to, the
 1580 following:

1581 a. The state standards provided under s. 1003.41, including
 1582 scientifically researched and evidence-based ~~based~~ reading
 1583 ~~instruction~~ instructional strategies grounded in the science of
 1584 reading, content literacy, and mathematical practices, for each
 1585 subject identified on the temporary certificate. Reading
 1586 instructional strategies for foundational skills shall include
 1587 phonics instruction for decoding and encoding as the primary
 1588 instructional strategy for word reading. Instructional
 1589 strategies may not include those that employ the three-cueing
 1590 system model of reading or visual memory as a basis for teaching
 1591 word reading. Programs may include visual information and
 1592 strategies which improve background and experiential knowledge,
 1593 add context, and increase oral language and vocabulary to
 1594 support comprehension, but should not be used to teach word
 1595 reading.

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1596 b. The educator-accomplished practices approved by the
 1597 state board.

1598 c. A variety of data indicators for monitoring student
 1599 progress.

1600 d. Methodologies for teaching students with disabilities.

1601 e. Methodologies for teaching students of limited English
 1602 proficiency appropriate for each subject area identified on the
 1603 temporary certificate.

1604 f. Techniques and strategies for operationalizing the role
 1605 of the teacher in assuring a safe learning environment for
 1606 students.

1607 6. Required achievement of passing scores on the subject
 1608 area and professional education competency examination required
 1609 by State Board of Education rule. Mastery of general knowledge
 1610 must be demonstrated as described in subsection (3).

1611 7. Beginning with candidates entering a program in the
 1612 2022-2023 school year, a candidate for certification in a
 1613 coverage area identified pursuant to s. 1012.585(3)(f) must
 1614 successfully complete all competencies for a reading
 1615 endorsement, including completion of the endorsement practicum
 1616 through the candidate's demonstration of mastery of professional
 1617 preparation and education competence under paragraph (b).

1618 (b)1. Each school district must and a private school or
 1619 state-supported public school, including a charter school, may
 1620 develop and maintain a system by which members of the
 1621 instructional staff may demonstrate mastery of professional
 1622 preparation and education competence as required by law. Each
 1623 program must be based on classroom application of the Florida
 1624 Educator Accomplished Practices and instructional performance

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and, for public schools, must be aligned with the district's or state-supported public school's evaluation system established under s. 1012.34, as applicable. The program shall include scientifically researched and evidence-based reading instructional strategies grounded in the science of reading which improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, text comprehension, and multisensory intervention strategies.

2. The Commissioner of Education shall determine the continued approval of programs implemented under this paragraph, based upon the department's review of performance data. The department shall review the performance data as a part of the periodic review of each school district's professional development system required under s. 1012.98.

Section 15. Paragraphs (a) and (f) of subsection (3) of section 1012.585, Florida Statutes, are amended to read:

1012.585 Process for renewal of professional certificates.—

(3) For the renewal of a professional certificate, the following requirements must be met:

(a) The applicant must earn a minimum of 6 college credits or 120 inservice points or a combination thereof. For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 1004.04(5)(b); participation in mentorship and induction activities, including as a mentor, pursuant to s. 1012.56(8)(a); and credits or points that provide training in the area of scientifically researched,

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knowledge-based reading literacy grounded in the science of reading, including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies, and computational skills acquisition, exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule that include reading instruction or intervention for any students in kindergarten through grade 6. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph.

(f) An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must

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1683 earn a minimum of 2 college credits or the equivalent inservice
 1684 points in evidence-based instruction and interventions grounded
 1685 in the science of reading specifically designed for students
 1686 with characteristics of dyslexia, including the use of explicit,
 1687 systematic, and sequential approaches to reading instruction,
 1688 developing phonological and phonemic awareness, decoding, and
 1689 implementing multisensory intervention strategies. Such training
 1690 must be provided by teacher preparation programs under s.
 1691 1004.04 or s. 1004.85 or approved school district professional
 1692 development systems under s. 1012.98. The requirements in this
 1693 paragraph may not add to the total hours required by the
 1694 department for continuing education or inservice training.

1695 Section 16. Paragraph (b) of subsection (4) and subsection
 1696 (9) of section 1012.98, Florida Statutes, are amended to read:

1697 1012.98 School Community Professional Development Act.—

1698 (4) The Department of Education, school districts, schools,
 1699 Florida College System institutions, and state universities
 1700 share the responsibilities described in this section. These
 1701 responsibilities include the following:

1702 (b) Each school district shall develop a professional
 1703 development system as specified in subsection (3). The system
 1704 shall be developed in consultation with teachers, teacher-
 1705 educators of Florida College System institutions and state
 1706 universities, business and community representatives, and local
 1707 education foundations, consortia, and professional
 1708 organizations. The professional development system must:

1709 1. Be reviewed and approved by the department for
 1710 compliance with s. 1003.42(3) and this section. All substantial
 1711 revisions to the system shall be submitted to the department for

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1712 review for continued approval.
 1713 2. Be based on analyses of student achievement data and
 1714 instructional strategies and methods that support rigorous,
 1715 relevant, and challenging curricula for all students. Schools
 1716 and districts, in developing and refining the professional
 1717 development system, shall also review and monitor school
 1718 discipline data; school environment surveys; assessments of
 1719 parental satisfaction; performance appraisal data of teachers,
 1720 managers, and administrative personnel; and other performance
 1721 indicators to identify school and student needs that can be met
 1722 by improved professional performance.

1723 3. Provide inservice activities coupled with follow-up
 1724 ~~followup~~ support appropriate to accomplish district-level and
 1725 school-level improvement goals and standards. The inservice
 1726 activities for instructional personnel shall focus on analysis
 1727 of student achievement data, ongoing formal and informal
 1728 assessments of student achievement, identification and use of
 1729 enhanced and differentiated instructional strategies that
 1730 emphasize rigor, relevance, and reading in the content areas,
 1731 enhancement of subject content expertise, integrated use of
 1732 classroom technology that enhances teaching and learning,
 1733 classroom management, parent involvement, and school safety.

1734 4. Provide inservice activities and support targeted to the
 1735 individual needs of new teachers participating in the
 1736 professional development certification and education competency
 1737 program under s. 1012.56(8)(a).

1738 5. Include a master plan for inservice activities, pursuant
 1739 to rules of the State Board of Education, for all district
 1740 employees from all fund sources. The master plan shall be

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1741 updated annually by September 1, must be based on input from
 1742 teachers and district and school instructional leaders, and must
 1743 use the latest available student achievement data and research
 1744 to enhance rigor and relevance in the classroom. Each district
 1745 inservice plan must be aligned to and support the school-based
 1746 inservice plans and school improvement plans pursuant to s.
 1747 1001.42(18). Each district inservice plan must provide a
 1748 description of the training that middle grades instructional
 1749 personnel and school administrators receive on the district's
 1750 code of student conduct adopted pursuant to s. 1006.07;
 1751 integrated digital instruction and competency-based instruction
 1752 and CAPE Digital Tool certificates and CAPE industry
 1753 certifications; classroom management; student behavior and
 1754 interaction; extended learning opportunities for students; and
 1755 instructional leadership. District plans must be approved by the
 1756 district school board annually in order to ensure compliance
 1757 with subsection (1) and to allow for dissemination of research-
 1758 based best practices to other districts. District school boards
 1759 must submit verification of their approval to the Commissioner
 1760 of Education no later than October 1, annually. Each school
 1761 principal may establish and maintain an individual professional
 1762 development plan for each instructional employee assigned to the
 1763 school as a seamless component to the school improvement plans
 1764 developed pursuant to s. 1001.42(18). An individual professional
 1765 development plan must be related to specific performance data
 1766 for the students to whom the teacher is assigned, define the
 1767 inservice objectives and specific measurable improvements
 1768 expected in student performance as a result of the inservice
 1769 activity, and include an evaluation component that determines

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1770 the effectiveness of the professional development plan.
 1771 6. Include inservice activities for school administrative
 1772 personnel that address updated skills necessary for
 1773 instructional leadership and effective school management
 1774 pursuant to s. 1012.986.
 1775 7. Provide for systematic consultation with regional and
 1776 state personnel designated to provide technical assistance and
 1777 evaluation of local professional development programs.
 1778 8. Provide for delivery of professional development by
 1779 distance learning and other technology-based delivery systems to
 1780 reach more educators at lower costs.
 1781 9. Provide for the continuous evaluation of the quality and
 1782 effectiveness of professional development programs in order to
 1783 eliminate ineffective programs and strategies and to expand
 1784 effective ones. Evaluations must consider the impact of such
 1785 activities on the performance of participating educators and
 1786 their students' achievement and behavior.
 1787 10. For middle grades, emphasize:
 1788 a. Interdisciplinary planning, collaboration, and
 1789 instruction.
 1790 b. Alignment of curriculum and instructional materials to
 1791 the state academic standards adopted pursuant to s. 1003.41.
 1792 c. Use of small learning communities; problem-solving,
 1793 inquiry-driven research and analytical approaches for students;
 1794 strategies and tools based on student needs; competency-based
 1795 instruction; integrated digital instruction; and project-based
 1796 instruction.
 1797
 1798 Each school that includes any of grades 6, 7, or 8 must include

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1799 in its school improvement plan, required under s. 1001.42(18), a
 1800 description of the specific strategies used by the school to
 1801 implement each item listed in this subparagraph.
 1802 11. Provide training to reading coaches, classroom
 1803 teachers, and school administrators in effective methods of
 1804 identifying characteristics of conditions such as dyslexia and
 1805 other causes of diminished phonological processing skills;
 1806 incorporating instructional techniques into the general
 1807 education setting which are proven to improve reading
 1808 performance for all students; and using predictive and other
 1809 data to make instructional decisions based on individual student
 1810 needs. The training must help teachers integrate phonemic
 1811 awareness; phonics, word study, and spelling; reading fluency;
 1812 vocabulary, including academic vocabulary; and text
 1813 comprehension strategies into an explicit, systematic, and
 1814 sequential approach to reading instruction, including
 1815 multisensory intervention strategies. Such training for teaching
 1816 foundational skills shall be based on the science of reading and
 1817 include phonics instruction for decoding and encoding as the
 1818 primary instructional strategy for word reading. Instructional
 1819 strategies may not include those that employ the three-cueing
 1820 system model of reading or visual memory as a basis for teaching
 1821 word reading. Programs may include visual information and
 1822 strategies which improve background and experiential knowledge,
 1823 add context, and increase oral language and vocabulary to
 1824 support comprehension, but should not be used to teach word
 1825 reading. Each district must provide all elementary grades
 1826 instructional personnel access to training sufficient to meet
 1827 the requirements of s. 1012.585(3)(f).

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1828 (9) This section does not limit or discourage a district
 1829 school board from contracting with independent entities for
 1830 professional development services and inservice education if the
 1831 district school board can demonstrate to the Commissioner of
 1832 Education that, through such a contract, a better product can be
 1833 acquired or its goals for education improvement can be better
 1834 met. Contracted training for teaching foundational skills shall
 1835 be based on the science of reading and include phonics
 1836 instruction for decoding and encoding as the primary
 1837 instructional strategy for word reading. Instructional
 1838 strategies may not include those that employ the three-cueing
 1839 system model of reading or visual memory as a basis for teaching
 1840 word reading. Programs may include visual information and
 1841 strategies which improve background and experiential knowledge,
 1842 add context, and increase oral language and vocabulary to
 1843 support comprehension, but should not be used to teach word
 1844 reading.
 1845 Section 17. Paragraphs (a) and (d) of subsection (10) of
 1846 section 1002.37, Florida Statutes, are amended to read:
 1847 1002.37 The Florida Virtual School.—
 1848 (10)(a) Public school students receiving full-time
 1849 instruction in kindergarten through grade 12 by the Florida
 1850 Virtual School must take all statewide assessments required
 1851 pursuant to s. 1008.22 and participate in the coordinated
 1852 screening and progress monitoring system under s. 1008.25(9) ~~or~~
 1853 ~~1008.25(8)~~.
 1854 (d) Unless an alternative testing site is mutually agreed
 1855 to by the Florida Virtual School and the school district or as
 1856 contracted under s. 1008.24, all industry certification

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1857 examinations, national assessments, progress monitoring under s.
 1858 1008.25(9) ~~s. 1008.25(8)~~, and statewide assessments must be
 1859 taken at the school to which the student would be assigned
 1860 according to district school board attendance areas. A school
 1861 district must provide the student with access to the school's
 1862 testing facilities and the date and time of the administration
 1863 of progress monitoring and each examination or assessment.
 1864 Section 18. Paragraph (b) of subsection (5) of section
 1865 1002.45, Florida Statutes, is amended to read:
 1866 1002.45 Virtual instruction programs.—
 1867 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student
 1868 enrolled in the school district's virtual instruction program
 1869 authorized pursuant to paragraph (1)(c) must:
 1870 (b) Take statewide assessments pursuant to s. 1008.22 and
 1871 participate in the coordinated screening and progress monitoring
 1872 system under s. 1008.25(9) ~~s. 1008.25(8)~~. Statewide assessments
 1873 and progress monitoring may be administered within the school
 1874 district in which such student resides, or as specified in the
 1875 contract in accordance with s. 1008.24(3). If requested by the
 1876 approved virtual instruction program provider or virtual charter
 1877 school, the district of residence must provide the student with
 1878 access to the district's testing facilities.
 1879 Section 19. Paragraph (d) of subsection (6) of section
 1880 1002.53, Florida Statutes, is amended to read:
 1881 1002.53 Voluntary Prekindergarten Education Program;
 1882 eligibility and enrollment.—
 1883 (6)
 1884 (d) Each parent who enrolls his or her child in the
 1885 Voluntary Prekindergarten Education Program must allow his or

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1886 her child to participate in the coordinated screening and
 1887 progress monitoring program under s. 1008.25(9) ~~s. 1008.25(8)~~.
 1888 Section 20. Paragraphs (a) and (b) of subsection (1),
 1889 paragraph (b) of subsection (4), and paragraph (c) of subsection
 1890 (6) of section 1002.68, Florida Statutes, are amended to read:
 1891 1002.68 Voluntary Prekindergarten Education Program
 1892 accountability.—
 1893 (1)(a) Beginning with the 2022-2023 program year, each
 1894 private prekindergarten provider and public school participating
 1895 in the Voluntary Prekindergarten Education Program must
 1896 participate in the coordinated screening and progress monitoring
 1897 program in accordance with s. 1008.25(9) ~~s. 1008.25(8)~~. The
 1898 coordinated screening and progress monitoring program results
 1899 shall be used by the department to identify student learning
 1900 gains, index development learning outcomes upon program
 1901 completion relative to the performance standards established
 1902 under s. 1002.67 and representative norms, and inform a private
 1903 prekindergarten provider's and public school's performance
 1904 metric.
 1905 (b) At a minimum, the initial and final progress monitoring
 1906 or screening must be administered by individuals meeting
 1907 requirements adopted by the department under s. 1008.25(9) ~~s.~~
 1908 ~~1008.25(8)~~.
 1909 (4)
 1910 (b) The methodology for calculating a provider's
 1911 performance metric may not include students who are not
 1912 administered the coordinated screening and progress monitoring
 1913 program under s. 1008.25(9) ~~s. 1008.25(8)~~.
 1914 (6)

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(c) The department shall adopt criteria for granting good cause exemptions. Such criteria must include, but are not limited to, all of the following:

1. Child demographic data that evidences a private prekindergarten provider or public school serves a statistically significant population of children with special needs who have individual education plans and can demonstrate progress toward meeting the goals outlined in the students' individual education plans.

2. Learning gains of children served in the Voluntary Prekindergarten Education Program by the private prekindergarten provider or public school on an alternative measure that has comparable validity and reliability of the coordinated screening and progress monitoring program in accordance with s. 1008.25(9) ~~s. 1008.25(8)~~.

3. Program assessment data under subsection (2) which demonstrates effective teaching practices as recognized by the tool developer.

4. Verification that local and state health and safety requirements are met.

Section 21. Subsection (1) of section 1008.2125, Florida Statutes, is amended to read:

1008.2125 The Council for Early Grade Success.—

(1) The Council for Early Grade Success, a council as defined in s. 20.03(7), is created within the Department of Education to oversee the coordinated screening and progress monitoring program under s. 1008.25(9) ~~s. 1008.25(8)~~ for students in the Voluntary Prekindergarten Education Program through grade 3 and, except as otherwise provided in this

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section, shall operate consistent with s. 20.052.

(a) The council shall be responsible for reviewing the implementation of, training for, and outcomes from the coordinated screening and progress monitoring program to provide recommendations to the department that support grade 3 students reading at or above grade level. The council, at a minimum, shall:

1. Provide recommendations on the implementation of the coordinated screening and progress monitoring program, including reviewing any procurement solicitation documents and criteria before being published.

2. Develop training plans and timelines for such training.

3. Identify appropriate personnel, processes, and procedures required for the administration of the coordinated screening and progress monitoring program.

4. Provide input on the methodology for calculating a provider's or school's performance metric and designations under s. 1002.68(4).

5. Work with the department to review the methodology for determining a child's kindergarten readiness.

6. Review data on age-appropriate learning gains by grade level that a student would need to attain in order to demonstrate proficiency in reading by grade 3.

7. Continually review anonymized data from the results of the coordinated screening and progress monitoring program for students in the Voluntary Prekindergarten Education Program through grade 3 to help inform recommendations to the department that support practices that will enable grade 3 students to read at or above grade level.

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1973 (b) The council shall be composed of 17 members who are
 1974 residents of this state and appointed as follows:
 1975 1. Three members appointed by the Governor, as follows:
 1976 a. One representative from the Department of Education.
 1977 b. One parent of a child who is 4 to 9 years of age.
 1978 c. One representative that is an elementary school
 1979 administrator.
 1980 2. Seven members appointed by the President of the Senate,
 1981 as follows:
 1982 a. One senator who serves at the pleasure of the President
 1983 of the Senate.
 1984 b. One representative of an urban school district.
 1985 c. One representative of a rural early learning coalition.
 1986 d. One representative of a faith-based early learning
 1987 provider who offers the Voluntary Prekindergarten Education
 1988 Program.
 1989 e. One representative who is a second grade teacher who has
 1990 at least 5 years of teaching experience.
 1991 f. Two representatives with subject matter expertise in
 1992 early learning, early grade success, or child assessments.
 1993 3. Seven members appointed by the Speaker of the House of
 1994 Representatives, as follows:
 1995 a. One member of the House of Representatives who serves at
 1996 the pleasure of the Speaker of the House.
 1997 b. One representative of a rural school district.
 1998 c. One representative of an urban early learning coalition.
 1999 d. One representative of an early learning provider who
 2000 offers the Voluntary Prekindergarten Education Program.
 2001 e. One member who is a kindergarten teacher who has at

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2002 least 5 years of teaching experience.
 2003 f. Two representatives with subject matter expertise in
 2004 early learning, early grade success, or child assessment.
 2005 4. The four representatives with subject matter expertise
 2006 in sub-subparagraphs 2.f. and 3.f. may not be direct
 2007 stakeholders within the early learning or public school systems.
 2008 Section 22. Paragraph (a) of subsection (3), subsections
 2009 (6) and (13), and paragraphs (b), (e), and (h) of subsection (7)
 2010 of section 1008.22, Florida Statutes, are amended to read:
 2011 1008.22 Student assessment program for public schools.—
 2012 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 2013 Commissioner of Education shall design and implement a
 2014 statewide, standardized assessment program aligned to the core
 2015 curricular content established in the state academic standards.
 2016 The commissioner also must develop or select and implement a
 2017 common battery of assessment tools that will be used in all
 2018 juvenile justice education programs in the state. These tools
 2019 must accurately measure the core curricular content established
 2020 in the state academic standards. Participation in the assessment
 2021 program is mandatory for all school districts and all students
 2022 attending public schools, including adult students seeking a
 2023 standard high school diploma under s. 1003.4282 and students in
 2024 Department of Juvenile Justice education programs, except as
 2025 otherwise provided by law. If a student does not participate in
 2026 the assessment program, the school district must notify the
 2027 student's parent and provide the parent with information
 2028 regarding the implications of such nonparticipation. The
 2029 statewide, standardized assessment program shall be designed and
 2030 implemented as follows:

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2031 (a) *Statewide, standardized comprehensive assessments.*—
 2032 1. The statewide, standardized English Language Arts (ELA)
 2033 assessments shall be administered to students in grades 3
 2034 through 10. Retake opportunities for the grade 10 ELA assessment
 2035 must be provided. Reading passages and writing prompts for ELA
 2036 assessments shall incorporate grade-level core curricula content
 2037 from social studies. The statewide, standardized Mathematics
 2038 assessments shall be administered annually in grades 3 through
 2039 8. The statewide, standardized Science assessment shall be
 2040 administered annually at least once at the elementary and middle
 2041 grades levels. In order to earn a standard high school diploma,
 2042 a student who has not earned a passing score on the grade 10 ELA
 2043 assessment must earn a passing score on the assessment retake or
 2044 earn a concordant score as authorized under subsection (9).
 2045 2. Beginning with the 2022-2023 school year, the end-of-
 2046 year comprehensive progress monitoring assessment administered
 2047 pursuant to s. 1008.25(9)(b)2. ~~s. 1008.25(8)(b)2.~~ is the
 2048 statewide, standardized ELA assessment for students in grades 3
 2049 through 10 and the statewide, standardized Mathematics
 2050 assessment for students in grades 3 through 8.
 2051 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE
 2052 STANDARDS.—Measurement of student performance is the
 2053 responsibility of school districts except in those subjects and
 2054 grade levels measured under the statewide, standardized
 2055 assessment program described in this section and the coordinated
 2056 screening and progress monitoring system under s. 1008.25(9) ~~s.~~
 2057 ~~1008.25(8)~~. When available, instructional personnel must be
 2058 provided with information on student achievement of standards
 2059 and benchmarks in order to improve instruction.

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

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2060 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—
 2061 (b) By January of each year, the commissioner shall publish
 2062 on the department's website a uniform calendar that includes the
 2063 assessment and reporting schedules for, at a minimum, the next 2
 2064 school years. The uniform calendar must be provided to school
 2065 districts in an electronic format that allows each school
 2066 district and public school to populate the calendar with, at
 2067 minimum, the following information for reporting the district
 2068 assessment schedules under paragraph (d):
 2069 1. Whether the assessment is a district-required assessment
 2070 or a state-required assessment.
 2071 2. The specific date or dates that each assessment will be
 2072 administered, including administrations of the coordinated
 2073 screening and progress monitoring system under s. 1008.25(9)(b)
 2074 ~~s. 1008.25(8)(b)~~.
 2075 3. The time allotted to administer each assessment.
 2076 4. Whether the assessment is a computer-based assessment or
 2077 a paper-based assessment.
 2078 5. The grade level or subject area associated with the
 2079 assessment.
 2080 6. The date that the assessment results are expected to be
 2081 available to teachers and parents.
 2082 7. The type of assessment, the purpose of the assessment,
 2083 and the use of the assessment results.
 2084 8. A glossary of assessment terminology.
 2085 9. Estimates of average time for administering state-
 2086 required and district-required assessments, by grade level.
 2087 (e) A school district may not schedule more than 5 percent
 2088 of a student's total school hours in a school year to administer

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2089 statewide, standardized assessments; the coordinated screening
 2090 and progress monitoring system under s. 1008.25(9)(b)2. ~~s.~~
 2091 ~~1008.25(8)(b)2.~~; and district-required local assessments. The
 2092 district must secure written consent from a student's parent
 2093 before administering district-required local assessments that,
 2094 after applicable statewide, standardized assessments and
 2095 coordinated screening and progress monitoring are scheduled,
 2096 exceed the 5 percent test administration limit for that student
 2097 under this paragraph. The 5 percent test administration limit
 2098 for a student under this paragraph may be exceeded as needed to
 2099 provide test accommodations that are required by an IEP or are
 2100 appropriate for an English language learner who is currently
 2101 receiving services in a program operated in accordance with an
 2102 approved English language learner district plan pursuant to s.
 2103 1003.56. Notwithstanding this paragraph, a student may choose
 2104 within a school year to take an examination or assessment
 2105 adopted by State Board of Education rule pursuant to this
 2106 section and ss. 1007.27, 1008.30, and 1008.44.

2107 (h) The results of statewide, standardized assessment in
 2108 ELA and mathematics, science, and social studies, including
 2109 assessment retakes, shall be reported in an easy-to-read and
 2110 understandable format and delivered in time to provide useful,
 2111 actionable information to students, parents, and each student's
 2112 current teacher of record and teacher of record for the
 2113 subsequent school year; however, in any case, the district shall
 2114 provide the results pursuant to this paragraph within 1 week
 2115 after receiving the results from the department. A report of
 2116 student assessment results must, at a minimum, contain:

2117 1. A clear explanation of the student's performance on the

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2118 applicable statewide, standardized assessments.

2119 2. Information identifying the student's areas of strength
 2120 and areas in need of improvement.

2121 3. Specific actions that may be taken, and the available
 2122 resources that may be used, by the student's parent to assist
 2123 his or her child based on the student's areas of strength and
 2124 areas in need of improvement.

2125 4. Longitudinal information, if available, on the student's
 2126 progress in each subject area based on previous statewide,
 2127 standardized assessment data.

2128 5. Comparative information showing the student's score
 2129 compared to other students in the school district, in the state,
 2130 or, if available, in other states.

2131 6. Predictive information, if available, showing the
 2132 linkage between the scores attained by the student on the
 2133 statewide, standardized assessments and the scores he or she may
 2134 potentially attain on nationally recognized college entrance
 2135 examinations.

2136
 2137 The information included under this paragraph relating to
 2138 results from the statewide, standardized ELA assessments for
 2139 grades 3 through 10 and Mathematics assessments for grades 3
 2140 through 8 must be included in individual student reports under
 2141 s. 1008.25(9)(c) ~~s. 1008.25(8)(c)~~.

2142 (13) INDEPENDENT REVIEW.—By January 31, 2025, the
 2143 Commissioner of Education shall provide recommendations to the
 2144 Governor, the President of the Senate, and the Speaker of the
 2145 House of Representatives based on an independent review of the
 2146 coordinated screening and progress monitoring system under s.

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2147 1008.25(9) ~~s. 1008.25(8)~~. At a minimum, the review and
 2148 recommendations must address:

2149 (a) The feasibility and validity of using results from
 2150 either the first or second administration of progress
 2151 monitoring, or both, in lieu of using the comprehensive, end-of-
 2152 year progress monitoring assessment for purposes of
 2153 demonstrating a passing score, promotion to grade 4, meeting
 2154 graduation requirements, and calculating school grades in
 2155 accordance with s. 1008.34.

2156 (b) Options for further reducing the statewide,
 2157 standardized assessment footprint while maintaining valid and
 2158 reliable data for purposes of school accountability and
 2159 providing school and student supports, including the use of
 2160 computer-adaptive assessments, consistent with the requirements
 2161 of the federal Elementary and Secondary Education Act, 20 U.S.C.
 2162 ss. 6301 et seq. and its implementing regulations.

2163 (c) The feasibility and validity of remotely administering
 2164 statewide, standardized assessments and the coordinated
 2165 screening and progress monitoring system.

2166 (d) Accelerating student progression based on results from
 2167 the coordinated screening and progress monitoring system, as
 2168 academically and developmentally appropriate.

2169 (e) The incorporation of content from ELA instructional
 2170 materials adopted by the Commissioner of Education pursuant to
 2171 s. 1006.34 in test items within the coordinated screening and
 2172 progress monitoring system under s. 1008.25(9) ~~s. 1008.25(8)~~.

2173 (f) The impact of the coordinated screening and progress
 2174 monitoring system on student learning growth data as measured by
 2175 the formula approved under s. 1012.34(7).

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2176

2177 This subsection is repealed July 1, 2025.

2178 Section 23. Subsection (7) of section 1008.34, Florida
 2179 Statutes, is amended to read:

2180 1008.34 School grading system; school report cards;
 2181 district grade.—

2182 (7) TRANSITION.—To assist in the transition to 2022-2023
 2183 school grades and district grades calculated based on the
 2184 comprehensive, end-of-year progress monitoring assessment under
 2185 s. 1008.25(9) ~~s. 1008.25(8)~~, the 2022-2023 school grades and
 2186 district grades shall serve as an informational baseline for
 2187 schools and districts to work toward improved performance in
 2188 future years. Accordingly, notwithstanding any other provision
 2189 of law:

2190 (a) Due to the absence of learning gains data in the 2022-
 2191 2023 school year, the initial school grading scale for the 2022-
 2192 2023 informational baseline grades shall be set so that the
 2193 percentage of schools that earn an "A," "B," "C," "D," and "F"
 2194 is statistically equivalent to the 2021-2022 school grades
 2195 results. When learning gains data becomes available in the 2023-
 2196 2024 school year, the State Board of Education shall review the
 2197 school grading scale and determine if the scale should be
 2198 adjusted.

2199 (b) A school may not be required to select and implement a
 2200 turnaround option pursuant to s. 1008.33 in the 2023-2024 school
 2201 year based on the school's 2022-2023 grade. The benefits of s.
 2202 1008.33(4)(c), relating to a school being released from
 2203 implementation of the turnaround option, and s. 1008.33(4)(d),
 2204 relating to a school implementing strategies identified in its

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school improvement plan, apply to a school using turnaround options pursuant to s. 1008.33 which improves to a grade of "C" or higher during the 2022-2023 school year.

(c) A school or approved provider under s. 1002.45 which receives the same or lower school grade for the 2022-2023 school year compared to the 2021-2022 school year is not subject to sanctions or penalties that would otherwise occur as a result of the 2022-2023 school grade or rating. A charter school system or school district designated as high performing may not lose the designation based on the 2022-2023 school grades of any of the schools within the charter school system or school district or based on the 2022-2023 district grade, as applicable.

(d) For purposes of determining grade 3 retention pursuant to s. 1008.25(5) and high school graduation pursuant to s. 1003.4282, student performance on the 2022-2023 comprehensive, end-of-year progress monitoring assessment under s. 1008.25(9) ~~s. 1008.25(8)~~ shall be linked to 2021-2022 student performance expectations. In addition to the good cause exemptions under s. 1008.25(7) ~~s. 1008.25(6)~~, a student may be promoted to grade 4 for the 2023-2024 school year if the student demonstrates an acceptable level of performance through means reasonably calculated by the school district to provide reliable evidence of the student's performance.

This subsection is repealed July 1, 2025.

Section 24. Paragraph (a) of subsection (5) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.-

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(5) The commissioner shall annually report to the State Board of Education and the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report shall include:

(a) For each school district:

1. The percentage of students, by school and grade level, demonstrating learning growth in English Language Arts and mathematics.
2. The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.
3. The information contained in the school district's annual report required pursuant to s. 1008.25(10) ~~s. 1008.25(9)~~.

School reports shall be distributed pursuant to this subsection and s. 1001.42(18)(c) and according to rules adopted by the State Board of Education.

Section 25. This act shall take effect July 1, 2023.

The Florida Senate

APPEARANCE RECORD

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3/27/23

Meeting Date

Sen. Ed

Committee

1424

Bill Number or Topic

Amendment Barcode (if applicable)

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David Struhs

Phone

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Tallahassee

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32301

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Foundation for Florida's
Future

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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3/27/2023

Meeting Date

Ed Prek - 12

Committee

SB 1424

Bill Number or Topic

Amendment Barcode (if applicable)

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Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida Chamber of Commerce

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 27, 2023

Meeting Date

Education PreK-12

The Florida Senate

APPEARANCE RECORD

SB 1424

Bill Number or Topic

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Committee

Name Mary Reeves

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Street

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City

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Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

4 OUR CHILDREN
COMMUNITY PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3-27-23

Pre K-12

Meeting Date

The Florida Senate

APPEARANCE RECORD

1424

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name

Eileen SEGAL (FPTA)

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City

Orlando

City

FL

State

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Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☒

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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ED. Pre K-12
Meeting Date
3/27/2023
Committee

SB 1424
Bill Number or Topic

Amendment Barcode (if applicable)

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Speaking: ☐ For ☐ Against ☐ Information OR Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 27, 2023

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 1424

Bill Number or Topic

EDUCATION

Committee

Deliver both copies of this form to
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Amendment Barcode (if applicable)

Name Mary Reeves

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Miami Gardens FL 33169

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☒ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

FOUR CHILDREN COMMUNITY PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

SENATOR Alexis M. Calatayud
38th District

COMMITTEES:

Community Affairs, Chair
Appropriations Committee on Education
Appropriations Committee of Health and Human
Services
Education Pre-K 12
Fiscal Policy
Health Policy
Military and Veterans Affairs, Space and Domestic
Security
Select Committee on Resiliency

March 13th, 2023

Honorable Senator Corey Simon
Chair
Committee on Education Pre-K-12

Honorable Chair Simon,

I respectfully request SB 1424 Student Outcomes be placed on the next committee agenda.

This bill revises the responsibilities of the Just Read, Florida! Office; providing that a charter school application must include certain reading instructional strategies; providing that district school board instructional materials must include certain reading instructional strategies; revising requirements for an individualized progress monitoring plan; requiring a school district to evaluate the students at the end of each grading period for a mathematics deficiency; revising training requirements for reading coaches, classroom teachers, and school administrators to include certain instructional strategies.

Sincerely,

Alexis M. Calatayud

Senator Alexis M. Calatayud
Florida Senate, District 39

CC: Matthew Bouck, Staff Director
Secret Williams, Committee Administrative Assistant

REPLY TO:

- ☐ 11011 SW 101st St, STE 5101, Miami Florida 33176 (305) 596-3002
- ☐ 324 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5038

Senate's Website: www.flsenate.gov

Kathleen Passidomo
President of the Senate

Dennis Baxley
President Pro Tempore

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: SB 1446

INTRODUCER: Senator Wright

SUBJECT: Interstate Education Compacts

DATE: March 24, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sagues	Bouck	ED	Favorable
2. _____	_____	AED	_____
3. _____	_____	FP	_____

I. Summary:

SB 1446 ratifies the Interstate Teacher Mobility Compact (ITMC or Compact) by adopting the model legislation into Florida statute.

The ITMC will allow teachers with an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.

Once the ITMC is effective, following ratification by the tenth state, the designated commissioner of each member state will coordinate implementation of the policies and procedures necessary to effectuate the ITMC.

The bill also updates citations to federal law in the Interstate Compact on Educational Opportunity for Military Children statute.

The fiscal impact of the bill is indeterminate. See Section V.

The bill has an effective date of July 1, 2023.

II. Present Situation:

Interstate Licensure Compacts

Interstate compacts are contracts between two or more states creating an agreement on a particular policy issue, adopting a certain standard, or cooperating on regional or national matters.¹ Such compacts are constitutionally authorized, legislatively enacted, and legally

¹ National Center for Interstate Compacts, *FAQs-What is an interstate compact* <https://licensing.csg.org/compacts/> (last visited Mar. 21, 2023).

binding agreements among member states.² There are currently nine interstate licensure compacts, of which Florida is a member of two:³

- Interstate Compact on Nurse Licensure.⁴
- Counseling Compact.⁵

Interstate Teacher Mobility Compact

The Interstate Teacher Mobility Compact (ITMC or Compact) is an interstate occupational licensure compact. The ITMC will allow teachers to use an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.⁶

To be eligible, a license must require a bachelor's degree and completion of a state-approved program for teacher licensure such as teacher preparation program at a college or university.⁷ Further, for a license to be eligible under the Compact their license must be unencumbered (i.e., not restricted, probationary, provisional, substitute or temporary).⁸

Teachers holding a Compact eligible license can apply for licensure in another member state and receive the closest equivalent license without submitting additional materials, taking state-specific exams, or completing additional coursework.⁹

The ITMC preserves the regulatory authority of each Compact member state to protect public health and safety through the existing state regulatory structure. Unlike national licensure initiatives that supersede state regulatory authority, interstate occupational licensure compacts allow a member state to continue to determine the requirements for licensure in that state.¹⁰

The benefits of the ITMC include:¹¹

- Preserving the existing state-based licensure system.
- Creating an alternative path to licensure for teachers relocating to a new state.
- Improving communication and information sharing between states.
- Requiring criminal background checks.
- Improving licensure portability for teachers.
- Improving mobility for military spouses.

² Interstate Teacher Mobility Compact, *Interstate Teacher Mobility Compact (ITMC)* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

³ National Center for Interstate Compacts, *State and U.S. Territory Membership in Interstate Licensure Compacts* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2023/01/State-Compact-Membership.pdf>.

⁴ Section 464.0095, F.S.

⁵ Section 491.017, F.S.

⁶ Interstate Teacher Mobility Compact, *Interstate Teacher Mobility Compact (ITMC)* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

⁷ Interstate Teacher Mobility Compact, *Model Testimony* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2023/01/ITMC-Model-Testimony.pdf>.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

The ITMC is an initiative of the Department of Defense, The Council of State Governments, and the National Association of State Directors of Teacher Education Certification.¹² As of March 21, 2023, Colorado and Utah have enacted the Compact with legislation pending in 13 other states, including Florida.¹³

Educator Certification

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the Department of Education (DOE).¹⁴ Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in another instructional capacity must be certified.¹⁵ The purpose of certification is to require school-based personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”¹⁶

To be eligible for an educator certificate, an individual must meet the following eligibility requirements:¹⁷

- Be at least 18 years of age;
- Sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- Earn a bachelor’s or higher degree from an accredited institution of higher learning¹⁸ or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;¹⁹
- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment;
- Be of good moral character; and
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher.

After meeting eligibility requirements, an individual may choose a certification route. The DOE issues three types of educator certificates:

¹² Interstate Teacher Mobility Compact, *About* <https://teachercompact.org/> (last visited Mar. 20, 2023).

¹³ Interstate Teacher Mobility Compact, *Compact Map* <https://teachercompact.org/compact-map/> (last visited Mar. 20, 2023).

¹⁴ Sections 1012.55(1) and 1002.33(12)(f), F.S.

¹⁵ Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

¹⁶ Section 1012.54, F.S.; *see* rule 6A-4.001(1), F.A.C.

¹⁷ Section 1012.56(2)(a)-(f), F.S.

¹⁸ Section 1012.56(2)(c), F.S.; rule 6A-4.003(1), F.A.C. (approved accrediting agencies); *see also* 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *Institutional Accrediting Agencies*, https://www2.ed.gov/admins/finaid/accred/accreditation_pg3.html#RegionalInstitutional (last visited Mar. 15, 2023).

¹⁹ Section 1012.56(2)(c), F.S.; rule 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). Section 1012.56(2)(c), F.S.

- Professional Certificate: Florida's highest type of full-time educator certification;²⁰ valid for 5 years and renewable.²¹
- Temporary Certificate: covers employment in full-time positions for which educator certification is required;²² generally valid for 3 years and nonrenewable.²³
- Athletic Coaching Certificate: covers full-time and part-time employment as a public school athletic coach;²⁴

Professional Educator Certificate

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:²⁵

- General knowledge, only if serving as a classroom teacher.
- Subject area knowledge.
- Professional preparation and education competence.

Acceptable means of demonstrating mastery of general knowledge are specified in law and include passing one of several different examinations identified by the State Board of Education (SBE), having a valid teaching certificate from another state, having a valid certificate from the National Board for Professional Teaching Standards (NBPTS), teaching a minimum of two semesters in either full-time or part-time status at a state college or university or at the private college level, or having a master's or higher degree from an accredited postsecondary education institution.

The acceptable means of demonstrating mastery of subject area knowledge are specified in law and include passing a subject area or other alternative examination as approved by the SBE, having a valid teaching certificate from another state, having a valid certificate from the NBPTS, or a passing score or program completion of a specified defense language proficiency test or program.²⁶

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

²⁰ Rule 6A-4.004(3), F.A.C.

²¹ Section 1012.56(7)(a), F.S.; see rule 6A-4.0051(3)(d), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). The DOE also issues a nonrenewable 5-year professional certificate that allows an applicant with a bachelor's degree in the area of speech-language impairment to complete a master's degree in speech-language impairment. Section 1012.56(7)(c), F.S.; rule 6A-4.004(4), F.A.C.

²² Rule 6A-4.004(1)(a)2., F.A.C.

²³ Section 1012.56(7)(e), F.S. (flush-left provisions at end of subsection; validity period is expressed in school fiscal years); rule 6A-4.004(1)(a), F.A.C. The veteran's pathway to educator certification authorizes a 5 year nonrenewable temporary certificate. Section 1012.56(7)(e)2., F.S. The DOE also issues a nonrenewable temporary certificate, which is valid for 2 years, in the area of speech-language impairment. Sections 1012.56(7)(c), F.S.

²⁴ Section 1012.55(2)(a), F.S.

²⁵ Section 1012.56, F.S.

²⁶ *Id.*

score on the corresponding professional education competency exam required by the SBE.²⁷ Other means include:

- Documentation of a valid professional standard teaching certificate issued by another state, the NBPTS, or a national educator credentialing board approved by the SBE.
- Passing the professional education competency examination and documentation of two semesters of successful, full-time or part-time teaching in a state college or university or a private college or university approved by the DOE.
- Successful completion of professional preparation courses, successful completion of a professional preparation and education competence program, and achievement of a passing score on the professional education competency examination.
- Successful completion of a professional development certification and education competency program.
- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination.

An applicant seeking a professional certification must:²⁸

- Meet the basic eligibility requirements for certification;²⁹
- Demonstrate mastery of general knowledge, if the person serves as a classroom teacher;³⁰
- Demonstrate mastery of subject area knowledge;³¹ and
- Demonstrate mastery of professional preparation and education competence.³²

A professional certificate valid for five years and is renewable,³³ but may be extended by:

- One year due to serious illness or injury of the applicant or other extraordinary extenuating circumstances; or
- A period of time equal to the active duty status for any person who volunteers or is called into wartime or required peacetime military service.

Temporary Educator Certificate

A temporary teaching certificate is valid for three school years and is nonrenewable. The DOE is required by law to issue a temporary certificate to any applicant who:³⁴

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

²⁷ Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida* (Oct. 1, 2020), incorporated by reference in rule 6A-4.0021, F.A.C., available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10344>.

²⁸ Section 1012.56(7), F.S.

²⁹ Section 1012.56(2)(a)-(f), F.S.

³⁰ Section 1012.56(2)(g) and (3), F.S.; Florida DOE, *General Knowledge*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Mar. 15, 2023).

³¹ Section 1012.56(2)(h) and (5), F.S.

³² Section 1012.56(2)(i) and (6), F.S.; Florida DOE, *Professional Preparation and Education Competence*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/professional-preparation-edu-competenc.shtml> (last visited Mar. 15, 2023).

³³ Sections 1012.56(7)(a) and 1012.585, F.S.; rule 6A-4.0051(1), F.A.C.

³⁴ Section 1012.56(7), F.S.

A classroom teacher under a temporary certificate has the validity period of the certificate to complete the remaining requirements of general knowledge and professional preparation and education competence in preparation for application for a professional certificate.³⁵

Generally, a temporary certificate is valid for 3 years and is nonrenewable.³⁶

Military Educator Certification Pathways and Benefits

In addition to the options above, Florida offers a 5-year temporary certificate for military veterans who have not earned a bachelor's degree and meet all of the following preliminary requirements:³⁷

- Minimum of 48 months of active duty military service with an honorable/medical discharge.
- Minimum of 60 college credits with a 2.5 grade point average.
- Passing score on a Florida subject area examination for bachelor's level subjects which demonstrates mastery of subject area knowledge.

Applicants who meet the preliminary requirements are issued a statement of eligibility with the following final requirements of employment in a Florida school district with an assigned mentor and a cleared background screening. This certificate is limited to a one-time issuance, and is nonrenewable.³⁸

Reciprocity for Out-of-State Teachers

Florida has two reciprocity routes for certified out-of-state teachers.³⁹

For a teacher with a currently valid standard certificate issued by a state other than Florida, the certificate must:⁴⁰

- Be comparable to a Florida Professional Certificate;
- Be issued in a subject comparable to a Florida certification subject;⁴¹ and
- Require the same or higher level of training required for certification in that subject in Florida.

For a teacher with a valid currently valid certificate issued by the NBPTS, the Florida certificate will reflect the Florida subject considered comparable to the NBPTS subject.⁴²

³⁵ Section 1012.56(7), F.S.

³⁶ *Id.*

³⁷ Florida Department of Education, *Military Veterans Certification Pathway*, <https://www.fldoe.org/teaching/certification/military/cert-pathway.shtml> (last visited Mar. 20, 2023).

³⁸ Section 1012.56(7)(e)2., F.S.

³⁹ Florida Department of Education, *Reciprocity for Out-of-state Teachers and Administrators*, <https://www.fldoe.org/teaching/certification/pathways-routes/certified-teacher-or-administrator.shtml> (last visited Mar. 20, 2023).

⁴⁰ *Id.*

⁴¹ Florida Department of Education, *Certificate Subjects*, <https://www.fldoe.org/teaching/certification/certificate-subjects/> (last visited Mar. 20, 2023).

⁴² Florida Department of Education, *Certificate Subjects*, <https://www.fldoe.org/teaching/certification/certificate-subjects/> (last visited Mar. 20, 2023).

Military Certification Fee Waivers

The Don Hahnfeldt Veteran and Military Family Opportunity Act⁴³ provides the opportunity for members of the United States Armed Forces, veterans and their spouses to request a waiver for initial certification fees and certification examination fees.⁴⁴

Interstate Compact on Educational Opportunity for Military Children

Children in active-duty military families face unique educational challenges. The average military child transfers to a different state or school district six to nine times during kindergarten through grade 12.⁴⁵ When a parent is reassigned, military children may be impacted by:⁴⁶

- Record transfer issues.
- Varied course sequencing and academic placement policies.
- Varied graduation requirements.
- Exclusion from extracurricular activities.
- Redundant or missed entrance or exit testing.
- Varied kindergarten and first grade entrance ages.
- The need to appoint temporary guardians while the child's parent is deployed.

The Interstate Compact on Educational Opportunity for Military Children (Compact) assists member states in uniformly addressing educational transition issues faced by active-duty military families. The Compact governs member states in several areas:⁴⁷

- Enrollment, including education records, immunizations, and Kindergarten and first grade entrance age.
- Placement, including course and education program placement, special education services, placement flexibility, and absence related to deployment activities.
- Graduation, including course waivers, exit exams, and transfers during the senior year.
- Extracurricular participation including participating after tryouts have passed, and schools making reasonable accommodations in such circumstances.

Children of active duty military, National Guard members on active duty orders, reservists on active duty orders, National Oceanic and Atmospheric Administration commissioned officers, U.S. Public Health Service commissioned officers, and veterans who are medically discharged or retired for one year are eligible for assistance under the Compact. The Compact also covers children of those who perish on active duty for a period of one year following their death.⁴⁸

⁴³ Ch. 2018-7 s. 53, Laws of Fla.

⁴⁴ Florida Department of Education, *Military Certification Fee Waivers* <https://www.fldoe.org/teaching/certification/military/fee-waivers.stml> (last visited Mar. 20, 2023).

⁴⁵ National Military Family Association, *Frequent Moves Take Their Toll on Military Kids*, <https://www.militaryfamily.org/wp-content/uploads/The-Military-Teen-Experience-Report-2021.pdf#:~:text=The%20National%20Military%20Family%20Association%20provides%20spouse%20scholarships%2C,the%20families%20of%20the%20wounded%2C%20ill%2C%20or%20injured.> (last visited Mar. 21, 2023).

⁴⁶ Military Interstate Children's Compact Commission, *Guide for Parents, School Officials, and Public Administrators*, available at <https://indd.adobe.com/view/f41d20ad-3121-4c98-ab68-61c4b7daec69>.

⁴⁷ Department of Defense Education Activity, *The Interstate Compact on Educational Opportunity for Military Children Fact Sheet for Service Providers* (2015), available at <https://www.dodea.edu/Partnership/upload/InterstateCompactToolKit-OOreview-15June2015.pdf>.

⁴⁸ Council of State Governments, Background, <http://www.mic3.net/background.html> (last visited Mar. 13, 2023).

States join the Compact by enacting it into law, which Florida did in 2008.⁴⁹ Ten states must enact the Compact before it can take effect and be binding on member states. This occurred when Delaware became the tenth state to adopt the Compact on July 9, 2008.⁵⁰ Currently, all 50 states and the District of Columbia are Compact members.⁵¹

The Compact establishes an Interstate Commission on Educational Opportunity for Military Children (Commission) to provide national-level oversight of the Compact. The Commission may adopt and enforce rules and bylaws and perform various administrative functions necessary for day-to-day operation.⁵² The Commission comprises one voting representative, or Compact Commissioner, from each member state. Each state is entitled to one vote on Compact rule adoption or other business matters.⁵³ The Commission must meet at least once per year.⁵⁴

Compact Rule Adoption

The Commission is authorized to promulgate Compact rules which govern member states in areas addressed by the Compact. These rules have the force and effect of statutory law in member states and supersede conflicting member state laws to the extent of the conflict.⁵⁵

Each member state in the Compact must coordinate all relevant governmental entities to advise the state's compliance with and participation in the Compact through a state council or similar body.⁵⁶ Membership of the state council must include the state superintendent of education, a superintendent of a school district with a high concentration of military children, a representative from a military installation, and one representative each from the legislative and executive branches of government.⁵⁷

Each member state under the Compact owes the Commission an annual fee. Dues are calculated using the number of children, ages 5-18, of active service members multiplied by the rate of \$1.15. The total number of children of active duty personnel in Florida for fiscal year 2021 was 38,761, resulting in dues owed of \$44,575.⁵⁸

Florida's Compact legislation requires automatic repeal of the Compact after a period of time. In 2022, the Legislature extended the Compact, the date for automatic repeal is now July 1, 2025.⁵⁹

⁴⁹ Ch. 2008-225, Laws of Fla.; *codified at* ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S.

⁵⁰ Article XV, s. B. of the Compact, s. 1000.36, F.S.; 76 Del. Laws 327 (2008).

⁵¹ Military Interstate Children's Compact Commission, *Interactive Map*, <http://www.mic3.net/interactive-map.html> (last visited Mar. 13, 2023).

⁵² Article X, of the Compact, s. 1000.36, F.S.

⁵³ Article IX, s. B. of the Compact, s. 1000.36, F.S.

⁵⁴ Article IX, s. D. of the Compact, s. 1000.36, F.S.

⁵⁵ Article X, s. B. and XVIII, s. B. of the Compact, s. 1000.36, F.S.

⁵⁶ 32 CFR s. 89.3

⁵⁷ *Id.*

⁵⁸ Military Interstate Children's Compact Commission, *MIC3 FY2021 Proposed Dues* (2020), available at https://mic3.net/wp-content/uploads/2020/09/Dues_FY2021-FINAL.pdf.

⁵⁹ Section 1000.40, F.S.

III. Effect of Proposed Changes:

SB 1446 creates s. 1012.993, F.S., to implement the Interstate Teacher Mobility Compact (ITMC or Compact) model legislation. The ITMC will allow teachers with an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.

Teachers holding a Compact-eligible license can apply for licensure in another member state and receive the closest equivalent license without submitting additional materials, taking state-specific exams or completing additional coursework.

Special exceptions were created for some populations in the Compact to support equitable access. Due to the mobility patterns of military spouses, the barriers to receiving a license that would be considered unencumbered under the Compact are much higher. Teachers meeting the definition of an eligible military spouse will be able to use a temporary or provisional license for the purposes of the Compact. Career and Technical Education Teaching Licenses often do not require a bachelor's degree as a requirement for licensure, so the Compact allows these licenses to be considered eligible without that requirement.⁶⁰

The model legislation is comprised of 13 articles as follows:⁶¹

Article I: Purpose

The purpose of the Compact is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure by:

- Creating a streamlined pathway to licensure mobility for teachers;
- Supporting the relocation of eligible military spouses;
- Facilitating and enhancing the exchange of licensure, investigative, and disciplinary information between the member states;
- Enhancing the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;
- Supporting the retention of teachers in the profession by removing barriers to re-licensure in a new state; and
- Maintaining state sovereignty in the regulation of the teaching profession.

Article II: Definitions

This section establishes the definitions of key terms as used throughout the Compact, to alleviate confusion on the part of practitioners and jurisdictions. Defined terms are capitalized throughout the document.

⁶⁰ *Id.*

⁶¹ Interstate Teacher Mobility Compact, *Section-By-Section-Review* (2023), available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Section-By-Section-Review.pdf>.

Article III: Licensure Under the Compact

This section describes the model of licensure reciprocity and the responsibilities of member states in effectuating the Compact. It also highlights the upholding of state sovereignty and the narrow scope of the Compact in its effect on state licensing policy. Member states must submit a list of eligible licenses that the state will grant in accordance with the Compact to licensees coming from other Compact member states.

The requirements for a license to be eligible are as follows:

- Requirements for licensure include a bachelor's degree (except as provided below).
- Requirements for licensure include a state-approved program for teacher licensure.
- The license is not a restricted, probationary, provisional, substitute or temporary credential (except as provided below).

Teachers coming from one Compact member state to another will be granted, upon their application, the closest equivalent eligible license to the one currently held. The receiving state may determine that there is no equivalent eligible license.

This section also outlines population-specific carve-outs as follows:

- Eligible Military Spouses may exchange licenses that are probationary or provisional.
- Career and Technical Education Teachers licenses that do not require a bachelor's degree may be considered eligible.

Article IV: Licensure Not Under the Compact

This section highlights specific cases within the operation of the Compact that states maintain authority.

- States may impose additional state-specific requirements at the point of renewal.
- States may require additional documentation and information to place teachers on a state salary schedule.
- States maintain ownership of licensee data and information.
- Existing agreements between states that include licensure reciprocity or benefits to out-of-state teachers are not superseded by the Compact.

Article V: Teacher Qualifications and Requirements for Licensure Under the Compact

This section outlines requirements for a teacher to utilize the Compact to receive an equivalent license in a member state. Those are as follows:

- Except as provided for eligible military spouses, a teacher may only be eligible to receive a license under this Compact where that teacher holds a valid, unencumbered license in a member state.
- Upon their application to receive a license under this Compact, a teacher must undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state; and
- A teacher must provide the receiving state with information in addition to the information required for licensure for the purpose of determining compensation, if applicable.

Article VI: Discipline / Adverse Action

This section states that discipline authority remains with the member states and their respective practice laws. Member states are authorized and required to provide files and information regarding investigation and discipline of teachers. Member states are required to communicate the intention for disclosure and protect any shared information.

Article VII: Establishment of the Interstate Teacher Mobility Compact Commission

This section outlines the composition and powers of the Compact commission and executive committee. The Compact is not a waiver of sovereign immunity.

- Each member state is entitled to exactly one commissioner, who is the primary administrative officer of the state licensing authority or their designee.
- Each commissioner has one (1) vote on commission rules and bylaws.
- The commission may establish a term of office, code of ethics, bylaws, rules, a budget and financial records in order to carry out the Compact.
- The commission may elect an executive committee composed of seven delegates.
- All commission meetings shall be open to the public unless confidential or privileged information must be discussed.

Article VIII: Rulemaking

- Rules carry the force of law in all member states.
- A simple majority of member state legislatures may veto a rule of the commission.
- If the commission takes an action that is beyond the scope of the Compact, the action is invalid and has no force and effect.

Article IX: Facilitating Information Exchange

This section requires that the commission provide facilitating the information exchange required for the administration of the Compact and reiterates that the Compact does not limit or inhibit a member state's ability to maintain ownership of its licensure data.

Article X: Oversight, Dispute Resolution, and Enforcement

This section ensures compliance with the compact by member states. The procedures to be followed in the event of a failure by a member state to comply with the Compact include:

- A period of technical assistance in remedying the situation;
- Dispute resolution, including mediation and binding processes; and
- Termination from the Compact if no other means of compliance is successful. The commission shall attempt to resolve any Compact-related disputes that may arise between states.

Article XI: Effectuation, Withdrawal, and Amendment

The Compact takes effect on the date of enactment by the tenth state. States that join the Compact before the first convening of the commission (Charter Member States) shall determine

that States that join after this date are subject to the rules of the commission as they exist on the date when the Compact becomes law in that state.

Member states may enact a law to repeal their membership in the Compact. A state's withdrawal takes effect 6 months after enactment of such law. The Compact may be amended by every member state enacting the amendment into law.

Article XII: Construction and Severability

The Compact is to be liberally construed to effectuate its purposes. The Compact's provisions are severable, meaning that:

- If a provision is declared to conflict with the United States constitution, all other provisions remain valid for all member states; and
- If a provision is held contrary to a member state's constitution, the Compact retains its full force in all other states, and all other provisions remain valid in the affected state.

Article XIII: Consistent Effect and Conflict with Other State Laws

This section reiterates that teachers are subject to the scope of practice of the state in which they are practicing. It also reiterates that rules and bylaws of the commission are binding on member states. According to legal precedent, if a conflict exists between a state law and the Compact, the state law is superseded to the extent of the conflict.

In addition, the bill updates citations to federal law within s. 1000.36, F.S., The Interstate Compact on Educational Opportunity for Military Children.

The bill takes effect on July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact of the bill is indeterminate. The bill could have a negative impact on state revenues or expenditures due to costs associated with the payment of annual dues and compact fees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1000.36 of the Florida Statutes.
This bill creates section 1012.993 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Wright

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1 A bill to be entitled
 2 An act relating to the interstate education compacts;
 3 creating s. 1012.993, F.S.; creating the Interstate
 4 Teacher Mobility Compact; providing the purpose and
 5 objectives of and definitions for the compact;
 6 providing requirements for the licensure of teachers
 7 in member states who hold specified licenses in other
 8 member states; providing requirements for teachers,
 9 including career and technical education teachers, who
 10 are licensed in one member state to become licensed in
 11 another member state; providing requirements for
 12 licensed teachers who are also eligible military
 13 spouses; providing requirements for the renewal of
 14 such licenses in the member state to which a teacher
 15 transferred his or her license; providing
 16 applicability; authorizing member states to require
 17 additional information for the purpose of determining
 18 teacher compensation; providing construction;
 19 providing requirements for licensure in a member
 20 state; providing requirements for the investigation or
 21 imposition of disciplinary measures and adverse
 22 actions for teachers; providing for the sharing and
 23 protection of certain information between member
 24 states; establishing the Interstate Teacher Mobility
 25 Compact Commission; providing the purpose of the
 26 commission; providing requirements for the membership
 27 and meetings of the commission; providing for the
 28 removal or suspension of commissioners; providing
 29 requirements, powers, and duties of the commission;

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30 authorizing the commission to adopt bylaws and rules;
 31 establishing the executive committee of the
 32 commission; providing for the membership and meetings
 33 of the executive committee; providing the duties and
 34 responsibilities of the committee; providing
 35 requirements for commission meetings; requiring the
 36 commission to keep specified records and minutes;
 37 requiring the commission to pay specified expenses;
 38 authorizing the commission to accept specified
 39 donations and grants; authorizing the commission to
 40 levy and collect annual assessments from member states
 41 or to impose fees on other parties for a specified
 42 purpose; prohibiting the commission from incurring
 43 specified obligations; providing specified immunity to
 44 certain individuals; providing exceptions; requiring
 45 the commission to defend specified individuals under
 46 certain circumstances; requiring the commission to
 47 indemnify certain individuals; providing exceptions;
 48 providing requirements for commission rules; providing
 49 requirements for the exchange of specified information
 50 between member states; providing requirements for the
 51 oversight of the commission and member states;
 52 providing for the resolution of disputes through
 53 specified means, including specified judicial
 54 proceedings; requiring courts and administrative
 55 agencies of member states to take judicial notice of
 56 the compact, commission rules, and certain
 57 information; providing requirements for the commission
 58 and member states when a member state has defaulted in

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its compliance with the compact; providing requirements for notice to such member states and other member states; providing requirements for member states that fail to cure such defaults; providing requirements for the termination of the compact for such member states; providing requirements for member states whose participation in the compact is terminated; providing requirements for the commission and member states relating to the resolution of certain disputes; providing requirements for the effectuation of the compact; providing requirements for the effectuation of certain rules and bylaws on member states; providing requirements for the withdrawal of member states from the compact; providing for construction and severability of the compact; providing for the consistent application of the compact in member states; providing that certain agreements are binding; amending s. 1000.36, F.S.; updating a cross-reference within the Interstate Compact on Educational Opportunity for Military Children; providing an effective date.

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

Section 1. Section 1012.993, Florida Statutes, is created to read:

1012.993 Interstate Teacher Mobility Compact.—The Governor is authorized and directed to execute the Interstate Teacher Mobility Compact on behalf of this state with any other state or

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states legally joining therein in the form substantially as follows:

ARTICLE I

PURPOSE

The purpose of this compact is to facilitate the mobility of teachers across the member states with the goal of supporting teachers through a new pathway to licensure. Through this compact, the member states seek to establish a collective regulatory framework which expedites and enhances the ability of teachers from a variety of backgrounds to move across state lines. This compact is intended to achieve the following objectives and should be interpreted accordingly. The member states hereby ratify the same intentions by subscribing hereto:

(1) Create a streamlined pathway to licensure mobility for teachers;

(2) Support the relocation of eligible military spouses;

(3) Facilitate and enhance the exchange of licensure, investigative, and disciplinary information between the member states;

(4) Enhance the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;

(5) Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and

(6) Maintain state sovereignty in the regulation of the teaching profession.

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ARTICLE II
DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall govern the terms herein:

(1) "Active military member" means any person with a full-time duty status in the uniformed armed services of the United States, including members of the National Guard and Reserve.

(2) "Adverse action" means any limitation or restriction imposed by a member state's licensing authority, including the revocation, suspension, reprimand, probation, or limitation on the licensee's ability to work as a teacher.

(3) "Bylaws" means the bylaws established by the commission.

(4) "Career and technical education license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in K-12 public educational settings in a specific career and technical education area.

(5) "Commissioner" means the delegate of a member state.

(6) "Eligible license" means a license to engage in the teaching profession which requires at least a bachelor's degree and the completion of a state approved program for teacher licensure.

(7) "Eligible military spouse" means the spouse of any individual in full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty moving as a result of military mission or military career progression requirements, or are on

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their terminal move as a result of separation or retirement, including surviving spouses of deceased military members.

(8) "Executive committee" means a group of commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the commission as provided herein.

(9) "Licensing authority" means an official, agency, board, or other entity of a state that is responsible for the licensing and regulation of teachers authorized to teach in K-12 public educational settings.

(10) "Member state" means any state that has adopted this compact, including all agencies and officials of such a state.

(11) "Receiving state" means any state where a teacher has applied for licensure under this compact.

(12) "Rule" means any regulation adopted by the commission under this compact which shall have the force of law in each member state.

(13) "State" means a state, territory, or possession of the United States and the District of Columbia.

(14) "State practice laws" means a member state's laws, rules, and regulations that govern the teaching profession, define the scope of such profession, and create the method and grounds for imposing discipline.

(15) "Teacher" means an individual who currently holds an authorization from a member state which forms the basis for employment in the K-12 public schools of the state to provide instruction in a specific subject area, grade level, or student population.

(16) "Unencumbered license" means a current, valid authorization issued by a member state's licensing authority

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 175 allowing an individual to serve as a teacher in K-12 public
 176 education settings. An unencumbered license is not a restricted,
 177 probationary, provisional, substitute, or temporary credential.

178
 179 ARTICLE III
 180 LICENSURE UNDER THE COMPACT
 181

182 (1) Licensure under this compact pertains only to the
 183 initial grant of a license by the receiving state. Nothing
 184 herein applies to any subsequent or ongoing compliance
 185 requirements that a receiving state might require for teachers.

186 (2) Each member state shall, in accordance with rules of
 187 the commission, define, compile, and update, as necessary, a
 188 list of eligible licenses and career and technical education
 189 licenses that the member state is willing to consider for
 190 equivalency under this compact and provide the list to the
 191 commission. The list shall include those licenses that a
 192 receiving state is willing to grant teachers from other member
 193 states, pending a determination of equivalency by the receiving
 194 state's licensing authority.

195 (3) Upon the receipt of an application for licensure by a
 196 teacher holding an unencumbered license, the receiving state
 197 shall determine which of the receiving state's eligible licenses
 198 the teacher is qualified to hold and shall grant such a license
 199 or licenses to the applicant. Such a determination shall be made
 200 in the sole discretion of the receiving state's licensing
 201 authority and may include a determination that the applicant is
 202 not eligible for any of the receiving state's licenses. For all
 203 teachers who hold an unencumbered license, the receiving state

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 204 shall grant one or more unencumbered licenses that, in the
 205 receiving state's sole discretion, are equivalent to the license
 206 held by the teacher in any other member state.

207 (4) For active duty military members and eligible military
 208 spouses who hold a license that is not unencumbered, the
 209 receiving state shall grant an equivalent license or licenses
 210 that, in the receiving state's sole discretion, is equivalent to
 211 the license or licenses held by the teacher in any other member
 212 state, except where the receiving state does not have an
 213 equivalent license.

214 (5) For a teacher holding an unencumbered career and
 215 technical education license, the receiving state shall grant an
 216 unencumbered license equivalent to the career and technical
 217 education license held by the applying teacher and issued by
 218 another member state, as determined by the receiving state in
 219 its sole discretion, except where a career and technical
 220 education teacher does not hold a bachelor's degree and the
 221 receiving state requires a bachelor's degree for licenses to
 222 teach career and technical education. A receiving state may
 223 require career and technical education teachers to meet state
 224 industry recognized requirements, if required by law in the
 225 receiving state.

226
 227 ARTICLE IV
 228 LICENSURE NOT UNDER THE COMPACT
 229

230 (1) Except as provided in Article III, nothing in this
 231 compact shall be construed to limit or inhibit the power of a
 232 member state to regulate licensure or endorsements overseen by

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the member state's licensing authority.

(2) When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state-specific requirements as a condition of licensure renewal or advancement in that state.

(3) For purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this compact.

(4) Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of its information pertaining to teachers or limit the application of a member state's laws or regulations governing the ownership, use, or dissemination of information pertaining to teachers.

(5) Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to or limit the ability of a member state to participate in any future agreement or other cooperative arrangement to:

(a) Award teaching licenses or other benefits based on additional professional credentials, including, but not limited to, the National Board Certification;

(b) Participate in the exchange of names of teachers whose licenses have been subject to adverse actions by a member state; or

(c) Participate in any agreement or cooperative arrangement with a nonmember state.

ARTICLE V

TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE UNDER THE

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COMPACT

(1) Except as provided for active military members or eligible military spouses under subsection (4) of Article III, a teacher may be eligible to receive a license under this compact only where that teacher holds an unencumbered license in a member state.

(2) A teacher eligible to receive a license under this compact shall, unless otherwise provided herein:

(a) Upon their application to receive a license under this compact, undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state; and

(b) Provide the receiving state with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

ARTICLE VI

DISCIPLINE AND ADVERSE ACTIONS

Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

ARTICLE VII

ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY COMPACT

COMMISSION

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291 (1) The interstate compact member states hereby create and
 292 establish a joint public agency known as the Interstate Teacher
 293 Mobility Compact Commission.

294 (a) The commission is a joint interstate governmental
 295 agency comprised of states that have enacted the Interstate
 296 Teacher Mobility Compact.

297 (b) Nothing in this compact shall be construed to be a
 298 waiver of sovereign immunity.

299 (2) (a) Each member state shall have and be limited to one
 300 delegate to the commission, who shall be given the title of
 301 commissioner.

302 (b) The commissioner shall be the primary administrative
 303 officer of the state licensing authority or their designee.

304 (c) Any commissioner may be removed or suspended from
 305 office as provided by the law of the state from which the
 306 commissioner is appointed.

307 (d) The member state shall fill any vacancy occurring in
 308 the commission within 90 days.

309 (e) Each commissioner shall be entitled to one vote about
 310 the adoption of rules and creation of bylaws and shall otherwise
 311 have an opportunity to participate in the business and affairs
 312 of the commission. A commissioner shall vote in person or by
 313 such other means as provided in the bylaws. The bylaws may
 314 provide for commissioners' participation in meetings by
 315 telephone or other means of communication.

316 (f) The commission shall meet at least once during each
 317 calendar year. Additional meetings shall be held as set forth in
 318 the bylaws.

319 (g) The commission shall establish by rule a term of office

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320 for commissioners.

321 (3) The commission shall have the following powers and
 322 duties:

323 (a) Establish a code of ethics for the commission.

324 (b) Establish a fiscal year of the commission.

325 (c) Establish bylaws for the commission.

326 (d) Maintain its financial records in accordance with the
 327 bylaws of the commission.

328 (e) Meet and take such actions as are consistent with the
 329 provisions of this compact, the bylaws, and rules of the
 330 commission.

331 (f) Adopt uniform rules to implement and administer this
 332 compact. The rules shall have the force and effect of law and
 333 shall be binding in all member states. In the event the
 334 commission exercises its rulemaking authority in a manner that
 335 is beyond the scope of the purposes of this compact, or the
 336 powers granted hereunder, then such an action by the commission
 337 shall be invalid and have no force and effect of law.

338 (g) Bring and prosecute legal proceedings or actions in the
 339 name of the commission, provided that the standing of any member
 340 state licensing authority to sue or be sued under applicable law
 341 shall not be affected.

342 (h) Purchase and maintain insurance and bonds.

343 (i) Borrow, accept, or contract for services of personnel,
 344 including, but not limited to, employees of a member state or an
 345 associated nongovernmental organization that is open to
 346 membership by all states.

347 (j) Hire employees, elect or appoint officers, fix
 348 compensation, define duties, grant such individuals appropriate

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authority to carry out the purposes of this compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters.

(k) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal, or mixed, provided that at all times the commission shall avoid any appearance of impropriety.

(l) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed.

(m) Establish a budget and make expenditures.

(n) Borrow money.

(o) Appoint committees, including standing committees composed of members and such other interested persons as may be designated in this interstate compact, rules, or bylaws.

(p) Provide and receive information from, and cooperate with, law enforcement agencies.

(q) Establish and elect an executive committee.

(r) Establish and develop a charter for an executive information governance committee to advise on facilitating the exchange of information, the use of information, data privacy, and technical support needs and provide reports as needed.

(s) Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of teacher licensure.

(t) Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

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(4) (a) The executive committee shall have the power to act on behalf of the commission according to the terms of this compact.

(b) The executive committee shall be composed of eight voting members as follows:

1. The chair of the commission.

2. The vice chair of the commission.

3. The treasurer of the commission.

4. Five members who are elected by the commission from the current membership as follows:

a. Four voting members representing geographic regions in accordance with commission rules.

b. One at-large voting member in accordance with commission rules.

(c) The commission may add or remove members of the executive committee as provided in commission rules.

(d) The executive committee shall meet at least once annually.

(e) The executive committee shall have the following duties and responsibilities:

1. Recommend to the entire commission changes to the rules or bylaws, changes to the compact legislation, and fees paid by interstate compact member states such as annual dues and any compact fee charged by the member states on behalf of the commission.

2. Ensure commission administration services are appropriately provided, contractual or otherwise.

3. Prepare and recommend the budget.

4. Maintain financial records on behalf of the commission.

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407 5. Monitor compliance of member states and provide reports
 408 to the commission.

409 6. Perform other duties as provided in the rules or bylaws.

410 (5) (a) All meetings of the commission shall be open to the
 411 public, and public notice of meetings shall be given in
 412 accordance with commission bylaws.

413 (b) The commission shall keep minutes of commission
 414 meetings and shall provide a full and accurate summary of
 415 actions taken, and the reasons thereof, including a description
 416 of the views expressed. All documents considered in connection
 417 with an action shall be identified in such minutes.

418 (6) (a) The commission shall pay, or provide for the payment
 419 of, the reasonable expenses of its establishment, organization,
 420 and ongoing activities.

421 (b) The commission may accept all appropriate donations and
 422 grants of money, equipment, supplies, materials, and services,
 423 and receive, utilize, and dispose of the same, provided that at
 424 all times the commission shall avoid any appearance of
 425 impropriety or conflicts of interest.

426 (c) The commission may levy on and collect an annual
 427 assessment from each member state or impose fees on other
 428 parties to cover the cost of the operations and activities of
 429 the commission, in accordance with the rules of the commission.

430 (d) The commission shall not incur obligations of any kind
 431 prior to securing the funds adequate to meet the same; nor shall
 432 the commission pledge the credit of any of the member states,
 433 except by and with the authority of the member state.

434 (e) The commission shall keep accurate accounts of all
 435 receipts and disbursements. The receipts and disbursements of

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436 the commission shall be subject to all accounting procedures
 437 established under the commission bylaws. All receipts and
 438 disbursements of funds of the commission shall be reviewed
 439 annually in accordance with commission bylaws, and a report of
 440 the review shall be included in and become part of the annual
 441 report of the commission.

442 (7) (a) The members, officers, executive director,
 443 employees, and representatives of the commission shall be immune
 444 from suit and liability, either personally or in their official
 445 capacity, for any claim for damage to or loss of property or
 446 personal injury or other civil liability caused by or arising
 447 out of any actual or alleged act, error, or omission that
 448 occurred or that the person against whom the claim is made had a
 449 reasonable basis for believing occurred within the scope of
 450 commission employment, duties, or responsibilities. Nothing in
 451 this paragraph shall be construed to protect any such person
 452 from suit or liability for any damage, loss, injury, or
 453 liability caused by the intentional, willful, or wanton
 454 misconduct of that person.

455 (b) The commission shall defend any member, officer,
 456 executive director, employee, or representative of the
 457 commission in any civil action seeking to impose liability
 458 arising out of any actual or alleged act, error, or omission
 459 that occurred within the scope of commission employment, duties,
 460 or responsibilities or that the person against whom the claim is
 461 made had a reasonable basis for believing occurred within the
 462 scope of commission employment, duties, or responsibilities.
 463 Nothing in this paragraph shall be construed to prohibit that
 464 person from retaining his or her own counsel and provide further

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that the actual or alleged act, error, or omission did not result from the person's intentional, willful, or wanton misconduct.

(c) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgement obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of that person.

ARTICLE VIII RULEMAKING

(1) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this compact and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(2) The commission shall adopt reasonable rules to achieve the intent and purpose of this compact. In the event the commission exercises its rulemaking authority in a manner that is beyond the purpose and intent of this compact, or the powers granted hereunder, then such action by the commission shall be invalid and have no force and effect of law in the member states.

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(3) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt this compact within 4 years of the date of the adoption of the rule, then such rule shall have no further force and effect in any member state.

(4) Rules or amendments to the rules shall be adopted or ratified at a regular or special meeting of the commission in accordance with the commission's rules and bylaws.

(5) Upon a determination that an emergency exists, the commission may consider and adopt an emergency rule with 48 hours' notice, with opportunity for comment, provided the usual rulemaking procedures shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately to:

- (a) Meet an imminent threat to the public health, safety, or welfare;
- (b) Prevent a loss of commission or member state funds;
- (c) Meet a deadline for the adoption of an administrative rule that is established by federal law or rule; or
- (d) Protect the public health or safety.

ARTICLE IX FACILITATING THE EXCHANGE OF INFORMATION

(1) The commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the rules of the

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commission, consistent with generally accepted data protection principles.

(2) Nothing in this compact shall be deemed or construed to alter, limit, or inhibit the power of a member state to control and maintain ownership of its licensee information or alter, limit, or inhibit the laws or regulations governing licensee information in member states.

ARTICLE X

OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

(1)(a) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate this compact's purpose and intent. The provisions of this compact shall have standing as statutory law.

(b) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

(c) All courts and all administrative agencies shall take judicial notice of this compact, the rules of the commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state

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pertaining to the subject matter of this compact, or which may affect the powers, responsibilities, or actions of the commission.

(d) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of this compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgement or order void as to the commission, this compact, or adopted rules.

(2)(a) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the adopted rules, the commission shall:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, and any other action to be taken by the commission; and

2. Provide remedial training and specific technical assistance regarding the default.

(b) If a state in default fails to cure the default, the defaulting state may be terminated from this compact upon an affirmative vote of a majority of the commissioners of the member states, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(c) Termination of membership in the compact shall be

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581 imposed only after all other means of securing compliance have
 582 been exhausted. Notice of intent to suspend or terminate shall
 583 be given by the commission to the Governor, the Majority and
 584 Minority Leaders of the State Legislature, and the state
 585 licensing authority of the defaulting state and to each of the
 586 member states.

587 (d) A state that has been terminated is responsible for all
 588 assessments, obligations, and liabilities incurred through the
 589 effective date of termination, including obligations that extend
 590 beyond the effective date of termination.

591 (e) The commission shall not bear any costs related to a
 592 state that is found to be in default or that has been terminated
 593 from this compact unless agreed upon in writing between the
 594 commission and the defaulting state.

595 (f) Nothing in this compact shall be construed to be a
 596 waiver of sovereign immunity.

597 (g) The defaulting state may appeal the action of the
 598 commission by petitioning the United States District Court for
 599 the District of Columbia or the federal district where the
 600 commission has its principal offices. The prevailing party shall
 601 be awarded all costs of such litigation, including reasonable
 602 attorney fees.

603 (h)1. Upon the request of a member state, the commission
 604 shall attempt to resolve disputes related to this compact that
 605 arise among member states and between member and nonmember
 606 states.

607 2. The commission shall adopt a rule providing for both
 608 binding and nonbinding alternative dispute resolution for
 609 disputes as appropriate.

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610 (i)1. The commission, in the reasonable exercise of its
 611 discretion, shall enforce the provisions and rules of this
 612 compact.

613 2. By a majority vote, the commission may initiate legal
 614 action in the United States District Court for the District of
 615 Columbia or the federal district where the commission has its
 616 principal offices against a member state in default to enforce
 617 compliance with the provisions of this compact and its adopted
 618 rules and bylaws. The relief sought may include both injunctive
 619 relief and damages. In the event judicial enforcement is
 620 necessary, the prevailing party shall be awarded all costs of
 621 such litigation, including reasonable attorney fees. The
 622 remedies herein shall not be the exclusive remedies of the
 623 commission. The commission may pursue any other remedies
 624 available under federal or state law.

ARTICLE XI

EFFECTUATION, WITHDRAWAL, AND AMENDMENT

629 (1) This compact shall come into effect on the date on
 630 which the compact statute is enacted into law in the tenth
 631 member state.

632 (a) On or after the effective date of this compact, the
 633 commission shall convene and review the enactment of each of the
 634 charter member states to determine if the statute enacted by
 635 such charter member state is materially different from the model
 636 compact statute.

637 (b) A charter member state whose enactment is found to be
 638 materially different from the model compact statute shall be

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entitled to the default process set forth in Article X.

(c) Member states enacting the compact subsequent to the charter member states shall be subject to the process set forth in Article VII(X) (a) to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

(2) If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than 10.

(3) Any state that joins this compact after the commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which this compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day this compact becomes law in that state, as the rules and bylaws may be amended as provided in this compact.

(4) Any member state may withdraw from this compact by enacting a statute repealing the same.

(a) A member state's withdrawal shall not take effect until 6 months after the enactment of the repealing statute.

(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of the withdrawal.

(5) This compact may be amended by member states. No amendments to this compact shall become effective and binding upon any member state until it is enacted into the laws of all

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member states.

ARTICLE XII

CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed to effectuate the purpose thereof. The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any member state or a state seeking membership in this compact or the United States Constitution or the applicability thereof to any other government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be effected. If this compact shall be held contrary to the Constitution of any member state, this compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

ARTICLE XIII

CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

(1) Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with this compact.

(2) Any laws, statutes, regulations, or other legal requirements in a member state in conflict with this compact are superseded to the extent of the conflict.

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697 (3) All permissible agreements between the commission and
 698 the member states are binding in accordance with their terms.

699 Section 2. Articles II and III of section 1000.36, Florida
 700 Statutes, are amended to read:

701 1000.36 Interstate Compact on Educational Opportunity for
 702 Military Children.—The Governor is authorized and directed to
 703 execute the Interstate Compact on Educational Opportunity for
 704 Military Children on behalf of this state with any other state
 705 or states legally joining therein in the form substantially as
 706 follows:

Interstate Compact on Educational
 Opportunity for Military Children

ARTICLE II

710 DEFINITIONS.—As used in this compact, unless the context
 711 clearly requires a different construction, the term:

712 A. "Active duty" means the full-time duty status in the
 713 active uniformed service of the United States, including members
 714 of the National Guard and Reserve on active duty orders pursuant
 715 to 10 U.S.C. chapters 1209 and 1211 ~~10 U.S.C. ss. 1209 and 1211~~.

716 B. "Children of military families" means school-aged
 717 children, enrolled in kindergarten through 12th grade, in the
 718 household of an active-duty member.

719 C. "Compact commissioner" means the voting representative
 720 of each compacting state appointed under Article VIII of this
 721 compact.

722 D. "Deployment" means the period 1 month before the
 723 servicemembers' departure from their home station on military
 724 orders through 6 months after return to their home station.

725 E. "Educational records" or "education records" means those

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726 official records, files, and data directly related to a student
 727 and maintained by the school or local education agency,
 728 including, but not limited to, records encompassing all the
 729 material kept in the student's cumulative folder such as general
 730 identifying data, records of attendance and of academic work
 731 completed, records of achievement and results of evaluative
 732 tests, health data, disciplinary status, test protocols, and
 733 individualized education programs.

734 F. "Extracurricular activities" means a voluntary activity
 735 sponsored by the school or local education agency or an
 736 organization sanctioned by the local education agency.
 737 Extracurricular activities include, but are not limited to,
 738 preparation for and involvement in public performances,
 739 contests, athletic competitions, demonstrations, displays, and
 740 club activities.

741 G. "Interstate Commission on Educational Opportunity for
 742 Military Children" means the commission that is created under
 743 Article IX of this compact, which is generally referred to as
 744 the Interstate Commission.

745 H. "Local education agency" means a public authority
 746 legally constituted by the state as an administrative agency to
 747 provide control of, and direction for, kindergarten through 12th
 748 grade public educational institutions.

749 I. "Member state" means a state that has enacted this
 750 compact.

751 J. "Military installation" means a base, camp, post,
 752 station, yard, center, homeport facility for any ship, or other
 753 activity under the jurisdiction of the Department of Defense,
 754 including any leased facility, which is located within any of

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the several states, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other United States Territory. The term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

K. "Nonmember state" means a state that has not enacted this compact.

L. "Receiving state" means the state to which a child of a military family is sent, brought, or caused to be sent or brought.

M. "Rule" means a written statement by the Interstate Commission adopted under Article XII of this compact which is of general applicability, implements, interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

N. "Sending state" means the state from which a child of a military family is sent, brought, or caused to be sent or brought.

O. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other United States Territory.

P. "Student" means the child of a military family for whom the local education agency receives public funding and who is formally enrolled in kindergarten through 12th grade.

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Q. "Transition" means:

1. The formal and physical process of transferring from school to school; or

2. The period of time in which a student moves from one school in the sending state to another school in the receiving state.

R. "Uniformed services" means the Army, Navy, Air Force, Space Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

S. "Veteran" means a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.

ARTICLE III

APPLICABILITY.—

A. Except as otherwise provided in Section C, this compact applies to the children of:

1. Active duty members of the uniformed services, including members of the National Guard and Reserve on active-duty orders pursuant to 10 U.S.C. chapters 1209 and 1211 ~~10 U.S.C. ss. 1209 and 1211~~;

2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of 1 year after medical discharge or retirement; and

3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of 1 year after death.

B. This interstate compact applies to local education agencies.

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813 C. This compact does not apply to the children of:
814 1. Inactive members of the National Guard and military
815 reserves;
816 2. Members of the uniformed services now retired, except as
817 provided in Section A;
818 3. Veterans of the uniformed services, except as provided
819 in Section A; and
820 4. Other United States Department of Defense personnel and
821 other federal agency civilian and contract employees not defined
822 as active-duty members of the uniformed services.
823 Section 3. This act shall take effect July 1, 2023.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/27/23

Meeting Date

Education PreK 12

Committee

1446

Bill Number or Topic

Amendment Barcode (if applicable)

Name

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954 536 1030

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City

State

32317

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

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I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FEA.

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Corey Simon, Chair
Committee on Education Pre-K -12

Subject: Committee Agenda Request

Date: March 13, 2023

I respectfully request that **Senate Bill 1446**, relating to Interstate Education Compacts, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

Thank you for your consideration.

A handwritten signature in black ink that reads "Tom A. Wright". The signature is written in a cursive, flowing style.

Senator Tom A. Wright
Florida Senate, District 8

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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

BILL: SB 1448

INTRODUCER: Senator Wright

SUBJECT: Public Records and Meetings/Interstate Teacher Mobility Compact Commission

DATE: March 24, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Sagues	Bouck	ED	Favorable
2. _____	_____	AED	_____
3. _____	_____	FP	_____

I. Summary:

In order to permit Florida to participate in the Interstate Teacher Mobility Compact (ITMC), SB 1448 creates a public record and public meeting exemption covering specified documents and meetings of the Interstate Teacher Mobility Compact Commission, of which the Commissioner of Education, or his or her designee, will be a member.

Under the ITMC, a teacher certified in one member state is entitled to receive the closest equivalent certification in another member state simply by presenting their originating state's certification and passing any background screening requirement implemented by the receiving state. Member states are required to share necessary information, such as certification or discipline history, when certificate holders move between states. Given the sensitive nature of some of these documents, the ITMC requires that information related to individual teachers shared between member states remain confidential.

Article I, section 24(c) of the Florida Constitution requires a two-thirds vote of the members present and voting for final passage of a newly created or expanded public record or public meeting exemption. The bill expands a public record exemption; thus, it requires a two-thirds vote for final passage.

The bill does not have an impact on state revenues or expenditures.

The bill will become effective on the same date that SB 1446 (2023) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

II. Present Situation:

Public Records and Meetings

Public Records Law

Article I, s. 24(a) of the State Constitution sets forth the state's public policy regarding access to government records. The section guarantees every person a right to inspect or copy any public record of the legislative, executive, and judicial branches of government.

Public policy regarding access to government records is addressed further in the Florida Statutes. Section 119.07(1), F.S., guarantees every person a right to inspect and copy any state, county, or municipal record.

Public Meetings Law

Article I, s. 24(b) of the State Constitution sets forth the state's public policy regarding access to government meetings. The section requires all meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, be open and noticed to the public.

Public policy regarding access to government meetings also is addressed in the Florida Statutes. Section 286.011, F.S., known as the "Government in the Sunshine Law" or "Sunshine Law," further requires that all meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, at which official acts are to be taken be open to the public at all times.¹ The board or commission must provide reasonable notice of all public meetings.² Minutes of a public meeting must be promptly recorded and open to public inspection.³

Public Record and Public Meeting Exemptions

The Legislature may provide by general law for the exemption of records and meetings from the requirements of Article I, s. 24(a) and (b) of the State Constitution. The general law must state with specificity the public necessity justifying the exemption (public necessity statement) and must be no broader than necessary to accomplish its purpose.⁴

Furthermore, the Open Government Sunset Review Act⁵ provides that a public record or public meeting exemption may be created or maintained only if it serves an identifiable public purpose. The exemption may be no broader than is necessary to meet one of the following purposes:⁶

- Allow the state or its political subdivisions to effectively and efficiently administer a governmental program, which administration would be significantly impaired without the exemption;

¹ Section 286.011(1), F.S.

² *Id.*

³ Section 286.011(2), F.S.

⁴ FLA. CONST. Art. I, s. 24(c),

⁵ Section 119.15, F.S.

⁶ Section 119.15(6)(b), F.S.

- Protect sensitive personal information that, if released, would be defamatory or would jeopardize an individual's safety; however, only information that would identify an individual may be exempted under this provision; or
- Protect trade or business secrets.

The Open Government Sunset Review Act requires the automatic repeal of a newly created exemption on October 2 of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.⁷

Public Record Exemption for Teacher Investigations and Discipline

Complaints against a teacher or administrator and all information obtained in an investigation by the Department of Education (DOE) is confidential and exempt until the conclusion of the preliminary investigation⁸ or until such time as the preliminary investigation ceases to be active.⁹ Upon the expiration of the exemption, the complaint and all associated materials must be open to inspection pursuant to Florida's public records laws, except for any medical records submitted as part of a teacher's participation in a recovery network program for educators.¹⁰

The complaint and all material assembled during the investigation may be inspected and copied by the certificate holder or the certificate holder's designee, after the investigation is concluded, but prior to the determination of probable cause.¹¹

Interstate Teacher Mobility Compact

The Interstate Teacher Mobility Compact (ITMC or Compact) is an interstate occupational licensure compact. Interstate compacts are constitutionally authorized, legislatively enacted, legally binding agreements among states. The ITMC will allow teachers with an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.¹²

The ITMC utilizes a different model than other interstate occupational licensure compacts. Compact Member states submit licenses that are eligible for the compact and meet a set of criteria outlined in the legislation. To be eligible, a license must require a bachelor's degree and completion of a state-approved program for teacher licensure like a teacher preparation program at a college or university. Furthermore, for a license to be eligible under the Compact it must be unencumbered (i.e., not restricted, probationary, provisional, substitute or temporary).¹³

⁷ Section 119.15(3), F.S.

⁸ The preliminary investigation is deemed concluded upon a determination of probable cause by the Commissioner of Education. Section 1012.796(4), F.S.

⁹ A preliminary investigation must be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. Section 1012.796(4), F.S.

¹⁰ *Id.*

¹¹ *Id.*

¹² National Center for Interstate Compacts, *Interstate Teacher Mobility Compact*, available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

¹³ National Center for Interstate Compacts, *Interstate Teacher Mobility Compact*, available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

Teachers holding a Compact-eligible license can apply for licensure in another member state and receive the closest equivalent license without submitting additional materials, taking state-specific exams or completing additional coursework. Special exceptions were created for some populations in the Compact to support equitable access. Due to the mobility patterns of military spouses, the barriers to receiving a license that would be considered unencumbered under the Compact are much higher. Teachers meeting the definition of an eligible military spouse will be able to use a temporary or provisional license for the purposes of the Compact. Career and Technical Education Teaching Licenses often do not require a bachelor's degree as a requirement for licensure, so the Compact allows these licenses to be considered eligible without that requirement.¹⁴

The ITMC will be administered by the Interstate Teacher Mobility Compact Commission (Commission), whose membership will be made up of the head of each member state's State Licensing Agency for educators (in Florida this is the DOE), or her or his designee.

The ITMC model legislation requires that member states share teacher discipline and other records with other member states, upon request, to facilitate the movement of teachers and compliance with individual state background screening requirements. To protect the privacy of teachers, the ITMC model legislation requires that such records and any meetings of the Commission at which such records are discussed be kept confidential.

SB 1446 (2023)

SB 1446 (2023), to which this bill is linked, ratifies the ITMC by adopting the model legislation into Florida statute. Once the ITMC is effective, following ratification by the tenth state, the designated commissioner of each member state will coordinate implementation of the policies and procedures necessary to effectuate the ITMC. As such, the DOE, through the commissioner, will have access to teacher discipline and other records. In order for Florida to be compliant with the provisions of the ITMC, as proposed to be adopted in SB 1446 (2023), these records and meetings must remain confidential, necessitating a public record and public meeting exemption.

III. Effect of Proposed Changes:

SB 1448, which is linked to the passage of SB 1446 (2023), creates a public records exemption for files and information regarding an investigation and discipline of teachers in other Interstate Teacher Mobility Compact (ITMC or Compact) member states. This public records exemption is aligned to the existing public records exemption for Florida's teacher investigation and discipline records. As set forth in the ITMC, the bill requires that before disclosing any disciplinary or investigatory information received from another member state, the disclosing state must communicate its intention and purpose for such disclosure to the member state that originally provided that information.

The bill creates a public meeting exemption for any portion of a meeting of the Commission, or its executive committee, in which any of the following information is discussed:

- Noncompliance of a member state with its obligations under the Compact;

¹⁴ National Center for Interstate Compacts, *Interstate Teacher Mobility Compact*, available at <https://teachercompact.org/wp-content/uploads/sites/28/2022/11/ITMC-Overview.pdf>.

- The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;
- Current, threatened, or reasonably anticipated litigation;
- Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
- Accusing any person of a crime or formally censuring any person;
- Trade secrets or commercial or financial information that is privileged or confidential;
- Information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;
- Investigative records compiled for law enforcement purposes;
- Information relating to any investigative reports prepared by or on behalf of or for use by the commission or executive committee when investigating or determining compliance with the Compact;
- Matters specifically exempted from disclosure by federal or state practice laws; or
- Other matters as set forth by the commission's bylaws and rules.

Additionally, the bill provides that recordings, minutes, and records generated during any portion of an exempt meeting are also exempt from disclosure.

The bill provides that public records and public meeting exemptions are a public necessity because without these protections for records received by the Commissioner or for Commission meetings Florida would be unable to participate in the ITMC.

This bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill will become effective on the same date that SB 1446 (2023) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill enacts a new exemption for records pertaining to judicial assistants; therefore, the bill requires a two-thirds vote of each chamber for enactment.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c), of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect information relating to teachers in other states who are members of the Interstate Teacher Mobility Compact, without such exemption Florida would be ineligible for membership. This bill exempts only records pertaining to investigations and discipline for teachers in Compact member states, and for meetings where such information is discussed. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1012.9931 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Wright

8-02214-23

20231448__

A bill to be entitled

An act relating to public records and meetings; creating s. 1012.9931, F.S.; providing an exemption from public meetings requirements for certain portions of meetings of the Interstate Teacher Mobility Compact Commission and its executive committee; providing an exemption from public records requirements for recordings, minutes, and records generated during exempt portions of such meetings and for certain files and information relating to specified investigations; providing for future legislative review and repeal of the exemptions; providing statements of public necessity; providing a contingent effective date.

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

Section 1. Section 1012.9931, Florida Statutes, is created to read:

1012.9931 Interstate Teacher Mobility Compact Commission; public meetings and public records exemptions.—

(1) Any portion of a meeting of the Interstate Teacher Mobility Compact Commission or its executive committee in which any of the following information is discussed is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution:

(a) Noncompliance of a member state with its obligations under the compact;

(b) The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel

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

8-02214-23

20231448__

practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Trade secrets or commercial or financial information that is privileged or confidential;

(g) Information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Investigative records compiled for law enforcement purposes;

(i) Information relating to any investigative reports prepared by or on behalf of or for use by the commission or executive committee when investigating or determining compliance with the compact;

(j) Matters specifically exempted from disclosure by federal or state practice laws; or

(k) Other matters as set forth by the commission's bylaws and rules.

(2) Recordings, minutes, and records generated during any portion of an exempt meeting are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(3) Files and information regarding an investigation and discipline of teachers in other member states are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution to protect and maintain the security and confidentiality thereof in at least the same manner that the member state maintains its own

Page 2 of 4

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

8-02214-23 20231448__

investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information received from another member state, the disclosing state shall communicate its intention and purpose for such disclosure to the member state that originally provided that information.

(4) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) The Legislature finds that it is a public necessity that any portion of a meeting of the Interstate Teacher Mobility Compact Commission or its executive committee in which any information in s. 1012.9931(1), Florida Statutes, is discussed be made exempt from s. 286.011, Florida Statutes, and s. 24(b), Article I of the State Constitution.

(2) The Interstate Teacher Mobility Compact requires that any portion of a meeting in which any information in s. 1012.9931(1), Florida Statutes, is discussed be closed to the public. In the absence of a public meetings exemption, this state would be prohibited from becoming a member state of the compact. Thus, this state would be unable to effectively and efficiently administer the compact.

(3) The Interstate Teacher Mobility Compact requires that files and information regarding an investigation and discipline of teachers in other member states be protected and that the security and confidentiality of such files and information be maintained. In the absence of a public records exemption, this state would be prohibited from becoming a member state of the compact. Thus, this state would be unable to effectively and

8-02214-23 20231448__

efficiently administer the compact.

(4) The Legislature finds that it is a public necessity that the recordings, minutes, and records generated during any portion of a meeting in which any information in s. 1012.9931(1), Florida Statutes, is discussed be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Release of such information would negate the public meetings exemption. As such, the Legislature finds that the public records exemption is a public necessity.

Section 3. This act shall take effect on the same date that SB ____ or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/27/23

Meeting Date

Education PreK12

Committee

1448

Bill Number or Topic

Amendment Barcode (if applicable)

Name

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Phone

954 536 1030

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Email

Alexis.Montalvo@
FloridaEA.org

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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I am appearing without
compensation or sponsorship.

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I am a registered lobbyist,
representing:

FEA

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I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)



The Florida Senate

Committee Agenda Request

To: Senator Corey Simon, Chair
Committee on Education Pre-K -12

Subject: Committee Agenda Request

Date: March 13, 2023

I respectfully request that **Senate Bill 1448**, relating to Public Records and Meetings/Interstate Teacher Mobility Compact Commission, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

Thank you for your consideration.

A handwritten signature in black ink that reads "Tom A. Wright". The signature is written in a cursive, flowing style.

Senator Tom A. Wright
Florida Senate, District 8

CourtSmart Tag Report

Room: KB 412 **Case No.:** -
Caption: Senate Education Pre-K-12 Committee

Type:
Judge:

Started: 3/27/2023 11:32:45 AM
Ends: 3/27/2023 12:48:35 PM **Length:** 01:15:51

11:32:45 AM Meeting called to order, roll call
11:33:15 AM Quorum is present
11:33:30 AM Chair Burgess makes opening remarks
11:33:54 AM Tab 6, SB 1236- Class Size by Senator Wright
11:34:02 AM Amendment 219758
11:34:14 AM Senator Wright explained the amendment
11:35:02 AM Chair Burgess reads appearance cards waiving
11:35:43 AM Senator Wright waives close
11:35:48 AM Chair Burgess reports amendment
11:36:00 AM Senator Wright closes on the bill
11:36:30 AM Roll call on CS/SB 1236
11:36:53 AM Chair Burgess reports the bill
11:37:00 AM Tab 8, SB 1446- Interstate Education Compacts by Senator Wright
11:37:11 AM Chair Burgess recognizes Senator Wright
11:37:14 AM Senator Wright explains the bill
11:38:25 AM Chair Burgess reads appearance cards waiving
11:38:30 AM Senator Wright waives close
11:38:35 AM Roll call on SB 1446
11:39:10 AM Tab 9, SB 1448- Public Records and Meetings/Interstate Teacher Mobility Compact Commission by Senator Wright
11:39:13 AM Senator Wright explains the bill
11:39:13 AM Chair Burgess recognizes Senator Wright
11:39:56 AM Chair Burgess reads appearance cards waiving
11:40:07 AM Senator Wright waives close
11:40:12 AM Roll call on SB 1448
11:40:35 AM Chair Burgess reports the bill
11:40:40 AM Chair Burgess passes the Senator Hutson
11:40:49 AM Tab 4, SB 986- Education by Senator Burgess
11:40:55 AM Amendment 299576
11:40:59 AM Senator Burgess explains the amendment
11:41:54 AM Chair Hutson reports the amendment
11:42:04 AM Chair Hutson reads appearance cards waiving
11:42:31 AM Senator Burgess waives close
11:42:36 AM Roll call on CS/SB 986
11:43:01 AM Chair Hutson reports the bill
11:43:13 AM Tab 7, SB 1424- Student Outcomes by Senator Calatayud
11:43:24 AM Chair Hutson recognizes Senator Calatayud
11:43:28 AM Senator Calatayud explains the bill
11:44:51 AM Chair Hutson reads appearance cards waiving
11:45:07 AM Senator Calatayud waives close
11:45:13 AM Roll call on SB 1424
11:45:31 AM Chair Hutson reports the bill
11:45:37 AM Tab 1, SJR 94- Partisan Election of Members of District School Boards
11:45:42 AM Chair Hutson recognizes Senator Gruters
11:45:48 AM Senator Gruters explains the bill
11:46:30 AM Chair Hutson recognizes public testimony:
11:46:58 AM Jackie McColister
11:48:49 AM Alec Wilcosky
11:49:23 AM LeAnn Campbell
11:51:22 AM Kim Vaughn
11:52:40 AM Gail Perry
11:54:12 AM Kevin Parker

11:55:26 AM Dr. Rich Templin, AFL-CIO
11:58:42 AM Debate:
11:58:43 AM Senator Berman
11:59:45 AM Senator Gruters closes on the resolution
12:01:10 PM Roll call on SJR 94
12:01:33 PM Chair Hutson reports the resolution
12:01:44 PM Tab 3, SB 832- Holocaust Remembrance Day by Senator Berman
12:01:47 PM Chair Hutson recognizes Senator Berman
12:01:48 PM Senator Berman explains the bill
12:02:39 PM Chair Hutson reads appearance cards waiving
12:03:03 PM Senator Berman waives close
12:03:06 PM Roll call SB 832
12:03:29 PM Chair Hutson reports the bill
12:03:39 PM Recording Paused
12:29:55 PM Recording Resumed
12:30:06 PM Chair Hutson calls meeting back to order
12:31:05 PM Tab 5, SB 1112- Middle School and High School Start Times by Senator Burgess
12:31:06 PM Chair Hutson recognizes Senator Burgess
12:31:15 PM Senator Burgess explains the bill
12:34:11 PM Chair Hutson reads appearance cards:
12:34:27 PM Chris Doolin, Small School District Consortium
12:38:58 PM Debate:
12:38:59 PM Senator Berman
12:40:34 PM Senator Grall
12:42:58 PM Senator Jones
12:44:45 PM Senator Calatayud
12:45:16 PM Senator Burgess closes on the bill
12:46:44 PM Roll call on SB 1112
12:47:02 PM Chair Hutson reports the bill
12:47:13 PM Senator Perry moves to record a missed vote
12:47:26 PM Senator Berman moves to record a missed vote
12:47:39 PM Senator Jones moves to record a missed vote
12:47:52 PM Senator Burgess moves to record a missed vote
12:48:25 PM Meeting adjourned

From: Fishman, Julie <Fishman.Julie@flsenate.gov>
Sent: Monday, March 27, 2023 8:26 AM
To: Simon, Corey <Simon.Corey@flsenate.gov>
Cc: Bouck, Matthew <Bouck.Matthew@flsenate.gov>; Sagues, Holly <Sagues.Holly@flsenate.gov>; Gerson, Maggie <Gerson.Maggie@flsenate.gov>; Thomas, Margaret <THOMAS.MARGARET@flsenate.gov>
Subject: Absent from Today's Education Meeting

Good morning,

Senator Osgood will not be in today's committee as her flight was delayed due to bad weather in Atlanta.

Please let me know if you need anything additional.

Regards,

Julie Fishman

Julie Fishman (she/her)
Chief Legislative Assistant to
State Senator Rosalind Osgood
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