

<b>Tab 1</b>	<b>SB 530</b> by <b>DiCeglie</b> ; (Similar to CS/H 00545) Florida High School Athletic Association Student Eligibility Requirements						
<b>Tab 2</b>	<b>SB 786</b> by <b>Powell</b> ; (Similar to CS/H 00857) Youth Conflict Resolution and Peer Mediation Pilot Program						
668286	A	S	RCS	ED, Powell	Delete L.29 - 74:	02/06 11:10 AM	
<b>Tab 3</b>	<b>SB 1044</b> by <b>Grall</b> ; (Identical to H 00931) School Chaplains						
748132	A	S	RCS	ED, Grall	Delete L.43 - 46.	02/06 11:10 AM	
<b>Tab 6</b>	<b>SB 1264</b> by <b>Collins</b> ; (Similar to H 01349) History of Communism Task Force						
834692	A	S	RCS	ED, Collins	Delete L.66 - 67:	02/06 11:10 AM	
<b>Tab 4</b>	<b>SB 1396</b> by <b>Gruters (CO-INTRODUCERS) Yarborough</b> ; (Identical to H 01109) Security for Jewish Day Schools and Preschools						
<b>Tab 5</b>	<b>SB 1652</b> by <b>Burgess</b> ; (Similar to CS/H 01429) District and School Advisory Councils						
<b>Tab 7</b>	<b>SPB 7056</b> by <b>ED</b> ; Public Records/School Guardians						

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

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

**MEETING DATE:** Tuesday, February 6, 2024  
**TIME:** 8:30—11:00 a.m.  
**PLACE:** *Pat Thomas Committee Room, 412 Knott Building*

**MEMBERS:** Senator Simon, Chair; Senator Burgess, Vice Chair; Senators Berman, Calatayud, Collins, Grall, Hutson, Jones, Osgood, Perry, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 530</b> DiCeglie (Similar CS/H 545)	Florida High School Athletic Association Student Eligibility Requirements; Requiring the Florida High School Athletic Association to adopt bylaws prohibiting a student who is sentenced as an adult for specified offenses from participating in certain competitions, etc.  ED 02/06/2024 Favorable JU RC	Favorable Yeas 8 Nays 2
2	<b>SB 786</b> Powell (Similar CS/H 857)	Youth Conflict Resolution and Peer Mediation Pilot Program; Creating the Youth Conflict Resolution and Peer Mediation Pilot Program, subject to legislative appropriation; requiring the Commissioner of Education to select a certain number of middle schools to participate in the pilot program; requiring the commissioner to select a nonprofit organization to implement the pilot program; requiring the nonprofit organization to provide a report to the Governor, the Legislature, and the Department of Education, etc.  ED 02/06/2024 Fav/CS AED FP	Fav/CS Yeas 10 Nays 0
3	<b>SB 1044</b> Grall (Identical H 931)	School Chaplains; Authorizing school districts and charter schools to adopt a policy to allow volunteer school chaplains; requiring district school boards and charter school governing boards to assign specified duties to such volunteer school chaplains; requiring school districts that adopt volunteer school chaplain policies to publish certain information on their websites; providing background screening requirements for volunteer school chaplains, etc.  ED 02/06/2024 Fav/CS JU RC	Fav/CS Yeas 7 Nays 3

**COMMITTEE MEETING EXPANDED AGENDA**

Education Pre-K -12

Tuesday, February 6, 2024, 8:30—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 1396</b> Gruters (Identical H 1109)	Security for Jewish Day Schools and Preschools; Subject to and consistent with funds appropriated from the General Appropriations Act, requiring the Department of Education to establish a program to provide funds to full-time Jewish day schools and preschools for specified security purposes, etc.  ED 02/06/2024 Favorable AED FP	Favorable Yeas 10 Nays 0
5	<b>SB 1652</b> Burgess (Similar CS/H 1429)	District and School Advisory Councils; Renaming district advisory councils and school advisory councils as "district community advisory boards" and "community advisory boards," respectively; requiring community advisory boards to publicize specified information, etc.  ED 02/06/2024 Favorable AED RC	Favorable Yeas 10 Nays 0
6	<b>SB 1264</b> Collins (Similar H 1349)	History of Communism Task Force; Requiring instruction in public schools on the history of communism; creating the History of Communism Task Force within the Department of Education; requiring the task force to work with the Division of Historical Resources within the Department of State to make recommendations by a specified date to the State Board of Education and the Commissioner of Education for curriculum standards and instruction on communist history, etc.  ED 02/06/2024 Fav/CS AED FP	Fav/CS Yeas 10 Nays 0
Consideration of proposed bill:			
7	<b>SPB 7056</b>	Public Records/School Guardians; Providing that certain information relating to school guardians which is held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school pursuant to a specified provision is exempt from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	Submitted and Reported Favorably as Committee Bill 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 Pre-K -12

---

BILL: SB 530

INTRODUCER: Senator DiCeglie

SUBJECT: Florida High School Athletic Association Student Eligibility Requirements

DATE: February 5, 2024

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Palazesi	Bouck	ED	<b>Favorable</b>
2.			JU	
3.			RC	

---

**I. Summary:**

SB 530 requires the Florida High School Athletic Association to adopt bylaws that prohibits a student who has been sentenced as an adult for a homicide, sexual battery, or lewd or lascivious offense from participating in high school athletic competition in its member schools.

The bill is effective July 1, 2024

**II. Present Situation:**

**Florida High School Athletic Association**

The Florida High School Athletic Association (FHSAA) is statutorily designated as the governing nonprofit organization for interscholastic athletics for grades 6 through 12 in Florida public schools.<sup>1</sup> Any high school, middle school, or combination school,<sup>2</sup> including charter schools, virtual schools, private schools, and home education cooperatives,<sup>3</sup> may become a member of the FHSAA, but membership in the FHSAA is not mandatory.<sup>4</sup>

The FHSAA is required to adopt bylaws regulating student eligibility, recruiting, student safety and member schools' interscholastic competition in accordance with applicable law.<sup>5</sup> If the

---

<sup>1</sup> Section 1006.20(1), F.S.

<sup>2</sup> A "combination school" is any school that provides instruction to students in high school and the middle school grades; elementary, middle or high school grades combined; or elementary and middle grades combined (e.g. K-12; K-8; 6-12; or 7-12). Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association, Inc., 2022-23 Edition*, at Bylaw 3.2.2.3.

<sup>3</sup> A "home education cooperative" is a parent-directed group of individual home education students that provides opportunities for interscholastic athletic competition to those students and may include students in grades 6-12. FHSAA, *supra*, note 2, at Bylaw 3.2.2.4.

<sup>4</sup> Section 1006.20(1), F.S.

<sup>5</sup> Section 1006.20(2), F.S.

FHSAA fails to meet its obligations and responsibilities, the Commissioner of Education (commissioner) is directed to designate a nonprofit organization to manage interscholastic athletics with the approval of the State Board of Education (SBE).<sup>6</sup>

### *Student Eligibility*

Participation in interscholastic athletic programs by a student is a privilege, not a right. Students who participate are required to meet the requirements established in state law, FHSAA regulations, and by their respective schools.<sup>7</sup> To determine student eligibility the FHSAA is required to adopt bylaws establishing the process and standards by which FHSAA determinations of eligibility are made. The bylaws are required to provide that:<sup>8</sup>

- Ineligibility must be established by a preponderance of the evidence.
- Student athletes, parents, and schools must have notice of the initiation of any investigation or other inquiry into eligibility and may present, to the investigator and to the individual making the eligibility determination, any information or evidence that is credible, persuasive, and of a kind reasonably prudent persons rely upon in the conduct of serious affairs.
- An investigator may not determine matters of eligibility but must submit information and evidence to the executive director or a person designated by the executive director or by the board of directors for an unbiased and objective determination of eligibility.
- A determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

The FHSAA adopted the following bylaws related to student eligibility requirements:<sup>9</sup>

- A student must attend school<sup>10</sup> and is immediately eligible to participate in the interscholastic athletic programs sponsored by the school he/she attends each school year.
- A student who transfers from one school to another will be eligible at the new school, but may not participate in a sport at his or her new school if the student participated in that same sport at another school during that school year, unless certain conditions are met.
- A middle/junior high student must have 2.0 grade point average (GPA), or the equivalent of a 2.0 GPA based on a 4.0 scale, at the conclusion of each semester.
- A student is limited to eight consecutive semesters of eligibility beginning with the semester he or she begins ninth grade for the first time.
- A student who reaches the age of 19 prior to July 1st is permanently ineligible.
- A student must have a physical evaluation each year and be certified as being physically fit to participate in interscholastic athletic programs prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic team.
- A student must have the consent of his or her parent or legal guardian to participate in interscholastic athletic programs at a member school prior to participating in interscholastic

---

<sup>6</sup> Section 1006.20(1), F.S.

<sup>7</sup> Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association 2023-24 Edition*, at Article 9, [https://fhsaa.com/documents/2023/7/13/2324\\_handbook.pdf?id=4394](https://fhsaa.com/documents/2023/7/13/2324_handbook.pdf?id=4394), (last visited Feb. 1, 2024).

<sup>8</sup> Section 1006.20(2), F.S.

<sup>9</sup> Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association 2023-24 Edition*, at Article 9, [https://fhsaa.com/documents/2023/7/13/2324\\_handbook.pdf?id=4394](https://fhsaa.com/documents/2023/7/13/2324_handbook.pdf?id=4394), (last visited Feb. 1, 2024).

<sup>10</sup> Section 1006.60(1), F.S., provides that students that are part of a home education cooperative are eligible to participate in FHSAA sports.

athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic team.

- A student may not participate in an athletic activity of the FHSAA unless he or she is an amateur. An amateur is one who engages in athletic competition solely for the physical, mental, social, and pleasure benefits derived from the activity.

District school boards are required to establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:<sup>11</sup>

- A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, is eligible to participate in interscholastic and intrascholastic extracurricular activities.
- A student may not participate in a sport if the student participated in that same sport at another school during that school year.
- A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation.

To be eligible to participate in interscholastic extracurricular student activities, a student must maintain satisfactory conduct. If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.<sup>12</sup>

### ***Prosecution of a Minor as an Adult***

The juvenile delinquency system focuses on treating and rehabilitating children who violate criminal laws. Children in the delinquency system may complete a civil citation or diversion program,<sup>13</sup> probationary sentence, or be committed to one of the Department of Juvenile Justice's (DJJ) commitment programs.<sup>14</sup> The juvenile process is less harsh than the adult court process, for example:

- A judge decides the facts in a juvenile adjudicatory hearing rather than a jury.<sup>15</sup>
- Juveniles are not subject to monetary bail.<sup>16</sup>
- Probation may only last until age 19, and commitment until age 21.<sup>17</sup>

A child may be transferred to adult court through one of three ways:

- Direct file, in which the state attorney files an information to transfer the child.<sup>18</sup>

<sup>11</sup> Section 1006.195 (1)(a), F.S.

<sup>12</sup> Section 1006.15(3)(a)4., F.S.

<sup>13</sup> Sections 985.12, 985.125, 985.15, 985.155, and 985.16, F.S.

<sup>14</sup> Section 985.433, F.S.

<sup>15</sup> Section 985.35, F.S.

<sup>16</sup> Section 985.245, F.S.

<sup>17</sup> Section 985.0301, F.S.

<sup>18</sup> Section 985.557, F.S.; An information is a formal criminal charge brought and filed by the prosecutor that initiates the criminal proceedings in court. Cornell Law School, Legal Information Institute, *Information*, <https://www.law.cornell.edu/wex/information> (last visited Jan. 26, 2024).

- Judicial waiver, in which the court transfers the child upon the state's motion after holding a waiver hearing.<sup>19</sup>
- Indictment, in which the grand jury charges the child by indictment for a capital offense or offense punishable by life in prison.<sup>20</sup>

### *Direct File*

With respect to any child who was 14 or 15 years of age at the time the alleged offense was committed, the state attorney may direct file a child to adult court when, in the state attorney's judgment and discretion, the public interest requires that adult sanctions be considered or imposed and when the offense charged is for the commission of, attempt to commit, or conspiracy to commit:<sup>21</sup>

- Arson;
- Sexual battery;
- Robbery;
- Kidnapping;
- Aggravated child abuse;
- Aggravated assault or aggravated battery;
- Aggravated stalking;
- Murder;
- Manslaughter;
- Unlawful throwing, placing, or discharging of a destructive device or bomb;
- Armed burglary or other specified burglaries;
- Any lewd or lascivious offense upon a person less than 16 years of age;
- Carrying, displaying, using, threatening, or attempting to use a weapon or firearm during the commission of a felony;
- Grand theft over \$100,000 or specified property;
- Possessing or discharging any weapon or firearm on school property in violation of s. 790.115, F.S.;
- Home invasion robbery;
- Carjacking; and
- Specified grand theft of a motor vehicle if the child has a specified previous adjudication for a specified grand theft of a motor vehicle offense.

With respect to any child who was 16 or 17 at the time the alleged offense was committed, the state attorney may direct file a child to adult court when, in the state attorney's judgment and discretion, the public interest requires that adult sanctions be considered or imposed.<sup>22</sup> The state attorney may not direct file a child to adult court when a child is charged with a misdemeanor, unless the child has had at least two previous adjudications or adjudications withheld for delinquent acts, one of which involved an offense classified as a felony under state law.<sup>23</sup>

---

<sup>19</sup> Section 985.556, F.S.

<sup>20</sup> Section 985.56, F.S.

<sup>21</sup> Section 985.557(1)(a), F.S.

<sup>22</sup> Section 985.557(1)(b), F.S.

<sup>23</sup> *Id.*

### ***Judicial Waiver***

A child must be transferred to adult court if the child is alleged to have committed a violation of law and, prior to the adjudicatory hearing, the child, joined by a parent, guardian, or guardian ad litem, demands in writing to be tried as an adult.<sup>24</sup> Additionally, a state attorney may exercise his or her discretion and file a motion requesting the court to transfer the child for criminal prosecution if the child was 14 years of age or older at the time the alleged delinquent act or violation of law was committed.<sup>25</sup>

The state attorney must request the court to transfer a child to adult court or must provide written reasons to the court for not making such a request if:<sup>26</sup>

- The child was 14 years of age or older, and if the child has been previously adjudicated delinquent for an act classified as a felony, which adjudication was for the commission of, attempt to commit, or conspiracy to commit murder, sexual battery, armed robbery, carjacking, home-invasion robbery, aggravated battery, aggravated assault, or burglary with an assault or battery, and the child is currently charged with a subsequent violent crime; or
- The child was 14 years of age or older at the time of commission of a fourth or subsequent felony and the child was previously adjudicated delinquent, had adjudication withheld, or was found to have committed or have attempted to or conspired to commit, three felony offenses and one or more of such felony offenses involved the use or possession of a firearm or violence against a person.

The only transfer method receiving judicial review is judicial waiver. A court must conduct a hearing on a motion for waiver to determine if the child should be tried as if he or she were an adult and must consider:<sup>27</sup>

- The seriousness of the offense.
- Whether the community is best served by transferring the child to adult court.
- Whether the alleged offense was committed in an aggressive, violent, premeditated, or willful manner.
- Whether the offense was against persons or property.
- The probable cause as found in the report, affidavit, or complaint.
- Whether the child's associates are adults or children who are to be tried as adults.
- The sophistication and maturity of the child.
- The child's criminal and other history.
- The protection of the community and likelihood of rehabilitation if the child remains in juvenile court.

In 2019, the Legislature repealed all statutes related to mandatory direct file against juveniles.<sup>28</sup>

---

<sup>24</sup> Section 985.556(1), F.S.

<sup>25</sup> Section 985.556(2), F.S.

<sup>26</sup> Section 985.556(3), F.S.

<sup>27</sup> Section 985.556(4), F.S.

<sup>28</sup> Chapter 2019-167, Laws of Fla.



### *Sentencing of a Minor as an Adult*

A child transferred to adult court is treated like an adult in most ways. The adult court procedural rules apply, including trial by jury. With the exception of the death penalty and a life sentence without the possibility of parole,<sup>29</sup> a child faces the same exposure to penalty as an adult. A court may, however, sentence a child prosecuted as an adult to juvenile sanctions.<sup>30</sup> In determining whether to impose juvenile sanctions instead of adult sanctions, the court must consider the following:<sup>31</sup>

- The seriousness of the offense to the community and whether the community would best be protected by juvenile or adult sanctions;
- Whether the offense was committed in an aggressive, violent, premeditated or willful manner;
- Whether the offense was committed against persons or property;
- The sophistication and maturity of the offender;
- The record and previous history of the offender;
- The prospects for adequate protection of the public and the likelihood of deterrence and reasonable rehabilitation of the offender;
- Whether the Department of Juvenile Justice has appropriate programs, facilities, and services immediately available; and
- Whether adult sanctions would provide more appropriate punishment and deterrence to further violations of law than the imposition of juvenile sanctions.

In addition to sentencing a child as a juvenile or as an adult, a judge may also sentence a person as a youthful offender. The judge may sentence any person as a youthful offender:<sup>32</sup>

- Who is at least 18 years of age or who has been transferred for prosecution in an adult court;
- Who is found guilty or has tendered, and the court has accepted, a plea of nolo contendere or guilty to a crime that is a felony if such crime was committed before the defendant turned 21 years of age; and
- Who has not previously been classified as a youthful offender; however, a person found guilty of a capital or life felony may not be sentenced as a youthful offender.

If a child has been found guilty, and the judge sentences the child as an adult, the judge may adjudicate the child guilty or withhold adjudication. An adjudication of guilt is a formal conviction, and a child will be sentenced as an adult accordingly. An adjudication withheld is not a formal conviction, but a judge may still order sanctions, such as probation.<sup>33</sup>

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

The bill amends s. 1006.20, F.S., to require the Florida High School Athletic Association to adopt bylaws that prohibits a student who has been sentenced as an adult for a homicide,<sup>34</sup> sexual

<sup>29</sup> *Roper v. Simmons*, 543 U.S. 551 (2005); *Graham v. Florida*, 560 U.S. 48 (2010); *Miller v. Alabama*, 567 U.S. 460 (2012).

<sup>30</sup> Section 985.565, F.S.

<sup>31</sup> Section 985.565, F.S.

<sup>32</sup> Section 958.04(1), F.S.

<sup>33</sup> Section 948.01, F.S.

<sup>34</sup> Laws governing homicide are covered under Chapter 782.

battery,<sup>35</sup> or lewd or lascivious<sup>36</sup> offense from participating in high school athletic competition in its member schools. Such prohibition applies to a student regardless of the disposition of his or her case, including adjudication of guilt, withholding of adjudication, or sentencing as a youthful offender.

The bill is effective July 1, 2024.

#### **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.

---

<sup>35</sup> Section 794.011, F.S., defines sexual battery as oral, anal, or female genital penetration by, or union with, the sexual organ of another or the anal or female genital penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

<sup>36</sup> Section 794.051, F.S., defines a lewd or lascivious as A person 24 years of age or older who intentionally touches in a lewd or lascivious manner the breasts, genitals, genital area, or buttocks, or the clothing covering them, of a person 16 or 17 years of age, or forces or entices a person 16 or 17 years of age to so touch the perpetrator.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 1006.20 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 DiCeglie

18-00389-24

2024530\_\_

1 A bill to be entitled  
 2 An act relating to Florida High School Athletic  
 3 Association student eligibility requirements; amending  
 4 s. 1006.20, F.S.; requiring the Florida High School  
 5 Athletic Association to adopt bylaws prohibiting a  
 6 student who is sentenced as an adult for specified  
 7 offenses from participating in certain competitions;  
 8 providing applicability; providing an effective date.  
 9  
 10 Be It Enacted by the Legislature of the State of Florida:  
 11  
 12 Section 1. Paragraph (a) of subsection (2) of section  
 13 1006.20, Florida Statutes, is amended to read:  
 14 1006.20 Athletics in public K-12 schools.—  
 15 (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—  
 16 (a) The FHSAA shall adopt bylaws that, unless specifically  
 17 provided otherwise by statute, establish eligibility  
 18 requirements for all students who participate in high school  
 19 athletic competition in its member schools. Such bylaws must  
 20 prohibit a student who has been sentenced as an adult for a  
 21 homicide, sexual battery, or lewd or lascivious offense from  
 22 participating in high school athletic competition in its member  
 23 schools. Such prohibition applies to a student regardless of the  
 24 disposition of his or her case, including adjudication of guilt,  
 25 withholding of adjudication, or sentencing as a youthful  
 26 offender. The bylaws governing residence and transfer must allow  
 27 the student to be immediately eligible in the school in which he  
 28 or she first enrolls each school year or the school in which the  
 29 student makes himself or herself a candidate for an athletic

Page 1 of 2

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

18-00389-24

2024530\_\_

30 team by engaging in a practice before enrolling in the school.  
 31 The bylaws must also allow the student to be immediately  
 32 eligible in the school to which the student has transferred. The  
 33 student remains eligible in that school so long as he or she  
 34 remains enrolled in that school. Subsequent eligibility must be  
 35 determined and enforced through the FHSAA's bylaws. Requirements  
 36 governing eligibility and transfer between member schools must  
 37 be applied similarly to public school students and private  
 38 school students. The commissioner may direct the FHSAA to revise  
 39 its bylaws at any time.  
 40 1. Any changes to the FHSAA's bylaws must be ratified by  
 41 the State Board of Education.  
 42 2. A bylaw adopted by the FHSAA board of directors may not  
 43 take effect until it is ratified by the State Board of  
 44 Education.  
 45 Section 2. This act shall take effect July 1, 2024.

Page 2 of 2

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

The Florida Senate

APPEARANCE RECORD

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

2-6-24 Meeting Date

530 Bill Number or Topic

Education Pre-K-12 Committee

Amendment Barcode (if applicable)

Name Edward Briggs Phone 850-933-5994

Address 235 W Brandon Blvd Street Email Edward@teamRSA.com

Brandon FL 33511 City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [x] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing:

Sunshine State athletic 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)

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

**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 786

**INTRODUCER:** Education Pre-K - 12 Committee and Senator Powell

**SUBJECT:** Youth Conflict Resolution and Peer Mediation Pilot Program

**DATE:** February 6, 2024      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sabitsch	Bouck	ED	<b>Fav/CS</b>
2.			AED	
3.			FP	

---

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

---

**I. Summary:**

CS/SB 786 establishes the Youth Conflict Resolution and Peer Mediation Pilot Program. Specifically the bill:

- Establishes a single year pilot program for middle and high schools selected by the Commissioner of Education (Commissioner).
- Requires selected schools to implement a conflict resolution curriculum selected by the Commissioner and provides reporting requirements as well as a pre- and post-program survey.
- Requires the Commissioner to select a nonprofit to administer the pilot program and provides requirements for the selected nonprofit.

The bill takes effect on July 1, 2024.

## II. Present Situation:

### Violence in Schools

#### *National Perspective*

According to data published in January 2023 for the 2021-2022 school year from the School Survey on Crime and Safety managed by the National Center for Education Statistics:<sup>1</sup>

- During the 2021-2022 school year, about 857,500 violent incidents and 479,500 nonviolent incidents were recorded by U.S. public schools.
- Three percent of all public schools reported that at least one hate crime occurred at school during the 2021-2022 school year.
- About 71 percent of high/secondary schools reported at least one incident of distribution, possession, or use of illegal drugs.
- Bullying at school at least once a week was reported by 28 percent of middle schools, compared to 15 percent of high/secondary schools and 10 percent of elementary schools.
- Cyberbullying at school or away from school at least once a week was reported by 37 percent of middle schools and 25 percent of high/secondary schools, compared to 6 percent of elementary schools.<sup>2</sup>

#### *Florida Perspective*

The Office of Safe Schools (Office), within the Department of Education (DOE) serves as a central repository for best practices, training standards and compliance oversight in all matters regarding school safety and security in Florida. The mission of the office is to support districts in providing a safe learning environment for students and educators. The primary goals of the office are prevention, intervention, and emergency preparedness planning.<sup>3</sup>

The Florida legislature established the Office in 2018 following the school shooting at Marjory Stoneman Douglas High School in Parkland, Florida and paired with subsequent school safety laws provides the following:

- Safe-school officers at each public school including charter schools.<sup>4</sup>
- FortifyFL, which provides a mobile suspicious activity reporting tool to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials.<sup>5</sup>
- The Florida Safe Schools Assessment Tool (FSSAT).<sup>6</sup>
- School teams that are trained in a common behavioral threat management operational process.<sup>7</sup>

---

<sup>1</sup> U.S. Department of Education, Institute of Education Sciences, *Crime, Violence, Discipline and Safety in U.S. Public Schools*, (2023), available at <https://nces.ed.gov/pubs2024/2024043.pdf>.

<sup>2</sup> U.S. Department of Education, Institute of Education Sciences, *Crime, Violence, Discipline and Safety in U.S. Public Schools*, (2023), available at <https://nces.ed.gov/pubs2024/2024043.pdf>.

<sup>3</sup> FDOE, Office of Safe Schools, *What We Do*, <https://www.fldoe.org/safe-schools/#whatwedo> (last visited Jan. 31, 2024).

<sup>4</sup> Section 1006.12, F.S.

<sup>5</sup> Section 943.082, F.S.

<sup>6</sup> Section 1006.1493, F.S.

<sup>7</sup> Section 1006.07(7), F.S.

- Implementation of a mobile panic alert system in every school that supports coordination among first responder agencies.<sup>8</sup>
- Requirement for every law enforcement agency to create and maintain an active assailant response policy.<sup>9</sup>
- Promotion of firearm detection canines in Florida schools through the Florida Safe Schools Canine Program.<sup>10</sup>

Florida's School Environmental Safety Incident Reporting (SESIR) grew out of the public's concern over student safety in the school environment. In 1995-1996, in response to this concern, the SESIR system was initiated to enable schools to track incidents and analyze patterns of violent, criminal or disruptive activity. The intent is to provide complete and objective data from which to design interventions to improve the learning environment. SESIR operates at the school, district, and state levels.<sup>11</sup> The SESIR collects data on 26 types of incidents of crime, violence, and disruptive behaviors that occur on school grounds, on school transportation, and at off-campus, school-sponsored events, during any 24-hour period, 365 days per year. Incidents are reported by schools to the districts which, in turn, provide the data to the DOE.

A review of 2022-2023 SESIR data found that there were over 90,000 reported instances of actions by students that impacted school safety for that school year. Just under 65,000 of those instances were reported by schools that served both middle school and high school students and of those over 35,000 of the incidents were reported by schools that only serve middle school students. These data indicate that incidents involving middle school students make up the majority of school safety related incidents that occur in secondary schools.<sup>12</sup>

Florida provides funding to address school safety. From the 2023-2024 General Appropriations Act (GAA), specific funding of \$250 million<sup>13</sup> was allocated for Safe School activities with \$250,000 allocated to each school district and the remaining funds allocated to school districts in accordance with requirements for the funding of the operation of schools.<sup>14</sup> Further funding of \$845,000<sup>15</sup> was provided to the DOE for use of the Florida Safe Schools Assessment Tool at all public school sites. For school districts considered "fiscally constrained," \$4 million was provided in grants to support the Florida Safe Schools Canine Program.<sup>16</sup>

Florida law provides for the control of students by school principals, teachers, other instructional staff, or bus drivers during the time when:<sup>17</sup>

- She or he is being transported to or from school at public expense.
- She or he is attending school.

---

<sup>8</sup> Section 1006.07(4), F.S.

<sup>9</sup> Section 943.6873, F.S.

<sup>10</sup> Section 1006.121, F.S.

<sup>11</sup> FDOE, Office of Safe Schools, About SESIR - School Environmental Safety Incident Reporting, <https://www.fldoe.org/safe-schools/sesir-discipline-data/about.stml> (last visited Jan. 31, 2024)

<sup>12</sup> Senate staff analysis of Florida Department of Education, *SESIR Data Statewide and by School District (2022-2023)*, available at: <https://www.fldoe.org/safe-schools/discipline-data.stml>.

<sup>13</sup> Specific Appropriation 80, ch. 2023-239, Laws of Fla.

<sup>14</sup> Section 1011.62, F.S. Specific Appropriation 96, ch. 2023-239, Laws of Fla.

<sup>15</sup> Specific Appropriation 96, ch. 2023-239, Laws of Fla.

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

<sup>17</sup> Section 1003.31(1), F.S.



- She or he is on the school premises participating with authorization in a school-sponsored activity.
- Before and after the student is on the premises for attendance at school or for authorized participation in a school-sponsored activity.<sup>18</sup>

Each district school board, each district school superintendent, and each school principal is required to fully support the authority of teachers<sup>19</sup> and school bus drivers to remove disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students from the classroom and the school buses. When appropriate and available, the school district is required to place such students in an alternative educational setting.

Each district school board has the right to expel, or to take disciplinary action against a student who is found to have committed an offense on school property at any time if:

- The student is found to have committed a delinquent act which would be a felony if committed by an adult.
- The student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony.
- The student has been found guilty of a felony.<sup>20</sup>

Students enrolled in a school may be required to take a daily conduct pledge that addresses basic respect and responsibility for actions and words, pledging not to do drugs or respond to peer pressure, and a pledging to be nonviolent towards teachers and other students.<sup>21</sup>

### III. Effect of Proposed Changes:

The bill establishes the Youth Conflict Resolution and Peer Mediation Pilot Program (pilot program) beginning in the 2025-2026 school year for one year, subject to legislative appropriation. The purpose of the pilot program is to reduce juvenile violence by equipping students with essential skills for peaceful conflict resolution.

The bill requires Florida middle and high schools to apply in order to participate in the pilot program in a format and by a date prescribed by the Department of Education (DOE). The Commissioner to Education (Commissioner) must select five schools to participate in the pilot program with an emphasis on selecting schools with a high rate of juvenile violence.

The Commissioner must select a nonprofit organization to oversee the pilot program implementation and analyze the resulting data, and also select a conflict resolution curriculum for use in the pilot program.

The pilot program requires each participating school to:

- Implement the selected conflict resolution curriculum, while not undermining the school's existing disciplinary framework.

---

<sup>18</sup> Section 1003.31(1), F.S.

<sup>19</sup> Section 1003.32, F.S.

<sup>20</sup> Section 1003.31(3), F.S.

<sup>21</sup> Section 1003.31(4), F.S.

- Provide data and information requested by the nonprofit that oversees the pilot program.
- Complete a pre- and post-program survey.

The bill requires that the selected nonprofit must:

- Oversee the pilot program.
- Provide participating schools with guidance on implementing the conflict resolution curriculum into the school's existing curriculum.
- Collect relevant data on the rate of juvenile violence in the selected schools from before and after implementation of the pilot and create a pre- and post-program survey to be completed by school administrators and teachers.
- Provide periodic updates to the DOE regarding implementation of the pilot program.

The bill requires that after the completion of the pilot program, the nonprofit must provide a report to the Governor, the President of the Senate, the Speaker of the House, and the DOE. The report must include the following:

- The number of students enrolled in the participating schools.
- The rates of juvenile violence before and after the pilot program at the selected schools.
- The results of the pre- and post-survey.
- Recommendations for inclusion of the selected conflict resolution curriculum into the curriculum of middle schools across the state.

The bill provides the State Board of Education with rulemaking authority to administer the pilot program.

The bill takes effect on July 1, 2024.

#### **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 Youth Conflict Resolution and Peer Mediation Pilot program is subject to legislative appropriation. However, such appropriation must be for the 2025-2026 school year, which is the effective year of the pilot program.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

While the bill authorizes participation by middle and high schools in the pilot program, the report prepared by the nonprofit organization overseeing the pilot is required to include implementation of the selected curriculum only in middle schools.

**VIII. Statutes Affected:**

This bill creates an undesignated section of Florida Law.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:****CS by Education Pre-K – 12 Committee on February 6, 2024:**

The committee substitute modifies the pilot program to:

- Include high schools in addition to middle schools.
- Replace a requirement that the pilot program use the International Research and Exchange Board's (IREX) Conflict Resolution and Peer Mediation Toolkit to instead require a conflict resolution curriculum selected by the Commissioner of Education.
- Add a pre- and post-survey.

**B. Amendments:**

None.



668286

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2024	.	
	.	
	.	
	.	

---

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

**Senate Amendment (with title amendment)**

Delete lines 29 - 74

and insert:

for peaceful conflict resolution through the use of a conflict resolution curriculum selected by the Commissioner of Education.

(1) (a) Middle and high schools within this state shall apply to the Department of Education, in a format and by a date prescribed by the department, to participate in the program.

(b) The commissioner shall select five middle or high



668286

11 schools to participate in the program. To the extent possible,  
12 the commissioner shall select schools with a high rate of  
13 juvenile violence.

14 (c) The commissioner shall select a conflict resolution  
15 curriculum for use in the pilot program.

16 (d) The commissioner shall select a nonprofit organization  
17 capable of working with the department and participating schools  
18 to oversee the pilot program's implementation and to analyze the  
19 data resulting from the pilot program.

20 (2) A participating middle or high school shall:

21 (a) Implement the curriculum selected by the commissioner,  
22 focusing on skill-building without undermining the school's  
23 existing disciplinary framework to provide students with  
24 conflict resolution skills pertinent to their daily interactions  
25 and overall community health.

26 (b) Provide data and information requested by the selected  
27 nonprofit organization.

28 (c) Complete the pre-program and post-program survey  
29 created by the selected nonprofit organization.

30 (3) The selected nonprofit organization shall:

31 (a) Oversee implementation of the pilot program.

32 (b) Provide guidance to participating middle or high  
33 schools on implementing the conflict resolution curriculum into  
34 each such school's existing curriculum.

35 (c) Collect relevant data and information relating to the  
36 rates of juvenile violence in selected schools before the pilot  
37 program and the rates of such violence after implementation of  
38 the pilot program.

39 (d) Provide periodic updates to the department on the



668286

40 implementation of the pilot program.

41 (e) Create a pre-program and post-program survey that must  
42 be completed by school administrators and teachers at  
43 participating schools.

44 (4) Upon completion of the pilot program, the selected  
45 nonprofit organization shall provide a report to the Governor,  
46 the President of the Senate, the Speaker of the House of  
47 Representatives, and the department, which must include:

48 (a) The number of students enrolled at participating  
49 schools.

50 (b) The rates of juvenile violence in participating schools  
51 before the pilot program.

52 (c) The rates of juvenile violence in participating schools  
53 after implementation of the pilot program.

54 (d) The findings of the pre-program and post-program  
55 survey.

56 (e) Recommendations for the inclusion of the curriculum of

57

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

59 And the title is amended as follows:

60 Delete lines 9 - 13

61 and insert:

62 select a certain number of middle or high schools to  
63 participate in the pilot program; requiring the  
64 commissioner to select a conflict resolution  
65 curriculum for use in the program; requiring the  
66 commissioner to select a nonprofit organization to  
67 implement the pilot program; providing participating  
68 middle or high schools and the nonprofit organization

By Senator Powell

24-01517-24

2024786\_\_

A bill to be entitled

An act relating to the Youth Conflict Resolution and Peer Mediation Pilot Program; creating the Youth Conflict Resolution and Peer Mediation Pilot Program, subject to legislative appropriation; providing the purpose of the pilot program; providing for an application process for participation in the pilot program; requiring the Commissioner of Education to select a certain number of middle schools to participate in the pilot program; requiring the commissioner to select a nonprofit organization to implement the pilot program; providing participating middle schools and the nonprofit organization responsibilities; requiring the nonprofit organization to provide a report to the Governor, the Legislature, and the Department of Education; providing requirements for the report; authorizing the State Board of Education to adopt rules to administer the pilot program; providing an effective date.

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

Section 1. Youth Conflict Resolution and Peer Mediation Pilot Program.—Beginning with the 2025-2026 school year and subject to legislative appropriation, the Youth Conflict Resolution and Peer Mediation Pilot Program is created for a period of 1 school year. The purpose of the program is to reduce juvenile violence by equipping students with essential skills for peaceful conflict resolution through the use of the

Page 1 of 3

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

24-01517-24

2024786\_\_

International Research and Exchange Board's (IREX) Conflict Resolution and Peer Mediation Toolkit.

(1) (a) Middle schools within the state shall apply to the Department of Education, in a format and by a date prescribed by the department, to participate in the program.

(b) The Commissioner of Education shall select five middle schools to participate in the program. To the extent possible, the commissioner shall select schools with a high rate of juvenile violence.

(c) The commissioner shall select a nonprofit organization capable of working with the department and participating schools to oversee the pilot program's implementation and analyze the data resulting from the pilot program.

(2) A participating middle school shall:

(a) Implement IREX's Conflict Resolution and Peer Mediation Toolkit into the school's existing curriculum, focusing on skill-building without undermining the school's existing disciplinary framework to provide students with conflict resolution skills pertinent to their daily interactions and overall community health.

(b) Provide data and information requested by the nonprofit organization selected pursuant to paragraph (1) (c).

(3) The selected nonprofit organization shall:

(a) Oversee the implementation of the pilot program.

(b) Provide guidance to participating middle schools on implementing IREX's Conflict Resolution and Peer Mediation Toolkit into the school's existing curriculum.

(c) Collect relevant data and information relating to the rates of juvenile violence in selected schools before the pilot

Page 2 of 3

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

24-01517-24

2024786\_\_

59 program and the rates of such violence after implementation of  
60 the pilot program.

61 (d) Provide periodic updates to the department on the  
62 implementation of the pilot program.

63 (4) Upon completion of the pilot program, the nonprofit  
64 organization shall provide a report to the Governor, the  
65 President of the Senate, the Speaker of the House of  
66 Representatives, and the department. The report must include:

67 (a) The number of students enrolled at the participating  
68 schools.

69 (b) The rates of juvenile violence in selected schools  
70 before implementation of the pilot program.

71 (c) The rates of juvenile violence in selected schools  
72 after implementation of the pilot program.

73 (d) Recommendations for the inclusion of IREX's Conflict  
74 Resolution and Peer Mediation Toolkit into the curriculum of  
75 middle schools across the state.

76 (5) The State Board of Education may adopt rules to  
77 administer the pilot program.

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



The Florida Senate

APPEARANCE RECORD

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

SB 786

Bill Number or Topic

2/6/24

Meeting Date

Edu Pre K-12

Committee

Amendment Barcode (if applicable)

Name

Suzanne Printy

Phone

(850) 339 7847

Address

1977 Charlais St

Email

printy5g@gmail.com

Street

Talla

City

FL

State

32317

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)

02/06/2024

Meeting Date

EDUCATION PRE-K -12

Committee

Name **Janelle Edens**

# The Florida Senate APPEARANCE RECORD

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

SB786

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **941-323-2465**

Address **507 Williams Street**

Email **janelle@connectionfirst.org**

Street

**Fort Walton Beach FL**

**32547**

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 \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

Young Conflict Resolution  
& Peer mediation Program  
SB 786

The Florida Senate  
**APPEARANCE RECORD**

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

2/6/24  
Meeting Date  
EDUCATION PREK-12  
Committee

Bill Number or Topic  
Amendment Barcode (if applicable)

Name DR. JOHN FRANK Phone 904-705-4322

Address 1552 GREENRIDGE Cir. N. Email jwfrank904@gmail.com  
Street

St. Johns, Fl. 32259  
City State Zip

Reset Form

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:  
PAX CHRISTI - FLORIDA

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.

# APPEARANCE RECORD

SB 786

2/6/24

Meeting Date

Bill Number or Topic

Education PreK-12

Committee

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

Amendment Barcode (if applicable)

Name Nancy Lawther, Ph.D.

Phone 407 855-7604

Address 1747 Orlando Central Pkwy

Email legislation@floridapta.org

Street

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 (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 \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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



The Florida Senate

## Committee Agenda Request

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

**Subject:** Committee Agenda Request

**Date:** January 3, 2024

---

I respectfully request that **Senate Bill #786** relating to **Youth Conflict Resolution and Peer Mediation Pilot Program**, be placed on the:

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

A handwritten signature in blue ink, appearing to read "Bobby Powell".

---

Senator Bobby Powell  
Florida Senate, District 24

**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 1044

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

SUBJECT: School Chaplains

DATE: February 6, 2024

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	<b>Fav/CS</b>
2.			JU	
3.			RC	

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 1044 authorizes each school district or charter school to adopt a policy to authorize volunteer school chaplains to provide supports, services, and programs to students as assigned by the district school board or charter school governing board.

The bill takes effect July 1, 2024.

**II. Present Situation:**

**Student Personnel Services**

Student personnel services include staff members responsible for:<sup>1</sup>

- Advising students with regard to their abilities and aptitudes, educational and occupational opportunities, and personal and social adjustments;
- Providing placement services; and
- Performing educational evaluations; and similar functions.

Included in this classification are certified school counselors, social workers, career specialists, and school psychologists.<sup>2</sup>

---

<sup>1</sup> Section 1012.01(2)(b), F.S.

<sup>2</sup> *Id.*

School counselors are considered instructional personnel within Florida's public school system.<sup>3</sup> To be employed as a school counselor, or in any other instructional capacity in a public school, a person must be certified as required by law and State Board of Education rule.<sup>4</sup>

In the 2022-2023 school year, there were 6,754 certified school counselors working in Florida school districts, serving 2,870,507 students. Each of the 67 school districts reported at least one school counselor on staff.<sup>5</sup> On average, there was one school counselor for every 425 students.

### Background Screening of School Personnel

Subject to limited exceptions discussed below,<sup>6</sup> personnel who are hired or contracted to fill positions that require direct contact with students in any public school must, upon employment or engagement to provide services, undergo background screening and are ineligible if they have a disqualifying offense on their record.<sup>7</sup> Screening requirements for volunteers are determined by each district school board or charter school governing board.<sup>8</sup>

A district school board may not require criminal history record checks of a noninstructional contractor who may have direct contact with a student if the noninstructional contractor is:<sup>9</sup>

- Under the direct supervision and within the line of sight of a school district employee or contractor who has had a criminal history check and meets screening requirements.
- Required by law to undergo and is up-to-date with a level 2 background screening<sup>10</sup> for licensure, certification, employment, or other purposes.
- A law enforcement officer<sup>11</sup> assigned or dispatched to the school.
- An employee or medical director of an ambulance provider.<sup>12</sup>

### Chaplains

An institutional chaplain is a clergyman officially attached to a branch of the military, to an institution, or to a family or court.<sup>13</sup> A chaplain may:<sup>14</sup>

- Minister in areas of critical incident stress, grief and loss, trauma, and stress management.

---

<sup>3</sup> Section 1012.01(2)(b), F.S.

<sup>4</sup> Section 1012.55(1)(b), F.S.

<sup>5</sup> The Florida Department of Education, *Staff in Florida's Public Schools, District Reports: Full-Time Staff 2022-23, Survey 2*, available at <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/staff.stml>; and The Florida Department of Education, *Membership in Florida Public Schools, Survey 2, 2022-2023*, available at <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/students.stml>.

<sup>6</sup> See s. 1012.468, F.S.

<sup>7</sup> Section 1012.32(2)(a), F.S., and see s. 1012.315, F.S., for disqualifying offenses.

<sup>8</sup> Rule 6A-1.0502, F.A.C.

<sup>9</sup> Section 1012.468, F.S.

<sup>10</sup> As specified in s. 435.04, F.S.

<sup>11</sup> As defined in s. 943.10, F.S.

<sup>12</sup> An employee or medical director of an ambulance provider, licensed pursuant to chapter 401, who is providing services within the scope of part III of chapter 401 on behalf of such ambulance provider.

<sup>13</sup> Merriam-Webster, *Chaplain*, <https://www.merriam-webster.com/dictionary/chaplain#:~:text=%3A%20a%20clergyman%20in%20charge%20of,of%20a%20club%20or%20society> (last visited Feb. 1, 2024).

<sup>14</sup> International Fellowship of Chaplains, *What does being a Chaplain mean?*, <https://ifoc.org/> (last visited Feb. 1, 2024).

- Provide counsel, education, advocacy, life-improvement skills, and recovery training.
- Build a bridge between the secular and spiritual environments of community life.
- Bring life changing service in every sector of community life, such as health and welfare, education, transitional living, emergency service, and governmental support.

School chaplains provide counsel, prayer, and spiritual care for school staff, students, and families.<sup>15</sup>

### III. Effect of Proposed Changes:

CS/SB 1044 authorizes each school district or charter school to adopt a policy to authorize volunteer school chaplains to provide supports, services, and programs to students as assigned by the district school board or charter school governing board. The bill requires the policy to:

- Describe the supports, services, or programs that volunteer school chaplains may be assigned;
- Require that principals of schools with a volunteer school chaplain inform all parents of the availability of such supports, services, and programs; and
- Require written parental consent before a student participates in or receives supports, services, and programs provided by a volunteer school chaplain. Parents must be permitted to select a volunteer school chaplain from the list provided by the school district, which must include the chaplain's religious affiliation, if any.

The bill requires, by January 1, 2025, each district school board and charter school governing board to vote on whether to adopt a policy authorizing the school district or charter school to allow volunteer school chaplains.

The bill requires any school district that adopts a volunteer school chaplain policy to publish the list of volunteer school chaplains, including any religious affiliation, on the school district's website.

The bill modifies s. 1012.465, F.S., to require volunteer school chaplains to meet the background screening requirements for noninstructional school district employees or contractual personnel who are permitted access on school grounds when students are present or have direct contact with students.

The bill takes effect July 1, 2024.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

---

<sup>15</sup> National School Chaplain Association, *Follow your calling*, <https://www.nationalschoolchaplainassociation.org/> (last visited Feb. 2, 2024).



**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 1012.465 of the Florida Statutes.

This bill creates section 1012.461 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 in Education Pre-K – 12 on February 6, 2024:**

The committee substitute removes the requirement that school boards vote by January 1, 2025, on whether to adopt a volunteer school chaplain policy.

- B. **Amendments:**

None.



748132

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2024	.	
	.	
	.	
	.	

---

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

**Senate Amendment (with title amendment)**

Delete lines 43 - 46.

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

And the title is amended as follows:

Delete lines 10 - 13

and insert:

screening requirements; requiring school districts  
that adopt

By Senator Grall

29-00919A-24

20241044\_\_

1 A bill to be entitled  
 2 An act relating to school chaplains; creating s.  
 3 1012.461, F.S.; authorizing school districts and  
 4 charter schools to adopt a policy to allow volunteer  
 5 school chaplains; establishing the requirements for  
 6 such policy; requiring district school boards and  
 7 charter school governing boards to assign specified  
 8 duties to such volunteer school chaplains; requiring  
 9 volunteer school chaplains to meet certain background  
 10 screening requirements; requiring each district school  
 11 board and charter school governing board to vote by a  
 12 specified date on the adoption of a volunteer school  
 13 chaplain policy; requiring school districts that adopt  
 14 volunteer school chaplain policies to publish certain  
 15 information on their websites; amending s. 1012.465,  
 16 F.S.; providing background screening requirements for  
 17 volunteer school chaplains; providing an effective  
 18 date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

21  
 22 Section 1. Section 1012.461, Florida Statutes, is created  
 23 to read:

24 1012.461 School chaplains.-

25 (1) Each school district or charter school may adopt a  
 26 policy to authorize volunteer school chaplains to provide  
 27 supports, services, and programs to students as assigned by the  
 28 district school board or charter school governing board. The  
 29 school district or charter school policy must, at a minimum:

Page 1 of 3

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

29-00919A-24

20241044\_\_

30 (a) Describe the supports, services, or programs that  
 31 volunteer school chaplains may be assigned;  
 32 (b) Require that principals of schools with a volunteer  
 33 school chaplain inform all parents of the availability of such  
 34 supports, services, and programs; and  
 35 (c) Require written parental consent before a student  
 36 participates in or receives supports, services, and programs  
 37 provided by a volunteer school chaplain. Parents must be  
 38 permitted to select a volunteer school chaplain from the list  
 39 provided by the school district, which must include the  
 40 chaplain's religious affiliation, if any.  
 41 (2) Each volunteer school chaplain must meet the  
 42 requirements of s. 1012.465.  
 43 (3) No later than January 1, 2025, each district school  
 44 board and charter school governing board shall vote on whether  
 45 to adopt a policy authorizing the school district or charter  
 46 school to allow volunteer school chaplains.  
 47 (4) Any school district that adopts a volunteer school  
 48 chaplain policy shall publish the list of volunteer school  
 49 chaplains, including any religious affiliation, on the school  
 50 district's website.

51 Section 2. Subsection (1) of section 1012.465, Florida  
 52 Statutes, is amended to read:

53 1012.465 Background screening requirements for certain  
 54 noninstructional school district employees, ~~and~~ contractors, and  
 55 volunteer school chaplains.-

56 (1) Except as provided in s. 1012.467 or s. 1012.468,  
 57 noninstructional school district employees, ~~or~~ contractual  
 58 personnel, or volunteer school chaplains who are permitted

Page 2 of 3

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

29-00919A-24

20241044\_\_

59 access on school grounds when students are present, who have  
60 direct contact with students or who have access to or control of  
61 school funds must meet the screening requirements of s. 1012.32.  
62 Contractual personnel shall include any vendor, individual, or  
63 entity under contract with a school or the school board.

64 Section 3. This act shall take effect July 1, 2024.

2/6/24

Meeting Date

# The Florida Senate APPEARANCE RECORD

SB1044

Bill Number or Topic

PLH-12

Committee

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

Amendment Barcode (if applicable)

Name

Cassidy DeMille

Phone

386-530-9201

Address

2501 Cheval Street 103

Email

ca474490@ucf.edu

Street

Orlando

City

FL

State

32828

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

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

2/6/24

Meeting Date

SB 1044

Bill Number or Topic

Education PreK-12

Committee

Amendment Barcode (if applicable)

Name John Labriola

Phone 954-515-2084

Address PO Box 650216

Email JohnLabriola@cfcflorida.net

Street

Miami

FL

33265

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:

Christian Family Coalition Florida

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.

The Florida Senate

APPEARANCE RECORD

2024

1044

Meeting Date

Bill Number or Topic

Educ'n K-12

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

Committee

Amendment Barcode (if applicable)

Name Devon Graham

Phone

Address

Email

Street

Tallahassee FL 32309

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 \(flsenate.gov\)](#)

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

S-001 (08/10/2021)



The Florida Senate

APPEARANCE RECORD

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

2/6/24

Meeting Date

1044

Bill Number or Topic

Senate Ed

Committee

Amendment Barcode (if applicable)

Name Rev. Rachel Gunter Shepard

Phone 904 502-5758

Address 9430 Kells Rd

Email pastorsforflchildren@gmail.com

Street

Jacksonville FL 32257

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:

Pastors For Florida's Child

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

APPEARANCE RECORD

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

2/6/24 Meeting Date

1044 Bill Number or Topic

Senate Ed. Committee

Amendment Barcode (if applicable)

Name Rev. James T. Golden

Phone 941-773-4031

Address POB 299

Email jamethegold@aol.com

Street Bradenton, FL 34206 City State Zip

Speaking: [ ] For [x] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] 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:

Council of Florida Churches, Inc.

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.

2/6/24

The Florida Senate

APPEARANCE RECORD

SB 1044

Meeting Date

Education Pre-K-12

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Ryan Kennedy

Phone

239-671-5733

Address

9745 Roundstone Cir.

Email

ryan@goflca.org

Street

Fort Myers

State

FL

Zip

33967

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 Citizens Alliance

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.

School Chaplains

The Florida Senate  
**APPEARANCE RECORD**

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

2/6/24  
Meeting Date

SB 1044  
Bill Number or Topic

Education PreK-12  
Committee

Amendment Barcode (if applicable)

Name DR. JOHN FRANK

Phone 904-705-4322

Address 1552 Greenridge Circle W  
Street

Email jwfrank904@gmail.com

St. Johns, FL 32259  
City State Zip

Reset Form

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:

PAY CHRISTI FLORIDA

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)

# APPEARANCE RECORD

SB 1044

Bill Number or Topic

2/6/24

Meeting Date

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

Educator PreK-12

Committee

Amendment Barcode (if applicable)

Name Nancy Lawther, Ph.D.

Phone 407 855-7604

Address 1747 Orlando Central Pkwy

Email legislativ@floridapta.org

Street

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 (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 \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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



The Florida Senate

## Committee Agenda Request

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

**Subject:** Committee Agenda Request

**Date:** January 5, 2024

---

I respectfully request that **Senate Bill #1044**, relating to School Chaplains, be placed on the:

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

A handwritten signature in blue ink that reads "Erin K. Grall".

---

Senator Erin Grall  
Florida Senate, District 29

**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 1264

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

SUBJECT: History of Communism Task Force

DATE: February 6, 2024

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sabitsch	Bouck	ED	<b>Fav/CS</b>
2.			AED	
3.			FP	

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

CS/SB 1264 requires instruction on the history of communism and creates a History of Communism Task Force. Additionally, the bill:

- Requires each school district to annually certify to the Department of Education that it has provided the required instruction on the history of communism.
- Establishes the History of Communism Task Force and provides requirements of the task force to develop recommendations regarding curriculum and standards for instruction on the history of communism.
- Requires the State Board of Education to develop a curriculum on the history of communism.
- Allows the task force to recommend to the legislature the creation of a museum of communist history.

The bill is effective July 1, 2024.

**II. Present Situation:**

**Communism**

Communism is a political and economic philosophy that aims to replace private property and a profit-based economy with public ownership and communal control of the major means of production and society's natural resources. Karl Marx and his associate, Friedrich Engels, blamed capitalism for the unfavorable and often-hazardous conditions of workers during the

Industrial Revolution. They presented this critique of capitalism in 1848 in their widely circulated pamphlet, *Manifesto of the Communist Party*.<sup>1</sup>

One facet of the communist theory is that the proletariat (one of the lowest classes of society which lives entirely by the sale of its labor) would capture political power, abolish private property ownership, and take the private property of the bourgeoisie. Communism postulates that the taking and abolishment of private property by the proletariat would result in shared ownership of the means of production, ushering the world into a communal economic and societal utopia with equality for all.<sup>2</sup>

Before the full establishment of communism, however, the communist theory suggests that a transitional dictatorship of the proletariat may be necessary.<sup>3</sup>

### **Bolshevik Revolution**

The Bolshevik Revolution, also known as the October Revolution, was the second of two revolutions in Russia in 1917. The Bolshevik Revolution was a revolution led by Vladimir Lenin in Russia against the ruling Russian Parliament that had replaced the ruling Tsar in the same year. The coup began in November of 1917, when the Bolsheviks led forces into Petrograd, then the capital of Russia. The Bolsheviks occupied government buildings and other locations across Petrograd. The coup led to the Russian Civil War and eventually the creation of the Soviet Union. The event inspired and ignited communist movements around the world.<sup>4</sup> However, instead of the expected dictatorship of the majority class of proletarians, the revolution resulted in a political party that claimed to represent proletarian interests.<sup>5</sup>

### **Required Instruction**

The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities.<sup>6</sup> Each district school board must provide appropriate instruction to ensure that students meet State Board of Education (SBE) 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.<sup>7</sup>

Instructional staff of public schools,<sup>8</sup> subject to the rules of the SBE and the district school board, must shall teach efficiently and faithfully, using the books and materials required that meet the

---

<sup>1</sup> Encyclopedia Britannica, *Communism*, <https://www.britannica.com/topic/communism> (last visited Feb. 1, 2024).

<sup>2</sup> Engels, Friedrich, *Principles of Communism, No. 4* – (1847), available at <https://www.marxists.org/archive/marx/works/1847/11/prin-com.htm> (last visited Feb. 1, 2024).

<sup>3</sup> Encyclopedia Britannica, *Dictatorship of the Proletariat*, <https://www.britannica.com/topic/dictatorship-of-the-proletariat> (last visited Feb. 1, 2021).

<sup>4</sup> History, *The Russian Revolution*, available at <https://www.history.com/topics/russia/russian-revolution> (last visited Feb 1, 2024).

<sup>5</sup> Encyclopedia Britannica, *Dictatorship of the Proletariat*, <https://www.britannica.com/topic/dictatorship-of-the-proletariat> (last visited Feb 1, 2024).

<sup>6</sup> Section 1000.03(4), F.S.

<sup>7</sup> Section 1003.42(1), F.S.

<sup>8</sup> Instructional staff of charter schools are exempt from this section of law. Section 1002.33(16), F.S.



highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:<sup>9</sup>

- The history and content of the Declaration of Independence.
- The history, meaning, significance, and effect of the provisions of the Constitution of the United States.
- The arguments in support of adopting our republican form of government.
- Flag education, including proper flag display and flag salute.
- The elements of civil government.
- The history of the United States.
- The history of the Holocaust.
- The history of African Americans.
- The elementary principles of agriculture.
- The effects of alcoholic and intoxicating liquors and beverages and narcotics.
- Kindness to animals.
- The history of the state.
- The conservation of natural resources.
- Comprehensive health education.
- The study of Hispanic contributions to the United States.
- The study of women's contributions to the United States.
- The nature and importance of free enterprise to the United States economy.
- A character-development program in kindergarten through grade 12.
- The sacrifices that veterans and Medal of Honor recipients have made serving the country.

Between 1961<sup>10</sup> and 1991,<sup>11</sup> Florida required the teaching of a 30-hour course of study for all students enrolled in public high schools entitled "Americanism vs. Communism." The instruction included the history, doctrines, objectives and techniques of communism with particular emphasis upon the dangers of communism, the ways to fight communism, the evils of communism, the fallacies of communism, and the false doctrines of communism.<sup>12</sup>

Beginning in the 2023-24 school year, high school students enrolled in the United States Government class required to earn a standard high school diploma<sup>13</sup> must receive at least 45 minutes of instruction on "Victims of Communism Day" to include topics such as Mao Zedong and the Cultural Revolution, Joseph Stalin and the Soviet System, Fidel Castro and the Cuban Revolution, Vladimir Lenin and the Russian Revolution, Pol Pot and the Khmer Rouge, and Nicolás Maduro and the Chavismo movement, and how victims suffered under these regimes through poverty, starvation, migration, systemic lethal violence, and suppression of speech.<sup>14</sup>

---

<sup>9</sup> Section 1003.42(2), F.S.

<sup>10</sup> Chapter 61-77, Laws of Fla.

<sup>11</sup> Chapter 91-105, s. 81, Laws of Fla.

<sup>12</sup> Chapter 61-77, Laws of Fla.

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

<sup>14</sup> Section 683.334(3)(a), F.S.

The SBE is required to adopt and periodically review and revise the state academic standards.<sup>15</sup> Such standards must provide for the logical, sequential progression of core curricular content.<sup>16</sup> The SBE has approved three standards related to communism, in grades 9-12 social studies, and in grade 7 civics and government.<sup>17</sup>

### **Victims of Communism**

In addition to violations of freedom of speech, freedom of religion, loss of property rights, and the criminalization of ordinary economic activity, communist regimes in the 20<sup>th</sup> century intentionally killed their own citizens.<sup>18</sup> One researcher compiled data from 1900 to 1987 related to state-sanctioned killings to provide a metric to consider when reflecting on the victims of communism and concluded that the Soviet Union was responsible for the deaths of over 61 million people. “Stalin himself is responsible for almost 43 million of these. Most of the deaths, around 39 million, are due to lethal forced labor in gulag and transit thereto.” Communist China (1923 – 1949) was responsible for about 3.5 million deaths, and the People’s Republic of China (PRC) (1949 – present) was responsible for an additional 35.2 million deaths.<sup>19</sup>

In Cambodia, Pol Pot and the Khmer Rouge likely killed about 2 million Cambodians from April 1975 through December 1978, out of a population of around 7 million.<sup>20</sup>

In summary, from 1900 to 1987, communist dictators and regimes were responsible for the death of approximately 110 million individuals.<sup>21</sup> In 1993, Congress made similar findings and authorized a national memorial to honor victims of communism. In addition to death, Congress found that “the imperialist regimes of international communism have brutally suppressed the human rights, national independence, religious liberty, intellectual freedom, and cultured life of the peoples of over 40 captive nations.” The purpose of the memorial is to permanently honor the sacrifices of these victims “so that never again will nations and peoples allow so evil a tyranny to terrorize the world.”<sup>22</sup>

### **Victims of Communism Day**

The first national day recognizing victims of communism was November 7, 2017. Currently, eight states have officially recognized November 7 as “Victims of Communism Memorial Day,”

---

<sup>15</sup> Section 1001.03(1), F.S.

<sup>16</sup> Section 1003.41(1), F.S.

<sup>17</sup> The standards are: SS.912.W.6.3, Compare the philosophies of capitalism, socialism, and communism as described by Adam Smith, Robert Owen, and Karl Marx; SS.912.W.8.5, Identify the factors that led to the decline and fall of communism in the Soviet Union and Eastern Europe; and SS.7.CG.3.15, Analyze the advantages of capitalism and the free market in the United States over government-controlled economic systems (e.g., socialism and communism) in regard to economic freedom and raising the standard of living for citizens. CPALMS, *Browse and Search Standards*, “communism” <https://www.cpalms.org/public/search/Standard> (last visited Feb. 1, 2024).

<sup>18</sup> Ilya Somin, *Lessons from a Century of Communism*, Wash. Post, Nov. 7, 2017, available at <https://www.washingtonpost.com/news/volokh-conspiracy/wp/2017/11/07/lessons-from-a-century-of-communism/> (last visited Feb 1, 2024).

<sup>19</sup> Rummel, R.J., *How Many Did Communist Regimes Murder?* (Nov. 1993) available at: <https://www.hawaii.edu/powerkills/COM.ART.HTM> (last visited Feb 1, 2024).

<sup>20</sup> *Id.*

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

<sup>22</sup> Pub. L. No. 103-199, s. 905 (Dec. 17, 1993).

and seven other states currently have legislation filed to follow suit.<sup>23</sup> In 2022, Florida officially recognized Victims of Communism Day and to be publicly observed in honor of the 110 million people who have fallen victim to communist regimes.<sup>24</sup>

### **Executive Task Forces**

A “task force” is an advisory body created without specific statutory enactment for a time not to exceed 1 year or created by specific statutory enactment for a time not to exceed 3 years and appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem. Its existence terminates upon the completion of its assignment.<sup>25</sup>

The task force must keep the Legislature and the public informed of the numbers, purposes, memberships, activities, and expenses of advisory bodies, commissions, boards of trustees, and other collegial bodies established as adjuncts to executive agencies.<sup>26</sup> A task force has the following characteristics:<sup>27</sup>

- It meets a statutorily defined purpose.
- Its members, unless expressly provided otherwise in the State Constitution, are appointed for 4-year staggered terms.
- Its members, unless expressly provided otherwise by specific statutory enactment, serve without additional compensation or honorarium, and are authorized to receive only per diem and reimbursement for travel expenses.
- The private citizen members must be appointed by the Governor, the head of the department, the executive director of the department, or a Cabinet officer.
- Its meetings are public meetings, which must be open to the public at all times, and no resolution, rule, or formal action may be considered binding except as taken or made in public.<sup>28</sup>

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

The bill modifies s. 1003.42, F.S., to add to required instruction in public schools the history of communism. The bill requires each school district to annually certify to the Department of Education (DOE) that it has faithfully provided the required instruction on the history of communism in a format approved by the State Board of Education (SBE).

The bill creates s. 1003.441, F.S., to establish the History of Communism Task Force (task force) within the DOE, with membership appointed by the Governor. The task force is required to work with the Division of Historical Resources in the Department of State to make recommendations to the SBE and the Commissioner of Education for curriculum standards and instruction on the history of communism for kindergarten through grade 12. The bill requires that the instruction

---

<sup>23</sup> Victims of Communism Memorial Foundation, *Victims of Communism Memorial Day*, available at: <https://victimsofcommunism.org/programs/memories/voc-day/> (last visited Feb. 1, 2024).

<sup>24</sup> Section 683.344, F.S.

<sup>25</sup> Section 20.03(5), F.S.

<sup>26</sup> Section 20.052(3), F.S.

<sup>27</sup> Section 20.052(4), F.S.

<sup>28</sup> Section 286.011, F.S.

informs students that communism poses a threat to freedom. The recommendations are required by July 1, 2025, and must include the following:

- The history of domestic communist movements and their tactics within the United States.
- The philosophy and lineages of communist thought, including Marxism.
- Foreign communist movements of the 20th century, the atrocities committed by such movements, and the threat they posed to the United States and its allies. The bill includes the Great Proletarian Cultural Revolution in China and Marxism-Leninism and the Russian Revolution of 1917 as examples, and suggests instruction on other communist regimes, and the economic, industrial, and political events that preceded and contributed to the formation of such movements.
- The communist socioeconomic policies of Cuba, the history of the Communist Party of Cuba, and the spread of communism and communist guerrilla forces in Latin America.

The bill requires that the SBE develop curriculum on the history of communism based on the recommendations of the task force. Generally, the SBE adopts educational standards that must be integrated in curricula developed and employed by school districts.

The bill allows the task force to make a recommendation to the Legislature regarding the creation of a museum for communist history. The task force will expire on June 30, 2025, or earlier if recommendations to the DOE and the Legislature are made prior to that date.

The bill is effective July 1, 2024.

#### **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.

This bill creates section 1003.441 of the Florida Statutes.

**IX. Additional Information:**

## A. Committee Substitute – Statement of Substantial Changes:

**CS by Education Pre-K – 12 Committee on January 30, 2024:**

The committee substitute removes the “Third Reich of Nazi Germany” and adds “Marxism-Leninism and the Russian Revolution of 1917” as an example of a communist movement.

## B. Amendments:

None.



834692

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2024	.	
	.	
	.	
	.	

---

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

**Senate Amendment**

Delete lines 66 - 67  
and insert:  
include, but are not limited to, Marxism-Leninism and the  
Russian Revolution of 1917, the Great Proletarian Cultural  
Revolution in China, other

By Senator Collins

14-01141-24

20241264\_\_

1 A bill to be entitled  
 2 An act relating to the History of Communism Task  
 3 Force; amending s. 1003.42, F.S.; requiring  
 4 instruction in public schools on the history of  
 5 communism; requiring each school district to annually  
 6 certify to the department that it provided instruction  
 7 on the subject; creating s. 1003.441, F.S.; creating  
 8 the History of Communism Task Force within the  
 9 Department of Education; requiring the task force to  
 10 work with the Division of Historical Resources within  
 11 the Department of State to make recommendations by a  
 12 specified date to the State Board of Education and the  
 13 Commissioner of Education for curriculum standards and  
 14 instruction on communist history; providing  
 15 requirements for the recommendations; requiring the  
 16 board to develop a curriculum based on the  
 17 recommendations; authorizing the task force to  
 18 recommend to the Legislature the creation of a museum  
 19 of communist history; providing an effective date.  
 20  
 21 Be It Enacted by the Legislature of the State of Florida:  
 22  
 23 Section 1. Paragraph (v) is added to subsection (2) of  
 24 section 1003.42, Florida Statutes, to read:  
 25 1003.42 Required instruction.—  
 26 (2) Members of the instructional staff of the public  
 27 schools, subject to the rules of the State Board of Education  
 28 and the district school board, shall teach efficiently and  
 29 faithfully, using the books and materials required that meet the

Page 1 of 3

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

14-01141-24

20241264\_\_

30 highest standards for professionalism and historical accuracy,  
 31 following the prescribed courses of study, and employing  
 32 approved methods of instruction, the following:  
 33 (v)1. The history of communism.  
 34 2. Each school district shall annually certify to the  
 35 department, in a format prescribed by the department, that it  
 36 faithfully provided instruction on this subject, as specified by  
 37 the board pursuant to s. 1003.441(3).  
 38  
 39 The State Board of Education is encouraged to adopt standards  
 40 and pursue assessment of the requirements of this subsection.  
 41 Instructional programming that incorporates the values of the  
 42 recipients of the Congressional Medal of Honor and that is  
 43 offered as part of a social studies, English Language Arts, or  
 44 other schoolwide character building and veteran awareness  
 45 initiative meets the requirements of paragraph (u).  
 46 Section 2. Section 1003.441, Florida Statutes, is created  
 47 to read:  
 48 1003.441 History of Communism Task Force.—  
 49 (1) There is created within the Department of Education the  
 50 History of Communism Task Force. Members of the task force shall  
 51 be appointed by the Governor.  
 52 (2) The task force shall work with the Division of  
 53 Historical Resources within the Department of State to make  
 54 recommendations by July 1, 2025, to the State Board of Education  
 55 and the Commissioner of Education for curriculum standards and  
 56 instruction on the history of communism for kindergarten through  
 57 grade 12.  
 58 (a) Such recommendations must include:

Page 2 of 3

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

14-01141-24

20241264\_\_

59 1. The history of domestic communist movements and their  
60 tactics within the United States.

61 2. The philosophy and lineages of communist thought,  
62 including Marxism.

63 3. Foreign communist movements of the 20th century, the  
64 atrocities committed by such movements, and the threat they  
65 posed to the United States and its allies. Such movements  
66 include, but are not limited to, the Great Proletarian Cultural  
67 Revolution in China, the Third Reich of Nazi Germany, other  
68 communist regimes, and the economic, industrial, and political  
69 events that preceded and contributed to the formation of such  
70 movements.

71 4. The communist socioeconomic policies of Cuba, the  
72 history of the Communist Party of Cuba, and the spread of  
73 communism and communist guerrilla forces in Latin America.

74 (b) Such instruction must inform students that communism  
75 poses a threat to freedom.

76 (3) The board shall develop a curriculum on the history of  
77 communism based on the recommendations of the task force.

78 (4) The task force may recommend to the Legislature the  
79 creation of a museum of communist history.

80 Section 3. This act shall take effect July 1, 2024.



The Florida Senate

APPEARANCE RECORD

216124

Meeting Date

1264

Bill Number or Topic

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

~~02092~~

Amendment Barcode (if applicable)

Committee

Name Victoria Hernandez

Phone 386-848-5874

Address 234 Afton Sq Apt 107  
Street

Email vmh82703@gmail.com

Altamonte Springs FL  
City State

32714  
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.

**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 1396

INTRODUCER: Senator Gruters

SUBJECT: Security for Jewish Day Schools and Preschools

DATE: February 5, 2024

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Bouck	ED	<b>Favorable</b>
2.			AED	
3.			FP	

---

**I. Summary:**

SB 1396 establishes a program under the Department of Education to provide recurring funds for school hardening of facilities at Jewish day schools and preschools. The bill specifies that, based on a risk assessment, funds may be used for:

- Security cameras, lighting, fencing, and shatter-resistant glass.
- Licensed security personnel.
- Transportation expenses that minimize security exposure.
- Nonhardening security measures such as detection, prevention, and security services.

The funding is as determined in the General Appropriations Act.

The bill takes effect on July 1, 2024.

**II. Present Situation:**

**Funding for School Safety**

*Safe School Allocation*

A safe schools allocation was created in 2017<sup>1</sup> to provide funding to assist school districts in their compliance with laws relating to student discipline and school safety,<sup>2</sup> with priority given to establishing a school resource officer program.

Under the safe schools allocation each school district receives a minimum amount provided in the General Appropriations Act (GAA), with the balance allocated to school districts based on the most recent official Florida Crime Index and two-thirds based on each school district's

---

<sup>1</sup> Chapter 2017-116, s. 4, Laws of Fla.

<sup>2</sup> Sections 1006.07-1006.148, F.S. (2017)

proportionate share of the state’s total unweighted full-time equivalent (FTE) student enrollment.<sup>3</sup> In every year of the allocation each school districts has received a minimum of \$250,000.

<b>Fiscal Year</b>	<b>Safe Schools Allocation</b>
2023-2024	\$250 million <sup>4</sup>
2022-2023	\$210 million <sup>5</sup>
2021-2022	\$180 million <sup>6</sup>
2020-2021	\$180 million <sup>7</sup>
2019-2020	\$180 million <sup>8</sup>
2018-2019	\$161,956,019 <sup>9</sup>

**School Hardening Grant Program**

The School Hardening Grant Program (grant) provides awards to schools for fixed capital outlay costs to improve the physical security for school buildings based on the security risk assessment under the Florida Safe Schools Assessment Tool (FSSAT).<sup>10</sup> School districts and charter schools receiving the grant must report to the Department of Education the total estimated costs of their unmet school campus hardening needs as identified by the FSSAT. Funds are awarded based on district application, and are allocated initially based on each district's capital outlay FTE student membership and charter school FTE. Each school district allocation is no less than \$42,000.

<b>Fiscal Year</b>	<b>School Hardening Grant</b>
2022-2023	\$20 million <sup>11</sup>
2021-2022	\$42 million <sup>12</sup>
2020-2021	\$42 million <sup>13</sup>
2019-2020	\$50 million <sup>14</sup>
2018-2019	\$98,962,286 <sup>15</sup>

<sup>3</sup> Section 1011.62(12), F.S. Distribution of funds is also contingent upon the school district’s compliance with reporting requirements related to bullying and harassment. Section 1006.147(7), F.S.

<sup>4</sup> Specific Appropriation 80, ch. 2023-239, Laws of Fla.

<sup>5</sup> Specific Appropriation 86, ch. 2022-156, Laws of Fla.

<sup>6</sup> Specific Appropriation 90, ch. 2021-36, Laws of Fla.

<sup>7</sup> Specific Appropriation 92, ch. 2020-111, Laws of Fla.

<sup>8</sup> Specific Appropriation 93, ch. 2019-115, Laws of Fla.

<sup>9</sup> Specific Appropriation 92, ch. 2018-9, Laws of Fla. Chapter 2018-2, s. 42, Laws of Fla.

<sup>10</sup> See e.g. Specific Appropriation 108, ch. 2022-156, Laws of Fla. The Florida Safe Schools Assessment Tool (FSSAT) is an online platform for enhanced risk assessment and domain awareness at the state, district and school levels — providing a broad array of security risk assessment, field reporting, data analytics and information-sharing capabilities for all school safety stakeholders, from state administrators to district security directors and school personnel responsible for the safety and security of students, staff and campus facilities. Florida Department of Education, *Florida Safe Schools Assessment Tool (FSSAT)*, <https://www.fldoe.org/safe-schools/fssat-tool.html> (last visited Jan. 31, 2024). The FSSAT must help school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise, pursuant to the public school security risk assessment required in law. Section 1006.1493, F.S.

<sup>11</sup> Specific Appropriation 108, ch. 2022-156, Laws of Fla.

<sup>12</sup> Specific Appropriation 113A, ch. 2021-36, Laws of Fla.

<sup>13</sup> Specific Appropriation 117A, ch. 2020-111, Laws of Fla.

<sup>14</sup> Specific Appropriation 116A, ch. 2019-115, Laws of Fla.

<sup>15</sup> Chapter 2018-3, s. 44, Laws of Fla.

***Nonprofit Security Grant Program***

During the 2023 regular session, the Legislature directed the Division of Emergency Management (DEM) to establish a state Nonprofit Security Grant Program (NSGP) similar to the federal NSGP.<sup>16</sup> The state NSGP made funds available to houses of worship, schools, museums, and community centers, that are at high risk for violent attacks or hate crimes. The grants ranged from \$10,000 to \$150,000 and could be used to increase security and safety, including, but not limited to:

- The purchase and installation of security infrastructure, perimeter lighting, materials for door hardening, security camera systems, perimeter fencing, barriers and bollards, and blast-resistant film and shatter-resistant glass for windows.
- Hiring security personnel.
- Training for security personnel and staff on threat awareness, emergency procedures, and first aid.

DEM rules to administer the grant program must include prioritizing applicants that are houses of worship or whose facilities are frequented by children or students on a daily basis.

The state NSGP did not receive an appropriation during the 2023 regular legislative session. However, in the 2023C special session the state NSGP was appropriated \$20 million for the 2023-2024 fiscal year.<sup>17</sup>

***Security Funding for Jewish Day Schools***

Generally, security funding for Jewish day schools has been appropriated each year as projects in the GAA, as follows:

<b>Fiscal Year</b>	<b>Amount</b>
2023-2024	\$5 million <sup>18</sup>
2022-2023	\$4 million <sup>19</sup>
2021-2022	\$4 million <sup>20</sup>
2020-2021	\$2.5 million <sup>21</sup>
2019-2020	\$2.5 million <sup>22</sup>
2018-2019	\$2 million <sup>23</sup>
2017-2018	\$654,491 <sup>24</sup>

<sup>16</sup> Chapter 2023-180, Laws of Fla.; codified as s. 252.3712, F.S.

<sup>17</sup> Chapter 2023-352, s. 3, Laws of Fla.

<sup>18</sup> Specific Appropriations 100 and 105, ch. 2023-239, Laws of Fla.

<sup>19</sup> Specific Appropriations 104 and 109, ch. 2022-156, Laws of Fla.

<sup>20</sup> Specific Appropriations 110 and 114, ch. 2021-36, Laws of Fla.

<sup>21</sup> Specific Appropriation 118, ch. 2020-111, Laws of Fla.

<sup>22</sup> Specific Appropriation 117, ch. 2019-115, Laws of Fla.

<sup>23</sup> Specific Appropriation 116, ch. 2018-9, Laws of Fla.

<sup>24</sup> Specific Appropriation 114, ch. 2017-70, Laws of Fla.

Additionally, in the 2023 special session for the 2023-2024 fiscal year, the Legislature appropriated the following nonrecurring funds:

- Fixed capital outlay of \$15,000,000 to provide grants to full-time Jewish day schools and Jewish preschools for hardening security measures, including the purchase and installation of security infrastructure, perimeter lighting, materials for door hardening, security camera systems, perimeter fencing, barriers and bollards, and blast-resistant film and shatter-resistant glass for windows.<sup>25</sup>
- Grants totaling \$10,000,000 to full-time Jewish day schools and Jewish preschools for nonhardening security measures, including hiring security personnel and training for security personnel and staff on threat awareness, emergency procedures, and first aid.<sup>26</sup>

### III. Effect of Proposed Changes:

SB 1396 creates s. 1001.2921, F.S., to establish a program under the Department of Education (DOE) to provide recurring funds to enhance the security of full-time Jewish day schools and preschools with professional security hardening for school facilities.

The bill specifies that based on a risk assessment by a law enforcement agency or a private security company, recurring funds must be used for any of the following:

- The purchase and installation of security cameras, perimeter lighting, perimeter fencing, and shatter-resistant glass for windows.
- Hiring or contracting with security personnel who are licensed and regulated by the state and insured.
- Expenses relating to transportation to minimize security exposure of staff, parents, and students.
- Other nonhardening security measures, including, but not limited to, providing professional detection, prevention, and security services to such schools and preschools.

The bill authorizes the State Board of Education to adopt rules to implement the program.

The bill takes effect on July 1, 2024.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

---

<sup>25</sup> Chapter 2023-352, s. 4, Laws of Fla.

<sup>26</sup> Chapter 2023-352, s. 5, Laws of Fla.

**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 bill specifies funding will be as determined in the General Appropriations Act.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 1001.2921 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 Gruters

22-01116A-24

20241396\_\_

1 A bill to be entitled  
 2 An act relating to security for Jewish day schools and  
 3 preschools; creating s. 1001.2921, F.S.; subject to  
 4 and consistent with funds appropriated from the  
 5 General Appropriations Act, requiring the Department  
 6 of Education to establish a program to provide funds  
 7 to full-time Jewish day schools and preschools for  
 8 specified security purposes; providing authorized uses  
 9 for specified funds; authorizing the State Board of  
 10 Education to adopt rules; providing an effective date.  
 11

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

14 Section 1. Section 1001.2921, Florida Statutes, is created  
 15 to read:

16 1001.2921 Security funding for Jewish day schools and  
 17 preschools.—

18 (1) As authorized by and consistent with funds appropriated  
 19 in the General Appropriations Act, the Department of Education  
 20 shall establish a program to provide funds to make full-time  
 21 Jewish day schools and preschools in this state secure with  
 22 professional security hardening, as needed, to better secure  
 23 facilities of such schools and preschools and to protect their  
 24 students. Based on a risk assessment by a law enforcement agency  
 25 or a private security company, recurring funds must be used for  
 26 any of the following:

27 (a) The purchase and installation of security cameras,  
 28 perimeter lighting, perimeter fencing, and shatter-resistant  
 29 glass for windows.

Page 1 of 2

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

22-01116A-24

20241396\_\_

30 (b) Hiring or contracting with security personnel who are  
 31 licensed and regulated by the state and insured.

32 (c) Expenses relating to transportation to minimize  
 33 security exposure of staff, parents, and students.

34 (d) Other nonhardening security measures, including, but  
 35 not limited to, providing professional detection, prevention,  
 36 and security services to such schools and preschools.

37 (2) The State Board of Education may adopt rules to  
 38 administer this section.

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

Page 2 of 2

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

The Florida Senate

APPEARANCE RECORD

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

2/6/24

Meeting Date

SB 1396

Bill Number or Topic

Education PreK-12

Committee

Amendment Barcode (if applicable)

Name Nancy Lawther, Ph.D.

Phone 407 855-7604

Address 1747 Orlando Central Pkwy

Email legislator@floridafta.org

Street

Orlando FL 32809

City

State

Zip

Speaking: [X] 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:

[X] 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)

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

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 1652

INTRODUCER: Senator Burgess

SUBJECT: District and School Advisory Councils

DATE: February 5, 2024

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	<b>Favorable</b>
2.			AED	
3.			RC	

---

**I. Summary:**

SB 1652 renames district advisory councils and school advisory councils as “district community advisory boards” and “community advisory boards,” respectively. Additionally, the bill:

- Requires community advisory boards to publicize open positions on the board, information regarding board elections and appointments, and information about becoming a board member.
- Establishes terms for executive board members.
- Requires the district school board to administer training for members of a community advisory board.

The bill is effective July 1, 2024.

**II. Present Situation:**

**District and School Advisory Councils**

Each district school board must establish an advisory council for each school in the district and develop procedures for the election and appointment of advisory council members. The school advisory council is the sole body responsible for final decision-making at the school relating to the implementation of school improvement and education accountability.<sup>1</sup>

---

<sup>1</sup> Section 1001.452(1)(a), F.S.

The advisory councils must consist of the principal and an appropriately balanced number of teachers,<sup>2</sup> education support employees,<sup>3</sup> students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils must include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents must be elected by their respective peer groups at the school in a fair and equitable manner.<sup>4</sup>

The district school board must review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board must appoint additional members to achieve proper representation. The Commissioner of Education must determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status.<sup>5</sup>

School districts with a student population of 10,000 or less are excepted from the requirement that each school have a school advisory council. In such districts, the district school board is only required to establish a district advisory council that includes at least one duly elected teacher from each school in the district.<sup>6</sup>

The district school board may establish a district advisory council representative of the district that is composed of teachers, students, parents, and other citizens or a district advisory council that may be comprised of representatives of each school advisory council.<sup>7</sup> Similarly, the district school board may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district for those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs.<sup>8</sup>

Each school advisory council must adopt bylaws establishing procedures for:<sup>9</sup>

- Requiring a quorum, or a majority of the membership, to be present before a vote may be taken by the school advisory council.
- Requiring at least three days' advance notice in writing to all members of the advisory council of any matter that is scheduled to come before the council for a vote.
- Scheduling meetings when parents, students, teachers, businesspersons, and members of the community can attend.

---

<sup>2</sup> Section 1001.452(1)(a), F.S. (flush left provision at the end of the paragraph). For the purposes of school advisory councils and district advisory councils, the term "teacher" includes classroom teachers, certified student services personnel, and media specialists.

<sup>3</sup> *Id.* For the purposes of school advisory councils and district advisory councils, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel and whose duties require 20 or more hours in each normal working week.

<sup>4</sup> 1001.452(1)(a), F.S.

<sup>5</sup> *Id.* (flush left provision at the end of the paragraph).

<sup>6</sup> *Id.*

<sup>7</sup> Section 1001.452(1)(b), F.S.

<sup>8</sup> Section 1001.452(1)(c), F.S.

<sup>9</sup> Section 1001.452(1)(d), F.S.

- Replacing any member who has two unexcused consecutive absences from a school advisory council meeting that is noticed according to the procedures in the bylaws.
- Recording minutes of meetings.

The district school board may review all proposed bylaws of a school advisory council and must maintain a record of minutes of council meetings.<sup>10</sup>

Each advisory council must perform functions established by regulations of the district school board; however, no advisory council can have any of the powers and duties reserved by law to the district school board. Each school advisory council must assist in the preparation and evaluation of the school improvement plan. Additionally, with technical assistance from the Department of Education, each school advisory council must assist in the preparation of the school's annual budget.<sup>11</sup>

Currently, members serving on a school advisory council do not have term limits.

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

SB 1652 modifies s. 1001.452, F.S., by renaming district advisory councils and school advisory councils as “district community advisory boards” and “community advisory boards,” respectively. The bill requires community advisory boards to publicize open positions on the board, information regarding board elections and appointments, and information about becoming a board member. The bill also requires the community advisory board to work with each school to ensure the board's efforts to publicize such information are effective.

The bill specifies that executive board members of a community advisory board, consisting of the president, vice president, secretary, and treasurer, are limited to two-year terms. The bill requires district school boards to administer training, and each member of a community advisory board must complete such training at least once.

Additionally, the bill requires the community advisory board to review, approve, and update its bylaws as scheduled by the district school board.

The bill also includes a number of conforming cross-references relating to the renaming of the councils.

The bill is effective July 1, 2024.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

---

<sup>10</sup> Section 1001.452(1)(d), F.S. (flush left provision at the end of the paragraph).

<sup>11</sup> Section 1001.452(2), F.S.

**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 the following sections of the Florida Statutes: 1001.452, 24.121, 1001.42, 1001.43, 1002.23, 1002.32, 1002.33, 1003.02, 1003.4203, 1006.07, 1008.345, 1008.36, 1012.71, and 1012.98.

**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 Burgess

23-01587A-24

20241652\_\_

1 A bill to be entitled  
 2 An act relating to district and school advisory  
 3 councils; amending s. 1001.452, F.S.; renaming  
 4 district advisory councils and school advisory  
 5 councils as "district community advisory boards" and  
 6 "community advisory boards," respectively; requiring  
 7 community advisory boards to publicize specified  
 8 information; establishing terms for executive board  
 9 members; requiring district school boards to establish  
 10 training for community advisory board members;  
 11 requiring members of such boards to complete such  
 12 training; revising the requirements for community  
 13 advisory board bylaws; amending ss. 24.121, 1001.42,  
 14 1001.43, 1002.23, 1002.32, 1002.33, 1003.02,  
 15 1003.4203, 1006.07, 1008.345, 1008.36, 1012.71, and  
 16 1012.98, F.S.; conforming provisions to changes made  
 17 by the act; providing an effective date.  
 18  
 19 Be It Enacted by the Legislature of the State of Florida:  
 20  
 21 Section 1. Section 1001.452, Florida Statutes, is amended  
 22 to read:  
 23 1001.452 District and community school advisory boards  
 24 councils.—  
 25 (1) ESTABLISHMENT.—  
 26 (a) The district school board shall establish a community  
 27 ~~an~~ advisory board council for each school in the district and  
 28 shall develop procedures for the election and appointment of  
 29 advisory board council members. Each community school advisory

Page 1 of 24

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

23-01587A-24

20241652\_\_

30 ~~board council~~ shall include in its name the words "community  
 31 ~~school~~ advisory board council." The community school advisory  
 32 ~~board council~~ shall be the sole body responsible for final  
 33 decisionmaking at the school relating to implementation of ss.  
 34 1001.42(18) and 1008.345. A majority of the members of each  
 35 community school advisory board council must be persons who are  
 36 not employed by the school district. Each community advisory  
 37 ~~board council~~ shall be composed of the principal and an  
 38 appropriately balanced number of teachers, education support  
 39 employees, students, parents, and other business and community  
 40 citizens who are representative of the ethnic, racial, and  
 41 economic community served by the school. Career center and high  
 42 school community advisory ~~boards councils~~ shall include  
 43 students, and middle and junior high school community advisory  
 44 ~~boards councils~~ may include students. Community school advisory  
 45 ~~boards councils~~ of career centers and adult education centers  
 46 are not required to include parents as members. Board Council  
 47 members representing teachers, education support employees,  
 48 students, and parents shall be elected by their respective peer  
 49 groups at the school in a fair and equitable manner as follows:  
 50 1. Teachers shall be elected by teachers.  
 51 2. Education support employees shall be elected by  
 52 education support employees.  
 53 3. Students shall be elected by students.  
 54 4. Parents shall be elected by parents.  
 55  
 56 The district school board shall establish procedures to be used  
 57 by schools in selecting business and community members that  
 58 include means of ensuring wide notice of vacancies and of taking

Page 2 of 24

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

23-01587A-24

20241652\_\_

59 input on possible members from local business, chambers of  
 60 commerce, community and civic organizations and groups, and the  
 61 public at large. The district school board shall review the  
 62 membership composition of each community advisory board ~~council~~.  
 63 If the district school board determines that the membership  
 64 elected by the school is not representative of the ethnic,  
 65 racial, and economic community served by the school, the  
 66 district school board shall appoint additional members to  
 67 achieve proper representation. The commissioner shall determine  
 68 if schools have maximized their efforts to include on their  
 69 community advisory boards ~~councils~~ minority persons and persons  
 70 of lower socioeconomic status. A community advisory board must  
 71 publicize open positions on the community advisory board,  
 72 information regarding board elections and appointments, and  
 73 information about becoming a member of the community advisory  
 74 board. The community advisory board must work with each school  
 75 to ensure the board's efforts to publicize such information are  
 76 effective. The executive board members of a community advisory  
 77 board, consisting of the president, vice president, secretary,  
 78 and treasurer, shall serve 2-year terms. The district school  
 79 board shall administer training, and each member of a community  
 80 advisory board must complete such training at least once.  
 81 Although schools are strongly encouraged to establish community  
 82 ~~school~~ advisory boards ~~councils~~, the district school board of  
 83 any school district that has a student population of 10,000 or  
 84 fewer may establish a district community advisory board ~~council~~  
 85 which includes at least one duly elected teacher from each  
 86 school in the district. For the purposes of community school  
 87 advisory boards ~~councils~~ and district community advisory boards

Page 3 of 24

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

23-01587A-24

20241652\_\_

88 ~~councils~~, the term "teacher" includes classroom teachers,  
 89 certified student services personnel, and media specialists. For  
 90 purposes of this paragraph, "education support employee" means  
 91 any person employed by a school who is not defined as  
 92 instructional or administrative personnel pursuant to s. 1012.01  
 93 and whose duties require 20 or more hours in each normal working  
 94 week.  
 95 (b) The district school board may establish a district  
 96 community advisory board ~~council~~ representative of the district  
 97 and composed of teachers, students, parents, and other citizens  
 98 or a district community advisory board ~~council~~ that may be  
 99 comprised of representatives of each community school ~~advisory~~  
 100 board ~~council~~. Recognized schoolwide support groups that meet  
 101 all criteria established by law or rule may function as  
 102 community school ~~advisory boards~~ ~~councils~~.  
 103 (c) For those schools operating for the purpose of  
 104 providing educational services to youth in Department of  
 105 Juvenile Justice programs, district school boards may establish  
 106 a district community advisory board ~~council~~ with appropriate  
 107 representatives for the purpose of developing and monitoring a  
 108 district school improvement plan that encompasses all such  
 109 schools in the district, pursuant to s. 1001.42(18)(a).  
 110 (d) Each community school ~~advisory board~~ ~~council~~ shall  
 111 adopt bylaws establishing procedures for:  
 112 1. Requiring the community advisory board to review,  
 113 approve, and update its bylaws as scheduled by the district  
 114 school board.  
 115 2.1- Requiring a quorum to be present before a vote may be  
 116 taken by the community school ~~advisory board~~ ~~council~~. A majority

Page 4 of 24

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

23-01587A-24

20241652\_\_

117 of the membership of the board council constitutes a quorum.

118 ~~3.2-~~ Requiring at least 3 days' advance notice in writing  
119 to all members of the community advisory board council of any  
120 matter that is scheduled to come before the board council for a  
121 vote.

122 ~~4.3-~~ Scheduling meetings when parents, students, teachers,  
123 businesspersons, and members of the community can attend.

124 ~~5.4-~~ Replacing any member who has two unexcused consecutive  
125 absences from a community school advisory board council meeting  
126 that is noticed according to the procedures in the bylaws.

127 ~~6.5-~~ Recording minutes of meetings.

128  
129 The district school board shall ~~may~~ review all proposed bylaws  
130 of a community school advisory board council and shall maintain  
131 a record of minutes of board council meetings.

132 (2) DUTIES.—Each community advisory board council shall  
133 perform functions prescribed by regulations of the district  
134 school board; however, no community advisory board council shall  
135 have any of the powers and duties now reserved by law to the  
136 district school board. Each community school advisory board  
137 council shall assist in the preparation and evaluation of the  
138 school improvement plan required pursuant to s. 1001.42(18).  
139 With technical assistance from the Department of Education, each  
140 community school advisory board council shall assist in the  
141 preparation of the school's annual budget and plan as required  
142 by s. 1008.385(1). A portion of funds provided in the annual  
143 General Appropriations Act for use by community school advisory  
144 boards councils must be used for implementing the school  
145 improvement plan.

23-01587A-24

20241652\_\_

146 Section 2. Paragraphs (c) and (d) of subsection (5) of  
147 section 24.121, Florida Statutes, are amended to read:

148 24.121 Allocation of revenues and expenditure of funds for  
149 public education.—

150 (5)

151 (c) A portion of such net revenues, as determined annually  
152 by the Legislature, shall be distributed to each school district  
153 and shall be made available to each public school in the  
154 district for enhancing school performance through development  
155 and implementation of a school improvement plan pursuant to s.  
156 1001.42(18). A portion of these moneys, as determined annually  
157 in the General Appropriations Act, must be allocated to each  
158 school in an equal amount for each student enrolled. These  
159 moneys may be expended only on programs or projects selected by  
160 the community school advisory board council or by a parent  
161 advisory committee created pursuant to this paragraph. If a  
162 school does not have a community school advisory board council,  
163 the district community advisory board council must appoint a  
164 parent advisory committee composed of parents of students  
165 enrolled in that school, which is representative of the ethnic,  
166 racial, and economic community served by the school, to advise  
167 the school's principal on the programs or projects to be funded.  
168 Neither school district staff nor principals may override the  
169 recommendations of the community school advisory board council  
170 or the parent advisory committee. These moneys may not be used  
171 for capital improvements or for any project or program that has  
172 a duration of more than 1 year; however, a community school  
173 advisory board council or parent advisory committee may  
174 independently determine that a program or project formerly



23-01587A-24

20241652\_\_

175 funded under this paragraph should receive funds in a subsequent  
176 year.

177 (d) No funds shall be released for any purpose from the  
178 Educational Enhancement Trust Fund to any school district in  
179 which one or more schools do not have an approved school  
180 improvement plan pursuant to s. 1001.42(18) or do not comply  
181 with community school advisory board council membership  
182 composition requirements pursuant to s. 1001.452(1). The  
183 Commissioner of Education shall withhold disbursements from the  
184 trust fund to any school district that fails to adopt the  
185 performance-based salary schedule required by s. 1012.22(1).

186 Section 3. Paragraphs (a) and (c) of subsection (19) of  
187 section 1001.42, Florida Statutes, are amended to read:

188 1001.42 Powers and duties of district school board.—The  
189 district school board, acting as a board, shall exercise all  
190 powers and perform all duties listed below:

191 (19) LOCAL-LEVEL DECISIONMAKING.—

192 (a) Adopt policies that clearly encourage and enhance  
193 maximum decisionmaking appropriate to the school site. Such  
194 policies must include guidelines for schools in the adoption and  
195 purchase of district and school site instructional materials and  
196 technology, the implementation of student health and fitness  
197 standards, staff training, community school advisory board  
198 council member training, student support services, budgeting,  
199 and the allocation of staff resources.

200 (c) Develop policies for periodically monitoring the  
201 membership composition of community school advisory boards  
202 councils to ensure compliance with requirements established in  
203 s. 1001.452.

Page 7 of 24

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

23-01587A-24

20241652\_\_

204 Section 4. Subsection (5) of section 1001.43, Florida  
205 Statutes, is amended to read:

206 1001.43 Supplemental powers and duties of district school  
207 board.—The district school board may exercise the following  
208 supplemental powers and duties as authorized by this code or  
209 State Board of Education rule.

210 (5) SCHOOL COMMUNITY RELATIONS.—The district school board  
211 may adopt policies governing public gifts and donations to  
212 schools; input from the community concerning instruction  
213 resources; advertising in schools; participation in community  
214 affairs, including coordination with local governments and  
215 planning authorities; protocols for interagency agreements;  
216 business community partnerships; community use of school  
217 facilities; public solicitations in schools, including the  
218 distribution and posting of promotional materials and  
219 literature; visitors to the school campus; community school  
220 advisory boards councils; and parent volunteers and chaperones.

221 Section 5. Paragraph (c) of subsection (2) and paragraph  
222 (d) of subsection (4) of section 1002.23, Florida Statutes, are  
223 amended to read:

224 1002.23 Family and School Partnership for Student  
225 Achievement Act.—

226 (2) To facilitate meaningful parent and family involvement,  
227 the Department of Education shall develop guidelines for a  
228 parent guide to successful student achievement which describes  
229 what parents need to know about their child's educational  
230 progress and how they can help their child to succeed in school.  
231 The guidelines shall include, but need not be limited to:

232 (c) Opportunities for parental participation, such as

Page 8 of 24

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

23-01587A-24 20241652\_\_

233 parenting classes, adult education, community school advisory  
 234 boards councils, and school volunteer programs;

235 (4) Each district school board shall adopt rules that  
 236 strengthen family involvement and family empowerment. The rules  
 237 shall be developed in collaboration with parents, school  
 238 administrators, teachers, and community partners, and shall  
 239 address:

240 (d) Opportunities for parents to participate on community  
 241 ~~school~~ advisory boards councils and in school volunteer programs  
 242 and other activities.

243 Section 6. Subsections (6) and (8) of section 1002.32,  
 244 Florida Statutes, are amended to read:

245 1002.32 Developmental research (laboratory) schools.—

246 (6) SUPPLEMENTAL-SUPPORT ORGANIZATIONS.—Each lab school may  
 247 accrue supplemental revenue from supplemental-support  
 248 organizations, which include, but are not limited to, alumni  
 249 associations, foundations, parent-teacher associations, and  
 250 booster associations. The governing body of each supplemental-  
 251 support organization shall recommend the expenditure of moneys  
 252 collected by the organization for the benefit of the school.  
 253 Such expenditures shall be contingent upon the recommendations  
 254 of the community school advisory board council and review of the  
 255 director. The director may override any proposed expenditure of  
 256 the organization that would violate Florida Statutes or breach  
 257 sound educational management.

258 (8) ADVISORY BOARDS.—Each public school in the state shall  
 259 establish a community school advisory board council that is  
 260 reflective of the population served by the school, pursuant to  
 261 s. 1001.452, and is responsible for the development and

23-01587A-24 20241652\_\_

262 implementation of the school improvement plan pursuant to s.  
 263 1003.02(3). Lab schools shall comply with the provisions of s.  
 264 1001.452 in one of two ways:

265 (a) Each lab school may establish two advisory bodies as  
 266 follows:

267 1. An advisory body pursuant to the provisions and  
 268 requirements of s. 1001.452 to be responsible for the  
 269 development and implementation of the school improvement plan,  
 270 pursuant to s. 1003.02(3).

271 2. An advisory board to provide general oversight and  
 272 guidance. The dean of the affiliated college of education shall  
 273 be a standing member of the board, and the president of the  
 274 university shall appoint four faculty members from the related  
 275 university, at least two of whom are from the college of  
 276 education, one layperson who resides in the county in which the  
 277 school is located, two parents of students who attend the lab  
 278 school, and one lab school student appointed by the principal to  
 279 serve on the advisory board. The term of each member shall be  
 280 for 2 years, and any vacancy shall be filled with a person of  
 281 the same classification as his or her predecessor for the  
 282 balance of the unexpired term. The president shall stagger the  
 283 terms of the initial appointees in a manner that results in the  
 284 expiration of terms of no more than two members in any year. The  
 285 president shall call the organizational meeting of the board.  
 286 The board shall annually elect a chair and a vice chair. There  
 287 shall be no limitation on successive appointments to the board  
 288 or successive terms that may be served by a chair or vice chair.  
 289 The board shall adopt internal organizational procedures or  
 290 bylaws necessary for efficient operation as provided in chapter

23-01587A-24 20241652\_\_

291 120. Board members shall not receive per diem or travel expenses  
 292 for the performance of their duties. The board shall:

293 a. Meet at least quarterly.

294 b. Monitor the operations of the school and the  
 295 distribution of moneys allocated for such operations.

296 c. Establish necessary policy, program, and administration  
 297 modifications.

298 d. Evaluate biennially the performance of the director and  
 299 principal and recommend corresponding action to the dean of the  
 300 college of education.

301 e. Annually review evaluations of the school's operation  
 302 and research findings.

303 (b) Each lab school may establish one advisory body  
 304 responsible for the development and implementation of the school  
 305 improvement plan, pursuant to s. 1003.02(3), in addition to  
 306 general oversight and guidance responsibilities. The advisory  
 307 body shall reflect the membership composition requirements  
 308 established in s. 1001.452, but may also include membership by  
 309 the dean of the college of education and additional members  
 310 appointed by the president of the university that represent  
 311 faculty members from the college of education, the university,  
 312 or other bodies deemed appropriate for the mission of the  
 313 school.

314 Section 7. Paragraph (b) of subsection (3) of section  
 315 1002.33, Florida Statutes, is amended to read:

316 1002.33 Charter schools.—

317 (3) APPLICATION FOR CHARTER STATUS.—

318 (b) An application for a conversion charter school shall be  
 319 made by the district school board, the principal, teachers,

23-01587A-24 20241652\_\_

320 parents, and/or the community school advisory board council at  
 321 an existing public school that has been in operation for at  
 322 least 2 years prior to the application to convert. A public  
 323 school-within-a-school that is designated as a school by the  
 324 district school board may also submit an application to convert  
 325 to charter status. An application submitted proposing to convert  
 326 an existing public school to a charter school shall demonstrate  
 327 the support of at least 50 percent of the teachers employed at  
 328 the school and 50 percent of the parents voting whose children  
 329 are enrolled at the school, provided that a majority of the  
 330 parents eligible to vote participate in the ballot process,  
 331 according to rules adopted by the State Board of Education. A  
 332 district school board denying an application for a conversion  
 333 charter school shall provide notice of denial to the applicants  
 334 in writing within 10 days after the meeting at which the  
 335 district school board denied the application. The notice must  
 336 articulate in writing the specific reasons for denial and must  
 337 provide documentation supporting those reasons. A private  
 338 school, parochial school, or home education program shall not be  
 339 eligible for charter school status.

340 Section 8. Paragraph (d) of subsection (1) of section  
 341 1003.02, Florida Statutes, is amended to read:

342 1003.02 District school board operation and control of  
 343 public K-12 education within the school district.—As provided in  
 344 part II of chapter 1001, district school boards are  
 345 constitutionally and statutorily charged with the operation and  
 346 control of public K-12 education within their school districts.  
 347 The district school boards must establish, organize, and operate  
 348 their public K-12 schools and educational programs, employees,

23-01587A-24

20241652\_\_

349 and facilities. Their responsibilities include staff  
 350 development, public K-12 school student education including  
 351 education for exceptional students and students in juvenile  
 352 justice programs, special programs, adult education programs,  
 353 and career education programs. Additionally, district school  
 354 boards must:

355 (1) Provide for the proper accounting for all students of  
 356 school age, for the attendance and control of students at  
 357 school, and for proper attention to health, safety, and other  
 358 matters relating to the welfare of students in the following  
 359 areas:

360 (d) *Courses of study and instructional materials.*—

361 1. Provide adequate instructional materials for all  
 362 students as follows and in accordance with the requirements of  
 363 chapter 1006, in the core courses of mathematics, language arts,  
 364 social studies, science, reading, and literature, except for  
 365 instruction for which the community school advisory board  
 366 ~~committee~~ approves the use of a program that does not include a  
 367 textbook as a major tool of instruction.

368 2. Adopt courses of study for use in the schools of the  
 369 district.

370 3. Provide for proper requisitioning, distribution,  
 371 accounting, storage, care, and use of all instructional  
 372 materials as may be needed, and ensure that instructional  
 373 materials used in the district are consistent with the district  
 374 goals and objectives and the course descriptions approved by the  
 375 State Board of Education, as well as with the state and school  
 376 district performance standards required by law and state board  
 377 rule.

Page 13 of 24

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

23-01587A-24

20241652\_\_

378 Section 9. Paragraph (b) of subsection (2) of section  
 379 1003.4203, Florida Statutes, is amended to read:

380 1003.4203 Digital materials, CAPE Digital Tool  
 381 certificates, and technical assistance.—

382 (2) CAPE DIGITAL TOOL CERTIFICATES.—The department shall  
 383 identify, in the CAPE Industry Certification Funding List under  
 384 ss. 1003.492 and 1008.44, CAPE Digital Tool certificates that  
 385 indicate a student's digital skills. The department shall notify  
 386 each school district when the certificates are available. The  
 387 certificates shall be made available to all public elementary  
 388 and middle grades students.

389 (b) The school district shall notify each middle school  
 390 community advisory board ~~committee~~ of the methods of delivery of  
 391 the open-access content and assessments for the certificates. If  
 392 there is no middle school community advisory board ~~committee~~,  
 393 notification must be provided to the district community advisory  
 394 board ~~committee~~.

395 Section 10. Subsection (2) of section 1006.07, Florida  
 396 Statutes, is amended to read:

397 1006.07 District school board duties relating to student  
 398 discipline and school safety.—The district school board shall  
 399 provide for the proper accounting for all students, for the  
 400 attendance and control of students at school, and for proper  
 401 attention to health, safety, and other matters relating to the  
 402 welfare of students, including:

403 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
 404 conduct for elementary schools and a code of student conduct for  
 405 middle and high schools and distribute the appropriate code to  
 406 all teachers, school personnel, students, and parents, at the

Page 14 of 24

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

23-01587A-24

20241652\_\_

407 beginning of every school year. Each code shall be organized and  
 408 written in language that is understandable to students and  
 409 parents and shall be discussed at the beginning of every school  
 410 year in student classes, community school advisory board council  
 411 meetings, and parent and teacher association or organization  
 412 meetings. Each code shall be based on the rules governing  
 413 student conduct and discipline adopted by the district school  
 414 board and shall be made available in the student handbook or  
 415 similar publication. Each code shall include, but is not limited  
 416 to:

417 (a) Consistent policies and specific grounds for  
 418 disciplinary action, including in-school suspension, out-of-  
 419 school suspension, expulsion, and any disciplinary action that  
 420 may be imposed for the possession or use of alcohol on school  
 421 property or while attending a school function or for the illegal  
 422 use, sale, or possession of controlled substances as defined in  
 423 chapter 893.

424 (b) Procedures to be followed for acts requiring  
 425 discipline, including corporal punishment.

426 (c) An explanation of the responsibilities and rights of  
 427 students with regard to attendance, respect for persons and  
 428 property, knowledge and observation of rules of conduct, the  
 429 right to learn, free speech and student publications, assembly,  
 430 privacy, and participation in school programs and activities.

431 (d)1. An explanation of the responsibilities of each  
 432 student with regard to appropriate dress, respect for self and  
 433 others, and the role that appropriate dress and respect for self  
 434 and others has on an orderly learning environment. Each district  
 435 school board shall adopt a dress code policy that prohibits a

Page 15 of 24

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

23-01587A-24

20241652\_\_

436 student, while on the grounds of a public school during the  
 437 regular school day, from wearing clothing that exposes underwear  
 438 or body parts in an indecent or vulgar manner or that disrupts  
 439 the orderly learning environment.

440 2. Any student who violates the dress policy described in  
 441 subparagraph 1. is subject to the following disciplinary  
 442 actions:

443 a. For a first offense, a student shall be given a verbal  
 444 warning and the school principal shall call the student's parent  
 445 or guardian.

446 b. For a second offense, the student is ineligible to  
 447 participate in any extracurricular activity for a period of time  
 448 not to exceed 5 days and the school principal shall meet with  
 449 the student's parent or guardian.

450 c. For a third or subsequent offense, a student shall  
 451 receive an in-school suspension pursuant to s. 1003.01(13) for a  
 452 period not to exceed 3 days, the student is ineligible to  
 453 participate in any extracurricular activity for a period not to  
 454 exceed 30 days, and the school principal shall call the  
 455 student's parent or guardian and send the parent or guardian a  
 456 written letter regarding the student's in-school suspension and  
 457 ineligibility to participate in extracurricular activities.

458 (e) Notice that illegal use, possession, or sale of  
 459 controlled substances, as defined in chapter 893, by any student  
 460 while the student is upon school property or in attendance at a  
 461 school function is grounds for disciplinary action by the school  
 462 and may also result in criminal penalties being imposed.

463 (f) Notice that use of a wireless communications device  
 464 includes the possibility of the imposition of disciplinary

Page 16 of 24

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

23-01587A-24

20241652\_\_

465 action by the school or criminal penalties if the device is used  
 466 in a criminal act. A student may possess a wireless  
 467 communications device while the student is on school property or  
 468 in attendance at a school function; however, a student may not  
 469 use a wireless communications device during instructional time,  
 470 except when expressly directed by a teacher solely for  
 471 educational purposes. A teacher shall designate an area for  
 472 wireless communications devices during instructional time. Each  
 473 district school board shall adopt rules governing the use of a  
 474 wireless communications device by a student while the student is  
 475 on school property or in attendance at a school function.

476 (g) Notice that the possession of a firearm or weapon as  
 477 defined in chapter 790 by any student while the student is on  
 478 school property or in attendance at a school function is grounds  
 479 for disciplinary action and may also result in criminal  
 480 prosecution. Simulating a firearm or weapon while playing or  
 481 wearing clothing or accessories that depict a firearm or weapon  
 482 or express an opinion regarding a right guaranteed by the Second  
 483 Amendment to the United States Constitution is not grounds for  
 484 disciplinary action or referral to the criminal justice or  
 485 juvenile justice system under this section or s. 1006.13.  
 486 Simulating a firearm or weapon while playing includes, but is  
 487 not limited to:

- 488 1. Brandishing a partially consumed pastry or other food
- 489 item to simulate a firearm or weapon.
- 490 2. Possessing a toy firearm or weapon that is 2 inches or
- 491 less in overall length.
- 492 3. Possessing a toy firearm or weapon made of plastic snap-
- 493 together building blocks.

Page 17 of 24

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

23-01587A-24

20241652\_\_

- 494 4. Using a finger or hand to simulate a firearm or weapon.
- 495 5. Vocalizing an imaginary firearm or weapon.
- 496 6. Drawing a picture, or possessing an image, of a firearm
- 497 or weapon.
- 498 7. Using a pencil, pen, or other writing or drawing utensil
- 499 to simulate a firearm or weapon.

500  
 501 However, a student may be subject to disciplinary action if  
 502 simulating a firearm or weapon while playing substantially  
 503 disrupts student learning, causes bodily harm to another person,  
 504 or places another person in reasonable fear of bodily harm. The  
 505 severity of consequences imposed upon a student, including  
 506 referral to the criminal justice or juvenile justice system,  
 507 must be proportionate to the severity of the infraction and  
 508 consistent with district school board policies for similar  
 509 infractions. If a student is disciplined for such conduct, the  
 510 school principal or his or her designee must call the student's  
 511 parent. Disciplinary action resulting from a student's clothing  
 512 or accessories shall be determined pursuant to paragraph (d)  
 513 unless the wearing of the clothing or accessory causes a  
 514 substantial disruption to student learning, in which case the  
 515 infraction may be addressed in a manner that is consistent with  
 516 district school board policies for similar infractions. This  
 517 paragraph does not prohibit a public school from adopting a  
 518 school uniform policy.

519 (h) Notice that violence against any district school board  
 520 personnel by a student is grounds for in-school suspension, out-  
 521 of-school suspension, expulsion, or imposition of other  
 522 disciplinary action by the school and may also result in

Page 18 of 24

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

23-01587A-24

20241652\_\_

523 criminal penalties being imposed.

524 (i) Notice that violation of district school board  
525 transportation policies, including disruptive behavior on a  
526 school bus or at a school bus stop, by a student is grounds for  
527 suspension of the student's privilege of riding on a school bus  
528 and may be grounds for disciplinary action by the school and may  
529 also result in criminal penalties being imposed.

530 (j) Notice that violation of the district school board's  
531 sexual harassment policy by a student is grounds for in-school  
532 suspension, out-of-school suspension, expulsion, or imposition  
533 of other disciplinary action by the school and may also result  
534 in criminal penalties being imposed.

535 (k) Policies to be followed for the assignment of violent  
536 or disruptive students to an alternative educational program or  
537 referral of such students to mental health services identified  
538 by the school district pursuant to s. 1012.584(4).

539 (l) Notice that any student who is determined to have  
540 brought a firearm or weapon, as defined in chapter 790, to  
541 school, to any school function, or onto any school-sponsored  
542 transportation, or to have possessed a firearm at school, will  
543 be expelled, with or without continuing educational services,  
544 from the student's regular school for a period of not less than  
545 1 full year and referred to mental health services identified by  
546 the school district pursuant to s. 1012.584(4) and the criminal  
547 justice or juvenile justice system. District school boards may  
548 assign the student to a disciplinary program or second chance  
549 school for the purpose of continuing educational services during  
550 the period of expulsion. District school superintendents may  
551 consider the 1-year expulsion requirement on a case-by-case

23-01587A-24

20241652\_\_

552 basis and request the district school board to modify the  
553 requirement by assigning the student to a disciplinary program  
554 or second chance school if the request for modification is in  
555 writing and it is determined to be in the best interest of the  
556 student and the school system.

557 (m) Notice that any student who is determined to have made  
558 a threat or false report, as defined by ss. 790.162 and 790.163,  
559 respectively, involving school or school personnel's property,  
560 school transportation, or a school-sponsored activity will be  
561 expelled, with or without continuing educational services, from  
562 the student's regular school for a period of not less than 1  
563 full year and referred for criminal prosecution and mental  
564 health services identified by the school district pursuant to s.  
565 1012.584(4) for evaluation or treatment, when appropriate.  
566 District school boards may assign the student to a disciplinary  
567 program or second chance school for the purpose of continuing  
568 educational services during the period of expulsion. District  
569 school superintendents may consider the 1-year expulsion  
570 requirement on a case-by-case basis and request the district  
571 school board to modify the requirement by assigning the student  
572 to a disciplinary program or second chance school if it is  
573 determined to be in the best interest of the student and the  
574 school system.

575 (n) Criteria for recommending to law enforcement that a  
576 student who commits a criminal offense be allowed to participate  
577 in a civil citation or similar prearrest diversion program as an  
578 alternative to expulsion or arrest. All civil citation or  
579 similar prearrest diversion programs must comply with s. 985.12.

580 (o) Criteria for assigning a student who commits a petty

23-01587A-24

20241652\_\_

581 act of misconduct, as defined by the district school board  
 582 pursuant to s. 1006.13(2)(c), to a school-based intervention  
 583 program. If a student's assignment is based on a noncriminal  
 584 offense, the student's participation in a school-based  
 585 intervention program may not be entered into the Juvenile  
 586 Justice Information System Prevention Web.

587 Section 11. Paragraphs (b) and (c) of subsection (6) and  
 588 paragraph (c) of subsection (7) of section 1008.345, Florida  
 589 Statutes, are amended to read:

590 1008.345 Implementation of state system of school  
 591 improvement and education accountability.—

592 (6)

593 (b) Upon request, the department shall provide technical  
 594 assistance and training to any school, including any school  
 595 operating for the purpose of providing educational services to  
 596 youth in Department of Juvenile Justice programs, community  
 597 ~~school~~ advisory board council, district, or district school  
 598 board for conducting needs assessments, developing and  
 599 implementing school improvement plans, or implementing other  
 600 components of school improvement and accountability. Priority  
 601 for these services shall be given to schools designated with a  
 602 grade of "D" or "F" and school districts in rural and sparsely  
 603 populated areas of the state.

604 (c) Pursuant to s. 24.121(5)(d), the department shall not  
 605 release funds from the Educational Enhancement Trust Fund to any  
 606 district in which a school, including schools operating for the  
 607 purpose of providing educational services to youth in Department  
 608 of Juvenile Justice programs, does not have an approved school  
 609 improvement plan, pursuant to s. 1001.42(18), after 1 full

Page 21 of 24

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

23-01587A-24

20241652\_\_

610 school year of planning and development, or does not comply with  
 611 community school advisory board council membership composition  
 612 requirements pursuant to s. 1001.452. The department shall send  
 613 a technical assistance team to each school without an approved  
 614 plan to develop such school improvement plan or to each school  
 615 without appropriate community school advisory board council  
 616 membership composition to develop a strategy for corrective  
 617 action. The department shall release the funds upon approval of  
 618 the plan or upon establishment of a plan of corrective action.  
 619 Notice shall be given to the public of the department's  
 620 intervention and shall identify each school without a plan or  
 621 without appropriate community school advisory board council  
 622 membership composition.

623 (7) As a part of the system of educational accountability,  
 624 the Department of Education shall:

625 (c) Review the community school advisory boards councils of  
 626 each district as required by s. 1001.452.

627 Section 12. Subsection (4) of section 1008.36, Florida  
 628 Statutes, is amended to read:

629 1008.36 Florida School Recognition Program.—

630 (4) All selected schools shall receive financial awards  
 631 depending on the availability of funds appropriated and the  
 632 number and size of schools selected to receive an award. Funds  
 633 must be distributed to the school's fiscal agent and placed in  
 634 the school's account and must be used for purposes listed in  
 635 subsection (5) as determined jointly by the school's staff and  
 636 community school advisory board council. If school staff and the  
 637 community school advisory board council cannot reach agreement  
 638 by February 1, the awards must be equally distributed to all

Page 22 of 24

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



23-01587A-24 20241652\_\_  
 639 classroom teachers currently teaching in the school. If a school  
 640 selected to receive a school recognition award is no longer in  
 641 existence at the time the award is paid, the district school  
 642 superintendent shall distribute the funds to teachers who taught  
 643 at the school in the previous year in the form of a bonus.

644  
 645 Notwithstanding statutory provisions to the contrary, incentive  
 646 awards are not subject to collective bargaining.

647 Section 13. Subsection (5) of section 1012.71, Florida  
 648 Statutes, is amended to read:

649 1012.71 The Florida Teachers Classroom Supply Assistance  
 650 Program.—

651 (5) Each classroom teacher must keep receipts for no less  
 652 than 4 years to show that funds expended meet the requirements  
 653 of this section. Any unused funds shall be deposited into the  
 654 community school advisory board council account of the school at  
 655 which the classroom teacher was employed when the funds were  
 656 made available to the classroom teacher. If the school does not  
 657 have a community school advisory board council, the funds shall  
 658 be expended for classroom materials and supplies as determined  
 659 by the school principal.

660 Section 14. Subsection (2) of section 1012.98, Florida  
 661 Statutes, is amended to read:

662 1012.98 School Community Professional Learning Act.—

663 (2) The school community includes students and parents,  
 664 administrative personnel, managers, instructional personnel,  
 665 support personnel, members of district school boards, members of  
 666 community school advisory boards councils, business partners,  
 667 and personnel that provide health and social services to

23-01587A-24 20241652\_\_  
 668 students.

669 Section 15. This act shall take effect July 1, 2024.

The Florida Senate  
**APPEARANCE RECORD**

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

2/16/2024

Meeting Date

SB 1652

Bill Number or Topic

Education PreK-12

Committee

Amendment Barcode (if applicable)

Name Shauntel Smith

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: 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 \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

Feb 6 2024

Meeting Date

SB 1652

Bill Number or Topic

Prek-12 Education

Committee

Amendment Barcode (if applicable)

Name Marie-Claire Leman Phone 850-728-7514

Address 1911 Wahalaw CT Street Email marieclaireleman@gmail.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:
- 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:** January 11, 2024

---

I respectfully request that **Senate Bill #1652**, relating to District and School Advisory Councils, be placed on the:

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

A handwritten signature in blue ink, appearing to read "Danny", 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: SPB 7056

INTRODUCER: Education Pre-K -12 Committee

SUBJECT: Public Records/School Guardians

DATE: February 7, 2024      REVISED: \_\_\_\_\_

---

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick/Sabitsch</u>	<u>Bouck</u>	_____	<b>ED Submitted as Comm. Bill/Fav</b>

---

**I. Summary:**

SPB 7056 which is linked to the passage of SB 1356 (2024), amends s. 30.15, F.S., to create an exemption from public records requirements for any information held by the Florida Department of Law Enforcement (FDLE) or a law enforcement agency, school district, or charter school and reported to FDLE as required by SB 1356 that would identify an individual who has been certified to serve as a school guardian. This public record exemption supports the existing public record exemption for information that is held by a law enforcement agency, school district, or charter school that would identify whether a particular individual has been appointed as a safe-school officer at a public school, charter school, or private school. The list, required to be maintained by the FDLE under SB 1356, if not protected, could identify a school guardian.

The bill provides that the public record exemption is a public necessity because disclosure of the identity of a school guardian could affect his or her ability to adequately respond to an active assailant situation.

The public records exemption established in the bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill will become effective on the same date that SB 1356 (2024) 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:**

**Access to Public Records - Generally**

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.<sup>1</sup> The right to inspect or copy applies

---

<sup>1</sup> FLA. CONST. art. I, s. 24(a).

to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.<sup>2</sup>

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, section 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.<sup>3</sup> Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.<sup>4</sup> Lastly, chapter 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

### **Executive Agency Records – The Public Records Act**

The Public Records Act provides that all state, county and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.<sup>5</sup>

Section 119.011(12), F.S., defines “public records” to include:

All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connections with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business that are used to “perpetuate, communicate, or formalize knowledge of some type.”<sup>6</sup>

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.<sup>7</sup> A violation of the Public Records Act may result in civil or criminal liability.<sup>8</sup>

---

<sup>2</sup> FLA. CONST. art. I, s. 24(a).

<sup>3</sup> See Rule 1.48, *Rules and Manual of the Florida Senate*, (2022-2024) and Rule 14.1, *Rules of the Florida House of Representatives*, (2022-2024)

<sup>4</sup> *State v. Wooten*, 260 So. 3d 1060 (Fla. 4<sup>th</sup> DCA 2018).

<sup>5</sup> Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

<sup>6</sup> *Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

<sup>7</sup> Section 119.07(1)(a), F.S.

<sup>8</sup> Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.<sup>9</sup> The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>10</sup>

General exemptions from the public records requirements are contained in the Public Records Act.<sup>11</sup> Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.<sup>12</sup>

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*.<sup>13</sup> Records designated as “confidential and exempt” are not subject to inspection by the public and may only be released under the circumstances defined by statute.<sup>14</sup> Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.<sup>15</sup>

### **Open Government Sunset Review Act**

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act<sup>16</sup> (the Act), prescribe a legislative review process for newly created or substantially amended<sup>17</sup> public records or open meetings exemptions, with specified exceptions.<sup>18</sup> The Act requires the repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.<sup>19</sup>

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.<sup>20</sup> An exemption serves an identifiable purpose if it meets one of the following purposes *and* the

<sup>9</sup> FLA. CONST. art. I, s. 24(c).

<sup>10</sup> *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

<sup>11</sup> *See, e.g., s. 119.071(1)(a), F.S.* (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

<sup>12</sup> *See, e.g., s. 213.053(2)(a), F.S.* (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

<sup>13</sup> *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5<sup>th</sup> DCA 2004).

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

<sup>15</sup> *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5<sup>th</sup> DCA 1991).

<sup>16</sup> Section 119.15, F.S.

<sup>17</sup> An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

<sup>18</sup> Section 119.15(2)(a) and (b), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

<sup>19</sup> Section 119.15(3), F.S.

<sup>20</sup> Section 119.15(6)(b), F.S.

Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;<sup>21</sup>
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;<sup>22</sup> or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.<sup>23</sup>

The Act also requires specified questions to be considered during the review process.<sup>24</sup> In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.<sup>25</sup> If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.<sup>26</sup>

### **Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program**

Sheriffs are required to assist district school boards, charter school governing boards, and private schools in exercising options for safe-school officers. A sheriff is required to provide access to a Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises.<sup>27</sup>

A sheriff who establishes a Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program is required to consult with the Florida Department of Law Enforcement (FDLE) on programmatic guiding principles, practices, and resources, and certify as school guardians, school employees who:<sup>28</sup>

---

<sup>21</sup> Section 119.15(6)(b)1., F.S.

<sup>22</sup> Section 119.15(6)(b)2., F.S.

<sup>23</sup> Section 119.15(6)(b)3., F.S.

<sup>24</sup> Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

<sup>25</sup> See generally s. 119.15, F.S.

<sup>26</sup> Section 119.15(7), F.S.

<sup>27</sup> Section 30.15(1)(k), F.S.

<sup>28</sup> Section 30.15(1)(k)2., F.S.



- Hold a license to carry a concealed weapon or concealed firearm.
- Complete a 144-hour training program, consisting of 12 hours of certified nationally recognized diversity training and 132 total hours of comprehensive firearm safety and proficiency training conducted by Criminal Justice Standards and Training Commission-certified instructors.
- Pass a psychological evaluation.
- Submit to and pass an initial drug test and subsequent random drug tests.
- Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis.

The sheriff who conducts the guardian training is required to issue a school guardian certificate to individuals who meet these requirements and maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each school guardian certified by the sheriff.<sup>29</sup>

### **Safe-School Officer Requirement**

Florida law requires each district school board and school district superintendent to partner with law enforcement and security agencies to establish or assign one or more safe-school officers at each school facility within the district by implementing one or more safe-school officer options which best meet the needs of the school district and charter schools. These options include:<sup>30</sup>

- Establishing a School Resource Officer (SRO) program through a cooperative agreement with law enforcement agencies. SROs are certified law enforcement officers.
- Commissioning one or more school safety officers. School safety officers are certified law enforcement officers who are employed by either a law enforcement agency or by the district school board.
- Participating in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program.
- Contracting with a security agency to employ as a school security guard an individual who holds a Class “D” and Class “G” license and completes the same training and evaluation requirements as a school guardian.

Additionally, a private school may partner with a law enforcement agency or a security agency to establish or assign one or more safe-school officers.<sup>31</sup>

There are currently 49 counties that are participating in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program.<sup>32</sup> The FDLE is not directly involved with the training or tracking of persons appointed as school guardians. The responsibility is assigned to the sheriff’s office in each county that certifies school guardians.<sup>33</sup>

---

<sup>29</sup> Section 30.15(1)(k), F.S.

<sup>30</sup> Section 1006.12, F.S.

<sup>31</sup> Section 1006.12(18)(a), F.S.

<sup>32</sup> Florida Department of Education, *Chris Hixon, Coach Aaron Feis, & Coach Scott Beigel Guardian Program*, <https://www.fldoe.org/safe-schools/guardian-program.stml> (last visited Feb. 1, 2024).

<sup>33</sup> Florida Department of Law Enforcement, *2024 FDLE Legislative Bill Analysis for HB 1473* (Jan. 29, 2024) at 2.

**SB 1356 School Safety (2024)**

SB 1356 (2024), to which this bill is linked, adds requirements for sheriffs and employers of school guardians to report the name, date of birth, and appointment beginning and end dates to the FDLE. SB 1356 requires the FDLE to maintain a list that includes school guardians, the reported information, and employment status, and remove from the list guardians with expired training.

**III. Effect of Proposed Changes:**

SPB 7056, which is linked to the passage of SB 1356 (2024), amends s. 30.15, F.S., to create an exemption from public records requirements for any information held by the Florida Department of Law Enforcement (FDLE) or a law enforcement agency, school district, or charter school and reported to the FDLE as required under the provisions included in SB 1356 that would identify an individual who has been certified to serve as a school guardian. This public record exemption supports the existing public record exemption for information that is held by a law enforcement agency, school district, or charter school that would identify whether a particular individual has been appointed as a safe-school officer at a public school, charter school, or private school. The list, required to be maintained by the FDLE under SB 1356, if not protected, could identify a school guardian.

The bill provides the public record exemption is a public necessity because disclosure of the identity of a school guardian could affect his or her ability to adequately respond to an active assailant situation. Specifically, the bill provides that it is a public necessity that any information held by the FDLE, any district school board, charter school governing board, or sheriff that may identify whether a particular person is or has been certified or appointed as a school guardian be made exempt from s. 119.07(1), F.S., and s. 24(a), Article I of the State Constitution.

The bill provides that school security and student safety are fundamental priorities in the state and that the safety of people serving or who have served as school guardians is also an important priority in the state. The bill states that school guardians serve a critical role as safe-school officers and first responders, and their presence on school grounds serves as a deterrent against incidents threatening the lives of students and school personnel.

The bill further specifies that disclosure of the identity of school guardians, whether there is a school guardian on a school campus, and the number of school guardians on any school campus may compromise their safety and adversely affect their ability to adequately respond to an active assailant incident. The bill provides that it is necessary to protect the identity of school guardians from public records requirements in order to effectively and efficiently implement the purpose and intent of a school guardian program.

The public records exemption established in the bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

The bill will become effective on the same date that SB 1356 (2024) 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 information that would identify an individual who has been certified to serve as a school guardian, thus, the bill requires a two-thirds vote to be enacted.

###### **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 that would identify an individual who has been certified to serve as a school guardian. This bill exempts only information held by the Florida Department of Law Enforcement (FDLE) or a law enforcement agency, school district, or charter school and reported to FDLE as required by SB 1356 that would identify an individual who has been certified to serve as a school guardian from the public records requirements. 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 substantially amends section 30.15 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.

FOR CONSIDERATION By the Committee on Education Pre-K -12

581-02720-24

20247056pb

A bill to be entitled

An act relating to public records; amending s. 30.15, F.S.; providing that certain information relating to school guardians which is held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school pursuant to a specified provision is exempt from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Subsection (6) is added to section 30.15, Florida Statutes, to read:

30.15 Powers, duties, and obligations.—

(6) (a) Any information held by the Department of Law Enforcement or a law enforcement agency, school district, or charter school pursuant to subparagraph (1)(k)3. which would identify an individual who has been certified to serve as a school guardian is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that any information held by the Department of Law Enforcement or a law enforcement agency, school district, or

Page 1 of 2

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

581-02720-24

20247056pb

charter school pursuant to subparagraph s. 30.15(1)(k)3. which would identify an individual who has been certified to serve as a school guardian is exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. School security and student safety are fundamental priorities in this state as is the safety of people serving or who have served as school guardians. School guardians serve a critical role as safe-school officers and first responders, and their presence on school grounds serves as a deterrent against incidents threatening the lives of students and school personnel. Disclosure of the identity of school guardians, whether a school guardian is present on a school campus, and the number of school guardians on any school campus may compromise their safety and adversely affect their ability to adequately respond to an active assailant incident. Accordingly, it is necessary to protect the identity of school guardians from public records requirements in order to effectively and efficiently implement the purpose and intent of school guardian programs.

Section 3. This act shall take effect on the same date that SB 1356 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Page 2 of 2

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

# CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Education Pre-K -12 Committee

Judge:

Started: 2/6/2024 8:32:30 AM

Ends: 2/6/2024 10:33:06 AM

Length: 02:00:37

8:32:28 AM Meeting called to order, roll call  
8:32:50 AM Quorum is present  
8:32:53 AM Chair Simon makes opening remarks  
8:33:10 AM Tab 4, SB 1396- Security for Jewish Day Schools and Preschools by Senator Gruters  
8:33:15 AM Senator Gruters explains the bill  
8:34:14 AM Questions:  
8:34:15 AM Senator Berman  
8:34:32 AM Senator Gruters  
8:35:16 AM Senator Berman  
8:35:33 AM Senator Gruters  
8:35:45 AM Public testimony:  
8:35:54 AM Nancy Lawther, Florida PTA  
8:40:09 AM Senator Gruters waives close  
8:40:12 AM Roll call on SB 1396  
8:40:30 AM Chair Simon reports the bill  
8:40:36 AM Tab 6, SB 1264- History of Communism Task Force by Senator Collins  
8:40:44 AM Senator Collins explains the bill  
8:41:51 AM Amendment 834692  
8:42:07 AM Senator Collins explains the amendment  
8:42:28 AM Senator Collins waives close  
8:42:37 AM Chair Simon reports the amendment  
8:42:42 AM Back on SB 1264 as amended  
8:42:49 AM Senator Jones  
8:42:49 AM Questions:  
8:43:21 AM Senator Collins  
8:44:16 AM Senator Jones  
8:44:47 AM Senator Collins  
8:45:17 AM Senator Jones  
8:45:33 AM Senator Collins  
8:45:46 AM Senator Jones  
8:46:06 AM Senator Collins  
8:46:35 AM Senator Jones  
8:46:48 AM Senator Collins  
8:47:17 AM Senator Jones  
8:47:53 AM Senator Collins  
8:48:39 AM Senator Berman  
8:48:58 AM Senator Collins  
8:49:28 AM Public testimony:  
8:49:36 AM Victoria Hernandez  
8:50:49 AM Debate:  
8:50:50 AM Senator Osgood  
8:52:36 AM Senator Calatayud  
8:53:22 AM Senator Collins closes on the bill  
8:55:41 AM Roll call on SB 1264  
8:55:58 AM Chair Simon reports the bill  
8:56:05 AM Tab 2, SB 786- Youth Conflict Resolution and Peer Mediation Pilot Program by Senator Powell  
8:56:21 AM Senator Powell explains the bill  
8:57:24 AM Amendment 668286  
8:57:28 AM Senator Powell explains the amendment  
8:58:40 AM Senator Powell waives close  
8:58:46 AM Chair Simon reports the amendment  
8:58:50 AM Back on SB 786 as amended

8:58:59 AM Public testimony:  
8:59:06 AM Nancy Lawther  
9:01:05 AM Dr. John Frank, Pax Christi Florida  
9:05:07 AM Janelle Edens, Connection First Ink  
9:08:28 AM Chair Simon reads appearance cards waiving  
9:08:37 AM Senator Powell closes on the bill  
9:09:20 AM Roll call on SB 786  
9:09:37 AM Chair Simon reports the bill  
9:09:46 AM Tab 5, SB 1652- District and School Advisory Councils by Senator Burgess  
9:09:54 AM Senator Burgess explains the bill  
9:10:58 AM Public testimony:  
9:11:07 AM Marie Claire Lemon  
9:14:23 AM Chair Simon reads appearance cards waiving  
9:14:32 AM Senator Burgess closes on the bill  
9:15:17 AM Roll call on SB 1652  
9:15:33 AM Chair Simon reports the bill  
9:15:38 AM Tab 7, SPB 7056- Public Records/School Guardians by Senate Educations Pre-K -12 Committee  
9:15:49 AM Senator Calatayud explains the bill  
9:17:06 AM Roll call on SPB 7056  
9:17:21 AM Senator Simon reports the bill  
9:17:36 AM Tab 3, SB 1044- School Chaplains by Senator Grall  
9:17:45 AM Senator Grall explains the bill  
9:18:01 AM Amendment 748132  
9:18:07 AM Senator Grall explains the amendment  
9:18:23 AM Senator Berman  
9:18:23 AM Questions:  
9:18:39 AM Senator Grall  
9:18:59 AM Senator Osgood  
9:19:32 AM Senator Grall  
9:19:33 AM Senator Osgood  
9:19:35 AM Senator Grall  
9:20:03 AM Senator Grall waives close  
9:20:08 AM Chair Simon reports the amendment  
9:20:12 AM Back on SB 1044 as amended  
9:20:16 AM Senator Jones  
9:20:16 AM Questions:  
9:20:39 AM Senator Grall  
9:21:05 AM Senator Jones  
9:21:27 AM Senator Grall  
9:22:19 AM Senator Jones  
9:22:42 AM Senator Grall  
9:23:25 AM Senator Berman  
9:24:02 AM Senator Grall  
9:24:55 AM Senator Berman  
9:25:14 AM Senator Grall  
9:25:58 AM Senator Berman  
9:26:14 AM Senator Grall  
9:26:29 AM Public testimony:  
9:30:38 AM Nancy Lawther  
9:31:52 AM Dr. John Frank  
9:36:00 AM Ryan Kennedy, Florida Citizens Alliance  
9:38:18 AM Rev. James T. Golden, Council of Florida Churches Inc.  
9:47:25 AM Devon Graham  
9:49:57 AM Chair Simon reads appearance cards waiving  
9:50:23 AM Debate:  
9:50:24 AM Senator Osgood  
10:00:03 AM Senator Burgess  
10:04:14 AM Senator Jones  
10:10:57 AM Senator Berman  
10:14:31 AM Senator Yarborough  
10:18:24 AM Senator Hutson  
10:19:32 AM Senator Grall closes on the bill

**10:24:34 AM** Roll call on SB 1044  
**10:24:53 AM** Chair Simon reports the bill  
**10:24:58 AM** Tab 1, SB 530- Florida High School Athletic Association Student Eligibility Requirements by Senator DiCeglie  
**10:25:00 AM** Senator Hutson explains the bill  
**10:25:38 AM** Questions:  
**10:25:39 AM** Senator Jones  
**10:25:45 AM** Senator Hutson  
**10:25:55 AM** Senator Jones  
**10:26:03 AM** Senator Hutson  
**10:26:13 AM** Senator Jones  
**10:26:28 AM** Senator Hutson  
**10:26:46 AM** Senator Jones  
**10:27:01 AM** Senator Hutson  
**10:27:09 AM** Senator Jones  
**10:27:34 AM** Senator Hutson  
**10:27:41 AM** Senator Jones  
**10:28:00 AM** Senator Hutson  
**10:28:14 AM** Senator Jones  
**10:28:33 AM** Senator Hutson  
**10:28:39 AM** Senator Jones  
**10:28:55 AM** Senator Hutson  
**10:29:07 AM** Senator Jones  
**10:29:19 AM** Chair Simon reads appearance cards waiving  
**10:29:24 AM** Debate:  
**10:29:26 AM** Senator Jones  
**10:30:24 AM** Senator Hutson closes on the bill  
**10:31:14 AM** Roll call on SB 530  
**10:31:34 AM** Chair Simon reports the bill  
**10:31:46 AM** Senator Burgess moves to record a missed vote  
**10:32:01 AM** Senator Calatayud moves to record a missed vote  
**10:32:14 AM** Senator Yarborough moves to record a missed vote  
**10:32:56 AM** Meeting adjourned