

Tab 1	SPB 7022 by ED ; Public Records/Examination and Assessment Instruments				
Tab 4	SB 464 by Avila ; Identical to H 00409 Observance of Veterans' Day by K-12 Schools				
Tab 7	SB 1036 by Calatayud ; Similar to H 00753 School Counselors				
630296	A	S	ED, Calatayud	Delete L.17:	01/15 05:02 PM
Tab 8	SB 1136 by Calatayud ; Identical to H 01091 Dental Screenings for K-12 Students				
524620	D	S	ED, Calatayud	Delete everything after	01/15 04:46 PM
Tab 6	SB 920 by Gaetz ; Mathematics Education				
Tab 2	SB 178 by Jones ; Similar to H 01253 Athletics in Public K-12 Schools				
Tab 9	SB 1216 by Rodriguez ; Similar to H 01187 Public School Personnel Compensation				
Tab 5	SB 538 by Simon ; Physical Education				
733444	D	S	ED, Simon	Delete everything after	01/16 12:37 PM
Tab 3	SB 430 by Yarborough ; Compare to H 00147 Oaths of School Personnel				
770460	D	S	ED, Yarborough	Delete everything after	01/16 12:10 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

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

MEETING DATE: Tuesday, January 20, 2026**TIME:** 1:00—3:00 p.m.**PLACE:** Pat Thomas Committee Room, 412 Knott Building**MEMBERS:** Senator Simon, Chair; Senator Calatayud, Vice Chair; Senators Berman, Burgess, Davis, Gaetz, Osgood, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Consideration of proposed bill:			
1	SPB 7022	Public Records/Examination and Assessment Instruments; Deleting a duplicative exemption from public records requirements for certain examination and assessment instruments; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, governing the retention and disposal process for specified records; deleting a provision requiring the State Board of Education and the Board of Governors to adopt certain rules and regulations, respectively, governing access to records; extending the scheduled repeal of the exemption; providing a statement of public necessity, etc.	
2	SB 178 Jones (Similar H 1253)	Athletics in Public K-12 Schools; Requiring the Florida High School Athletic Association to adopt bylaws authorizing a coach to support the welfare of a student by using personal funds to provide certain effects to the student; requiring the coach to report such use of personal funds to the association; providing that such use of personal funds is presumed not to be an impermissible benefit, etc. ED 01/20/2026 JU RC	
3	SB 430 Yarborough (Compare H 147)	Oaths of School Personnel; Requiring specified persons employed as members of school personnel to take a specified oath before entering upon the duties of a member of the school personnel; requiring persons employed in an administrative or instructional capacity at a Florida College System institution or state university to take a specified oath before entering upon the duties of a person employed in an administrative or instructional capacity, etc. ED 01/20/2026 HE RC	

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K - 12

Tuesday, January 20, 2026, 1:00—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 464 Avila (Identical H 409)	Observance of Veterans' Day by K-12 Schools; Requiring school districts to observe Veterans' Day as a school holiday, etc. ED 01/20/2026 GO RC	
5	SB 538 Simon	Physical Education; Revising eligibility requirements for a student to participate in an interscholastic or intrascholastic extracurricular activity; deleting requirements for the Florida High School Athletic Association to facilitate a program for private school students to participate in an interscholastic or intrascholastic sport; prohibiting a school from imposing additional fees on a student who wishes to participate in extracurricular activities; providing indemnity for a school and district school board under specified circumstances, etc. ED 01/20/2026 JU RC	
6	SB 920 Gaetz	Mathematics Education; Providing requirements for mathematics pathways established by a certain workgroup; requiring the Department of Education to develop applied algebra courses; providing requirements for the applied algebra courses; requiring the department to collaborate with the Board of Governors of the State University System to ensure the courses are accepted as mathematics credits for state university admissions, etc. ED 01/20/2026 AED FP	
7	SB 1036 Calatayud (Similar H 753)	School Counselors; Providing that school counselors are exempt from specified certification requirements, unless required for employment by a school district, etc. ED 01/20/2026 AED RC	

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K - 12

Tuesday, January 20, 2026, 1:00—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SB 1136 Calatayud (Identical H 1091)	Dental Screenings for K-12 Students; Authorizing specified dental screenings to be performed on K-12 students after written parental notification of such services is provided and the student's parents are given specified opportunities, etc. ED 01/20/2026 HP RC	
9	SB 1216 Rodriguez (Similar H 1187, S 1720)	Public School Personnel Compensation; Providing that cost-of-living adjustments are for employees with direct student contact; deleting a limitation on such adjustments; deleting certain limitations for salary adjustments under the performance salary schedule, etc. ED 01/20/2026 AED AP	
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: SPB 7022

INTRODUCER: For consideration by the Education Pre-K - 12 Committee

SUBJECT: Public Records/Examination and Assessment Instruments

DATE: January 16, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck		Pre-meeting

I. Summary:

SPB 7022 expands the public records exemption for examination and assessment instruments by adding public schools, district school boards, university boards of trustees, the State Board of Education, and the Board of Governors as additional records custodians, beyond Florida College System institutions, state universities, and the Department of Education. The bill also repeals a duplicative exemption and provides that the exemption may not be construed to limit student and parent rights relating to student records and education records.

The bill narrows and clarifies rulemaking and regulation authority by revising the duties of the State Board of Education and the Board of Governors from currently adopting provisions governing access, maintenance, and destruction of exempt examination and assessment instruments to adopting rules and regulations limited to establishing retention schedules and disposal processes for those exempt records.

The bill extends the scheduled repeal of the exemption from October 2, 2026, to October 2, 2031. If the bill does not become law, the exemption is scheduled to stand repealed on October 2, 2026. Because the bill expands an existing public records exemption, it requires a two-thirds vote of the members present and voting for final passage.

The bill takes effect upon becoming a law.

II. Present Situation:

Public Records Law

The State Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ This applies to the official business

¹ FLA. CONST. art. I, s. 24(a).

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.²

Chapter 119, F.S., known as the Public Records Act, constitutes the main body of public records laws.³ The Public Records Act states that:

[i]t is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.⁴

The Public Records Act typically contains general exemptions that apply across agencies. Agency- or program-specific exemptions often are placed in the substantive statutes relating to that particular agency or program.

The Public Records Act does not apply to legislative or judicial records.⁵ Legislative records are public pursuant to s. 11.0431, F.S. Public records exemptions for the Legislature are codified primarily in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.

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

[a]ll 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 connection 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 which are used to “perpetuate, communicate, or formalize knowledge of some type.”⁶

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

Only the Legislature may create an exemption to public records requirements.⁹ An exemption must be created by general law and must specifically state the public necessity justifying the

² *Id.*; see also *Sarasota Citizens for Responsible Gov’t v. City of Sarasota*, 48 So. 3d 755, 762-763 (Fla. 2010).

³ Public records laws are found throughout the Florida Statutes.

⁴ Section 119.01(1), F.S.

⁵ *Locke v. Hawkes*, 595 So. 2d 32, 34 (Fla. 1992); *Times Pub. Co. v. Ake*, 660 So. 2d 255 (Fla. 1995).

⁶ *Shevin v. Byron, Harless, Schaffer, Reid & Assoc.*, 379 So. 2d 633, 640 (Fla. 1980).

⁷ Section 119.07(1)(a), F.S.

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

⁹ FLA. CONST. art. I, s. 24(c).

exemption.¹⁰ Further, the exemption must be no broader than necessary to accomplish the stated purpose of the law. A bill enacting an exemption may not contain other substantive provisions¹¹ and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.¹²

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*.¹³ 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.¹⁴ Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.¹⁵

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act (the Act), prescribe a legislative review process for newly created or substantially amended public records or open meetings exemptions,¹⁶ with specified exceptions.¹⁷ The Act requires the repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment; in order to save an exemption from repeal, the Legislature must reenact the exemption or repeal the sunset date.¹⁸ In practice, many exemptions are continued by repealing the sunset date, rather than reenacting the exemption.

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.¹⁹ An exemption serves an identifiable purpose if the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption and it meets one of the following purposes:

- It allows the state or its political subdivision to effectively and efficiently administer a program, and administration would be significantly impaired without the exemption;²⁰
- It protects sensitive, personal information, the release of which would be defamatory or would jeopardize an individual’s safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;²¹ or

¹⁰ *Id.*

¹¹ The bill may, however, contain multiple exemptions that relate to one subject.

¹² FLA. CONST. art. I, s. 24(c).

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

¹⁴ *Id.*

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

¹⁶ Section 119.15, F.S. Section 119.15(4)(b), F.S., provides that an exemption is considered substantially amended if it is expanded to include more records or information or to include meetings.

¹⁷ 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.

¹⁸ Section 119.15(3), F.S.

¹⁹ Section 119.15(6)(b), F.S.

²⁰ Section 119.15(6)(b)1., F.S.

²¹ Section 119.15(6)(b)2., F.S.

- It protects information of a confidential nature concerning entities, such as trade or business secrets.²²

The Act also requires specified questions to be considered during the review process.²³ In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If, in reenacting an exemption or repealing the sunset date, the exemption is expanded, then a public necessity statement and a two-thirds vote for passage are again required.²⁴ If the exemption is reenacted or saved from repeal without substantive changes or if the exemption is 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.²⁵

Education Governance

The State Board of Education has such supervision of the system of free public education as is provided by law and is the chief implementing and coordinating body of public education in Florida except for the State University System; the State Board of Education has authority to adopt rules to implement laws conferring duties upon it.²⁶

District school boards operate, control, and supervise all free public schools in their respective districts and may exercise any power except as expressly prohibited by the State Constitution or general law.²⁷ District school boards require the district school superintendent, as secretary, to keep minutes and records necessary to set forth clearly all actions and proceedings of the school board, and the superintendent keeps such other records as may be necessary to provide complete information regarding the district school system.²⁸

Each institution within the Florida College System is governed by a local board of trustees.²⁹ Each Florida College System institution board of trustees is constituted as a body corporate and is vested with responsibility to govern the institution and make cost-effective policy decisions appropriate to the institution's mission.³⁰

²² Section 119.15(6)(b)3., F.S.

²³ 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?

²⁴ FLA. CONST. art. I, s. 24(c).

²⁵ Section 119.15(7), F.S.

²⁶ FLA. CONST. art. IX, s. 2; s. 1001.02(1), F.S.

²⁷ FLA. CONST. art. IX, s. 4(b); s. 1001.32(2), F.S.

²⁸ Section 1001.42(1), F.S.; s. 1001.51(3), F.S.

²⁹ Section 1001.60(3), F.S.

³⁰ Sections 1001.63 and 1001.64(1)-(2), F.S.

The Board of Governors has authority to regulate the State University System and may adopt regulations when expressly authorized or required by law.³¹ Each local constituent university is administered by a university board of trustees.³²

Confidentiality of Assessment Instruments

The public record exemption under review protects all examination or assessment instruments, including developmental materials and workpapers directly related thereto, which are prepared by, prescribed, or administered by a Florida College System institution, a state university, or the Department of Education.³³ In addition, the exemption specifically protects from disclosure the following types of examinations and assessments:³⁴

- Statewide student assessment programs for public schools and the coordinated screening and progress monitoring system (ss. 1008.22 and 1008.25, F.S.).
- Educator certification examinations and assessments (s. 1012.56, F.S.).
- English language examinations and assessments for public schools (s. 1003.56, F.S.).
- Assessments prescribed for students in Department of Juvenile Justice Education programs (s. 1003.52, F.S.).
- Florida Civic Literacy Exam (s. 1007.25, F.S.)
- Examinations and assessments given under the Florida Partnership for Minority and Underrepresented Student Achievement, which include the PSAT/NMSQT, CLT10, and PreACT (s. 1007.35, F.S.).

Provisions governing access, maintenance, and destruction of such instruments and related materials are required to be prescribed by rules of the State Board of Education and the Board of Governors, as applicable.³⁵

This exemption is subject to the Open Government Sunset Review Act and will be repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.³⁶

Open Government Sunset Review Findings and Recommendations

In August 2025, the Senate Education Pre-K – 12 Committee and the House Government Operations Subcommittee jointly sent an Open Government Sunset Review questionnaire to the 12 institutions of the State University System, the 28 institutions of the Florida College System, and 67 school districts. The survey sought information regarding the need to maintain the exemption related to examination and assessment instruments.

All of the respondents recommended that the exemption remain in effect to maintain the integrity of examination and assessment instruments. Several school districts reported spending funds to

³¹ FLA. CONST. art. IX, s. 7; s. 1001.706(1)(a)-(b), F.S.

³² FLA. CONST. art. IX, s. 7(c); s. 1001.71(1), F.S.

³³ Section 1008.23(2)(a), F.S.

³⁴ Section 1008.23(1), F.S.

³⁵ Section 1008.23(1) and (2)(b), F.S.

³⁶ Section 1008.23(3), F.S.

develop assessments used to evaluate teachers and students and requested that the exemption also apply to examination and assessment instruments prepared by a district school board.

Student and Parent Rights Regarding Education Records

Student and parent rights with respect to education records created, maintained, or used by public educational institutions and agencies are protected in accordance with the Family Educational Rights and Privacy Act (FERPA), the implementing regulations, and Florida law.³⁷ Compliance with FERPA is tied to the eligibility of public educational institutions and agencies to receive federal funds and participate in federal programs.³⁸

Test instruments or question booklets that do not identify a student and do not contain personally identifiable information are not education records subject to FERPA access provisions.³⁹ Completed test instruments or question booklets that contain information identifying a particular student constitute education records subject to FERPA. When an answer sheet is separate from a question booklet that is not directly related to a student, the answer sheet generally constitutes the education record. When a question booklet includes both the questions and the student's responses, the booklet constitutes an education record.⁴⁰

III. Effect of Proposed Changes:

SPB 7022 revises s. 1008.23(2)(a), F.S., to provide that all examination and assessment instruments, including developmental materials and workpapers directly related thereto, are confidential and exempt from public records inspection and copying requirements when held by any of the following entities, rather than when such instruments are prepared, prescribed, or administered by a Florida College System institution, a state university, or the Department of Education:

- A public school.
- A district school board.
- A Florida College System institution.
- A state university.
- A board of trustees.
- The Department of Education.
- The State Board of Education.
- The Board of Governors.

The bill deletes the duplicative exemption in s. 1008.23(1), F.S., that applied only to examination and assessment instruments prepared, prescribed, or administered pursuant to specified statutes, including provisions relating to statewide student assessment, student progression, and educator certification examinations.

³⁷ Section 1002.22(2), F.S.

³⁸ Section 1002.22(2), F.S.

³⁹ U.S. Department of Education, Student Privacy Policy Office, *Letter to Britt Silver, Esq., Ingermann Smith, L.L.P., re: Test Protocols and FERPA* (Aug. 7, 1998), available at https://studentprivacy.ed.gov/sites/default/files/resource_document/file/Letter_to_Attorney_in_New_York_Regarding_Test_Protocols_and_FERPA_August1998.pdf, at 2.

⁴⁰ *Id.*

Retention Schedules and Disposal Process

The bill requires the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, establishing retention schedules and a disposal process for the exempt records. The bill deletes language requiring rules and regulations governing “access, maintenance, and destruction” of the instruments and related materials.

Authorized and Required Disclosures of Exempt Information

The bill authorizes any covered entity to disclose confidential and exempt instruments and related materials to any other covered entity. The bill also requires a public school, district school board, Florida College System institution, or state university to provide the confidential and exempt information to the Department of Education, the State Board of Education, or the Board of Governors upon request.

Construction of Student and Parent Rights

The bill provides that the exemption may not be construed to limit, abridge, or infringe student and parent rights regarding student records and education records under state law.

Open Government Sunset Review Public Necessity

The bill extends the scheduled repeal of the exemption from October 2, 2026, to October 2, 2031.

The bill includes a public necessity statement finding that disclosure would facilitate cheating and academic dishonesty, compromise the validity and reliability of assessments, and undermine the fair measurement of student learning and program effectiveness.

The bill takes effect upon becoming a 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 expands the exemption for records relating to certain examinations and assessments, 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:

- Prevent cheating and academic dishonesty by maintaining the confidentiality of examination and assessment instruments and related secure materials.
- Protect the validity and reliability of examinations and assessments by preventing public disclosure of test items, prompts, answer keys, scoring rubrics, item specifications, and related developmental materials and workpapers.
- Preserve fair measurement of student learning and program effectiveness through secure administration of recurring assessments.
- Avoid significant public expenditures that would be required to replace compromised instruments and rebuild secure item banks.

This bill exempts from public inspection and copying requirements only examinations and assessments, including developmental materials and workpapers directly related thereto, which are held by a district school board, Florida College System institution, a state university, or the Florida Department of Education. 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 1008.23 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

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

581-01841-26

20267022pb

A bill to be entitled

An act relating to public records; amending s. 1008.23, F.S.; deleting a duplicative exemption from public records requirements for certain examination and assessment instruments; expanding an exemption from public records requirements for examination and assessment instruments to include such instruments when held by certain entities; requiring the State Board of Education and the Board of Governors to adopt rules and regulations, respectively, governing the retention and disposal process for specified records; deleting a provision requiring the State Board of Education and the Board of Governors to adopt certain rules and regulations, respectively, governing access to records; authorizing specified entities to disclose exempt information to certain entities; requiring specified entities to disclose confidential and exempt information in certain circumstances; providing construction; extending the scheduled repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Section 1008.23, Florida Statutes, is amended to read:

1008.23 Confidentiality of assessment instruments.—

(1) ~~All examination and assessment instruments, including developmental materials and workpapers directly related thereto,~~

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~~which are prepared, prescribed, or administered pursuant to ss. 1002.69, 1003.52, 1003.56, 1007.25, 1007.35, 1008.22, 1008.25, and 1012.56 shall be confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Provisions governing access, maintenance, and destruction of such instruments and related materials shall be prescribed by rules of the State Board of Education.~~

(2) (a) All examination and assessment instruments, including developmental materials and workpapers directly related thereto, which are held prepared, prescribed, or administered by a public school, a district school board, a Florida College System institution, a state university, a board of trustees, or the Department of Education, the State Board of Education, or the Board of Governors shall be confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, establishing retention schedules and a disposal process for the records described in paragraph (a) Provisions governing access, maintenance, and destruction of the instruments and related materials identified under paragraph (a) shall be prescribed by rules of the State Board of Education and regulations of the Board of Governors, respectively.

(c) 1. An entity listed in paragraph (a) may disclose the information made confidential and exempt from public records inspection and copying requirements by this section to any other entity listed in that paragraph.

2. A public school, district school board, Florida College

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system institution, or state university must, upon request, disclose the information made confidential and exempt from public records inspection and copying requirements by this section to the Department of Education, the State Board of Education, or the Board of Governors.

(d) Nothing in this section shall be construed to limit, abridge, or infringe on the rights of students and parents with respect to student records and education records pursuant to ss. 1002.20 and 1002.22.

(2)(3) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031 ~~2026~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that examination and assessment instruments, including developmental materials and workpapers directly related thereto, which are held by a public school, a district school board, a Florida College System institution, a state university, a board of trustees, the Department of Education, the State Board of Education, or the Board of Governors be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Public schools and district school boards routinely develop, license, and administer recurring classroom, course, school, and district assessments, frequently drawing upon secure item banks and developmental materials used across schools and administrations. Public disclosure of test items, prompts, answer keys, scoring rubrics, item specifications, field-testing materials, and related developmental workpapers would enable cheating and academic

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dishonesty, compromise the validity and reliability of local assessments, undermine fair measurement of student learning and program effectiveness, and necessitate significant public expenditures to replace compromised instruments and rebuild secure item banks. The boards of trustees of Florida College System institutions and universities as well the State Board of Education and the Board of Governors oversee institutions that develop, license, and administer examinations and assessment instruments and in that role receive such information, which, if made public, would enable cheating and academic dishonesty, compromise the validity and reliability of examinations and assessments, undermine fair measurement of student learning and program effectiveness, and necessitate significant public expenditures to replace compromised instruments and rebuild secure item banks. As such, the Legislature finds that the harm that may result from the release of such examination and assessment instruments outweighs any public benefit that may be derived from disclosure.

Section 3. This act shall take effect upon becoming a law.

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 464

INTRODUCER: Senator Avila

SUBJECT: Observance of Veterans' Day by K-12 Schools

DATE: January 16, 2026

REVISED: _____

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

I. Summary:

SB 464 requires each school district to observe Veterans' Day as a school holiday.

The bill is effective July 1, 2026.

II. Present Situation:

History of Veterans Day

World War I – known at the time as “The Great War” – officially ended when the Treaty of Versailles was signed on June 28, 1919, in the Palace of Versailles outside the town of Versailles, France. However, fighting ceased seven months earlier when an armistice, or temporary cessation of hostilities, between the Allied nations and Germany went into effect on the eleventh hour of the eleventh day of the eleventh month. For that reason, November 11, 1918, was generally regarded as the end of “the war to end all wars.”¹

The United States Congress officially recognized the end of World War I when it passed a resolution on June 4, 1926, recognizing the 11th of November and that the recurring anniversary of this date should be commemorated. As the legislatures of twenty-seven states had already declared November 11th to be a legal holiday the resolution requested that the President of the United States issue a proclamation calling upon officials to display the flag of the United States on all government buildings on November 11th and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies of friendly relations with all other peoples.²

¹ U.S Department of Veterans Affairs, *History of Veterans Day*, <https://department.va.gov/veterans-day/history-of-veterans-day/> (last visited January 13, 2026).

² *Id.*

In 1938, the 11th of November was designated each year as a legal holiday in an act of Congress and at that time was known as “Armistice Day,” and was primarily set aside to honor veterans of World War I. In 1954 the act was amended to replace “Armistice” with “Veterans” and became a day to honor all American Veterans of all wars.³

Veterans and Veterans’ Day in Florida

There are nearly 1.4 million veterans living in Florida as of 2023, second only to Texas with over 1.5 million veterans. Of those 1.4 million, 1.1 million are wartime veterans and 504,000 are service-connected disabled veterans. Some 692,000 Florida veterans are aged 65 or older.⁴

Florida law designates Veterans’ Day (November 11th) as one of numerous legal holidays to be observed in the state and provides that if a legal holiday falls on a Sunday that the following Monday will be considered the legal holiday.⁵ Florida law also designates November as “Veterans Appreciation Month” and allows the governor to issue an annual proclamation designating the observance and encouraging counties, municipalities, public schools and residents to create special programs and events to show appreciation the veterans who have served the United States.⁶

Florida law also designates Veterans’ Day on November 11th as a paid holiday for all state branches and agencies and stipulates that if the observance falls on a Saturday that the preceding Friday will be observed as the holiday and if the observance falls on a Sunday, the following Monday will be observed as the holiday.⁷

Florida district school boards are charged with setting the opening and closing of schools within each district and designating the observance of school holidays and vacation periods.⁸ For the 2025-2026 school year, 44 of 67 geographic school districts observed Veterans’ Day as a holiday while 11 of 13 special districts (e.g., the Florida Virtual School and laboratory schools) also observed the holiday.⁹

III. Effect of Proposed Changes:

SB 464 modifies s. 1002.42, F.S., to require that each school district observe Veterans’ Day as a school holiday.

³ U.S Department of Veterans Affairs, *History of Veterans Day*, <https://department.va.gov/veterans-day/history-of-veterans-day/> (last visited January 13, 2026).

⁴ Florida Department of Veterans’ Affairs, *Fast Facts*, <https://floridavets.org/our-veterans/profilefast-facts/> (last visited January, 13, 2026).

⁵ Section 683.01(1)(r), F.S.

⁶ Section 683.1475, F.S.

⁷ Section 110.117(1), F.S.

⁸ Section 1001.42(4)(f) and (g), F.S.

⁹ Florida Department of Education, *PK-12 Public School Data Publications & Reports: School District Calendars (2025-2026)*, <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/index.shtml> (last visited January 14, 2026).

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

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

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1001.42 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Avila

39-00583-26

2026464__

A bill to be entitled

An act relating to observance of Veterans' Day by K-12 schools; amending s. 1001.42, F.S.; requiring school districts to observe Veterans' Day as a school holiday; providing an effective date.

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

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

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

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

(g) *Observance of school holidays and vacation periods.*— Designate the observance of school holidays and vacation periods. Each school district shall observe Veterans' Day, as listed in s. 110.117(1)(f), as a school holiday.

Section 2. This act shall take effect July 1, 2026.

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 1036

INTRODUCER: Senator Calatayud

SUBJECT: School Counselors

DATE: January 16, 2026

REVISED: _____

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

I. Summary:

SB 1036 provides an exemption for individuals employed as a school counselor from the current certification requirement to demonstrate mastery of both general and subject area knowledge unless the school district requires that mastery.

The bill takes effect July 1, 2026.

II. Present Situation:

Educator Certification

Florida law requires the State Board of Education (SBE) to classify school services, designate the certification subject areas, establish competencies and certification requirements for all school-based personnel. The SBE adopts rules by which professional, temporary, and part-time certificates are issued by the Department of Education (DOE) to applicants who meet the established standards.¹ Florida law requires that each person in the following positions in any public school hold an educator certificate required by law and by rules of the SBE:²

- School supervisor;
- School principal;
- Teacher;
- Library media specialist;
- School counselor;
- Athletic coach; or
- Other positions in which the individual serves in an instructional capacity.³

¹ Section 1012.55(1)(a), F.S.

² Section 1012.55(1)(b), F.S.

³ Section 1012.55(1)(b), F.S.

The purpose of certification is to require school-based personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”⁴

The DOE issues three main types of educator certificates:

- Professional Certificate: The professional certificate is Florida’s highest type of full-time educator certification.⁵ The professional certificate is valid for five years and is renewable.⁶
- Temporary Certificate: The temporary certificate covers employment in full-time positions for which educator certification is required.⁷ An individual holding a temporary certificate must demonstrate mastery of general knowledge and professional preparation and education competence in order to apply for a professional certificate. Generally, a temporary certificate is valid for five years and is nonrenewable.⁸

Athletic Coaching Certificate: The athletic coaching certificate covers full-time and part-time employment as a public school’s athletic coach.⁹ The DOE issues two types of athletic coaching certificates – one is valid for five years and may be issued for subsequent five-year periods while the other is valid for three years and may be issued only once. The five-year certificate requires satisfaction of certain specialization requirements established in rule.¹⁰

Professional Certificate Requirements

To be eligible for a professional certificate, a person must:

- Be at least 18 years of age;
- Sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- Earn a bachelor’s or higher degree from an accredited institution of higher learning or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;
- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment;
- Be of good moral character;
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher;
- Demonstrate mastery of general knowledge;
- Demonstrate mastery of subject area knowledge; and
- Demonstrate mastery of professional preparation and education competence, if the person serves as a classroom teacher or school administrator.¹¹

⁴ Section 1012.54, F.S.

⁵ Rule 6A-4.004(5), F.A.C.

⁶ Section 1012.56(7), F.S.

⁷ Rule 6A-4.004(1), F.A.C.

⁸ Section 1012.56(7), F.S.

⁹ Section 1012.55(2), F.S.

¹⁰ Rule 6A-4.004(7), F.A.C.

¹¹ Section 1012.56(2), F.S.

Demonstrating Mastery of General Knowledge

Mastery of general knowledge may be demonstrated through any of the following methods:

- Achieving a passing score on the General Knowledge Test, which consist of subtests areas that include Essay, English Language Skills, Reading and Mathematics¹²;
- Achieving passing scores established in SBE rule on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills (e.g., the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination);
- Providing documentation of a valid professional standard teaching certificate issued by another U.S. state or territory, by the National Board for Professional Teaching Standards (NBPTS), or by the American Board for Certification of Teacher Excellence (ABCTE);
- Completing two semesters of successful, part-time or full-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution identified by the DOE as having a quality program;
- Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination and the SAT, ACT, and Classic Learning Test, or
- Documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.¹³

Demonstrating Mastery of Subject Area Knowledge

Mastery of subject area knowledge may be demonstrated through any of the following methods:

- Bachelor's Degree Level (for certification in a subject area for which SBE rule requires a bachelor's or higher degree):
 - If a Florida subject area examination has been developed, achieving a passing score on the Florida-developed subject area examination specified in SBE rule¹⁴ or documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified in SBE rule.
 - If a Florida subject area examination has not been developed, achieving a passing score on a standardized examination specified in SBE rule, including passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages or successful completion of a United States Defense Language Institute Foreign Language Center program or a passing score on the Defense Language Proficiency Test.

¹² Florida Department of Education, Competencies and Skills Required for Teacher Certification in Florida, (2025) see page 214, available at: <https://www.fldoe.org/core/fileparse.php/7479/urlt/FTCE28thEdition22Rule.pdf>.

¹³ Section 1012.56(3), F.S.

¹⁴ Note: The Competencies and Skills Required for Teacher Certification in Florida (2025), Twenty-Eighth Edition, includes the subject area examination for School Counseling PK-12.

- For certification in any other subject area for which there is no Florida subject area test or standardized examination specified in state board rule (e.g., Dance), completing the required bachelor's or higher degree and content courses specified in SBE rule and verification of subject area competence by the district school superintendent or, for a state-supported or private school, the school's chief administrative officer.
- Master's Degree Level (for certification in a subject area for which SBE rule requires a master's or higher degree): Completing the required master's or higher degree and content courses specified in SBE rule and achieving a passing score on the corresponding Florida-developed subject area test or standardized examination specified in SBE rule.
- Out-of-State Certification: Providing documentation of a valid professional standard teaching certificate issued for a subject area by another U.S. state or territory or by NBPTS or ABCTE, if the certificate is comparable to the Florida professional certificate issued for the same subject area.¹⁵

Educator Certification Examination Fees

The DOE sets registration fees for the various exams required for educator certification, including initial registration and retakes. For the general knowledge exam, the initial registration fee is \$130.00 for the full battery of four subjects. An individual is able to retake the general knowledge exam by subtest with the retake registration fees being the following:

- One subtest - \$32.50;
- Two subtests - \$65.00;
- Three subtests - \$97.50;
- Full battery retake - \$130.00.

For subject area examinations and the professional educational test, the initial and retake registration fee is \$150.00.¹⁶

Current law and rule provide for several fee waivers including the Military Testing Fee Waiver, Retired First Responder Fee Waiver,¹⁷ and Exceptional Student Education K–12/Elementary Education K–6 Waivers.¹⁸

Specific Requirements for School Counseling Certification

Florida Law provides multiple pathways to better enable students enrolled in postsecondary school counseling program to enter the workforce as certified school counselors.¹⁹ SBE rules outline three plans for specialized requirements for certification in school counseling in addition to the basic requirements for certification, as follows:

- Plan one consists of a master's or higher degree with a graduate major in guidance and counseling or school counseling that includes a minimum of 600 clock hours of supervised internship serving school-aged students in a prekindergarten, an elementary or a secondary school setting.²⁰

¹⁵ Section 1012.56(5), F.S.

¹⁶ Rule 6A-4.0021(4), F.A.C.

¹⁷ Section 1012.59(3), F.S.

¹⁸ Section 1012.59(4), F.S.

¹⁹ Section 1004.0982, F.S.

²⁰ Rule 6A-4.0181(1), F.A.C.

- Plan two consists of a master's or higher degree with a graduate major in counseling other than guidance and counseling or school counseling as specified in plan one that includes a minimum of 600 clock hours of supervised internship with school-aged children and their families with at least 9 semester hours of graduate credit to include the following areas:
 - Student appraisal and evaluation methods in prekindergarten, elementary and secondary schools;
 - College and career planning for prekindergarten, elementary and secondary school students including college and career exploration and knowledge of financial aid and financing of postsecondary education options;
 - Principles, philosophy, organization and administration of a comprehensive school counseling program in prekindergarten, elementary and secondary schools; and
 - Consultation skills and techniques for conferring with groups such as agencies, teachers and parents.²¹
- Plan three consists of a master's or higher degree with a graduate major in school counseling that includes a minimum of 300 clock hours of supervised internship serving school-aged students in a prekindergarten, elementary or secondary school setting if the applicant:
 - Is a current full-time teacher;
 - Has been employed as a teacher for at least 5 school years; and
 - Has earned an effective or highly effective rating under Section 1012.34, F.S., on his or her performance evaluation for the most recent 3 years the teacher was employed in a Florida public school.²²

III. Effect of Proposed Changes:

The bill amends section 1012.55, F.S., to exempt school guidance counselors from the demonstration of mastery of both general knowledge and subject area knowledge requirements for educator certification.

The bill is effective on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²¹ Rule 6A-4.0181(2), F.A.C.

²² Rule 6A-4.0181(4), F.A.C.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

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

VI. Technical Deficiencies:

The bill exempts school counselors from general and subject area knowledge requirements unless “required for employment by the school district.” This provision seems to indicate that if a school district required those elements for employment, then they would be included in the requirements for certification. The sponsor may consider amending the bill to clarify the language related to school district employment requirements.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1012.55 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.



630296

LEGISLATIVE ACTION

Senate

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House

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

Senate Amendment

Delete line 17
and insert:
knowledge. Such exemption does not preclude a school district
from requiring the person to demonstrate mastery of general and
subject area knowledge as a condition of employment.

By Senator Calatayud

38-01294-26

20261036__

A bill to be entitled

An act relating to school counselors; amending s.
1012.55, F.S.; providing that school counselors are
exempt from specified certification requirements,
unless required for employment by a school district;
providing an effective date.

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

Section 1. Present subsection (6) of section 1012.55,
Florida Statutes, is redesignated as subsection (7), and a new
subsection (6) is added to that section, to read:

1012.55 Positions for which certificates required.—

(6) A person employed as a school counselor is exempt from
the educator certification requirements in s. 1012.56(2)(g) and
(h), relating to the mastery of general and subject area
knowledge, unless required for employment by a school district.

Section 2. This act shall take effect July 1, 2026.

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 1136

INTRODUCER: Senator Calatayud

SUBJECT: Dental Screenings for K-12 Students

DATE: January 16, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Pre-meeting
2.			HP	
3.			RC	

I. Summary:

SB 1136 clarifies that a dental screening included in the preventive dental program may be provided at a student's school after written notice to the student's parent and a reasonable opportunity for the parent to deny consent or opt the student out. The bill defines "dental screening" as a limited, noninvasive visual inspection of the oral cavity and specifies that the screening does not include diagnosis or treatment, may not use instruments that penetrate tissue, and is not a comprehensive dental examination. The bill also creates a corresponding exception to the written parental consent requirement for health care services to minors for such dental screenings.

The bill takes effect July 1, 2026.

II. Present Situation:

Oral Health Need and School-Based Preventive Programs

Statewide school-based oral health surveillance of Florida public-school students reflects measurable levels of untreated decay and treatment need. Among third grade students, 29.3 percent have untreated decay; 36.9 percent have at least one dental sealant; 27.8 percent have early dental treatment needs; and 1.7 percent have urgent dental treatment needs.¹ Among ninth grade students, 20.7 percent have untreated decay; 29.2 percent have at least one dental sealant; 18.6 percent have early dental treatment needs; and 2.7 percent have urgent dental treatment needs.²

¹ Florida Department of Health, *Oral Health Status of Florida's Third Grade Students, 2021–2022* (report), available at <https://www.astdd.org/www/docs/florida-3rd-grade-2021-2022.pdf>, at 6, 11.

² Florida Department of Health, *Oral Health Status of Florida's Ninth Grade Students, 2025* (report), available at <https://www.floridahealth.gov/wp-content/uploads/2026/01/oral-health-status-florida-ninth-grade-students-2025-1.pdf>, at 6, 9.

County health departments administer school-based sealant programs that offer preventive dental services, which may include screenings or assessments, fluoride varnish, dental sealants, and referrals; 42 counties provide school-based services, with programs focusing on children at high risk of cavities and those less likely to access dental care.³ National evidence reviews identify school-based dental sealant delivery programs as increasing sealant receipt and reducing tooth decay, with economic evidence indicating benefits can exceed costs when implemented in schools serving children at high risk for cavities.⁴ Centers for Disease Control (CDC) materials similarly report that school sealant programs can reduce treatment costs (including reporting savings per sealed tooth) when targeted to children at high risk for tooth decay.⁵

School Health Services Program

Each school health services plan developed jointly by the county health department and district school board is required to include a preventive dental program.⁶ The plan includes a range of health services, including health appraisal, records review, nurse assessment, nutrition assessment, and health counseling, and screenings for vision, hearing, scoliosis, and growth and development.⁷

“Screening” means presumptive identification of unknown or unrecognized diseases or defects by the application of tests that can be given with ease and rapidity to apparently healthy persons.⁸

“Invasive screening” means any screening procedure in which the skin or any body orifice is penetrated.⁹

Participating nonpublic schools inform parents at the beginning of each school year that students will receive specified health services under the district health services plan, and a student is exempt from any of those services if the parent requests an exemption in writing.¹⁰ That notice provision is not construed to authorize invasive screening, and written parental consent is obtained before an invasive screening is performed.¹¹

District schools inform parents at the beginning of each school year that students will receive specified health services under the district health services plan, and a student is exempt from any of those services if the parent requests an exemption in writing.¹² That notice provision is not

³ Florida Department of Health, *School-Based Sealant Programs*, <https://www.floridahealth.gov/individual-family-health/dental-health/school-based-sealant-programs/> (last visited Jan. 14, 2026).

⁴ The Community Guide, *Dental Caries (Cavities): School-Based Dental Sealant Delivery Programs (findings summary and economic evidence)*, <https://www.thecommunityguide.org/findings/dental-carries-cavities-school-based-dental-sealant-delivery-programs.html> (last visited Jan. 14, 2026).

⁵ Centers for Disease Control and Prevention, *Return on Investment: School Sealant Programs* (infographic text), <https://www.cdc.gov/oral-health/php/infographics/roi-school-sealant.html> (last visited Jan. 14, 2026).

⁶ Section 381.0056(4)(a)5., F.S.

⁷ Section 381.0056(4)(a)1.-10., F.S.

⁸ Section 381.0056(2)(f), F.S.

⁹ Section 381.0056(2)(c), F.S.

¹⁰ Section 381.0056(5)(g), F.S.

¹¹ Section 381.0056(5)(g), F.S.

¹² Section 381.0056(6)(e), F.S.

construed to authorize invasive screening, and written parental consent is obtained before an invasive screening is performed.¹³

Parental Rights and Consent for Health Care Services to Minors

Parents retain the right to direct the education and care of their minor children and to make health care decisions for their minor children, unless otherwise prohibited by law.¹⁴ Health care practitioners may not provide, solicit, or arrange to provide health care services or prescribe medicinal drugs to a minor child without first obtaining written parental consent, except as otherwise provided by law.¹⁵

District School Board Notice of School-Based Health Care Services

Each school district notifies parents at the beginning of the school year of each health care service offered at the student's school and the option to withhold consent or decline any specific service in accordance with requirements for parental consent for health care services. Parental consent to a health care service does not waive the parent's right to access the student's educational or health records or to be notified about a change in the student's services or monitoring.¹⁶

III. Effect of Proposed Changes:

SB 1136 clarifies that a dental screening included in the preventive dental program may be provided at a student's school after written notice to the student's parent and a reasonable opportunity for the parent to deny consent or opt the student out. The bill defines "dental screening" as a limited, noninvasive visual inspection of the oral cavity and specifies that the screening does not include diagnosis or treatment, may not use instruments that penetrate tissue, and is not a comprehensive dental examination. The bill also creates a corresponding exception to the written parental consent requirement for health care services to minors for such dental screenings.

District School Board Parent Notification of School-Based Health Care Services

The bill amends s. 1001.42, F.S., to clarify that a preventive dental program dental screening may be provided at a student's school after written notice to the student's parent and a reasonable opportunity for the parent to deny consent or opt the student out of the screening.

Definition and Scope of Dental Screening

The bill defines "dental screening" as a limited, noninvasive visual inspection of the oral cavity to identify obvious signs of dental disease or abnormality. The bill provides that a dental screening does not include diagnosis or treatment, may not use instruments that penetrate tissue, and does not constitute a comprehensive dental examination.

¹³ Section 381.0056(6)(e), F.S.

¹⁴ Section 1014.04(1)(a), (e), F.S.

¹⁵ Section 1014.06(1), F.S.

¹⁶ Section 1001.42(8)(c)5., F.S.

Parental Consent for Health Care Services

The bill amends s. 1014.06, F.S., to authorize a preventive dental program dental screening for a public school student after written notice to the student's parent and a reasonable opportunity for the parent to deny consent or opt the student out of the screening.

The bill takes effect July 1, 2026.

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:

The bill appears to provide that a parent may opt his or her student out of dental screenings, but the use of the phrase "deny consent" alongside "opt his or her student out" may be read to suggest an affirmative consent (opt-in) framework, creating ambiguity regarding implementation.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.42 and 1014.06.

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.



524620

LEGISLATIVE ACTION

Senate

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House

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present paragraphs (a) through (f) of subsection (2) of section 381.0056, Florida Statutes, are redesignated as paragraphs (b) through (g), respectively, a new paragraph (a) is added to that subsection, and paragraph (g) of subsection (5) and paragraph (e) of subsection (6) of that section are amended, to read:



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381.0056 School health services program.—

(2) As used in this section, the term:

(a) “Dental screening” means a limited, noninvasive visual inspection of the mouth and oral cavity for the purpose of identifying obvious signs of dental disease or abnormality. The term does not include the diagnosis or treatment of a dental disease or abnormality or the use of instruments that penetrate tissue, and may not be construed as a comprehensive dental examination. A dental screening is not an invasive screening as defined in paragraph (d).

(5) A nonpublic school may request to participate in the school health services program. A nonpublic school voluntarily participating in the school health services program shall:

(g) At the beginning of each school year, inform parents or guardians in writing that their children who are students in the school will receive specified health services as provided for in the district health services plan. A student will be exempt from any of these services if his or her parent or guardian requests such exemption in writing. A dental screening that is part of the preventive dental program required under subparagraph (4)(a)5. may be provided to a student after the written notice required by this paragraph and a reasonable opportunity for the parent or guardian to request such exemption in writing. This paragraph may ~~shall~~ not be construed to authorize invasive screening; if there is a need for such procedure, the consent of the student’s parent or guardian must ~~shall~~ be obtained in writing before ~~prior to~~ performing the screening. However, the laws and rules relating to contagious or communicable diseases and sanitary matters may ~~shall~~ not be violated.



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(6) The district school board shall:

(e) At the beginning of each school year, inform parents or guardians in writing that their children who are students in the district schools will receive specified health services as provided for in the district health services plan. A student will be exempt from any of these services if his or her parent or guardian requests such exemption in writing. A dental screening that is part of the preventive dental program required under subparagraph (4)(a)5. may be provided to a student after the written notice required by this paragraph and a reasonable opportunity for the parent or guardian to request such exemption in writing. This paragraph may ~~shall~~ not be construed to authorize invasive screening; if there is a need for such procedure, the consent of the student's parent or guardian must ~~shall~~ be obtained in writing before ~~prior to~~ performing the screening. However, the laws and rules relating to contagious or communicable diseases and sanitary matters may ~~shall~~ not be violated.

Section 2. Paragraph (c) of subsection (8) of section 1001.42, Florida Statutes, is amended to read:

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

(8) STUDENT WELFARE.—

(c)1. In accordance with the rights of parents enumerated in ss. 1002.20 and 1014.04, adopt procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to



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69 provide a safe and supportive learning environment for the
70 student. The procedures must reinforce the fundamental right of
71 parents to make decisions regarding the upbringing and control
72 of their children by requiring school district personnel to
73 encourage a student to discuss issues relating to his or her
74 well-being with his or her parent or to facilitate discussion of
75 the issue with the parent. The procedures may not prohibit
76 parents from accessing any of their student's education and
77 health records created, maintained, or used by the school
78 district, as required by s. 1002.22(2).

79 2. A school district may not adopt procedures or student
80 support forms that prohibit school district personnel from
81 notifying a parent about his or her student's mental, emotional,
82 or physical health or well-being, or a change in related
83 services or monitoring, or that encourage or have the effect of
84 encouraging a student to withhold from a parent such
85 information. School district personnel may not discourage or
86 prohibit parental notification of and involvement in critical
87 decisions affecting a student's mental, emotional, or physical
88 health or well-being. This subparagraph does not prohibit a
89 school district from adopting procedures that permit school
90 personnel to withhold such information from a parent if a
91 reasonably prudent person would believe that disclosure would
92 result in abuse, abandonment, or neglect, as those terms are
93 defined in s. 39.01.

94 3. Classroom instruction by school personnel or third
95 parties on sexual orientation or gender identity may not occur
96 in prekindergarten through grade 8, except when required by ss.
97 1003.42(2)(o)3. and 1003.46. If such instruction is provided in



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grades 9 through 12, the instruction must be age-appropriate or developmentally appropriate for students in accordance with state standards. This subparagraph applies to charter schools.

4. Student support services training developed or provided by a school district to school district personnel must adhere to student services guidelines, standards, and frameworks established by the Department of Education.

5. At the beginning of the school year, each school district shall notify parents of each health care service offered at their student's school and the option to withhold consent or decline any specific service in accordance with s. 1014.06. A dental screening, as defined in s. 381.0056, which is included in the preventive dental program listed in s. 381.0056(4)(a)5. may be provided in accordance with s. 381.0056.

Parental consent to a health care service does not waive the parent's right to access his or her student's educational or health records or to be notified about a change in his or her student's services or monitoring as provided by this paragraph.

6. Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the school district must provide the questionnaire or health screening form to the parent and obtain the permission of the parent.

7. Each school district shall adopt procedures for a parent to notify the principal, or his or her designee, regarding concerns under this paragraph at his or her student's school and the process for resolving those concerns within 7 calendar days after notification by the parent.

a. At a minimum, the procedures must require that within 30



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days after notification by the parent that the concern remains unresolved, the school district must either resolve the concern or provide a statement of the reasons for not resolving the concern.

b. If a concern is not resolved by the school district, a parent may:

(I) Request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years' experience in administrative law. The special magistrate shall determine facts relating to the dispute over the school district procedure or practice, consider information provided by the school district, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the school district. The State Board of Education shall adopt rules, including forms, necessary to implement this subparagraph.

(II) Bring an action against the school district to obtain a declaratory judgment that the school district procedure or practice violates this paragraph and seek injunctive relief. A court may award damages and shall award reasonable attorney fees and court costs to a parent who receives declaratory or injunctive relief.

c. Each school district shall adopt and post on its website policies to notify parents of the procedures required under this



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subparagraph.

d. Nothing contained in this subparagraph shall be construed to abridge or alter rights of action or remedies in equity already existing under the common law or general law.

Section 3. Present subsection (5) of section 1014.06, Florida Statutes, is redesignated as subsection (6), and a new subsection (5) is added to that section, to read:

1014.06 Parental consent for health care services.—

(5) This section does not apply to a dental screening, as defined in s. 381.0056(2)(a), which is part of the preventive dental program required under s. 381.0056(4)(a)5. and provided in accordance with s. 381.0056.

Section 4. This act shall take effect July 1, 2026.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to dental screenings for K-12 students; amending s. 381.0056, F.S.; defining the term "dental screening"; authorizing dental screenings provided under the school health services program to be conducted after written notice and an opportunity for a parent or guardian to opt out; amending s. 1001.42, F.S.; clarifying district school board parent notification requirements for dental screenings; amending s. 1014.06, F.S.; providing that the parental consent requirement does not apply to dental



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screenings; providing an effective date.

By Senator Calatayud

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1 A bill to be entitled
 2 An act relating to dental screenings for K-12
 3 students; amending ss. 1001.42 and 1014.06, F.S.;
 4 authorizing specified dental screenings to be
 5 performed on K-12 students after written parental
 6 notification of such services is provided and the
 7 student's parents are given specified opportunities;
 8 defining the term "dental screening"; providing an
 9 effective date.
 10
 11 Be It Enacted by the Legislature of the State of Florida:
 12
 13 Section 1. Paragraph (c) of subsection (8) of section
 14 1001.42, Florida Statutes, is amended to read:
 15 1001.42 Powers and duties of district school board.—The
 16 district school board, acting as a board, shall exercise all
 17 powers and perform all duties listed below:
 18 (8) STUDENT WELFARE.—
 19 (c)1. In accordance with the rights of parents enumerated
 20 in ss. 1002.20 and 1014.04, adopt procedures for notifying a
 21 student's parent if there is a change in the student's services
 22 or monitoring related to the student's mental, emotional, or
 23 physical health or well-being and the school's ability to
 24 provide a safe and supportive learning environment for the
 25 student. The procedures must reinforce the fundamental right of
 26 parents to make decisions regarding the upbringing and control
 27 of their children by requiring school district personnel to
 28 encourage a student to discuss issues relating to his or her
 29 well-being with his or her parent or to facilitate discussion of

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30 the issue with the parent. The procedures may not prohibit
 31 parents from accessing any of their student's education and
 32 health records created, maintained, or used by the school
 33 district, as required by s. 1002.22(2).
 34 2. A school district may not adopt procedures or student
 35 support forms that prohibit school district personnel from
 36 notifying a parent about his or her student's mental, emotional,
 37 or physical health or well-being, or a change in related
 38 services or monitoring, or that encourage or have the effect of
 39 encouraging a student to withhold from a parent such
 40 information. School district personnel may not discourage or
 41 prohibit parental notification of and involvement in critical
 42 decisions affecting a student's mental, emotional, or physical
 43 health or well-being. This subparagraph does not prohibit a
 44 school district from adopting procedures that permit school
 45 personnel to withhold such information from a parent if a
 46 reasonably prudent person would believe that disclosure would
 47 result in abuse, abandonment, or neglect, as those terms are
 48 defined in s. 39.01.
 49 3. Classroom instruction by school personnel or third
 50 parties on sexual orientation or gender identity may not occur
 51 in prekindergarten through grade 8, except when required by ss.
 52 1003.42(2)(o)3. and 1003.46. If such instruction is provided in
 53 grades 9 through 12, the instruction must be age-appropriate or
 54 developmentally appropriate for students in accordance with
 55 state standards. This subparagraph applies to charter schools.
 56 4. Student support services training developed or provided
 57 by a school district to school district personnel must adhere to
 58 student services guidelines, standards, and frameworks

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established by the Department of Education.

5. At the beginning of the school year, each school district shall notify parents of each health care service offered at their student's school and the option to withhold consent or decline any specific service in accordance with s. 1014.06. A dental screening included in the preventive dental program listed in s. 381.0056(4)(a)5. may be performed after the student's parent has been given written notice of such services and the reasonable opportunity to deny consent or opt his or her student out of such services. For purposes of this subparagraph, the term "dental screening" means a limited, noninvasive visual inspection of the oral cavity, performed for the purpose of identifying obvious signs of dental disease or abnormality. The term does not include the diagnosis or treatment of a dental disease or abnormality or the use of instruments that penetrate tissue, and may not be construed as a comprehensive dental examination. Parental consent to a health care service does not waive the parent's right to access his or her student's educational or health records or to be notified about a change in his or her student's services or monitoring as provided by this paragraph.

6. Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the school district must provide the questionnaire or health screening form to the parent and obtain the permission of the parent.

7. Each school district shall adopt procedures for a parent to notify the principal, or his or her designee, regarding concerns under this paragraph at his or her student's school and

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the process for resolving those concerns within 7 calendar days after notification by the parent.

a. At a minimum, the procedures must require that within 30 days after notification by the parent that the concern remains unresolved, the school district must either resolve the concern or provide a statement of the reasons for not resolving the concern.

b. If a concern is not resolved by the school district, a parent may:

(I) Request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years' experience in administrative law. The special magistrate shall determine facts relating to the dispute over the school district procedure or practice, consider information provided by the school district, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the school district. The State Board of Education shall adopt rules, including forms, necessary to implement this subparagraph.

(II) Bring an action against the school district to obtain a declaratory judgment that the school district procedure or practice violates this paragraph and seek injunctive relief. A court may award damages and shall award reasonable attorney fees and court costs to a parent who receives declaratory or

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injunctive relief.

c. Each school district shall adopt and post on its website policies to notify parents of the procedures required under this subparagraph.

d. Nothing contained in this subparagraph shall be construed to abridge or alter rights of action or remedies in equity already existing under the common law or general law.

Section 2. Subsection (2) of section 1014.06, Florida Statutes, is amended to read:

1014.06 Parental consent for health care services.—

(2) Except as otherwise provided by law or a court order, a provider, as defined in s. 408.803, may not allow a medical procedure to be performed on a minor child in its facility without first obtaining written parental consent. However, for a student enrolled in a public school in the state, a dental screening included in the preventive dental program listed in s. 381.0056(4)(a)5. may be performed after the minor child's parents have been given written notice of such services and the reasonable opportunity to deny consent or opt their minor child out of such services. For purposes of this subsection, the term "dental screening" means a limited, noninvasive visual inspection of the oral cavity, performed for the purpose of identifying obvious signs of dental disease or abnormality. The term does not include the diagnosis or treatment of a dental disease or abnormality or the use of instruments that penetrate tissue, and may not be construed as a comprehensive dental examination.

Section 3. This act shall take effect July 1, 2026.

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 920

INTRODUCER: Senator Gaetz

SUBJECT: Mathematics Education

DATE: January 16, 2026

REVISED: _____

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

I. Summary:

SB 920 directs the Department of Education (DOE) to develop applied algebra courses for designated career clusters on a phased timeline for district adoption in 2027-2028 and 2028-2029, authorizes districts to offer these courses in lieu of Algebra 1 (with successful completion satisfying Algebra 1 credit requirements for graduation or middle grades promotion), requires course alignment with the Algebra I end-of-course assessment and requires coordination to ensure the courses are accepted for state university admissions, supported by professional development and implementation resources.

The bill also updates Florida's existing secondary mathematics pathways by requiring the state's pathway workgroup to incorporate newly developed applied algebra courses that align Algebra 1 standards with career and technical education expectations. The bill requires the pathways to include at least one course sequence that includes an applied algebra course tied to a specific career cluster, allows flexibility for students to move between pathways, and creates clear links from precollege math to college-level pathways and workforce-aligned programs. The bill specifies pathway identification deadlines in September 2027 and September 2028.

The bill also requires the DOE to collaborate with the University of Florida's Lastinger Center to recommend an individualized, adaptive artificial intelligence tool to support K-12 math instruction and submit recommendations by December 1, 2026.

The bill takes effect July 1, 2026.

II. Present Situation:

Student Engagement in Mathematics

Student engagement in mathematics is a persistent challenge, particularly when students struggle to connect classroom content to real-world applications. A 2025 report by RAND reviewed reasons why student performance has not recovered to the pre-2019 student performance levels and had three key findings:¹

- About one-half of middle and high school students reported losing interest during their math lessons about half or more of the time.
- The students who are the most likely to maintain interest in math are the same ones who comprehend math, feel supported in math, are confident in their ability to do well in math, enjoy math, believe in the need to learn math, and see themselves as a math person.
- The students who are the most prone to disengage in math lessons want fewer online activities and more real-world applications in their math classes.

Specifically, 55 percent of the least engaged students want fewer online activities compared with 17 percent of the most engaged students. Regarding real-world math problems, 54 percent of the least engaged students want more real-world math problems compared with 37 percent of the most engaged students.² The findings on students who are disengaged from mathematics complements other research on career and technical education, which finds that occupationally focused courses with real-world applications help engage disadvantaged students because the material is directly relevant to their future.³

Over the course of 10 weeks in the fall of 2023, the UF Lastinger Center Listening Tour team traveled from the Panhandle to the Florida Keys to listen to students, educators, leaders and policymakers and gather their perspectives on mathematics education in Florida. The Lastinger Center produced five briefs covering the following topics of mathematics education:⁴

- Student Experience
- Math Beyond High School (employers)
- Teacher Experiences
- Math Beyond the School Day (parents)
- Early Learning and Math

In the Student Experience brief, when students were asked what they would change about math class or what they wished for, students asked for opportunities to more actively engage with the mathematics content, collaborate with others, and for their mathematics experience to be fun.⁵ Students also expressed a desire for less lecture and procedural practice, and more interaction

¹ RAND, *Students Lose Interest in Math*, (2025), available at https://www.rand.org/content/dam/rand/pubs/research_reports/RR4300/RR4398-1/RAND_RRA3988-1.pdf, at 1.

² *Id.* at 6

³ *Id.* at 8

⁴ University of Florida Lastinger Center for Learning, *Lastinger Listening Tour Math Summit*, <https://lastinger.center.ufl.edu/research/listening-tour/summit/>, (last visited Jan. 13, 2026).

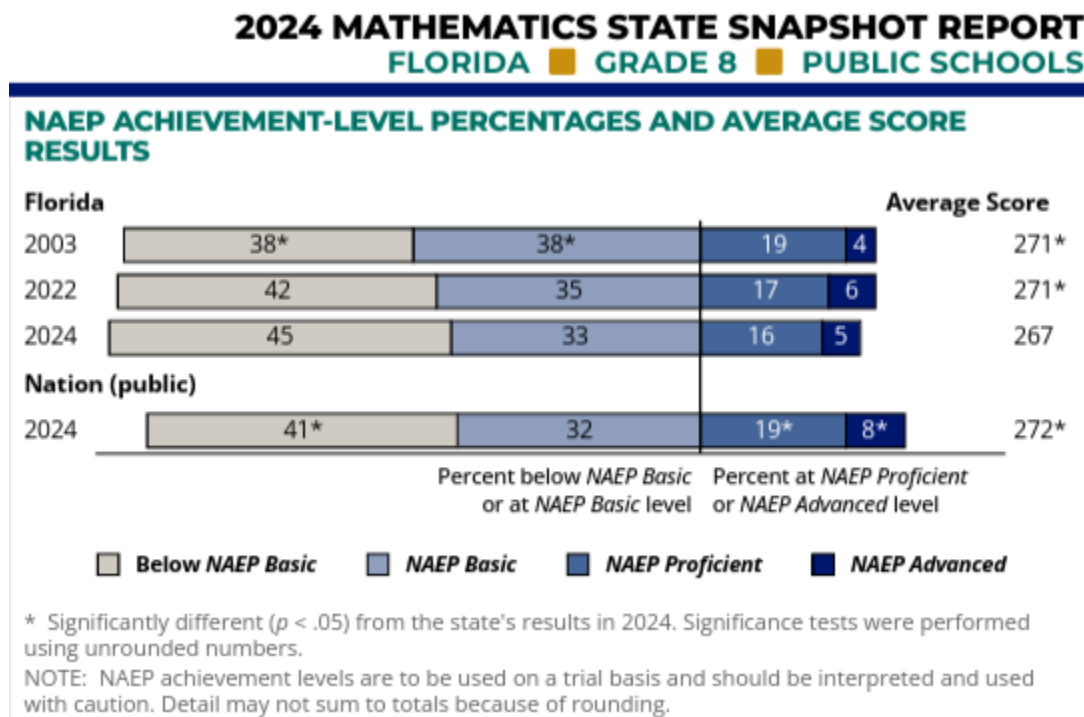
⁵ University of Florida Lastinger Center for Learning, *Student Experiences in the Mathematics Classroom*, at 3 (2024), available at <https://lastinger.center.ufl.edu/wp-content/uploads/2024/12/Brief-1-Students-Experiences.pdf>.

with their peers to collaboratively solve problems.⁶ Employers expressed a real need for students to enter the workforce with a core set of skills that can be tailored to a career of their choosing.⁷

The Southern Regional Education Board (SREB) researched the connection of incorporating mathematics instruction into CTE courses. In the study, SREB found that students in the classrooms of teachers who trained in the Math-in-CTE model performed significantly better on standardized math tests and community college math placement tests than students who received the regular CTE curriculum. Students also improved their math skills without losing the technical skills needed for college and career readiness.⁸

Student Performance in Mathematics

On the 2024 National Assessment of Educational Progress (NAEP) report, 21 percent of Florida's grade 8 students scored at NAEP Proficient or NAEP Advanced levels,⁹ a 2 percent decrease from the 2022 results. Additionally, Florida's grade 8 students saw a 3 percent increase from 42 percent in 2022 to 45 percent in 2024 of students scoring at Below NAEP Basic. The chart below shows Florida's performance in Grade 8 NAEP Mathematics:¹⁰



⁶ University of Florida Lastinger Center for Learning, *Student Experiences in the Mathematics Classroom*, at 4 (2024), available at <https://lastinger.center.ufl.edu/wp-content/uploads/2024/12/Brief-1-Students-Experiences.pdf>.

⁷ University of Florida Lastinger Center for Learning, *Importance of School Mathematics Beyond High School*, at 3 (2024), available at <https://lastinger.center.ufl.edu/wp-content/uploads/2024/12/Brief-2-Beyond-High-School.pdf>.

⁸ Southern Regional Education Board, *Math-in-CTE Resources*, available at <https://www.sreb.org/nrccte-math-cte-resources>, last visited (Jan. 13, 2026).

⁹ NAEP provides scores in four achievement levels: Below NAEP Basic, NAEP Basic, NAEP Proficient and NAEP Advanced.

¹⁰ Florida Department of Education, *2024 NAEP Mathematics Results*, available at <https://nces.ed.gov/nationsreportcard/subject/publications/st2024/pdf/2024219FL8.pdf>, (last visited Jan. 13, 2026).

On Florida's Algebra I end-of-course (EOC) assessment, there is a significant difference in performance between students who take Algebra I prior to entering high school versus students who take Algebra I while in high school. On the Algebra I EOC administration in the Spring of 2025, approximately 81,000 grade 8 students participated in the Algebra I EOC assessment, with 83 percent of students passing. In the same administration, approximately 95,000 grade 9 students participated in the Algebra I EOC assessment, with 40 percent of students passing. The table below shows the passing rate by grade level on the Spring 2025 Algebra I EOC administration.¹¹

Grade	Number of Students	Percentage in Level 3 or Above
All Grades	231,744	60
03	1	*
04	1	*
05	6	*
06	190	100
07	24,772	95
08	81,379	83
09	95,760	40
10	26,764	28
11	2,035	27
12	732	27
AD	104	10

Middle School Promotion and High Graduation Requirements

In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

- Three middle grades or higher courses in English Language Arts (ELA).
- Three middle grades or higher courses in mathematics.
- Three middle grades or higher courses in social studies.
- Three middle grades or higher courses in science.
- One course in career and education planning to be completed in grades 6, 7, or 8.

To be awarded a standard high school diploma under the 24-credit program requires students entering the ninth grade in 2023-2024 or later must earn the following credits:¹²

- Four credits in English Language Arts (ELA) and students must pass the grade 10 ELA assessment.
- Four credits in mathematics and students must pass the Algebra I end-of-course assessment.
- Three credits in science.

¹¹ Florida Department of Education, *2025 Florida Assessment of Student Thinking and B.E.S.T. Assessments*, available at <https://www.fldoe.org/core/fileparse.php/5668/urlt/33Spring25Alg1SS.xls>, (last visited Jan. 13, 2026).

¹² Section 1003.4282(3), F.S.

- Three credits in social studies.
- One credit in fine or performing arts, speech and debate, or career and technical education.
- One credit in physical education, which includes the integration of health.¹³
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.

Students who earn an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.

Mathematics Pathways

Senate Bill 240 (2023) required the Department of Education (DOE) to convene a workgroup, no later than December 1, 2024, to:¹⁴

- Identify best practices in career and technical education pathways from middle school to high school to aid middle school students in career planning and facilitate their transition to high school programs. The career pathway must be linked to postsecondary programs.
- Establish three mathematics pathways for students enrolled in secondary grades by aligning mathematics courses to programs, postsecondary education, and careers. The workgroup must collaborate to identify the three mathematics pathways and the mathematics course sequence within each pathway which align to the mathematics skills needed for success in the corresponding academic programs, postsecondary education, and careers.

The DOE gathered a workgroup to discuss and determine three mathematics pathways for students enrolled in grades K-12 by aligning mathematics courses to Career and Technical Education (CTE) programs, postsecondary education and careers. The workgroup consisted of teacher-experts across the state selected through an application process and approved by the DOE. The workgroup met regularly to gather information and provide data for each of the mathematics pathways. Based on workgroup collaboration, the Bureau of Standards and Instructional Support within the DOE recommends the three pathways, that are tentatively scheduled to be adopted in rule in the Fall of 2026:¹⁵

- Algebraic Thinking - Students will engage in mathematics courses that provide a strong foundation for success within various fields including engineering, health sciences, information technology and energy.
- Statistical Thinking - Students will engage in mathematics courses that provide a strong foundation for success within various fields including finance, marketing, business administration and education.
- Quantitative Thinking - Students will engage in mathematics courses that provide a strong foundation for success within various fields including human services, education, communication, public safety and manufacturing.

¹³ Section 1003.4282(3)(f), F.S.

¹⁴ Ch. 2023-87, s.22 Laws of Fla. *see also* s. 1003.4282(10), F.S.

¹⁵ Email, Florida Department of Education, Governmental Relations (Jan. 13, 2026).

Artificial Intelligence in Education

Artificial intelligence (AI) provides opportunities to customize and accelerate learning for students and reduce teacher workload.¹⁶ However, school districts in Florida implement AI differently and are using different AI tools for educators and students. For example, in Hillsborough County School District, educators and students are using Ameria Learning as their main AI tool for instruction, whereas the Pinellas County School District not only uses Ameria Learning but several other AI tools. The top general AI tools being used by school districts are Microsoft Copilot, Canva, and Magicschool.ai and the top AI tools being used by students are Gemini for students, Khanmigo, Canva and Microsoft Copilot.¹⁷

In 2024, the Legislature passed HB 1361, which created the Florida Tutoring Advantage, administered by the UF Lastinger Center for Learning to support school districts with tutoring programs that include virtual tutoring and automated tutoring software for students in kindergarten through grade 5.¹⁸ A school district may receive grant funds for subscription fees and professional learning to support and accelerate learning for students in grades 6 through 12 during the school day. Grant recipients must select an AI platform that:¹⁹

- Uses large language models based on GPT-4, its equivalent, or a successor, and is on a closed system.
- Provides professional learning to teachers.
- Provides one-on-one tutoring aligned to the Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards for reading and mathematics.
- Provides standards-aligned lesson plans and provides insights on student progress. Provides district- and school-level reporting and parental access to artificial intelligence interactions.

III. Effect of Proposed Changes:

The bill creates section 1003.4936, F.S., to provide legislative intent that algebra is an important step in a student's mathematics pathway and is a prerequisite for higher level mathematics courses. The bill requires the DOE to develop an applied algebra course for each of the established CTE career clusters and provide professional development, instructional resources, and technical assistance to support district implementation. Each applied algebra course must:

- Integrate the CTE program standards and benchmarks for the relevant career cluster with the Florida Standards for Algebra I.
- Provide students with rigorous, career-relevant mathematical applications that demonstrate the use of algebraic concepts in authentic industry problems, processes, or settings.
- Prepare students to take the statewide, standardized Algebra I end-of-course assessment.
- Meet all requirements for a mathematics credit required for high school or for middle grades promotion.

¹⁶ Section 1002.321(3), F.S.

¹⁷ Dr. Maya Isreal, University of Florida, *Overview of AI in Florida Schools*, Presentation to the Student Academic Success Subcommittee, The Florida House of Representatives (Dec. 10, 2025), available at <https://www.flhouse.gov/Sections/Documents/loaddoc.aspx?MeetingId=14953&PublicationType=Committees&DocumentType=Meeting%20Packets>.

¹⁸ Ch. 2024-162, s. 9, Laws of Fla.

¹⁹ Section 1002.321(3), F.S.

The bill requires the DOE to develop applied algebra courses by the following timeline:

- Applied algebra courses in the following career clusters must be developed and available for district adoption in the 2027-2028 school year:
 - Agriculture, food, and natural resources.
 - Architecture and construction.
 - Business management and administration.
 - Energy.
 - Engineering and technology education.
 - Finance.
 - Health science.
 - Information technology.
 - Manufacturing.
 - Transportation and distribution logistics.
- Applied algebra courses in the following career clusters must be developed and available for district adoption in the 2028-2029 school year:
 - Arts, AV technology, and communications.
 - Education and training.
 - Government and public administration.
 - Hospitality and tourism.
 - Human services.
 - Law, public safety, and security.
 - Marketing, sales, and service.

The bill authorizes school districts to offer one or more applied algebra courses in lieu of Algebra I, and successful completion of the course will satisfy the Algebra I credit requirement for high school graduation or middle grades promotion. The bill also requires the DOE to work with the Board of Governors of the State University System to ensure that each applied algebra course is accepted as a mathematics credit for state university admissions.

The bill amends section 1003.4282, F.S., to expand upon the Department of Education's (DOE) requirement to establish three mathematics pathways for students enrolled in secondary grades by aligning mathematics courses to programs, postsecondary education, and careers. The bill requires the mathematics pathways to include:

- The applied algebra courses established by the bill, which are required to be aligned to the Florida Standards for Algebra I with the career and technical education (CTE) standards and benchmarks for each designated career cluster.
- At least one course sequence beginning with an applied algebra course aligned to a specific career cluster. The workgroup must identify additional mathematics courses that follow each applied algebra course and build on the algebraic reasoning, modeling, and quantitative skills introduced through industry-relevant applications. The mathematics pathways may include a plan to create new mathematics courses to complete a pathway.
- Flexibility and the ability to move between pathways if necessary.
- Clear links between precollege mathematics and college-level math pathways, and support student progression into postsecondary academic programs, state college career and technical education programs, career center programs, industry certification programs, and high-skill, high-wage occupations.

The bill requires the DOE's workgroup to submit identified mathematics pathways that incorporate the first set of applied algebra courses established in the bill no later than September 1, 2027, and the second set of applied algebra courses established in the bill no later than September 1, 2028, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill creates an undesignated section of law that requires the DOE to collaborate with the Lastinger Center for Learning at the University of Florida to recommend to the Legislature an individualized, adaptive artificial intelligence tool to support mathematics instruction in kindergarten through grade 12. The DOE must submit its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2026. The recommendations must:

- Ensure that recommended tools align to the Florida academic standards and prepare students for state assessments.
- Consider alternate mathematics sequencing and grade-level progression, and alternate funding models to support individualized progression through content.
- Evaluate the extent to which tools provide real-time diagnostic assessments, individualized learning pathways, adaptive sequencing of content, and immediate, personalized feedback to students.
- Evaluate the applicability of the tool to progress monitoring tools, district learning management systems, suggested interventions, small-group instructional supports, and professional development that enables teachers to integrate the tools into classroom instruction.
- Provide for student data privacy and transparency in data collection and retention.
- Consider statewide and district-level costs.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There would not be an immediate fiscal impact to the DOE for this bill. The requirement for the DOE to develop applied algebra courses for each career and technical education cluster does not take effect until the 2027-28 school year. Upon the implementation date, there would be an indeterminate fiscal impact to the DOE to create such courses.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.4282 of the Florida Statutes.

This bill creates section 1003.4936 of the Florida Statutes.

This bill creates an undesignated section of Florida Law.

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 Gaetz

1-01217A-26

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1 A bill to be entitled
 2 An act relating to mathematics education; amending s.
 3 1003.4282, F.S.; providing requirements for
 4 mathematics pathways established by a certain
 5 workgroup; requiring that certain courses for the
 6 mathematics pathways be identified by specified dates;
 7 requiring the workgroup to submit identified
 8 mathematics pathways to the Governor and the
 9 Legislature; creating s. 1003.4936, F.S.; providing
 10 legislative findings; requiring the Department of
 11 Education to develop applied algebra courses;
 12 providing requirements for the applied algebra
 13 courses; requiring the department to develop the
 14 courses on specified timelines; requiring the
 15 department to collaborate with the Board of Governors
 16 of the State University System to ensure the courses
 17 are accepted as mathematics credits for state
 18 university admissions; requiring the department to
 19 collaborate with the Lastinger Center for Learning at
 20 the University of Florida to make specified
 21 recommendations to the Legislature; providing
 22 requirements for the recommendations; requiring the
 23 department to submit its recommendations to the
 24 Governor and the Legislature by a specified date;
 25 providing an effective date.

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

29 Section 1. Paragraph (b) of subsection (10) of section

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30 1003.4282, Florida Statutes, is amended to read:
 31 1003.4282 Requirements for a standard high school diploma.—
 32 (10) CAREER AND TECHNICAL EDUCATION CREDIT.—The Department
 33 of Education shall convene a workgroup, ~~no later than December~~
 34 ~~1, 2024,~~ to:
 35 (b) Establish three mathematics pathways for students
 36 enrolled in secondary grades by aligning mathematics courses to
 37 programs, postsecondary education, and careers. The workgroup
 38 shall collaborate to identify the three mathematics pathways and
 39 the mathematics course sequence within each pathway which align
 40 to the mathematics skills needed for success in the
 41 corresponding academic programs, postsecondary education, and
 42 careers.
 43 1. The mathematics pathways must incorporate the applied
 44 algebra courses established under s. 1003.4936 which align the
 45 Florida Standards for Algebra 1 with the career and technical
 46 education standards and benchmarks for each designated career
 47 cluster.
 48 2. Each mathematics pathway must include at least one
 49 course sequence beginning with an applied algebra course aligned
 50 to a specific career cluster. The workgroup shall identify
 51 additional mathematics courses that follow each applied algebra
 52 course and build on the algebraic reasoning, modeling, and
 53 quantitative skills introduced through industry-relevant
 54 applications. The mathematics pathways may include a plan to
 55 create new mathematics courses to complete a pathway.
 56 3. Each mathematics pathway must offer flexibility and the
 57 ability to move between pathways if necessary.
 58 4. Mathematics pathways must create clear links between

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precollege mathematics and college-level math pathways, and support student progression into postsecondary academic programs, state college career and technical education programs, career center programs, industry certification programs, and high-skill, high-wage occupations.

5. The mathematics pathways that incorporate applied algebra courses created under s. 1003.4936(3)(a)1. must be identified no later than September 1, 2027. The mathematics pathways that incorporate applied algebra courses created under s. 1003.4936(3)(a)2. must be identified no later than September 1, 2028. The workgroup shall submit identified mathematics pathways to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 2. Section 1003.4936, Florida Statutes, is created to read:

1003.4936 Applied algebra for career and technical education.—

(1) The Legislature finds that algebra is an important step in a student's mathematics pathway. Algebra is a prerequisite for higher level mathematics courses, and success in algebra is strongly connected with later mathematics success. Establishing an applied algebra course that integrates career and technical education standards equips students with mathematical skills directly connected to real industry practices and increases the relevance of algebra instruction. By contextualizing algebraic concepts within authentic occupational problems, such applied algebra courses improve student engagement, strengthen understanding of core math standards, and better prepare students for high-skill, high-wage careers. Such a course will

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enable students to pass the Algebra 1 end-of-course assessment, but also develop practical skills that support success in Florida's workforce and postsecondary pathways.

(2) The Department of Education shall develop an applied algebra course for each of the established career and technical education career clusters. Each applied algebra course must:

(a) Integrate the career and technical education program standards and benchmarks for the relevant career cluster with the Florida Standards for Algebra 1.

(b) Provide students with rigorous, career-relevant mathematical applications that demonstrate the use of algebraic concepts in authentic industry problems, processes, or settings.

(c) Prepare students to take the statewide, standardized Algebra 1 end-of-course assessment required under s. 1008.22.

(d) Meet all requirements for a mathematics credit required for high school graduation under s. 1003.4282(3)(b) or for middle grades promotion pursuant to s. 1003.4156(1)(b).

(3)(a) The department shall develop the courses on the following timelines:

1. Applied algebra courses in the following career clusters must be developed and available for district adoption in the 2027-2028 school year:

a. Agriculture, food, and natural resources.

b. Architecture and construction.

c. Business management and administration.

d. Energy.

e. Engineering and technology education.

f. Finance.

g. Health science.

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117 h. Information technology.
 118 i. Manufacturing.
 119 j. Transportation and distribution logistics.
 120 2. Applied algebra courses in the following career clusters
 121 must be developed and available for district adoption in the
 122 2028-2029 school year:
 123 a. Arts, AV technology, and communications.
 124 b. Education and training.
 125 c. Government and public administration.
 126 d. Hospitality and tourism.
 127 e. Human services.
 128 f. Law, public safety, and security.
 129 g. Marketing, sales, and service.
 130 (b) In grades 6 through 12, school districts may offer one
 131 or more applied algebra courses in lieu of Algebra 1, and
 132 successful completion of the course will satisfy the Algebra 1
 133 credit requirement for high school graduation or middle grades
 134 promotion.
 135 (c) The department shall collaborate with the Board of
 136 Governors of the State University System to ensure that each
 137 applied algebra course is accepted as a mathematics credit for
 138 state university admissions.
 139 (d) The department shall provide professional development,
 140 instructional resources, and technical assistance to support
 141 district implementation.
 142 Section 3. (1) The Department of Education shall
 143 collaborate with the Lastinger Center for Learning at the
 144 University of Florida to recommend to the Legislature an
 145 individualized, adaptive artificial intelligence tool to support

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146 mathematics instruction in kindergarten through grade 12. The
 147 recommendations must:
 148 (a) Ensure that recommended tools align to the Florida
 149 academic standards and prepare students for state assessments.
 150 (b) Consider alternate mathematics sequencing and grade-
 151 level progression, and alternate funding models to support
 152 individualized progression through content.
 153 (c) Evaluate the extent to which tools provide real-time
 154 diagnostic assessments, individualized learning pathways,
 155 adaptive sequencing of content, and immediate, personalized
 156 feedback to students.
 157 (d) Evaluate the applicability of the tool to progress
 158 monitoring tools, district learning management systems,
 159 suggested interventions, small-group instructional supports, and
 160 professional development that enables teachers to integrate the
 161 tools into classroom instruction.
 162 (e) Provide for student data privacy and transparency in
 163 data collection and retention.
 164 (f) Consider statewide and district-level costs.
 165 (2) The department shall submit its recommendations to the
 166 Governor, the President of the Senate, and the Speaker of the
 167 House of Representatives by December 1, 2026.
 168 Section 4. This act shall take effect July 1, 2026.

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 178

INTRODUCER: Senator Jones

SUBJECT: Athletics in Public K-12 Schools

DATE: January 16, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Palazes	Bouck	ED	Pre-meeting
2. _____	_____	JU	_____
3. _____	_____	RC	_____

I. Summary:

SB 178 requires the Florida High School Athletic Association (FHSAA) to adopt bylaws that authorize a coach to support the welfare of a student he or she coaches, by using personal funds to provide, in good faith, effects such as food, transportation, and recovery services.

The bill takes effect July 1, 2026.

II. Present Situation:

The Florida High School Athletic Association (FHSAA)

The Florida High School Athletic Association (FHSAA) is designated as a governing nonprofit organization of athletics in Florida public schools. Any public or private high school or middle school in this state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA; however, membership in the FHSAA is not mandatory for any school.¹ The FHSAA is required to adopt bylaws that:²

- Establish eligibility requirements.
- Prohibit recruiting.
- Require all students to pass a medical evaluation each year.
- Regulate people who conduct investigations on behalf of the FHSAA.
- Establish sanctions for coaches who have committed major violations of the FHSAA bylaws.
- Establish the process and standards by which FHSAA determines eligibility.
- Adopt guidelines to educate athletic coaches, officials, administrators, and student athletes and their parents about the risk of concussion and head injury.

¹ Section 1006.20(1), F.S.

² Section 1006.20(2), F.S.

- Adopt bylaws that require each student athlete who is suspected of sustaining a concussion or head injury in a practice or competition to be immediately removed from the activity.
- Adopt bylaws for the establishment and duties of a sports medicine advisory committee.

Each year, the FHSAA sponsors over 3,500 championship series games, through which 144 teams and 294 individuals are crowned state champions in 32 sports. Over 800,000 students annually participate in these athletic programs.³

Florida High School Athletic Association Impermissible Benefits

According to the FHSAA's bylaws, no school employee, athletic department staff member, representative of the school's athletic interests or third parties, such as an independent person, business, or organization, may be involved, directly or indirectly, in giving an impermissible benefit to any student or any member of his/her family for the purpose of participating in interscholastic athletics, or to any student athlete who already attends a school.⁴ Specifically prohibited arrangements, assistance or benefits include, but are not limited to, the following:⁵

- School-based financial assistance of any kind that exceeds the amount for which a student has been approved by an independent financial needs assessment company that is recognized by the FHSAA or otherwise is in excess of any supplemental assistance provided by a school to each and every student who qualifies for financial assistance.
- Cash or like items, such as credit cards, debit cards, gift cards, gift certificates, coupons, or vouchers.
- Gifts of clothing, equipment, merchandise, or other tangible items.
- Loans or assistance in securing a loan of any kind.
- Payment for any work or service that is not performed or that is in excess of the amount normally paid for such work or service.
- Free or reduced-cost transportation.
- Living on a full- or part-time basis, regardless of whether rent is paid, with any school employee, athletic department staff member, representative of the school's athletic interests, unless legal guardianship appointed by a court of competent jurisdiction has been obtained.
- Free or reduced-cost rent for housing, vehicles, or other items.
- Full or partial payment of moving expenses or assistance of any kind with an actual physical move.
- Employment or assistance in securing employment or contractual arrangement of any kind for which compensation may be paid.
- Free or reduced costs to attend a sport or skills camp.
- Allowing a student, who has not started the enrollment process, to participate prior to being fully enrolled.
- Any other form of arrangement, assistance, discount, or benefit that is not generally available to other students in the school or their families or that is based in any way on athletic ability.

³ Florida High School Athletic Association, *About FHSAA*, available at <https://fhsaa.com/sports/2020/1/16/About.aspx>, (last visited Jan. 15, 2026).

⁴ Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association, Inc. 2025-26 Edition*, available at https://fhsaa.com/documents/2025/11/21/2526_handbook_revised_10925.pdf?id=7098, at FHSAA Administrative Policy 36.4.1.

⁵ *Id.* at FHSAA Administrative Policy 36.4.2.

Incidents with Impermissible Benefits

In July 2025, Teddy Bridgewater, then head football coach of Miami Northwestern, posted on social media asking for donations to assist his team. In the same post, Teddy Bridgewater explained that he was providing Uber rides and meals to members of the football team.⁶ Soon after the social media post, Miami Northwestern self-reported the impermissible benefits provided to members of the football team.⁷ After investigating, the FHSAA determined that FHSAA bylaws 36.4.1 and 36.4.2.6 had been violated.⁸ As part of the corrective action, Miami Northwestern deemed Coach Bridgewater ineligible to coach for the 2025-2026 school year and Miami Northwestern was fined \$2,500, of which \$2,250 is being held in abeyance given there are no other violations of FHSAA Policy 36 during the 2025-2026 school year.⁹

III. Effect of Proposed Changes:

SB 178 amends section 1006.20, F.S., to require the Florida High School Athletic Association (FHSAA) to adopt bylaws that authorize a coach to support the welfare of a student he or she coaches by using personal funds to provide, in good faith, effects such as food, transportation, and recovery services. The bill requires that a coach who uses personal funds to provide such effects must report such use to the FHSAA in a manner provided by FHSAA bylaw. If a coach uses personal funds, it is presumed not to be an impermissible benefit unless the use of personal funds is:

- Not Reported;
- Reported and deemed not to be in good faith by the FHSAA; or
- Used for recruiting purposes.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁶ Doug Samules, *Teddy Bridgewater is seeking donations to help cover unconventional expenses for his Florida state champion program*, Footballscoop, Jul. 9, 2025 available at <https://footballscoop.com/2025/07/09/teddy-bridgewater-florida-high-school-football-miami-northwestern-state-champions-donations-uber-rides-recovery-trucks-unconventional>.

⁷ Email, Florida High School Athletics Association, *Miami Northwestern's self-report submission* (Jan. 14, 2026).

⁸ Email, Florida High School Athletics Association, *Miami Northwestern's corrective action plan* (Jan. 14, 2026).

⁹ *Id.*

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

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

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill authorizes a coach to support the welfare of a student he or she coaches by using personal funds to provide, in good faith, effects such as food, transportation, and recovery services. However, the language is unclear as to whether it would extend the same authorization to a coach affiliated with a different athletic association, rather than the FHSAA, to provide those benefits to students.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.20, 768.135, 1002.20, 1006.165, and 1012.468.

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 Jones

34-00210-26

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1 A bill to be entitled
 2 An act relating to athletics in public K-12 schools;
 3 amending s. 1006.20, F.S.; requiring the Florida High
 4 School Athletic Association to adopt bylaws
 5 authorizing a coach to support the welfare of a
 6 student by using personal funds to provide certain
 7 effects to the student; requiring the coach to report
 8 such use of personal funds to the association;
 9 providing that such use of personal funds is presumed
 10 not to be an impermissible benefit; providing
 11 exceptions; amending ss. 768.135, 1002.20, 1006.165,
 12 and 1012.468, F.S.; conforming cross-references;
 13 providing an effective date.
 14
 15 Be It Enacted by the Legislature of the State of Florida:
 16
 17 Section 1. Present paragraphs (c) through (n) of subsection
 18 (2) of section 1006.20, Florida Statutes, are redesignated as
 19 paragraphs (d) through (o), respectively, and a new paragraph
 20 (c) is added to that subsection, to read:
 21 1006.20 Athletics in public K-12 schools.—
 22 (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—
 23 (c) The FHSAA shall adopt bylaws that authorize a coach to
 24 support the welfare of a student he or she coaches by using
 25 personal funds to provide, in good faith, effects such as food,
 26 transportation, and recovery services.
 27 1. A coach who uses personal funds to provide such effects
 28 must report such use to the FHSAA in a manner provided by FHSAA
 29 bylaw.

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30 2. Such use of personal funds is presumed not to be an
 31 impermissible benefit, unless such use of personal funds is:
 32 a. Not reported;
 33 b. Reported and deemed not to be in good faith by the
 34 FHSAA; or
 35 c. Used for recruiting purposes.
 36 Section 2. Subsection (3) of section 768.135, Florida
 37 Statutes, is amended to read:
 38 768.135 Volunteer team physicians; immunity.—
 39 (3) A practitioner licensed under chapter 458, chapter 459,
 40 chapter 460, or s. 464.012 or registered under s. 464.0123 who
 41 gratuitously and in good faith conducts an evaluation pursuant
 42 to s. 1006.20(2)(d) ~~s. 1006.20(2)(e)~~ is not liable for any civil
 43 damages arising from that evaluation unless the evaluation was
 44 conducted in a wrongful manner.
 45 Section 3. Paragraph (b) of subsection (17) of section
 46 1002.20, Florida Statutes, is amended to read:
 47 1002.20 K-12 student and parent rights.—Parents of public
 48 school students must receive accurate and timely information
 49 regarding their child's academic progress and must be informed
 50 of ways they can help their child to succeed in school. K-12
 51 students and their parents are afforded numerous statutory
 52 rights including, but not limited to, the following:
 53 (17) ATHLETICS; PUBLIC HIGH SCHOOL.—
 54 (b) *Medical evaluation and electrocardiogram.*—Before
 55 participating in athletics, students must:
 56 1. Satisfactorily pass a medical evaluation each year,
 57 unless the parent objects in writing based on religious tenets
 58 or practices, in accordance with s. 1006.20(2)(e) ~~s.~~

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59 ~~1006.20(2)(d)~~; and

60 2. As applicable under s. 1006.20, receive an
61 electrocardiogram, unless the parent objects in writing based on
62 religious tenets or practices or secures a certificate of
63 medical exception in accordance with s. 1006.20(2)(e) ~~s.-~~
64 ~~1006.20(2)(d)~~ or the school district is unable to obtain a
65 public or private partnership for the provision of an
66 electrocardiogram pursuant to s. 1006.165.

67 Section 4. Subsection (3) of section 1006.165, Florida
68 Statutes, is amended to read:

69 1006.165 Well-being of students participating in
70 extracurricular activities; training.-

71 (3) Each school district must pursue public and private
72 partnerships to provide low-cost electrocardiograms to the
73 student. A student athlete is exempt from the requirement in s.
74 1006.20(2)(d)4. ~~s. 1006.20(2)(e)4.~~ if he or she resides in a
75 school district that is unable to obtain a public or private
76 partnership to provide an electrocardiogram at a rate of less
77 than \$50 per student.

78 Section 5. Paragraph (g) of subsection (2) of section
79 1012.468, Florida Statutes, is amended to read:

80 1012.468 Exceptions to certain fingerprinting and criminal
81 history checks.-

82 (2) A district school board shall exempt from the screening
83 requirements set forth in ss. 1012.465 and 1012.467 the
84 following noninstructional contractors:

85 (g) An investigator for the Florida High School Athletic
86 Association (FHSAA) who meets the requirements under s.
87 1006.20(2)(f) ~~s. 1006.20(2)(e).~~

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88 Section 6. This act shall take effect July 1, 2026.

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

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 1216

INTRODUCER: Senator Rodriguez

SUBJECT: Public School Personnel Compensation

DATE: January 16, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 1216 revises district school board compensation and salary schedule provisions. The bill:

- Specifies that the cost-of-living salary adjustment applies to certain district employees, provides that such an adjustment does not preclude other salary adjustments from additional funding sources, and removes the limitation that the adjustment may not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective;
- Expands the circumstances under which advanced degrees may be used in salary schedules for instructional personnel and school administrators and specifies what qualifies as an advanced degree for salary schedule purposes;
- Adds advanced degrees as a district-determined factor for differentiated pay under the grandfathered salary schedule; and
- Removes requirements governing the relative amounts of annual salary adjustments for employees rated highly effective and effective under the performance salary schedule.

The bill takes effect July 1, 2026.

II. Present Situation:

Cost-of-living salary adjustment

A district school board may provide a cost-of-living salary adjustment if the adjustment does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.¹ The cost-of-living salary adjustment may not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.²

¹ Section 1012.22(1)(c)2.a., F.S.

² Section 1012.22(1)(c)2.b., F.S.

Classroom Teacher and Other Instructional Personnel Salary Increase Allocation

The Florida Education Finance Program (FEFP) includes a classroom teacher and other instructional personnel salary increase allocation that may be used to support the minimum base salary for full-time classroom teachers and FEFP funded certified prekindergarten teachers, or to provide salary increases to instructional personnel.³ Each district and charter school develops a salary distribution plan for the allocation, and the district submits the approved district plan and each approved charter school plan in the district to the Department of Education by October 1 of each fiscal year.⁴

Advanced Degrees

Advanced degrees may be used in setting a salary schedule for instructional personnel or school administrators if the advanced degree is held in the individual's area of certification.⁵

Grandfathered and Performance Salary Schedules

The grandfathered salary schedule serves as the basis for paying school employees hired before July 1, 2014.⁶ Instructional personnel on annual contract as of July 1, 2014, are placed on the performance salary schedule.⁷ Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule by relinquishing that contract and agreeing to annual contract status.⁸ An employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.⁹

In determining the grandfathered salary schedule for instructional personnel, a district school board bases a portion of each employee's compensation upon performance demonstrated under the district's evaluation system and provides differentiated pay for instructional personnel and school administrators based upon district-determined factors, including additional responsibilities, school demographics, high-demand teacher needs areas, and level of job performance difficulties.¹⁰

Performance Salary Schedule Salary Adjustments and Related Limitations

The performance salary schedule provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under the district's evaluation

³ Section 1011.62(14), F.S.

⁴ Section 1011.62(14)(c)2., F.S.

⁵ Section 1012.22(1)(c)3., F.S.

⁶ Section 1012.22(1)(c)4.a., F.S.

⁷ Section 1012.22(1)(c)4.a., F.S.

⁸ Section 1012.22(1)(c)4.a., F.S. Instructional personnel hired before July 1, 1984, entered into continuing contracts entitled the employee to continued employment without the necessity of annual renewal. Section 231.36(3)(e), F.S. (1981).

Instructional personnel hired on or after July 1, 1984, and up to July 1, 2011, were awarded professional service contracts after three years of probationary service; such contracts were automatically renewed each year, unless the employee was charged with unsatisfactory performance. Section 1012.33(3), F.S.

⁹ Section 1012.22(1)(c)4.a., F.S.

¹⁰ Section 1012.22(1)(c)4.b., F.S.

system.¹¹ A salary schedule may not provide an annual salary adjustment for an employee who receives a rating other than highly effective or effective for the year.¹²

Salary adjustments for highly effective or effective performance include all of the following:¹³

- The annual salary adjustment for an employee rated highly effective is at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district.
- The annual salary adjustment for an employee rated effective is at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.

III. Effect of Proposed Changes:

SB 1216 revises district school board compensation and salary schedule provisions. The bill:

- Specifies that the cost-of-living salary adjustment applies to certain district employees, provides that such an adjustment does not preclude other salary adjustments from additional funding sources, and removes the limitation that the adjustment may not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective;
- Expands the circumstances under which advanced degrees may be used in salary schedules for instructional personnel and school administrators and specifies what qualifies as an advanced degree for salary schedule purposes;
- Adds advanced degrees as a district-determined factor for differentiated pay under the grandfathered salary schedule; and
- Removes requirements governing the relative amounts of annual salary adjustments for employees rated highly effective and effective under the performance salary schedule.

Cost-of-Living Salary Adjustments

The bill amends s. 1012.22(1)(c)2., F.S., relating to cost-of-living adjustments provided by district school boards, to:

- Specify that the district school board's authority to provide a cost-of-living salary adjustment applies to district employees, including, but not limited to, instructional personnel, prekindergarten teachers, noninstructional personnel, and school administrators;
- Provide that a cost-of-living salary adjustment does not preclude a district school board from providing other salary adjustments from additional funding sources, including categorical funding, the classroom teacher and other instructional personnel salary increase under s. 1011.62(14), F.S., and supplemental funding sources, including grants; and
- Remove the limitation that a cost-of-living salary adjustment may not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

¹¹ Section 1012.22(1)(c)5., F.S.

¹² Section 1012.22(1)(c)5.b., F.S.

¹³ Section 1012.22(1)(c)5.b., F.S.

Advanced Degrees in Salary Schedules

The bill amends s. 1012.22(1)(c)3., F.S., relating to the use of advanced degrees in salary schedules, to:

- Expand the circumstances under which a district school board may use an advanced degree in setting a salary schedule for instructional personnel or school administrators by allowing an advanced degree held in the individual's area of certification, a field related to his or her teaching assignment, or a related field of study; and
- Specify that, for purposes of a salary schedule, an advanced degree may include:
 - A master's degree or higher that is in the individual's area of certification or teaching assignment; or
 - An advanced degree in another field if the individual has at least 18 graduate semester hours related to the individual's area of certification or teaching assignment.

Differentiated Pay Factors Under the Grandfathered Salary Schedule

The bill amends s. 1012.22(1)(c)4.b., F.S., relating to differentiated pay under the grandfathered salary schedule, to include advanced degrees among the district-determined factors a district school board may use in providing differentiated pay for instructional personnel and school administrators.

Performance Salary Schedule Annual Salary Adjustments

The bill amends s. 1012.22(1)(c)5.b., F.S., relating to salary adjustments under the performance salary schedule, to remove requirements governing how a district school board must establish annual salary adjustment amounts for employees rated highly effective and effective, including requirements that:

- The annual salary adjustment for an employee rated highly effective be at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district; and
- The annual salary adjustment for an employee rated effective be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.

The bill retains the limitation that an annual salary adjustment is provided only for an employee rated highly effective or effective for the year.

Conforming and Stylistic Revisions

The bill makes conforming and stylistic revisions throughout s. 1012.22(1)(c), F.S., including deleting an obsolete date reference and reorganizing language without substantively changing the operation of those provisions.

The bill takes effect July 1, 2026.

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 1012.22 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Rodriguez

40-00435A-26

20261216__

1 A bill to be entitled
 2 An act relating to public school personnel
 3 compensation; amending s. 1012.22, F.S.; providing
 4 that cost-of-living adjustments are for employees with
 5 direct student contact; providing that such
 6 adjustments do not preclude district school boards
 7 from providing other adjustments; deleting a
 8 limitation on such adjustments; revising the
 9 requirement for the use of advanced degrees when
 10 setting salary schedules for instructional personnel
 11 and school administrators; deleting certain
 12 limitations for salary adjustments under the
 13 performance salary schedule; providing an effective
 14 date.
 15
 16 Be It Enacted by the Legislature of the State of Florida:
 17
 18 Section 1. Paragraph (c) of subsection (1) of section
 19 1012.22, Florida Statutes, is amended to read:
 20 1012.22 Public school personnel; powers and duties of the
 21 district school board.—The district school board shall:
 22 (1) Designate positions to be filled, prescribe
 23 qualifications for those positions, and provide for the
 24 appointment, compensation, promotion, suspension, and dismissal
 25 of employees as follows, subject to the requirements of this
 26 chapter:
 27 (c) *Compensation and salary schedules.*—
 28 1. Definitions.—As used in this paragraph:
 29 a. "Adjustment" means an addition to the base salary

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30 schedule that is not a bonus and becomes part of the employee's
 31 permanent base salary and ~~is shall be~~ considered compensation
 32 under s. 121.021(22).
 33 b. "Grandfathered salary schedule" means the salary
 34 schedule or schedules adopted by a district school board before
 35 July 1, 2014, pursuant to subparagraph 4.
 36 c. "Instructional personnel" means instructional personnel
 37 as defined in s. 1012.01(2)(a)-(d), excluding substitute
 38 teachers.
 39 d. "Performance salary schedule" means the salary schedule
 40 or schedules adopted by a district school board pursuant to
 41 subparagraph 5.
 42 e. "Salary schedule" means any the schedule or schedules
 43 ~~used to provide the base salary for district school board~~
 44 ~~personnel.~~
 45 f. "School administrator" means a school administrator as
 46 defined in s. 1012.01(3)(c).
 47 g. "Supplement" means an annual addition to the base salary
 48 for the term of the negotiated supplement as long as the
 49 employee continues his or her employment for the purpose of the
 50 supplement. A supplement does not become part of the employee's
 51 continuing base salary but ~~is shall be~~ considered compensation
 52 under s. 121.021(22).
 53 2. Cost-of-living adjustment.—A district school board may
 54 provide a cost-of-living salary adjustment to district
 55 employees, including, but not limited to, instructional
 56 personnel as defined in s. 1012.01(2), prekindergarten teachers,
 57 noninstructional personnel, and school administrators as defined
 58 in s. 1012.01(3)(c), if the adjustment+

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59 ~~a.~~ does not discriminate among comparable classes of
 60 employees based upon the salary schedule under which they are
 61 compensated. A cost-of-living adjustment does not preclude a
 62 district school board from providing other salary adjustments
 63 from additional funding sources, including categorical funding
 64 and the classroom teacher and other instructional personnel
 65 salary increase under s. 1011.62(14) and supplemental funding
 66 sources, including grants.

67 ~~b. Does not exceed 50 percent of the annual adjustment~~
 68 ~~provided to instructional personnel rated as effective.~~

69 3. Advanced degrees.—A district school board may use
 70 advanced degrees in setting a salary schedule for instructional
 71 personnel or school administrators if the advanced degree is
 72 held in the individual's area of certification, a field related
 73 to his or her teaching assignment, or a related field of study.
 74 For purposes of the salary schedule, an advanced degree may
 75 include a master's degree or higher that is in the area of
 76 certification or teaching assignment, or an advanced degree in
 77 another field with a minimum of 18 graduate semester hours
 78 related to the individual's area of certification or teaching
 79 assignment.

80 4. Grandfathered salary schedule.—

81 a. The district school board shall adopt a salary schedule
 82 or salary schedules to be used as the basis for paying all
 83 school employees hired before July 1, 2014. Instructional
 84 personnel on annual contract as of July 1, 2014, shall be placed
 85 on the performance salary schedule adopted under subparagraph 5.
 86 Instructional personnel on continuing contract or professional
 87 service contract may opt into the performance salary schedule if

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88 the employee relinquishes such contract and agrees to be
 89 employed on an annual contract under s. 1012.335. Such an
 90 employee shall be placed on the performance salary schedule and
 91 may not return to continuing contract or professional service
 92 contract status. Any employee who opts into the performance
 93 salary schedule may not return to the grandfathered salary
 94 schedule.

95 b. In determining the grandfathered salary schedule for
 96 instructional personnel, a district school board must base a
 97 portion of each employee's compensation upon performance
 98 demonstrated under s. 1012.34 and shall provide differentiated
 99 pay for both instructional personnel and school administrators
 100 based upon district-determined factors, including, but not
 101 limited to, additional responsibilities, school demographics,
 102 high-demand teacher needs areas, advanced degrees, and level of
 103 job performance difficulties.

104 5. Performance salary schedule.—~~By July 1, 2014,~~ The
 105 district school board shall adopt a performance salary schedule
 106 that provides annual salary adjustments for instructional
 107 personnel and school administrators based upon performance
 108 determined under s. 1012.34. Employees hired on or after July 1,
 109 2014, or employees who choose to move from the grandfathered
 110 salary schedule to the performance salary schedule shall be
 111 compensated pursuant to the performance salary schedule once
 112 they have received the appropriate performance evaluation for
 113 this purpose.

114 a. Base salary.—The base salary shall be established as
 115 follows:

116 (I) The base salary for instructional personnel or school

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administrators who opt into the performance salary schedule shall be the salary paid in the prior year, including adjustments only.

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule.

b. Salary adjustments. ~~Salary adjustments for highly effective or effective performance shall be established as follows:~~

~~(I) The annual salary adjustment under the performance salary schedule for an employee rated as highly effective must be at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district.~~

~~(II) The annual salary adjustment under the performance salary schedule for an employee rated as effective must be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.~~

~~(III) A salary schedule shall not provide~~ An annual salary adjustment shall only be provided for an employee who receives a rating of other than highly effective or effective for the year.

c. Salary supplements. ~~In addition to the salary adjustments, each district school board shall provide for salary supplements for activities that must include, but are not limited to:~~

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(I) Assignment to a Title I eligible school.

(II) Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 such that the supplement remains in force for at least 1 year following improved performance in that school.

(III) Certification and teaching in high-demand teacher needs areas. Statewide high-demand teacher needs areas shall be identified by the State Board of Education under s. 1012.07. However, the district school board may identify other areas of high-demand needs within the school district for purposes of this sub-sub-subparagraph and may remove areas identified by the state board which do not apply within the school district.

(IV) Assignment of additional academic responsibilities.

If budget constraints in any given year limit a district school board's ability to fully fund all adopted salary schedules, the performance salary schedule may ~~shall~~ not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the district. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by sub-subparagraph b.

Section 2. This act shall take effect July 1, 2026.

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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 538

INTRODUCER: Senator Simon

SUBJECT: Physical Education

DATE: January 16, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Palazesi	Bouck	ED	Pre-meeting
2. _____	_____	JU	_____
3. _____	_____	RC	_____

I. Summary:

SB 538 revises student eligibility and participation requirements for interscholastic and intrascholastic extracurricular activities, including athletics, by defining key terms and establishing an “eligible student” framework for home education, charter, private, Florida Virtual School, alternative, and traditional public-school students.

The bill prohibits schools from imposing additional participation fees on students participating in extracurricular activities, restricts participation in the same sport at two different schools within the same school year absent governing organization approval, and creates timelines for the appeals process for eligibility determinations.

Finally, the bill requires annual participation in the Presidential Youth Fitness Program as part of a school district’s physical education curriculum and authorizes a school district, at its sole discretion, to determine and approve athletic coach compensation.

The bill takes effect July 1, 2026.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Interscholastic and Intrascholastic Extracurricular Activities

Present Situation

Student Eligibility

Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. Florida law defines the term “extracurricular” as meaning any school-authorized or education-related activity occurring during or outside the regular instructional school day.¹

To be eligible to participate in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests, a student must:

- Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent.
- Execute and fulfill the requirements of an academic performance contract if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale.
- Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent during his or her junior or senior year.
- Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies. Student participation after a felony conviction is contingent upon established and published district school board policy.²

¹ Section 1006.15(2), F.S.

² Section 1006.15(3)(a)1.-4., F.S.

Where Student Participation Can Occur

The table below provides an overview of where students may participate based on their school choice:³

Educational Setting	Where they can participate
Home Education Student	A home education student may participate at any public school in the school district in which he/she resides for athletics. For all other extracurricular activities, the home education student may participate at the student's zoned school, or the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including a charter or lab school) in another school district, may develop an agreement to participate for a private school, or a home education cooperative.
Personalized Education Program (PEP) Student	A PEP student may participate at any public school in the school district in which he/she resides for athletics. For all other extracurricular activities, the PEP student may participate at the student's zoned school, or the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including a charter or lab school) in another school district, may develop an agreement to participate for a private school, or a home education cooperative.
Charter School Student	A charter school student may participate at his/her home-zoned public school, the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including another charter or lab school) or may develop an agreement to participate for a private school.
Special or Alternative School Student	A special or alternative school student may participate at another school only if his/her special or alternative school is operated by the school district and offers NO athletic program. The special or alternative school must also be authorized by the district superintendent each year.
Private School Student	A private school student may participate at another school only if his/her private school is not a member of the FHSAA or does NOT offer the sport in which he/she wishes to participate.
Virtual School Student	A virtual school student may participate at any public school in the school district in which he/she resides, the public school he/she could choose to attend in accordance with the district's controlled open enrollment procedures (including a charter or lab school) in another school district or may develop an agreement to participate for a private school.
Traditional Public-School Student	A traditional public-school student may participate at another school in the district (or at a private school) only if his/her public school does NOT offer the sport in which he/she wishes to participate.

³ Section 1006.15, F.S., *see also*. Florida High School Athletic Association, *Non-Traditional Students*, https://fhsaa.com/sports/2020/3/11/Nontraditional_Students.aspx, (last visited Jan. 12, 2026).

The student standards for participation in interscholastic extracurricular activities must be applied beginning with the student's first semester of grade 9. Each student must meet such other requirements for participation as may be established by the district school board; however, a district school board may not establish requirements for participation in interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students.⁴

A home education student must be covered by any insurance provided by the district school board for extracurricular activity participants. If an additional premium is required for such coverage, the participating home education student must pay the premium.

Several school districts in Florida require public school students to pay to participate in their sports clubs. For example, in Pasco County School District, students in middle school are required to pay \$60.00 for the first sport and \$40.00 for the second sport, with an individual student being capped at \$100.00. Students are not charged a fee to try out for the sport.

School Responsibilities

The athletic director for each participating FHSAA member school must maintain the student records necessary for eligibility, compliance, and participation in the program. Any private school that has a student who wishes to participate in this program must make all student records, including, but not limited to, academic, financial, disciplinary, and attendance records, available upon request of the FHSAA.⁵

Student Transfers

A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.⁶

A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

- Dependent children of active-duty military personnel whose move resulted from military orders.
- Children who have been relocated due to a foster care placement in a different school zone.
- Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- Authorized for good cause in district or charter school policy.⁷

⁴ Section 1006.15(4), F.S.

⁵ Section 1006.15(8)(d)(e), F.S.

⁶ Section 1006.15(9)(a), F.S.

⁷ Section 1006.15(9)(b), F.S.

A student who participates in an interscholastic or intrascholastic activity at a public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at that school for the remainder of the school year if:

- The student continues to meet the standard eligibility requirements in statute.
- The student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for enrollment requirements at the school at which the student participates.
- The parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.⁸

Effects of Proposed Changes

The bill makes substantial changes to high school and middle school athletics in Florida regarding student eligibility, transfers, costs for students to play sports.

Student Eligibility

The bill amends section 1006.15, F.S. to define the following terms:

- “Eligible student” means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public-school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.
- “Governing Organization” means any organization that governs the athletic activities of a school, including, but not limited to, the Florida High School Athletic Association.

Where Student Participation Can Occur

The bill deletes the existing options for where and how a student can participate in extracurricular activities and aligns student eligibility for all students, regardless of the educational setting, by specifying that students are eligible to participate in an interscholastic or intrascholastic extracurricular activity at the school in which he or she is enrolled. An eligible student may participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled if:

- The school in which the student is enrolled does not offer the same interscholastic or intrascholastic extracurricular activity or, if the student is a home education student, the student may participate as part of a home education athletic cooperative; and
- The school at which the student will participate in the interscholastic or intrascholastic extracurricular activity is one for which the student would otherwise be zoned or is a private school or charter school appropriate for the student’s grade level located in the school district in which the student resides.

In instances where a school for which the student would otherwise be zoned does not offer the interscholastic or intrascholastic extracurricular activity, the student may:

⁸ Section 1006.15(10), F.S.

- Participate at any public, charter, or private school appropriate for the student's grade level in the school district in which the student resides; or
- Participate at a public, charter, or private school outside of the student's district which is appropriate for the student's grade level, if the school is the closest school to the student's home address which offers the interscholastic or intrascholastic extracurricular activity.

The bill authorizes that if no public or charter schools in the district in which the student resides offer the interscholastic or intrascholastic extracurricular activity, and an agreement cannot be reached with a private school in the district in which the student resides, the student may participate at a public, charter, or private school that is appropriate for the student's grade level located outside of his or her school district. The school at which the student participates must be in a school district adjacent to the school district in which the student resides. The student may also petition the executive director of the governing organization to explore additional options.

School Responsibilities

The bill requires that all schools, private and public, follow new requirements in regard to their athletic programs. The bill expands the school personnel who may maintain necessary student records, and requires such records be kept for all eligible students, from both FHSAA and non-FHSAA schools.. The bill requires a school to establish a process for a student to apply to participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled by either of the following methods:

- Applying to the school's governing organization for the extracurricular activity as provided for in the governing organization's bylaws.
- If there is no governing organization for the extracurricular activity for which the student is applying, through an appropriate process, as established in State Board of Education rules.

The bill requires that a school in which a student is enrolled who wishes to participate in extracurricular activities may not impose additional fees or costs for participation outside of the fees or costs students currently enrolled at the school pay to participate in the extracurricular activity. The bill also requires that the parents of the student participating in the activity must provide for the transportation of the student to and from the school at which the student participates and that the school in which the student is enrolled, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.

Student Transfers

The bill prohibits a student from participating in the same sport at two different schools during the same school year, unless granted approval by the applicable governing organization's executive director. The bill requires that the governing organization must provide a determination of eligibility to the requesting student within 14 days after such a request is made and must adopt bylaws establishing criteria for determining eligibility of students transferring.

Therefore, the existing allowances in law for immediate student transfer (military, foster care, custody issues, or continuation of participation due to school transfer) will instead be subject to governing organization approval.

Florida High School Athletic Association

Present Situation

Florida High School Athletic Association

The Florida High School Athletic Association (FHSAA) is a nonprofit organization governing athletics in Florida public schools. Any public or private high school or middle school in this state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA; however, membership in the FHSAA is not mandatory for any school.⁹ Each year, the FHSAA sponsors more than 3,500 championship series games, through which 144 teams and 294 individuals are crowned state champions in 32 sports. More than 800,000 students participate in these athletic programs annually.¹⁰

The FHSAA is required to adopt bylaws that:

- Establish eligibility requirements.
- Prohibit recruiting.
- Require all students to pass a medical evaluation each year.
- Regulate people who conduct investigations on behalf of the FHSAA.
- Establish sanctions for coaches who have committed major violations of FHSAA bylaws.
- Establish the process and standards by which the FHSAA determines eligibility.
- Adopt guidelines to educate athletic coaches, officials, administrators, and student athletes and their parents, of the risks associated with concussions and head injuries.
- Require the parents of students who are participating, or may participate, in interscholastic competition to sign and return an informed consent explaining the nature and risk of concussion and head injury.
- Adopt bylaws that require each student athlete who is suspected of sustaining a concussion or head injury in practice or in a competition to be immediately removed from the activity.
- Adopt bylaws for the establishment and duties of a sports medicine advisory committee.¹¹

FHSAA Appeals Process

The FHSAA is required to establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal must be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws establish the number, size, and composition of each committee on appeals.¹² The authority and duties of a committee on appeals is to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.¹³ The members of the appeals committees must:

⁹ Section 1006.20(1), F.S.

¹⁰ Florida High School Athletic Association, *About FHSAA*, <https://fhsaa.com/sports/2020/1/16/About.aspx> (last visited Jan. 12, 2026).

¹¹ Section 1006.20(2), F.S.

¹² Section 1006.20(7)(a), F.S.

¹³ Section 1006.20(7)(d), F.S.

- Not be a member of the board of directors.
- Serve terms of three years and are eligible to succeed themselves only once. A member of a committee on appeals may serve a maximum of six consecutive years.¹⁴

The FHSAA is required to expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.¹⁵ Decisions made by the committee on appeals, the executive director or his or her designee, and the FHSAA board of directors must be posted online in a searchable format.¹⁶

Effects of Proposed Changes

The bill amends s.1006.20, F.S. to require that if a student is denied eligibility, he or she may appeal the decision from the governing organization. The governing organization must adopt bylaws establishing a timeline for appeals which may not exceed 20 days and that the decisions made by the committee on appeals, the executive director, or his or her designee, and the governing organization board of directors must be posted online in a searchable format, subject to protections of student records established in law.

Presidential Youth Fitness Program

Present Situation

The Presidential Youth Fitness Program (PYFP) is a comprehensive school-based program that promotes health and regular physical activity for America's youth. The PYFP is a voluntary program that offers educators free access to a health-related assessment for youth fitness, professional development for meaningful implementation, and motivational recognition to empower students to adopt and maintain an active lifestyle. The PYFP places emphasis on the value of living a physically active and healthy lifestyle — in school and beyond. The program minimizes comparisons between children and instead supports students as they pursue personal fitness goals for lifelong health.¹⁷

The President's Council on Sports, Fitness & Nutrition (PCSFN) is a federal advisory committee that aims to promote healthy eating and physical activity for all people, regardless of background or ability. President Trump's Executive Order 14327 of July 31, 2025, revitalizes the PCSFN and called for the reestablishment of the Presidential Fitness Test. It also allows for continued promotion of youth sports, provides for the work of the Council to promote the physical, mental, and civic benefits of daily movement, exercise, and good nutrition, and engages every sector—public and private, civilian and military—in creating a national culture of strength, vitality, and excellence. Since 1966, the PCSFN has promoted the Youth Fitness Test. While the fitness test has changed over the years, the current test continues to assess physical fitness using data from the 1985 National School Population Fitness Survey.¹⁸

¹⁴ Section 1006.20(7)(b)(c), F.S.

¹⁵ Section 1006.20(7)(f), F.S.

¹⁶ Section 1006.20(7)(h), F.S.

¹⁷ United States Department of Health and Human Services, Office of Disease Prevention and Human Promotion, *Presidential Youth Fitness Program*, <https://odphp.health.gov/pcsfn/programs-awards/presidential-youth-fitness-program> (last visited Jan. 12, 2026).

¹⁸ *Id.*

The PYFP is administered by the National Fitness Foundation, whose current goal is to provide students and schools with access to high quality resources and tools to promote physical activity to support and reward physical health and fitness. Currently, the National Fitness Foundation is actively working with the Department of Health and Human Services and the President's Council to update the PYFP for today's youth.¹⁹

Effects of Proposed Changes

The bill amends section 1003.455, F.S., to require each school district to ensure that students in grades K-12 annually participate in the Presidential Youth Fitness Program, or its successor program, as part of the district's physical education curriculum. However, since high school students are required to complete only one credit in physical education to earn a standard high school diploma, it is likely that a student who has completed the physical education requirement and is not participating in athletics would not annually participate in the PYFP.

Athletic Coach Compensation

Present Situation

Salary Schedules and Collective Bargaining

District school boards are required to designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees. Additionally, school districts are required to develop a compensation and salary schedule that includes:

- A grandfathered salary schedule for employees hired before July 1, 2014, which must base a portion of compensation on performance under the district's evaluation system and provide differentiated pay for instructional personnel and school administrators based on district-determined factors such as additional responsibilities, school demographics, high-need areas, and job difficulty.
- A performance salary schedule for employees hired on or after July 1, 2014, or employees who opt out of the grandfathered schedule, which must provide annual salary adjustments for instructional personnel and school administrators based on their performance evaluations.²⁰

School districts engage in collective bargaining with employee unions, but certain responsibilities cannot be negotiated away. Collective bargaining agreements cannot prevent a school district from exercising its authority regarding:

- Providing incentives to effective and highly effective teachers.
- Implementing intervention and support strategies to address low student performance and improve academic outcomes and attendance.
- Implementing student discipline policies, including reviewing a student's abilities, past performance, behavior, and needs.
- Implementing school safety plans and requirements.
- Implementing staff and student recognition programs.

¹⁹ National Fitness Foundation, *Presidential Youth Fitness Program*, <https://fitness.foundation/presidential-youth-fitness-program-2>, (last visited Jan. 12, 2026).

²⁰ Section 1012.22(1), F.S.

- Distributing correspondence to parents, teachers, and the community related to daily school and district operations.
- Providing any required notices or copies of information related to district school board or district operations, which is readily available on the school district's website.
- The school district's calendar.²¹

In addition to salary adjustments, each school district must provide salary supplements for activities that must include, but are not limited to:²²

- Assignment to a Title I eligible school.
- Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 such that the supplement remains in force for at least 1 year following improved performance in that school.
- Certification and teaching in high-demand teacher needs areas, as identified by the State Board of Education or the school district.
- Assignment of additional academic responsibilities.

Athletic Coaches

In most school districts, athletic coaches are hired as teachers and are provided with a salary supplement for performing duties of a coach. All salary supplements provided to teachers, including supplements for coaches, are negotiated through collective bargaining. Because of the collectively bargained nature of coaches' stipends, there is also variation between school districts. For example, the average stipend for a head football coach in Broward County was \$3,038, while the average stipend for the same positions in Collier County was \$7,000.²³

By comparison, head football coaches in neighboring states receive significantly more compensation, with many receiving more than \$100,000 annual salary and even one example in Georgia where a coach was receiving \$219,214.65 in annual compensation.²⁴

Effect of Proposed Changes

The bill amends section 1012.22, F.S., to authorize each district school board, at its sole discretion, to determine and approve the compensation of any person employed as an athletic coach, assistant coach, or athletic program supervisor, regardless of whether such individual is classified as instructional personnel. The bill authorizes that the compensation may exceed any salary schedule, supplement, or stipend otherwise prescribed and may be paid in any form or amount deemed appropriate by the district school board, including, but not limited to, salaries, stipends, bonuses, performance-based incentives, and hourly or per-assignment pay. Such compensation is considered part of the coach's total compensation. Finally, the bill clarifies that limitations on supplemental pay applicable to instructional personnel do not apply to compensation provided to athletic coaches.

²¹ Section 1012.22(3), F.S.

²² Section 1012.22(1)(c)5., F.S.

²³ Dr. Andrew Ramjit, Executive Director, Florida Coaches Associations, Coaches Compensation in Florida, *available at* <https://flsenate.gov/Committees/DownloadMeetingDocument/7891>, at. 30.

²⁴ Id. at 31 - 32.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have a fiscal impact on state revenues or expenditures. The bill could have an impact on school districts to cover the required insurance for students wishing to participate in specified activities, as well as covering any costs of the programs. In addition, if a school district decides to compensate athletic coaches as described in the bill, this would result in a fiscal impact to the district.

VI. Technical Deficiencies:

The bill language is unclear regarding prohibiting additional student fees for extracurricular activities and the appeals process for determining student eligibility.

The bill prohibits a public or private school in which a student is enrolled who wishes to participate from imposing additional fees or costs for participation outside of the fees or costs

students currently enrolled at the school pay to participate in the extracurricular activity. The language is unclear as “enrolled” is not defined in the bill as it relates to participation in extracurricular activities.

The bill includes a new provision requiring that decisions made by the committee on appeals be posted online in a searchable format and in compliance with ss. 1002.22 and 1002.221, F.S. The requirement to post decisions regarding appeals is already in s. 1006.20(7)(h), F.S., added by 2025-52. Laws of Florida. While the bill indicates a “governing organization” rather than the FHSA in current law, the underlined language indicates all new language.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.15, 1002.33, 1003.455, 1006.195, 1006.20, and 1012.22.

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.



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LEGISLATIVE ACTION

Senate

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House

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1006.15, Florida Statutes, is amended to
read:

1006.15 Student standards for participation in
interscholastic and intrascholastic extracurricular student
activities; regulation.—

(1) SHORT TITLE.—This section may be cited as the “Craig



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Dickinson Act."

(2) DETERMINATION.—Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term "extracurricular" means any school-authorized or education-related activity occurring during or outside the regular instructional school day. In the determination of whether a school offers an activity or a sport, the activity or sport must meet the designation requirements of s. 1006.205(3)(a).

(3) ~~(a)~~ DEFINITIONS.—As used in this section and s. 1006.20, the term:

(a) "Eligible student" means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.

(b) 1. "Eligible to participate" includes, but is not limited to, a student participating in all of the following:

- a. Tryouts.7
- b. Off-season conditioning.7
- c. Summer workouts.7
- d. Preseason conditioning.7
- e. In-season practice.7
- f. ~~or~~ Contests.

2. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic



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extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:

a.1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

b.2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

c.3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

d.4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). 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.



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69 3.-(b) Any student who is exempt from attending a full
70 school day based on rules adopted by the district school board
71 for double session schools or programs, experimental schools, or
72 schools operating under emergency conditions must maintain the
73 grade point average required by this section and pass each class
74 for which he or she is enrolled.

75 (c) "Extracurricular" means any school-authorized or
76 education-related activity occurring during or outside the
77 regular instructional school day.

78 (d) "Governing organization" means any organization that
79 governs the athletic activities of a school, including, but not
80 limited to, the Florida High School Athletic Association.

81 (4) ELIGIBILITY.—

82 (a)-(c)1. A An individual home education student is eligible
83 to participate in an interscholastic or intrascholastic
84 extracurricular activity at the school in which he or she is
85 enrolled.

86 (b) An eligible student may participate in an
87 interscholastic or intrascholastic extracurricular activity at a
88 school other than the school in which the student is enrolled
89 if:

90 1. The school in which the student is enrolled does not
91 offer the same interscholastic or intrascholastic
92 extracurricular activity or the student is in a home education
93 program; and

94 2. The school at which the student will participate in the
95 interscholastic or intrascholastic extracurricular activity is
96 located in the school district in which the student resides.

97 (c) If no public or charter schools in the district in



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which the student resides offer the interscholastic or intrascholastic extracurricular activity, and an agreement cannot be reached with a private school in the district in which the student resides, the student may participate at a public, charter, or private school that is appropriate for the student's grade level located outside of his or her school district. The school at which the student participates pursuant to this paragraph must be in a school district adjacent to the school district in which the student resides.

(d) If a student has exhausted all options outlined above for participation in an interscholastic or intrascholastic extracurricular activity, the student may petition the executive director of the applicable governing organization to explore options for participation at a school not otherwise covered by this section.

(e) For purposes of this subsection, any participation by an eligible student at a private school other than the school in which the student is enrolled must be pursuant to an agreement between the private school and the student ~~at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:~~

~~a. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.~~

~~b. During the period of participation at a school, the home education student must demonstrate educational progress as~~



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~~required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.~~

~~e. The home education student must meet the same residency requirements as other students in the school at which he or she participates.~~

~~d. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.~~

~~e. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before participation. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~f. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to sub-subparagraph b.~~

~~g. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to~~



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~~participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to sub-subparagraph b. to become eligible to participate as a home education student.~~

~~2. An individual home education student is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, provided the student meets the conditions specified in sub-subparagraphs 1.a.-g.~~

~~(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could attend, or may develop an agreement to participate at a private school, in any interscholastic extracurricular activity of that school, unless such activity is provided by the student's charter school, if the following conditions are met:~~

~~1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.~~

~~2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).~~

~~3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.~~

~~4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.~~



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~~5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before participation. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to subparagraph 2.~~

~~7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.~~

~~(c) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, if the student:~~

~~1. During the period of participation in the interscholastic extracurricular activity, meets the requirements~~



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~~in paragraph (a).~~

~~2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.~~

~~3. Meets the same residency requirements as other students in the school at which he or she participates.~~

~~4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.~~

~~5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before participation. A Florida Virtual school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).~~

~~(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).~~

~~(h) A student in a full-time virtual instruction program under s. 1002.45, including the full-time Florida Virtual School program, a full-time school district virtual instruction~~



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~~program, or a full-time virtual charter school, is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, or may develop an agreement to participate at a private school, provided the student:~~

~~1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a);~~

~~2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School, the district school board, or the governing board of the virtual charter school, as applicable;~~

~~3. Meets the same residency requirements as other students in the school at which he or she participates;~~

~~4. Meets the same standards of athletic team acceptance, behavior, and performance which are required of other students in extracurricular activities; and~~

~~5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before participation.~~

~~(i) An individual traditional public school student who is otherwise eligible to participate in interscholastic extracurricular activities may either participate in any such activity at any public school in the school district in which the student resides or develop an agreement to participate in such activity at a private school, unless the activity is provided by the student's traditional public school. Such student must:~~

~~1. Meet the same standards of acceptance, behavior, and~~



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~~performance that are required of other students in
extracurricular activities at the school at which the student
wishes to participate.~~

~~2. Before participation, register with the school his or
her intent to participate in interscholastic extracurricular
activities as a representative of the school. The student must
be able to participate in curricular activities if that is a
requirement for an extracurricular activity.~~

~~(j)1. A school district or charter school may not delay
eligibility or otherwise prevent a student participating in
controlled open enrollment, or a choice program, from being
immediately eligible to participate in interscholastic and
intrascholastic extracurricular activities.~~

~~2. A student may not participate in a sport if the student
participated in that same sport at another school during that
school year, unless the student meets one of the following
criteria:~~

~~a. Dependent children of active duty military personnel
whose move resulted from military orders.~~

~~b. Children who have been relocated due to a foster care
placement in a different school zone.~~

~~c. Children who move due to a court-ordered change in
custody due to separation or divorce, or the serious illness or
death of a custodial parent.~~

~~d. Authorized for good cause in district or charter school
policy.~~

~~(5)(4) BEGINNING APPLICABILITY.—The student standards for
participation in interscholastic extracurricular activities must
be applied beginning with the student's first semester of the~~



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9th grade. Each student must meet such other requirements for participation as may be established by the district school board; however, a district school board may not establish requirements for participation in interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students. ~~Except as set forth in paragraph (3)(c), evaluation processes or requirements that are placed on home education student participants may not go beyond those that apply under s. 1002.41 to home education students generally.~~

(6)(5) GOVERNING ORGANIZATION RESPONSIBILITIES.—All governing organizations ~~Any organization or entity that regulates or governs interscholastic extracurricular activities of public schools:~~

(a) Shall permit home education associations to join as member schools.

(b) May ~~Shall~~ not discriminate against any eligible student based on an educational choice of public, private, or home education.

(7)(6) PROHIBITED MEMBERSHIPS.—Public schools are prohibited from membership in any governing organization that ~~or entity which regulates or governs interscholastic extracurricular activities and~~ discriminates against eligible students in public, private, or home education.

(8)(7) INSURANCE.—Any insurance provided by district school boards for participants in extracurricular activities must ~~shall~~ cover any eligible student ~~the participating home education student.~~ ~~If there is an additional premium for such coverage, the participating home education student shall pay the premium.~~



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~~(8)(a) The Florida High School Athletic Association (FHSAA) shall, in cooperation with each district school board and its member private schools, facilitate a program in which a middle school or high school student who attends a private school is eligible to participate in an interscholastic or intrascholastic sport at a member public high school, a member public middle school, a member 6-12 public school, or a member private school, as appropriate for the private school student's grade level, if:~~

~~1. The private school in which the student is enrolled is not a member of the FHSAA or the private school in which the student is enrolled is a member of the FHSAA and does not offer the sport in which the student wishes to participate.~~

~~2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board or member private school. At a minimum, such guidelines must provide a deadline for each sport by which the private school student's parents must register with the member school in writing their intent for their child to participate at that school in the sport.~~

~~(b) The parents of a private school student participating in a member school sport under this subsection are responsible for transporting their child to and from the member school at which the student participates. The private school the student attends, the member school at which the student participates in a sport, the district school board, and the FHSAA are exempt from civil liability arising from any injury that occurs to the student during such transportation.~~

~~(c) For each academic year, a private school student may only participate at the member school in which the student is~~



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~~first registered under subparagraph (a)2. or makes himself or herself a candidate for an athletic team by engaging in a practice.~~

(9) SCHOOL RESPONSIBILITIES.-

(a)(d) The athletic director or other appropriate administrator of each participating FHSAA member school shall maintain the student records necessary for eligibility, compliance, and participation for all eligible students participating in interscholastic or intrascholastic extracurricular activities at the member school in the program.

(b)(e) Any private school that has a student who wishes to participate in interscholastic or intrascholastic extracurricular activities at another school this program must make all student records, including, but not limited to, academic, financial, disciplinary, and attendance records, available upon request of the governing organization FHSAA.

(c)(f) A student must apply to participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled by either of the following methods:

1. Applying to the school's governing organization for the extracurricular activity as provided for in the governing organization's bylaws this program through the FHSAA program application process.

2. If there is no governing organization for the extracurricular activity for which the student is applying, through an appropriate process that complies with ss. 1002.31 and 1002.41. The State Board of Education may adopt rules to implement this paragraph.



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(d) The school in which a student wishes to participate in interscholastic or intrascholastic extracurricular activities may not impose additional fees or costs for participation outside of the fees or costs students currently enrolled at the school pay to participate in the extracurricular activity.

(e) The parents of the student participating in the interscholastic or intrascholastic extracurricular activity must provide for the transportation of the student to and from the school at which the student participates. The school in which the student is enrolled, the school at which the student participates in the extracurricular activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.

(10) STUDENT TRANSFERS.—

(a) A student may not participate in interscholastic activities at two different schools during the same school year, unless the student:

1. Is a dependent child of active duty military personnel whose move resulted from military orders;

2. Has been relocated due to a foster care placement in a different school zone;

3. Has moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent; or

4. Has been granted approval by the applicable governing organization's executive director.

(b) The governing organization shall provide a determination of eligibility to the requesting student within 14 days after such a request is made.



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(c) The governing organization shall adopt bylaws establishing criteria for determining eligibility of students pursuant to this subsection.

(11) BYLAWS.—The governing organization may adopt additional bylaws to implement this section

~~(9) (a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.~~

~~(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:~~

~~1. Dependent children of active duty military personnel whose move resulted from military orders.~~

~~2. Children who have been relocated due to a foster care placement in a different school zone.~~

~~3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.~~

~~4. Authorized for good cause in district or charter school policy.~~

~~(10) A student who participates in an interscholastic or~~



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~~intrасchoolastic activity at a public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at that school for the remainder of the school year if:~~

~~(a) During the period of participation in the activity, the student continues to meet the requirements specified in paragraph (3)(a).~~

~~(b) The student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for enrollment requirements at the school at which the student participates.~~

~~(c) The parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.~~

Section 2. Subsection (11) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES.—A charter school student is eligible to participate in an interscholastic extracurricular activity at the public school to which the student would be otherwise assigned to attend, or may develop an agreement to participate at a private school, pursuant to s. 1006.15(4) ~~s. 1006.15(3)(d)~~.

Section 3. Subsection (7) is added to section 1003.455,



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Florida Statutes, to read:

1003.455 Physical education; assessment.—

(7) Each school district shall ensure that students in grades K-12 annually participate in the Presidential Youth Fitness Program, or its successor program, as part of the district's physical education curriculum.

Section 4. Paragraphs (a) and (b) of subsection (1) of section 1006.195, Florida Statutes, are amended to read:

1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board shall ~~must~~ 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:

1. 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, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that



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school year, unless the student meets the criteria in s.
1006.15(10) ~~s. 1006.15(3)(j)~~.

3. 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 pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and intrascholastic extracurricular activities for, but are not enrolled in, a public school pursuant to s. 1006.15(4) ~~s. 1006.15(3)(e) (e) and (8)~~, are subject to the district school board's code of student conduct for the limited purpose of establishing and maintaining the student's eligibility to participate at the school.

Section 5. Paragraph (h) of subsection (7) of section 1006.20, Florida Statutes, is amended, and paragraph (i) is added to that subsection, to read:

1006.20 Athletics in public K-12 schools.—

(7) APPEALS.—

(h) Decisions made by the committee on appeals, the executive director or his or her designee, and a governing organization's ~~the FHSAA~~ board of directors must be posted online in a searchable format and be in compliance with ss. 1002.22 and 1002.221.

(i) A student denied eligibility may appeal the decision from the governing organization. The governing organization shall adopt bylaws establishing a timeline for appeals which may not exceed 20 days.

Section 6. Paragraph (k) is added to subsection (1) of section 1012.22, Florida Statutes, to read:



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1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(k) Athletic coach compensation.—The district school board may, at its sole discretion, determine and approve the compensation of any person employed as an athletic coach, assistant coach, or athletic program supervisor, regardless of whether such individual is classified as instructional personnel. Compensation may exceed any salary schedule, supplement, or stipend otherwise prescribed and may be paid in any form or amount deemed appropriate by the district school board, including, but not limited to, salaries, stipends, bonuses, performance-based incentives, and hourly or per-assignment pay. Such compensation is considered part of the coach's total compensation. The limitations on supplemental pay applicable to instructional personnel under this section or any other law do not apply to compensation provided under this paragraph.

Section 7. This act shall take effect July 1, 2026.

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

Delete everything before the enacting clause
and insert:

A bill to be entitled



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An act relating to extracurricular activities;
amending s. 1006.15, F.S.; making technical changes;
defining terms; revising eligibility requirements for
a student to participate in an interscholastic or
intrascholastic extracurricular activity; providing
construction; deleting obsolete provisions; requiring
that insurance provided by district school boards for
participants in extracurricular activities cover any
eligible student; deleting requirements for the
Florida High School Athletic Association to facilitate
a program for private school students to participate
in an interscholastic or intrascholastic sport;
requiring the athletic director or other appropriate
administrator to maintain student records for all
eligible students participating in interscholastic or
intrascholastic extracurricular activities at a member
school; revising requirements for a student to apply
to participate in an interscholastic or
intrascholastic extracurricular activity at certain
schools; prohibiting a school from imposing additional
fees on a student who wishes to participate in
extracurricular activities; requiring parents to
provide for the transportation to and from the school
for their student; providing indemnity for a school
and district school board under specified
circumstances; prohibiting a student from
participating in interscholastic or intrascholastic
extracurricular activities at two different schools
within the same school year unless the student meets



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specified criteria; requiring the governing organization to provide a certain determination of eligibility within a specified timeframe; requiring the governing organization to adopt specified bylaws; authorizing the governing organization to adopt additional bylaws; deleting provisions providing requirements for certain student transfers; amending s. 1002.33, F.S.; conforming a cross-reference; amending s. 1003.455, F.S.; requiring each school district to ensure that students participate in the Presidential Youth Fitness Program; amending s. 1006.195, F.S.; conforming cross-references; amending s. 1006.20, F.S.; authorizing a student who is denied certain eligibility to appeal a decision made by the governing organization; requiring the governing organization to adopt bylaws to establish a timeline for an appeals process; providing a limitation on such timelines; amending s. 1012.22, F.S.; authorizing a district school board to determine and approve the compensation of an athletic coach; providing that the compensation may exceed any prescribed salary schedule, supplement, or stipend and be paid in any form or amount deemed appropriate by the school board; providing that such compensation is considered part of the athletic coach's total compensation; providing that limitations on supplemental pay are not applicable to the compensation of an athletic coach; providing an effective date.

By Senator Simon

3-00681A-26

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1 A bill to be entitled
 2 An act relating to physical education; amending s.
 3 1006.15, F.S.; making technical changes; defining
 4 terms; revising eligibility requirements for a student
 5 to participate in an interscholastic or
 6 intrascholastic extracurricular activity; requiring
 7 that insurance provided by district school boards for
 8 participants in extracurricular activities cover any
 9 eligible student; deleting requirements for the
 10 Florida High School Athletic Association to facilitate
 11 a program for private school students to participate
 12 in an interscholastic or intrascholastic sport;
 13 requiring the athletic director or other appropriate
 14 administrator to maintain student records for all
 15 eligible students participating in interscholastic or
 16 intrascholastic extracurricular activities at a member
 17 school; prohibiting a school from imposing additional
 18 fees on a student who wishes to participate in
 19 extracurricular activities; requiring parents to
 20 provide transportation to and from the school for
 21 their student; providing indemnity for a school and
 22 district school board under specified circumstances;
 23 prohibiting a student from participating in the same
 24 sport at two different schools within the same school
 25 year unless certain approval is granted; requiring the
 26 governing organization to provide a determination for
 27 such a request within a specified timeframe; requiring
 28 the governing organization to adopt bylaws; deleting
 29 provisions providing requirements for certain student

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

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30 transfers; amending s. 1002.33, F.S.; conforming a
 31 cross-reference; amending s. 1003.455, F.S.; requiring
 32 each school district to ensure that students
 33 participate in the Presidential Youth Fitness Program;
 34 amending s. 1006.195, F.S.; conforming cross-
 35 references; amending s. 1006.20, F.S.; authorizing a
 36 student who is denied certain eligibility to appeal a
 37 decision made by the governing organization; requiring
 38 the governing organization to adopt bylaws to
 39 establish a timeline for an appeals process; requiring
 40 that appeals decisions be posted online; amending s.
 41 1012.22, F.S.; authorizing a district school board to
 42 determine and approve the compensation of an athletic
 43 coach; providing that the compensation may exceed any
 44 salary schedule and be paid in any form deemed
 45 appropriate by the school board; providing that
 46 limitations on supplemental pay are not applicable to
 47 the compensation of an athletic coach; providing an
 48 effective date.

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

51
 52 Section 1. Section 1006.15, Florida Statutes, is amended to
 53 read:

54 1006.15 Student standards for participation in
 55 interscholastic and intrascholastic extracurricular student
 56 activities; regulation.—

57 (1) SHORT TITLE.—This section may be cited as the "Craig
 58 Dickinson Act."

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

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(2) DETERMINATION.—Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term “extracurricular” means any school-authorized or education-related activity occurring during or outside the regular instructional school day. In the determination of whether a school offers an activity or a sport, the activity or sport must meet the designation requirements of s. 1006.205(3)(a).

(3)~~(a)~~ DEFINITIONS.—As used in this section and s. 1006.20, the term:

(a) “Eligible student” means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.

(b)1. “Eligible to participate” includes, but is not limited to, a student participating in all of the following:

a. Tryouts.~~r~~

b. Off-season conditioning.~~r~~

c. Summer workouts.~~r~~

d. Preseason conditioning.~~r~~

e. In-season practice.~~r~~

f. ~~or~~ Contests.

2. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in

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interscholastic extracurricular student activities, a student must:

a.1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

b.2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student’s parents, if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

c.3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

d.4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). 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.

3.(b) Any student who is exempt from attending a full

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school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) "Extracurricular" means any school-authorized or education-related activity occurring during or outside the regular instructional school day.

(d) "Governing organization" means any organization that governs the athletic activities of a school, including, but not limited to, the Florida High School Athletic Association.

(4) ELIGIBILITY.—

(a)(e)1. A An individual home education student is eligible to participate in an interscholastic or intrascholastic extracurricular activity at the school in which he or she is enrolled.

(b) An eligible student may participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled if:

1. The school in which the student is enrolled does not offer the same interscholastic or intrascholastic extracurricular activity or, if the student is a home education student, the student may participate as part of a home education athletic cooperative; and

2. The school at which the student will participate in the interscholastic or intrascholastic extracurricular activity is one for which the student would otherwise be zoned or is a private school or charter school appropriate for the student's

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grade level located in the school district in which the student resides.

(c) If the school for which the student would otherwise be zoned does not offer the interscholastic or intrascholastic extracurricular activity, the student may:

1. Participate at any public, charter, or private school appropriate for the student's grade level in the school district in which the student resides; or

2. Participate at a public, charter, or private school outside of the student's district which is appropriate for the student's grade level, if the school is the closest school to the student's home address which offers the interscholastic or intrascholastic extracurricular activity.

(d) If no public or charter schools in the district in which the student resides offer the interscholastic or intrascholastic extracurricular activity, and an agreement cannot be reached with a private school in the district in which the student resides, the student may participate at a public, charter, or private school that is appropriate for the student's grade level located outside of his or her school district. The school at which the student participates pursuant to this paragraph must be in a school district adjacent to the school district in which the student resides.

(e) If a student has exhausted all options outlined above for participation in an interscholastic or intrascholastic extracurricular activity, the student may petition the executive director of the applicable governing organization to explore options for participation at a school not otherwise covered by this section.

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(f) For purposes of this subsection, any participation by an eligible student at a private school other than the school in which the student is enrolled must be pursuant to an agreement between the private school and the student. at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

a. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

b. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent, grades earned through correspondence, grades earned in courses taken at a Florida College System institution, university, or trade school, standardized test scores above the 35th percentile, or any other method designated in s. 1002.41.

c. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

d. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

e. The student must register with the school his or her

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~~intent to participate in interscholastic extracurricular activities as a representative of the school before participation. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.~~

~~f. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to sub-subparagraph b.~~

~~g. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to sub-subparagraph b. to become eligible to participate as a home education student.~~

~~2. An individual home education student is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, provided the student meets the conditions specified in sub-subparagraphs 1.a.-g.~~

~~(d) An individual charter school student pursuant to s. 1002.33 is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could attend, or may develop an agreement to participate at a private school, in any interscholastic extracurricular activity of that school,~~

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unless such activity is provided by the student's charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before participation. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in

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interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before participation. A Florida Virtual school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or

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291 during the first grading period of the school year is
 292 academically eligible to participate in interscholastic
 293 extracurricular activities during the first grading period if
 294 the student has a successful evaluation from the previous school
 295 year pursuant to paragraph (a).

296 (g) A public school or private school student who has been
 297 unable to maintain academic eligibility for participation in
 298 interscholastic extracurricular activities is ineligible to
 299 participate in such activities as a Florida Virtual School
 300 student until the student successfully completes one grading
 301 period in the Florida Virtual School pursuant to paragraph (a).

302 (h) A student in a full-time virtual instruction program
 303 under s. 1002.45, including the full-time Florida Virtual School
 304 program, a full-time school district virtual instruction
 305 program, or a full-time virtual charter school, is eligible to
 306 participate on an interscholastic athletic team at any public
 307 school in the school district in which the student resides, or
 308 may develop an agreement to participate at a private school,
 309 provided the student.

310 1. During the period of participation in the
 311 interscholastic extracurricular activity, meets the requirements
 312 in paragraph (a).

313 2. Meets any additional requirements as determined by the
 314 board of trustees of the Florida Virtual School, the district
 315 school board, or the governing board of the virtual charter
 316 school, as applicable.

317 3. Meets the same residency requirements as other students
 318 in the school at which he or she participates.

319 4. Meets the same standards of athletic team acceptance.

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320 behavior, and performance which are required of other students
 321 in extracurricular activities; and

322 5. Registers his or her intent to participate in
 323 interscholastic extracurricular activities with the school
 324 before participation.

325 (i) An individual traditional public school student who is
 326 otherwise eligible to participate in interscholastic
 327 extracurricular activities may either participate in any such
 328 activity at any public school in the school district in which
 329 the student resides or develop an agreement to participate in
 330 such activity at a private school, unless the activity is
 331 provided by the student's traditional public school. Such
 332 student must:

333 1. Meet the same standards of acceptance, behavior, and
 334 performance that are required of other students in
 335 extracurricular activities at the school at which the student
 336 wishes to participate.

337 2. Before participation, register with the school his or
 338 her intent to participate in interscholastic extracurricular
 339 activities as a representative of the school. The student must
 340 be able to participate in curricular activities if that is a
 341 requirement for an extracurricular activity.

342 (j) 1. A school district or charter school may not delay
 343 eligibility or otherwise prevent a student participating in
 344 controlled open enrollment, or a choice program, from being
 345 immediately eligible to participate in interscholastic and
 346 intrascholastic extracurricular activities.

347 2. A student may not participate in a sport if the student
 348 participated in that same sport at another school during that

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349 school year, unless the student meets one of the following
350 criteria:

351 a. ~~Dependent children of active duty military personnel~~
352 ~~whose move resulted from military orders.~~

353 b. ~~Children who have been relocated due to a foster care~~
354 ~~placement in a different school zone.~~

355 c. ~~Children who move due to a court-ordered change in~~
356 ~~custody due to separation or divorce, or the serious illness or~~
357 ~~death of a custodial parent.~~

358 d. ~~Authorized for good cause in district or charter school~~
359 ~~policy.~~

360 (5)(4) BEGINNING APPLICABILITY.—The student standards for
361 participation in interscholastic extracurricular activities must
362 be applied beginning with the student's first semester of the
363 9th grade. Each student must meet such other requirements for
364 participation as may be established by the district school
365 board; however, a district school board may not establish
366 requirements for participation in interscholastic
367 extracurricular activities which make participation in such
368 activities less accessible to home education students than to
369 other students. ~~Except as set forth in paragraph (3)(c),~~
370 ~~evaluation processes or requirements that are placed on home~~
371 ~~education student participants may not go beyond those that~~
372 ~~apply under s. 1002.41 to home education students generally.~~

373 (6)(5) GOVERNING ORGANIZATION RESPONSIBILITIES.—All
374 governing organizations ~~Any organization or entity that~~
375 ~~regulates or governs interscholastic extracurricular activities~~
376 ~~of public schools:~~

377 (a) Shall permit home education associations to join as

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378 member schools.

379 (b) May ~~Shall~~ not discriminate against any eligible student
380 based on an educational choice of public, private, or home
381 education.

382 (7)(6) PROHIBITED MEMBERSHIPS.—Public schools are
383 prohibited from membership in any governing organization that ~~or~~
384 ~~entity which regulates or governs interscholastic~~
385 ~~extracurricular activities and discriminates against eligible~~
386 ~~students in public, private, or home education.~~

387 (8)(7) INSURANCE.—Any insurance provided by district school
388 boards for participants in extracurricular activities must ~~shall~~
389 ~~cover any eligible student the participating home education~~
390 ~~student. If there is an additional premium for such coverage,~~
391 ~~the participating home education student shall pay the premium.~~

392 (8)(a) ~~The Florida High School Athletic Association (FHSAA)~~
393 ~~shall, in cooperation with each district school board and its~~
394 ~~member private schools, facilitate a program in which a middle~~
395 ~~school or high school student who attends a private school is~~
396 ~~eligible to participate in an interscholastic or intrascholastic~~
397 ~~sport at a member public high school, a member public middle~~
398 ~~school, a member 6-12 public school, or a member private school,~~
399 ~~as appropriate for the private school student's grade level, if:~~

400 1. ~~The private school in which the student is enrolled is~~
401 ~~not a member of the FHSAA or the private school in which the~~
402 ~~student is enrolled is a member of the FHSAA and does not offer~~
403 ~~the sport in which the student wishes to participate.~~

404 2. ~~The private school student meets the guidelines for the~~
405 ~~conduct of the program established by the FHSAA's board of~~
406 ~~directors and the district school board or member private~~

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school. At a minimum, such guidelines must provide a deadline for each sport by which the private school student's parents must register with the member school in writing their intent for their child to participate at that school in the sport.

(b) The parents of a private school student participating in a member school sport under this subsection are responsible for transporting their child to and from the member school at which the student participates. The private school the student attends, the member school at which the student participates in a sport, the district school board, and the FHSAA are exempt from civil liability arising from any injury that occurs to the student during such transportation.

(c) For each academic year, a private school student may only participate at the member school in which the student is first registered under subparagraph (a)2. or makes himself or herself a candidate for an athletic team by engaging in a practice.

(9) SCHOOL RESPONSIBILITIES.—

(a)(d) The athletic director or other appropriate administrator of each participating FHSAA member school shall maintain the student records necessary for eligibility, compliance, and participation for all eligible students participating in interscholastic or intrascholastic extracurricular activities at the member school in the program.

(b)(e) Any private school that has a student who wishes to participate in interscholastic or intrascholastic extracurricular activities at another school this program must make all student records, including, but not limited to, academic, financial, disciplinary, and attendance records,

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available upon request of the governing organization FHSAA.

(c)(f) A student must apply to participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled by either of the following methods:

1. Applying to the school's governing organization for the extracurricular activity as provided for in the governing organization's bylaws this program through the FHSAA program application process.

2. If there is no governing organization for the extracurricular activity for which the student is applying, through an appropriate process which must comply with ss. 1002.41 and 1002.31. The State Board of Education may adopt rules to implement this paragraph.

(d) The school in which a student is enrolled who wishes to participate in extracurricular activities may not impose additional fees or costs for participation outside of the fees or costs students currently enrolled at the school pay to participate in the extracurricular activity.

(e) The parents of the student participating in the activity must provide for the transportation of the student to and from the school at which the student participates. The school in which the student is enrolled, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.

(10) STUDENT TRANSFERS.—A student may not participate in the same sport at two different schools during the same school year, unless granted approval by the applicable governing

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organization's executive director.

(a) The governing organization shall provide a determination of eligibility to the requesting student within 14 days after such a request is made.

(b) The governing organization shall adopt bylaws establishing criteria for determining eligibility of students pursuant to this subsection.

(11) BYLAWS.—The governing organization may adopt additional bylaws to implement this section.

~~(9) (a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extra-curricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.~~

~~(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:~~

~~1. Dependent children of active duty military personnel whose move resulted from military orders.~~

~~2. Children who have been relocated due to a foster care placement in a different school zone.~~

~~3. Children who move due to a court ordered change in custody due to separation or divorce, or the serious illness or~~

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~~death of a custodial parent.~~

~~4. Authorized for good cause in district or charter school policy.~~

~~(10) A student who participates in an interscholastic or intrascholastic activity at a public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at that school for the remainder of the school year if:~~

~~(a) During the period of participation in the activity, the student continues to meet the requirements specified in paragraph (3) (a).~~

~~(b) The student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for enrollment requirements at the school at which the student participates.~~

~~(c) The parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.~~

Section 2. Subsection (11) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES.—A charter school student is eligible to participate in an interscholastic extracurricular activity at the public

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 school to which the student would be otherwise assigned to
 attend, or may develop an agreement to participate at a private
 school, pursuant to s. 1006.15(4) ~~s. 1006.15(3)(d)~~.

Section 3. Subsection (7) is added to section 1003.455,
 Florida Statutes, to read:

1003.455 Physical education; assessment.—

(7) Each school district shall ensure that students in
 grades K-12 annually participate in the Presidential Youth
 Fitness Program, or its successor program, as part of the
 district's physical education curriculum.

Section 4. Paragraphs (a) and (b) of subsection (1) of
 section 1006.195, Florida Statutes, are amended to read:

1006.195 District school board, charter school authority
 and responsibility to establish student eligibility regarding
 participation in interscholastic and intrascholastic
 extracurricular activities.—Notwithstanding any provision to the
 contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student
 eligibility to participate in interscholastic and
 intrascholastic extracurricular activities:

(1)(a) A district school board shall ~~must~~ 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:

1. 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, including ss.

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 1006.07, 1006.08, and 1006.09, is eligible to participate in
 interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student
 participated in that same sport at another school during that
 school year, unless the student meets the criteria in s.
1006.15(4) ~~s. 1006.15(3)(j)~~.

3. 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 pursuant to s. 1006.20(2)(b).

(b) Students who participate in interscholastic and
 intrascholastic extracurricular activities for, but are not
 enrolled in, a public school pursuant to s. 1006.15(4) ~~s.~~
~~1006.15(3)(e)-(e) and (8)~~, are subject to the district school
 board's code of student conduct for the limited purpose of
 establishing and maintaining the student's eligibility to
 participate at the school.

Section 5. Paragraphs (i) and (j) are added to subsection
 (7) of section 1006.20, Florida Statutes, to read:

1006.20 Athletics in public K-12 schools.—

(7) APPEALS.—

(i) A student denied eligibility may appeal the decision
 from the governing organization. The governing organization
 shall adopt bylaws establishing a timeline for appeals which may
 not exceed 20 days.

(j) Decisions made by the committee on appeals, the
 executive director, or his or her designee, and the governing
 organization board of directors must be posted online in a
 searchable format and in compliance with ss. 1002.22 and

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581 1002.221.

582 Section 6. Paragraph (k) is added to subsection (1) of
583 section 1012.22, Florida Statutes, to read:

584 1012.22 Public school personnel; powers and duties of the
585 district school board.—The district school board shall:

586 (1) Designate positions to be filled, prescribe
587 qualifications for those positions, and provide for the
588 appointment, compensation, promotion, suspension, and dismissal
589 of employees as follows, subject to the requirements of this
590 chapter:

591 (k) Athletic coach compensation.—The district school board
592 may, at its sole discretion, determine and approve the
593 compensation of any person employed as an athletic coach,
594 assistant coach, or athletic program supervisor, regardless of
595 whether such individual is classified as instructional
596 personnel. Compensation may exceed any salary schedule,
597 supplement, or stipend otherwise prescribed and may be paid in
598 any form or amount deemed appropriate by the district school
599 board, including, but not limited to, salaries, stipends,
600 bonuses, performance-based incentives, and hourly or per-
601 assignment pay. Such compensation is considered part of the
602 coach's total compensation. The limitations on supplemental pay
603 applicable to instructional personnel under this section or any
604 other law do not apply to compensation provided under this
605 paragraph.

606 Section 7. This act shall take effect July 1, 2026.

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 430

INTRODUCER: Senator Yarborough

SUBJECT: Oaths of School Personnel

DATE: January 16, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick/Palazes	Bouck	ED	Pre-meeting
2.			HE	
3.			RC	

I. Summary:

SB 430 creates new oath requirements for specified education personnel in Florida. The bill requires public school instructional and administrative personnel and public and private prekindergarten instructors to subscribe to a specified oath before entering upon the duties of their positions. It also requires individuals employed in an administrative or instructional capacity at a Florida College System institution or state university to subscribe to a specified oath before entering upon their duties.

The oath affirms support for the United States Constitution and State Constitution and includes additional commitments regarding professional performance and conduct.

The bill takes effect July 1, 2026.

II. Present Situation:

Oaths for Public Service in Florida

The Florida law and the Florida Constitution require oaths tied to certain public service at the state and local levels. In addition, Florida statutes require public employees on the payroll of the state and its political subdivisions to execute a loyalty oath affirming support for the U.S. and Florida Constitutions.

Oath for Public Service for State and County Officers

For public office the Florida Constitution requires each state and county officer, before entering upon duties of the office give bond as required by law and shall swear or affirm:¹

¹ FLA. CONST. art. II section 5.

“I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of (title of office) on which I am now about to enter. So help me God.”

An oath is a sworn declaration that is often made in the name of a deity.² An affirmation serves the same function as an oath, but it is a solemn, secular declaration made without an oath.³ Florida law allows an affirmation to be substituted whenever an oath is required by Florida law in any proceeding.⁴ In practice, when a person affirms rather than swears, the person may omit the words “so help me God,” consistent with using an affirmation as a substitute for an oath.⁵

Oath for Public Employees

All employees who are on the payroll of the state, or any of its departments and agencies, subdivisions, counties, cities, school boards and districts of the free public school system of the state or counties, or institutions of higher learning, except candidates for federal office, are required to take an oath before any person duly authorized to take acknowledgments of instruments for public record in the state in the following form:⁶

“I, , a citizen of the State of Florida and of the United States of America, and being employed by or an officer of and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.”

If a public employee fails to take the oath, the governing authority under which such person is employed shall immediately discharge the employee, and his or her name must be removed from the payroll, and the person is not permitted to receive any payment as an employee or as an officer where he or she was serving.⁷

Candidates for Public Office

Each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office or a federal office, shall take and subscribe to an oath or affirmation in writing. A copy of the

² Encyclopaedia Britannica, “Oath” (describing an oath as a religious and secular promise), <https://www.britannica.com/topic/oath-religious-and-secular-promise> (last visited Jan. 8, 2026); Cornell Law School, Legal Information Institute, Wex, “Oath” (noting that oaths are often done in the name of a deity, though not always), <https://www.law.cornell.edu/wex/oath> (last visited Jan. 8, 2026).

³ Encyclopaedia Britannica, “Affirmation” (law) (describing an affirmation as allowed in place of an oath for a witness who cannot, because of conscience, swear an oath), <https://www.britannica.com/topic/affirmation> (last visited Jan. 8, 2026); Merriam-Webster Dictionary, “affirmation” (law) (defining affirmation as a solemn declaration made under penalties of perjury by a person who conscientiously declines taking an oath), <https://www.merriam-webster.com/dictionary/affirmation> (last visited Jan. 8, 2026).

⁴ Section 92.52, F.S.

⁵ Florida Department of State, Division of Elections, *DS-DE 56, Oath of Office* (Rev. 07/25) (note stating: “If you affirm, you may omit the words ‘so help me God.’” and citing s. 92.52, Fla. Stat.), available at <https://files.floridados.gov/media/702653/dsde56-oath-acceptance-jul-2025.pdf>.

⁶ Section 876.05, (1), F.S.

⁷ Section 876.06, F.S.

oath or affirmation shall be made available to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:⁸

“Before me, an officer authorized to administer oaths, personally appeared (please print name as you wish it to appear on the ballot) , to me well known, who, being sworn, says that he or she is a candidate for the office of ; that he or she is a qualified elector of County, Florida; that he or she is qualified under the Constitution and the laws of Florida to hold the office to which he or she desires to be nominated or elected; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes; and that he or she will support the Constitution of the United States and the Constitution of the State of Florida.”

(Signature of candidate)

(Address of legal residence)

Sworn to and subscribed before me this day of , (year) , at County, Florida.

(Signature and title of officer administering oath)

Each candidate for federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to office shall take and subscribe to an oath or affirmation in writing. A copy of the oath or affirmation shall be made available to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:⁹

State of Florida

County of

“Before me, an officer authorized to administer oaths, personally appeared (please print name as you wish it to appear on the ballot) , to me well known, who, being sworn, says that he or she is a candidate for the office of ; that he or she is qualified under the Constitution and laws of the United States to hold the office to which he or she desires to be nominated or elected; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; and that he or she will support the Constitution of the United States.”

(Signature of candidate)

(Address)

Sworn to and subscribed before me this day of , (year) , at County, Florida.

(Signature and title of officer administering oath)

States that Require Educators to take an Oath

In a number of states, oaths to uphold the U.S. and state constitution are commonly included as a part of the educator certification process, rather than as a stand-alone employment condition imposed by a school district. In these states, the oath is embedded as a part of the certification

⁸ Section 99.021(1)(a)1., F.S.

⁹ Section 99.021(1)(a)2., F.S.

process. For example, California provides that no credential may be granted unless the applicant subscribes to a prescribed oath or affirmation in the Education Code,¹⁰ and North Dakota requires that the issuance of a teaching license include filing a duly witnessed oath/affirmation.¹¹ In Nevada, no person may be employed as a teacher and paid from public funds without first taking and subscribing to the constitutional oath of office.¹²

Other states have taken a similar approach, including the oath as part of either the teacher certification or as part of the hiring processes. Michigan¹³ conditions the validity of a teaching certificate on the teacher's subscription to a constitutional oath, while Tennessee¹⁴ and West Virginia¹⁵ require teachers to take and sign an oath at the time of executing their employment contracts.

Educator Certification in Florida

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the Department of Education (DOE).¹⁶ Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in other instructional capacity must be certified.¹⁷ The purpose of certification is to require school-based personnel to "possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools."¹⁸

Among other requirements, to be eligible to seek certification, a person must file an affidavit that the applicant subscribes to and will uphold the principles incorporated in the Constitution of the United States and the Constitution of the State of Florida and that the information provided in the application is true, accurate, and complete.¹⁹

The filing of a written oath to uphold the principles of the Constitution of the United States and the Constitution of the State of Florida, does not apply to noncitizens who are needed to teach and who are legally admitted to the United States through the United States Bureau of Citizenship and Immigration Services and assigned to teach on an exchange basis.²⁰

¹⁰ EDC § 44334.

¹¹ N.D. Cent. Code § 15.1-13-15.

¹² NRS 391.080.

¹³ MCL 380.1532.

¹⁴ Tenn. Code Ann. § 49-5-405.

¹⁵ W. Va. Code § 18A-5-7.

¹⁶ Sections 1012.55(1) and 1002.33(12)(f), F.S.

¹⁷ Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

¹⁸ Section 1012.54, F.S.; see Rule 6A-4.001(1), F.A.C.

¹⁹ Section 1012.56(2)(b), F.S.

²⁰ Section 1012.56(12), F.S.

Public Education Personnel

Public K-12 Personnel

“Instructional personnel” means any K-12 staff member whose function includes the provision of direct instructional services to students. Instructional personnel also includes K-12 personnel whose functions provide direct support in the learning process of students. Instructional personnel include classroom teachers, student personnel services, librarians/media specialists, learning resource specialists, and education paraprofessionals.²¹

“Administrative personnel” includes K-12 personnel who perform management activities such as developing broad policies for the school district and executing those policies through the direction of personnel at all levels within the district, such as district school superintendents, assistant superintendents, deputy superintendents, school principals, assistant principals, career center directors, and others who perform management activities.²²

Florida College System Personnel

Each board of trustees establishes the personnel program for all employees of the Florida College System institution.²³ Administrative personnel and instructional personnel are defined by the board of trustees subject to specified reporting requirements.²⁴

State University Personnel

Each state university board of trustees must establish a personnel program for all the employees of the institution. Regarding university teaching faculty and administrators, however, the personnel program must use the following definitions:²⁵

- University teaching faculty is defined as an employee that provides direct instruction, research, public service, student support, and administrative duties that may vary from semester to semester. These employees may be on a tenured/tenured-track line or under contract by the university in a faculty, academic personnel, or personnel support position.
- An administrator is defined as an employee who has managerial responsibilities for the operations of departments, teams, units, projects, or programs.

Voluntary Prekindergarten (VPK) Instructors

A Prekindergarten instructor is a teacher or child care personnel who provides instruction to students in the Voluntary Prekindergarten Education program.²⁶ For each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor meets each of the following requirements:²⁷

- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment

²¹ Section 1012.01(2), F.S.

²² Section 1012.01(3), F.S.

²³ Section 1001.64(18), F.S.

²⁴ Rule 6A-14.002, F.A.C.

²⁵ Board of Governors Regulation 9.006

²⁶ Section 1002.51(6), F.S.

²⁷ Section 1002.55, F.S.

- Copy of Affidavit of Good Moral Character
- Copy of a five (or more) hour Early Literacy training certificate. If Literacy training was completed after October 1, 2005, it must be the Florida Standards for Four-Year-Olds as well as VPK Emergent Literacy.

VPK instructors are also required to meet one of the following requirements:²⁸

- Child Development Associate (CDA) or Florida Child Care Professional Certificate (FCCPC) earned within the last five (5) years; or
- An Associate's Degree or higher in Child Development; or
- An Associate's Degree or higher in an unrelated field, with at least 6 credit hours in early childhood education or child development, and at least 480 hours of experience in teaching or providing childcare services for children any age from birth to 8 years of age; or
- A Bachelor's Degree or higher in early childhood education, prekindergarten or primary education, preschool education, or family and consumer science; or
- A Bachelor's Degree in elementary education, if the pre-k instructor has been certified to teach children any age from birth through 6th grade, with a Florida Educator's Certificate, regardless whether the certificate is current or not, and has not had this educator certificate suspended or revoked.

III. Effect of Proposed Changes:

The bill creates section 1012.591, F.S. to require that before entering into the duties of a member of the instructional and administrative personnel at a K-12 public school and a public or private prekindergarten instructor must subscribe to the following:

"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the Constitution and Government of the State of Florida; that I am duly qualified for employment as a member of the school personnel in this state; that I will well and faithfully perform the duties of a member of the school personnel in a professional, independent, objective, and nonpartisan manner; that I will uphold the highest standards of academic integrity and professional ethics; that I will foster a respectful learning environment for all students which promotes critical thinking, civic responsibility, and lifelong learning; and that I will serve as a positive role model in both conduct and character, so help me God."

The bill creates sections 1012.802, F.S. to require that before entering into the duties of a person employed in an administrative or instructional capacity within a Florida College System institution or state university, a person must subscribe to the following oath:

"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the Constitution and Government of the State of Florida; that I am duly qualified for employment as a member of the school personnel in this state; that I will well and faithfully perform the duties of a member of the school personnel in a professional, independent, objective, and nonpartisan manner; that I will uphold the highest standards of academic integrity and professional ethics; that I will

²⁸ *Id.*

foster a respectful learning environment for all students which promotes critical thinking, civic responsibility, and lifelong learning; and that I will serve as a positive role model in both conduct and character, so help me God.”

The bill is effective July 1, 2026.

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:

The bill requires specified K-12 “school personnel,” including prekindergarten instructors, to subscribe to an oath before entering upon their duties. The bill also requires specified Florida College System institution and state university administrative and instructional employees to subscribe to an oath before entering upon their duties.

Because the bill applies to prekindergarten instructors, it may reach instructors employed by private entities that participate in the Voluntary Prekindergarten Education Program. Courts have invalidated funding conditions that require private recipients to adopt an organization-wide policy position as their own, or that also restrict the recipient’s speech with nonprogram funds.²⁹ By contrast, the United States Supreme Court has upheld funding conditions that define the limits of a government program’s funded activities or message, so long as recipients remain free to engage in their own speech outside the program, including through privately funded or separate affiliate activities.³⁰

²⁹ *Agency for Int’l Dev. v. All. for Open Soc’y Int’l, Inc.*, 570 U.S. 205 (2013) (invalidating a grant condition requiring recipients to adopt an organization-wide policy, not confined to the federally funded program); *FCC v. League of Women Voters of Cal.*, 468 U.S. 364 (1984) (invalidating a condition that prohibited certain federally funded stations from editorializing, including with nonfederal funds); *Legal Servs. Corp. v. Velazquez*, 531 U.S. 533 (2001) (invalidating a restriction on federally funded legal services that barred certain advocacy and operated as viewpoint discrimination).

³⁰ *Rust v. Sullivan*, 500 U.S. 173 (1991) (upholding Title X conditions restricting abortion counseling and referral within the federally funded program; distinguishing program-scope limits from compelled affirmation of belief); *Regan v. Tax’n With Representation of Wash.*, 461 U.S. 540 (1983) (upholding denial of tax-deductible status for substantial lobbying by a 501(c)(3), noting the ability to pursue lobbying through a separate affiliate); *Nat’l Endowment for the Arts v. Finley*, 524 U.S.

Courts have generally upheld narrowly drawn public-employee oaths limited to supporting the federal and state constitutions and opposing their unlawful overthrow.³¹ Courts have invalidated educator loyalty requirements when they use vague or overbroad standards or penalize protected association.³²

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

The bill requires specified K-12 “school personnel,” specified Florida College System institution and state university administrative to subscribe to an oath before entering upon their duties. It is unclear whether the bill’s oath requirements are consistent with current statute, specifically section 1012.56(12), F.S., which exempts noncitizens from subscribing to an oath to uphold the United States Constitution and State Constitution as part of educator certification, and section 1001.741(1)(b), F.S., which prohibits a state university from requiring any statement, pledge, or oath beyond a commitment to uphold general and federal law, the United States Constitution, and the State Constitution as part of an admissions, hiring, employment, promotion, tenure, disciplinary, or evaluation process.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates the following sections of the Florida Statutes: 1012.591 and 1012.802.

569 (1998) (upholding “decency and respect” grant criteria as part of a competitive subsidy scheme and not a direct prohibition of private speech).

³¹ *Cole v. Richardson*, 405 U.S. 676 (1972).

³² *Keyishian v. Bd. of Regents*, 385 U.S. 589 (1967).

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.



770460

LEGISLATIVE ACTION

Senate

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. .

House

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (1) of section
1001.741, Florida Statutes, is amended to read:

1001.741 State university personnel; recruitment of
faculty; performance assessment and reporting; employment
practices; requiring certain oaths or statements prohibited;
grievances.—



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(1) Except as delegated pursuant to paragraph (a), each state university president has the final authority for hiring the provost, the deans, and all full-time faculty for the university, and has an ongoing duty to assess the performance, productivity, and employment practices of the university's provost and deans. The president of the university is encouraged to engage in faculty recruiting as appropriate, and shall provide a regular report and recommendations on employment practices to the board at least twice annually.

(b) A state university may not require any statement, pledge, or oath other than the oath pursuant to s. 1012.802 and the oath to uphold general and federal law, the United States Constitution, and the State Constitution as a part of any admissions, hiring, employment, promotion, tenure, disciplinary, or evaluation process.

Section 2. Section 1012.591, Florida Statutes, is created to read:

1012.591 Oath of school personnel.—

(1) Before entering upon the duties of a member of the instructional or administrative personnel as defined in s. 1012.01(2) and (3), respectively, or of a prekindergarten instructor at a public school, including charter schools, a person must subscribe to the following oath:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the Constitution and Government of the State of Florida; that I am duly qualified for employment as a member of the school personnel in this



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state; that I will well and faithfully perform the
duties of a member of the school personnel in a
professional, independent, objective, and nonpartisan
manner; that I will uphold the highest standards of
academic integrity and professional ethics; that I
will foster a respectful learning environment for all
students which promotes critical thinking, civic
responsibility, and lifelong learning; and that I will
serve as a positive role model in both conduct and
character, so help me God.

(2) (a) An employee hired on or after July 1, 2026, as a
member of the instructional or administrative personnel, as
defined in s. 1012.01(2) and (3), respectively, or as a
prekindergarten instructor employed by a public school,
including a charter school, must subscribe to the oath before
entering upon the duties of the position.

(b) All members of the instructional or administrative
personnel, as defined in s. 1012.01(2) and (3), respectively,
and all prekindergarten instructors employed by a public school,
including a charter school, who are employed on or before June
30, 2026, must subscribe to the oath no later than July 1, 2027.

Section 3. Section 1012.802, Florida Statutes, is created
to read:

1012.802 Oath of administrative and instructional
employees.—

(1) Before entering upon the duties of a person employed in
an administrative or instructional capacity of a Florida College
System institution or state university, a person employed in



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such capacity must subscribe to the following oath:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the Constitution and Government of the State of Florida; that I am duly qualified as a person employed in an administrative or instructional capacity in this state; that I will well and faithfully perform the duties of a person employed in an administrative or instructional capacity in a professional, independent, objective, and nonpartisan manner; that I will uphold the highest standards of academic integrity and professional ethics; that I will foster a respectful learning environment for all students which promotes critical thinking, civic responsibility, and lifelong learning; and that I will serve as a positive role model in both conduct and character, so help me God.

(2) (a) An employee hired on or after July 1, 2026, as a member of the instructional or administrative personnel must subscribe to the oath before entering upon the duties of the position.

(b) A person employed on or before June 30, 2026, must subscribe to the oath under this section at the person's next tenure review, post-tenure review, or other periodic performance evaluation, including any 5-year post-tenure review, occurring on or after July 1, 2026.

Section 4. This act shall take effect July 1, 2026.



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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to oaths of school personnel; amending
s. 1001.741, F.S.; providing an exception to a
prohibition on a state university requiring a
statement, pledge, or oath; creating s. 1012.591,
F.S.; requiring specified persons employed as members
of school personnel to subscribe to a specified oath
before entering upon the duties of a member of the
school personnel; creating s. 1012.802, F.S.;
requiring persons employed in an administrative or
instructional capacity at a Florida College System
institution or state university to subscribe to a
specified oath before entering upon the duties of a
person employed in an administrative or instructional
capacity; providing an effective date.

By Senator Yarborough

4-00518A-26

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A bill to be entitled

An act relating to oaths of school personnel; creating s. 1012.591, F.S.; requiring specified persons employed as members of school personnel to take a specified oath before entering upon the duties of a member of the school personnel; creating s. 1012.802, F.S.; requiring persons employed in an administrative or instructional capacity at a Florida College System institution or state university to take a specified oath before entering upon the duties of a person employed in an administrative or instructional capacity; providing an effective date.

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

Section 1. Section 1012.591, Florida Statutes, is created to read:

1012.591 Oath of school personnel.—Before entering upon the duties of a member of the instructional or administrative personnel as defined in s. 1012.01(2) and (3), respectively, or of a prekindergarten instructor as defined in s. 1002.51(6), a person must subscribe to the following oath:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the Constitution and Government of the State of Florida; that I am duly qualified for employment as a member of the school personnel in this state; that I will well and faithfully perform the

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duties of a member of the school personnel in a professional, independent, objective, and nonpartisan manner; that I will uphold the highest standards of academic integrity and professional ethics; that I will foster a respectful learning environment for all students which promotes critical thinking, civic responsibility, and lifelong learning; and that I will serve as a positive role model in both conduct and character, so help me God.

Section 2. Section 1012.802, Florida Statutes, is created to read:

1012.802 Oath of administrative and instructional employees.—Before entering upon the duties of a person employed in an administrative or instructional capacity of a Florida College System institution or state university, a person employed in such capacity must subscribe to the following oath:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the Constitution and Government of the State of Florida; that I am duly qualified as a person employed in an administrative or instructional capacity in this state; that I will well and faithfully perform the duties of a person employed in an administrative or instructional capacity in a professional, independent, objective, and nonpartisan manner; that I will uphold the highest standards of academic integrity and professional ethics; that I will foster a respectful learning environment for all

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59 students which promotes critical thinking, civic
60 responsibility, and lifelong learning; and that I will
61 serve as a positive role model in both conduct and
62 character, so help me God.
63 Section 3. This act shall take effect July 1, 2026.