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<tr>
<td>1</td>
<td>SB 132</td>
<td>Braynon</td>
<td>(Similar to H 00055) Sunshine Scholarship Program</td>
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<td>2</td>
<td>SB 754</td>
<td>Baxley</td>
<td>(Identical to H 00699) School Crossing Guards</td>
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<td>3</td>
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<td>Diaz</td>
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<td>4</td>
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<td>6</td>
<td>SB 1246</td>
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<td>8</td>
<td>SPB 7040</td>
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<td>Implementation of the Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission</td>
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## COMMITTEE MEETING EXPANDED AGENDA

### EDUCATION

**Senator Diaz, Chair**  
**Senator Montford, Vice Chair**

**MEETING DATE:** Tuesday, January 21, 2020  
**TIME:** 2:30—4:00 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building  
**MEMBERS:** Senator Diaz, Chair; Senator Montford, Vice Chair; Senators Baxley, Berman, Cruz, Perry, Simmons, and Stargel

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| 1   | SB 132  
Braynon  
(Similar H 55, S 1004) | Sunshine Scholarship Program; Establishing the Sunshine Scholarship Program; requiring the Department of Education to administer the program; requiring certain financial aid to be credited to a student's tuition and fees before the award of a Sunshine Scholarship; requiring a student to repay the scholarship amount under certain circumstances, etc. | ED 01/21/2020  
AED  
AP |
| 2   | SB 754  
Baxley  
(Identical H 699) | School Crossing Guards; Authorizing a school crossing guard employed by a private school, upon approval of the sheriff of the county in which such private school is located, to direct traffic at certain locations under certain circumstances; providing that the school crossing guard is not required to meet specified uniform minimum standards, etc. | ED 01/21/2020  
IS  
RC |
| 3   | SB 866  
Diaz  
(Identical H 1203) | Florida Talent Development Council; Requiring the council to submit, by a specified date, a report with recommendations related to the Pathways in Technology Early College High School (P-TECH) program, or a similar program, to the Governor, the Legislature, the Board of Governors, and the State Board of Education; requiring the P-TECH program to incorporate secondary and postsecondary education with workforce education and work experience, etc. | ED 01/21/2020  
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| 4   | SB 918 Brandes (Similar H 581) | Civic Education; Requiring the Commissioner of Education to develop minimum criteria for a nonpartisan civic literacy practicum for high school students, beginning with a specified school year; authorizing students to apply the hours they devote to practicum activities to certain community service requirements; requiring the State Board of Education to designate certain high schools as Freedom Schools, based on criteria the board establishes relating to students’ civic learning and civic engagement, etc. | ED 01/21/2020  
AED  
AP |
| 5   | SB 1220 Diaz | Education; Requiring that the rules to establish uniform core curricula for each state-approved teacher preparation program include evidence-based reading instructional strategies and mental health strategies and support; providing that for a subject requiring only a baccalaureate degree, a baccalaureate degree with a major in the subject area, conferred within the last 10 years, is an acceptable means of demonstrating mastery of subject area knowledge; directing the Commissioner of Education, with the advice and consent of the chair of the Education Practices Commission, to appoint an executive director who is exempt from career service and may be removed by the commissioner, etc. | ED 01/21/2020  
AED  
AP |
| 6   | SB 1246 Stargel (Compare CS/H 187, S 62) | Dual Enrollment; Clarifying that secondary students eligible for dual enrollment programs include students who are enrolled in home education programs; prohibiting district school boards and Florida College System institutions from denying students who have met eligibility requirements from participating in dual enrollment except under specified circumstances; providing that certain independent colleges and universities are eligible for inclusion in the dual enrollment and early admission programs; establishing the Dual Enrollment Scholarship Program, etc. | ED 01/21/2020  
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<td>7</td>
<td>SB 1420</td>
<td>Charter Schools; Prohibiting sponsors from refusing to receive a charter school application submitted during the calendar year; requiring certain charter school employees or governing board members to inform a school district if he or she has completed a criminal history check in another district within a certain timeframe; specifying how many applications a high-performing charter school may submit in any school district in the state to establish and operate a new charter school; revising the virtual instruction a virtual charter school may provide, etc.</td>
<td>ED 01/21/2020 AED AP</td>
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Consideration of proposed bill:

| 8 | SPB 7040 | Implementation of the Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission; Authorizing a sheriff to contract for services to provide training under the Coach Aaron Feis Guardian Program; adding penalties for persons who knowingly submit false information to a law enforcement agency; revising the training, consultation, and coordination responsibilities of the Office of Safe Schools; requiring the Louis de la Parte Florida Mental Health Institute to consult with specified state agencies and convene a workgroup to advise those agencies on the implementation of specified mental health recommendations, etc. | |

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

BILL: SB 132
INTRODUCER: Senator Braynon
SUBJECT: Sunshine Scholarship Program
DATE: January 17, 2020

I. Summary:

SB 132 establishes the Sunshine Scholarship Program (scholarship), administered by the Department of Education, to provide funding for 100 percent of tuition and fees for Florida residents pursuing an associate degree or career certificate from a Florida College System (FCS) institution or a career center. The bill specifies that a student must repay the awarded amount if the student does not reside and work within the state for a specified period after program completion or disenrollment.

The bill takes effect July 1, 2020.

II. Present Situation:

Postsecondary Tuition and Fees

Florida law establishes the tuition rate for resident students and authorizes specific student fees at Florida postsecondary institutions. The cost of tuition at Florida College System (FCS) institutions is set by law at $71.98 per credit hour for resident students pursuing an associate degree program. The standard cost of tuition per contact hour for programs leading to a career certificate or an applied technology diploma is $2.33.

By law, all students must be charged tuition and fees except students who are exempt from fees or students whose fees are waived. School districts and FCS institutions may waive fees for

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1 “Legal resident” means a person who has maintained his or her residence in this state for the preceding year, has purchased a home which is occupied by him or her as his or her residence, or has established a domicile in this state. Section 1009.21(d), F.S.
2 Section 1009.23(3)(a), F.S.
3 Section 1009.22(3)(c), F.S.
4 Sections 1009.22(2) and 1009.23(2)(a), F.S.
students who are not otherwise exempt from fees, in accordance with certain conditions, or defer tuition and fees for students receiving financial aid from a federal or state assistance program when the aid is delayed.

The cost of tuition and fees for residents enrolled full-time for the 2018-2019 academic year was:

- Approximately $3,200 for an associate degree at an FCS institution.
- Approximately $2,500 for a career certificate at an FCS institution or a career center.

Financial Aid

State and federal student financial aid and tuition assistance programs are available to assist students in accessing and pursuing higher education in Florida. The Office of Student Financial Assistance (OSFA), within the Department of Education (DOE), administers state financial aid and scholarship programs. Student financial assistance available for use in Florida includes a variety of grants, scholarships, and loans.

In addition to meeting requirements specific to each financial aid program, in order to be eligible for state financial aid awards, students must:

- Achieve the academic requirements of acceptance and be accepted at an eligible institution;
- Reside in this state, for purposes other than to obtain an education, for no less than 1 year preceding the award of aid or a tuition assistance grant program; and
- Submit certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate eligibility.

Institutions are required to expend moneys designated as need-based financial aid with no preference given to students who also qualify for merit-based or other financial aid awards.

Pell Grant

Federal Pell Grants are awarded to undergraduate students displaying exceptional financial need who have not earned a bachelor’s, graduate, or professional degree. The basis for determining the award amount depends on an applicant’s:

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5 Section 1009.26(1), F.S.
6 Section 1009.27(1), F.S.
7 Email, Florida Department of Education (Jan. 3, 2020). Career centers can only offer career certificate programs by contact hour, not credit hour. The average cost per contact hour for students enrolled at career centers in Florida as residents for 2018-2019, inclusive of optional fees authorized by law, was $2.79. Id. Cost of average annual tuition at a career center may be determined by converting the standard cost of tuition and fees per contact hour at a career center ($2.79) to cost per credit hour ($82.77) and factoring with a comparable full-time credit load per year (30).
9 See ss. 1009.50-1009.894, F.S. and Rules 6A-20.001 - 20.111, F.A.C.
10 Section 1009.40(1)(a)1., F.S.
11 Section 1009.40(1)(a)2., F.S.
12 Section 1009.40(1)(a)3., F.S.
13 Section 1009.44, F.S.
• Expected Family Contribution;\textsuperscript{15}
• Cost of attendance determined by the relevant school for the specific program;
• Status as a full-time or part-time student; and
• Plans to attend school for a full academic year or less.\textsuperscript{16}

Once a student has earned a baccalaureate degree or the student’s first professional degree, or the 12 semesters of eligibility have expired, a student is no longer eligible to receive a Federal Pell Grant.\textsuperscript{17}

The maximum Federal Pell Grant award is $6,195 for the 2019-2020 academic year.\textsuperscript{18}

\textit{Florida Student Assistance Grant}

The Florida Student Assistance Grant (FSAG) Program, created in 1972, is Florida’s largest need-based grant program for degree-seeking students.\textsuperscript{19} There are four FSAG programs under which a student may receive need-based aid, depending on the type of postsecondary institution the student attends. The four FSAG programs are the:\textsuperscript{20}
• Florida Public Student Assistance Grant (FSAG Public) for students attending a state university or FCS institution;
• Florida Public Postsecondary Career Education Student Assistance Grant (FSAGCE) for certificate-seeking students attending an eligible FCS institution or career center operated by district school boards;\textsuperscript{21}
• Florida Private Student Assistance Grant (FSAG Private) for students attending an eligible private, non-profit, four-year college or university; and
• Florida Postsecondary Student Assistance Grant (FSAG Postsecondary) for students attending an eligible postsecondary institution licensed by the Commission for Independent Education or offering a nursing diploma as approved by the Florida Board of Nursing.\textsuperscript{22}

The procedures for application, eligibility, award, renewal, disbursement, and reinstatement are similar across the FSAG Programs. Awards are made annually for the amount of demonstrated unmet need for the cost of education up to the maximum award established in the General Appropriations Act. The program is administered by participating institutions in accordance with State Board of Education (SBE) rule.\textsuperscript{23}

\textsuperscript{15} Expected Family Contribution is calculated using a student’s: family size; family’s taxed and untaxed income, assets, and benefits; and number of family members who will attend college or career school during the year. Federal Student Aid, \textit{How Aid is Calculated}, https://studentaid.gov/complete-aid-process/how-calculated#efc (last visited Dec. 23, 2019).
\textsuperscript{16} Federal Student Aid, \textit{supra} note 15.
\textsuperscript{17} Id.
\textsuperscript{18} Id. In certain situations, a student who is eligible can receive up to 150 percent of his or her scheduled Pell grant award for an award year.
\textsuperscript{22} Section 1009.52(2)(a)1.-2., F.S.
\textsuperscript{23} See Rule 6A-20.031, F.A.C.
The average FSAG award amounts disbursed for 2018-2019 were:
- $1,492.55 for FSAG Public to 157,003 students.
- $729.92 for FSAGCE to 4,308 students.
- $1,498.96 for FSAG Private to 16,345 students.
- $1,081.96 for FSAG Postsecondary to 6,284 students.

A total of $269,396,012 has been appropriated for the FSAG programs for the 2019-2020 fiscal year. The current maximum annual award amount of $2,610 has not changed since 2013.

**Florida Bright Futures Scholarship**

The Florida Bright Futures Scholarship Program (program) is a lottery-funded scholarship program to reward any Florida high school graduate who merits recognition of high academic achievement and enrolls in a degree, certificate, or applied technology program at an eligible Florida public or private postsecondary education institution. The program is administered by the DOE according to SBE rule, and funding for the program is allocated from the Education Enhancement Trust Fund. Awards are issued annually, and a student may receive only one type of award from the program.

In order to be eligible for an initial program award, a student must:
- Be a Florida resident;
- Earn a standard Florida high school diploma or high school equivalency diploma, except upon meeting a specified alternative;
- Meet specified academic criteria; and

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29 See *Id.* at 12.
30 Section 442, ch. 2002-387, L.O.F.
31 Section 1009.53(1), F.S. Awards are also available for graduate study. Section 1009.5341, F.S.
32 Section 1009.53(3), F.S.
33 Section 1009.53(4), F.S.
34 Section 1009.53(5), F.S.
35 Section 1009.53(7), F.S.
36 Section 1009.531(1)(a), F.S.
37 Section 1009.531(1)(b), F.S.
38 The Bright Futures Scholarship Program consists of four awards: the Florida Academic Scholarship, the Florida Medallion Scholarship, the Florida Gold Seal CAPE Scholarship, and the Florida Gold Seal Vocational Scholarship. Section 1009.53(2), F.S. A student is eligible for an award if he or she meets the general eligibility requirements for the program and relevant criteria outlined in s. 1009.534, 1009.535, or 1009.536, F.S.
• Be accepted by and enroll in an eligible Florida public or independent postsecondary education institution.39

For the 2018-2019 academic year, the average award amounts for the program were:
• $6,534 for the Florida Academic Scholarship to 53,742 students.40
• $3,946 for the Florida Medallion Scholarship to 48,589 students.41
• $908 for the Florida Gold Seal CAPE Scholarship to 159 students.42
• $870 for the Florida Gold Seal Vocational Scholarship to 895 students.43

A total of $595,143,167 has been appropriated for Bright Future Scholarships for the 2019-2020 fiscal year.44

III. Effect of Proposed Changes:

SB 132 establishes the Sunshine Scholarship Program (scholarship), administered by the Department of Education, to provide funding for 100 percent of tuition and fees for Florida residents pursuing an associate degree or career certificate from a Florida College System (FCS) institution or career center. The bill specifies that a student must repay the awarded amount if the student does not reside and work within the state for a specified period after program completion or disenrollment.

Eligibility

Student Eligibility

In order to be eligible to receive a scholarship, a student must:
• Be a resident for tuition purposes;45
• Meet the general requirements for student eligibility,46 except as otherwise provided;

39 Sections 1009.531(1)(c)-(f), F.S.
45 Section 1009.21(1)(d), F.S., defines “resident” to mean a person who has maintained his or her residence in this state for the preceding year, has purchased a home which is occupied by him or her as his or her residence, or has established a domicile in this state. Qualification as a resident for tuition purposes is outlined in s. 1009.21(2)(a), F.S., and involves a person or, if that person is a dependent child, his or her parent or parents, to have established legal residence in this state and maintained legal residence in this state for at least 12 consecutive months immediately prior to initial enrollment in an institution of higher education.
46 Section 1009.40, F.S. provides general requirements for student eligibility consisting of achievement of academic requirements; residency in this state for no less than 1 year preceding the award of aid or a tuition assistance grant; and submission of certification attesting to a student’s eligibility to receive state financial aid awards or tuition assistance grants. Renewal of eligibility is conditional on a student earning a minimum cumulative GPA of 2.0 on a 4.0 scale and 12 credits per
• Have a total annual household income equal to or less than $50,000;47
• Complete the Free Application for Federal Student Aid (FAFSA)48 for each academic year in which the scholarship is sought;
• Be accepted by and enroll in an eligible postsecondary institution; and
• Maintain continuous enrollment as a full-time student while receiving the scholarship.49

The bill requires that, in order to remain eligible for the scholarship, a student must maintain the equivalent of a cumulative grade point average of 2.5 on a 4.0 scale while enrolled. The scholarship applies only to tuition and fees, with each recipient responsible for additional user fees, textbooks, and other college-related expenses.

Providing additional financial assistance to students from low-income families may provide greater opportunities for these students to pursue a postsecondary education.

**Institutional Eligibility**

The bill defines “eligible postsecondary institution” to mean a FCS institution, career center operated by a school district, or charter technical career center. Financial aid received from the Pell Grant, the Florida Public Student Assistance Grant Program, and the Florida Bright Futures Scholarship Program must be credited to the student’s tuition and fees before the award of a scholarship.

**Conditions of Repayment**

The bill requires scholarship recipients to repay the total scholarship amount awarded, plus an annual interest rate equal to the federal student loan interest rate in effect when the student entered the program, if the student does not reside and work within the state for the specified period.50 Upon completion of his or her program of study, or disenrollment, the scholarship

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47 “Household income” means the adjusted gross income of all members of a household. Section 196.075(1)(b), F.S. Section 62 of the United States Internal Revenue Code defines “adjusted gross income” to mean gross income minus trade and business deductions; certain trade and business deductions of employees; losses from sale or exchange of property; deductions attributable to rents and royalties; certain deductions of life tenants and income beneficiaries of property; pension, profit-sharing, and annuity plans of self-employed individuals; retirement savings; penalties forfeited because of premature withdrawal of funds from time savings accounts or deposits; alimony; reforestation expenses; certain required repayments of supplemental unemployment compensation benefits; jury duty pay remitted to employer; moving expenses; Archer MSAs; interest on education loans; higher education expenses; health savings accounts; costs involving discrimination suits; and attorney fees relating to awards to whistleblowers. 26 U.S.C. § 62.

48 Completing a FAFSA form assists in applying for federal state, and school financial aid. In order to qualify for federal student aid, a student or prospective student must meet criteria, including demonstrating the following: financial need; status as a U.S. citizen or an eligible noncitizen; enrollment or acceptance for enrollment as a regular student in an eligible degree or certificate program; and qualification to obtain a college or career school education. Federal Student Aid, Basic Eligibility Criteria, https://studentaid.gov/understand-aid/eligibility/requirements (last visited Dec. 23, 2019).

49 The bill defines “full-time student” for the purposes of this section to mean a student enrolled in a minimum of 12 semester hours or the clock hour equivalent.

50 According to section 1009.21(8), F.S., a person who has been properly classified as a resident for tuition purposes but who, while enrolled in an institution of higher education in this state, loses his or her resident tuition status, continues to enjoy the in-state tuition rate for a statutory grace period for 12 months or, if the 12-month grace period ends during a semester or academic term for which such former resident is enrolled, the grace period is to be extended to the end of that semester or academic term.
recipient must live and work in Florida for the same length of time the scholarship was received. The bill specifies that this requirement does not apply if a student enlists in the United States Armed Forces.

The implementation of the scholarship program is subject to legislative appropriation in the General Appropriations Act.

The bill takes effect July 1, 2020.

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:

The establishment of the Sunshine Scholarship Program may provide eligible students with the opportunity to pursue a postsecondary education, or allow those already pursuing a postsecondary education to enroll in more courses.

C. Government Sector Impact:

The establishment of the Sunshine Scholarship Program is contingent on legislative appropriation. If funded, the Office of Student Financial Assistance (OSFA) may incur
expenses related to documenting, tracking, and funding student participation in the scholarship program.\textsuperscript{51}

VI. \textbf{Technical Deficiencies:}

None.

VII. \textbf{Related Issues:}

None.

VIII. \textbf{Statutes Affected:}

This bill creates section 1009.895 of the Florida Statutes.

IX. \textbf{Additional Information:}

A. \textbf{Committee Substitute – Statement of Changes:}

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

None.

B. \textbf{Amendments:}

None.

\textsuperscript{51} Florida Department of Education, \textit{Agency Bill Analysis for SB 132} (2020).
A bill to be entitled
An act relating to the Sunshine Scholarship Program;
creating s. 1009.895, F.S.; establishing the Sunshine Scholarship Program; requiring the Department of Education to administer the program; providing the purpose of the program; defining terms; requiring certain financial aid to be credited to a student’s tuition and fees before the award of a Sunshine Scholarship; providing student eligibility requirements; requiring a student to repay the scholarship amount under certain circumstances; providing that the program only applies to a student’s tuition and fees; providing for funding; providing for rulemaking; providing an effective date.

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

Section 1. Section 1009.895, Florida Statutes, is created to read:
1009.895 Sunshine Scholarship Program.—
(1) There is established the Sunshine Scholarship Program to be administered by the Department of Education. The Sunshine Scholarship Program shall provide funding for 100 percent of tuition and fees for Florida residents pursuing an associate degree or career certificate from an eligible postsecondary institution. For purposes of this section, “eligible postsecondary institution” means a Florida College System Institution, a career center operated by a school district, or a charter technical career center. Financial aid received from the Pell Grant, the Florida Public Student Assistance Grant Program, and the Florida Bright Futures Scholarship Program shall be credited first to the student’s tuition and fees before the award of a scholarship under this section.
(2) To be eligible to receive a scholarship pursuant to this section, a student must:
(a) Be a resident for tuition purposes, as defined in s. 1009.21.
(b) Meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section.
(c) Have a total annual household income equal to or less than $50,000.
(d) Complete the Free Application for Federal Student Aid (FAFSA) for each academic year in which the scholarship is sought.
(e) Be accepted by and enroll in an eligible postsecondary institution.
(f) Maintain continuous enrollment as a full-time student while receiving the scholarship. For purposes of this section, “full-time student” means a student enrolled in a minimum of 12 semester hours or the clock hour equivalent.
(3) Upon completion of his or her program of study, or upon disenrollment from an eligible postsecondary institution, the student must reside and work within this state for the same period of time he or she received funds from the program. If the student does not reside and work within this state for the specified period, the student must repay the total amount awarded, plus an annual interest rate equal to the federal
student loan interest rate in effect when the student entered the program. The requirements of this subsection do not apply:

(a) When a student enlists in the United States Armed Forces; or
(b) While a student is continuously enrolled in a baccalaureate degree program or higher at a Florida postsecondary institution. Once the student graduates or disenrolls from a Florida postsecondary institution, the requirements of this subsection apply.

(4) To remain eligible for the program, a student must maintain the equivalent of a cumulative grade point average of 2.5 on a 4.0 scale while enrolled at an eligible postsecondary institution.

(5) The Sunshine Scholarship Program applies only to tuition and fees. Each student is responsible for additional user fees, textbooks, and other college-related expenses.

(6) Funding for the program shall be as provided in the General Appropriations Act.

(7) The State Board of Education shall adopt rules to administer this section.

Section 2. This act shall take effect July 1, 2020.
I. Summary:

SB 754 provides alternate training requirements for school crossing guards employed by a private school. The bill authorizes the local county sheriff to approve a private school crossing guard at specified locations if the school crossing guard successfully completes at least 8 hours of instruction in traffic control procedures through a program approved by the Criminal Justice Standards and Training Commission or a similar program offered by the police or sheriff’s department within the county.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2020.

II. Present Situation:

School Crossing Guards

The Department of Transportation publishes guidelines and administers the Florida School Crossing Guard Training Program. Each local governmental entity administering a school crossing guard program must provide a training program for school crossing guards in accordance with the uniform guidelines.

Successful completion of the training program requires:

- Classroom instruction. A crossing guard must pass at least 75 percent of the items on a written examination.

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2 Id.
• Practical training. A crossing guard must competently perform 12 job-related duties.
• Supervised duty. A crossing guard must satisfactorily perform 12 job-related duties during at least two supervised shifts.

A school crossing guard is not required to successfully complete a training program if the school crossing guard: 3
• Received equivalent training during employment as a law enforcement officer.
• Receives less than $5,000 in annual compensation in a county with a population of less than 75,000.
• Is a student who serves in a school patrol.

A nonpublic school may also contract with a local government entity for access to school crossing guard training programs. 4

Local law enforcement agencies administer the local school crossing guard programs by training school crossing guards, who may be employed by the law enforcement agency or another agency such as the school district. 5

Traffic Control Officers

Any police or sheriff’s department may employ as a traffic control officer any individual who successfully completes at least 8 hours of instruction in traffic control procedures through a program approved by the Criminal Justice Standards and Training Commission (CJST), or through a similar program offered by the local police or sheriff’s department. 6 The CJST provides an 8-hour Traffic Control Officer for Civilians course that includes instruction in traffic control procedures. 7

A traffic control officer who only completes the required 8 hours of instruction may direct traffic or operate a traffic control device only at a fixed location and only upon the direction, but not the immediate supervision, of a fully qualified law enforcement officer. 8 A nongovernmental entity may employ a traffic control officer to control traffic on public streets, highways, or roads only when off-duty, full-time law enforcement officers are unavailable.

Florida law provides minimum qualifications for employment or appointment as a law enforcement officer and also directs the CJST to establish minimum employment and training standards. 9 Florida law specifies that a traffic control officer is not required to meet the uniform

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3 Section 316.75, F.S.
4 Id.
5 Email, Florida Department of Transportation, School Crossing Guard Program (Jan. 10, 2020); Telephone interview with Government Affairs Director, Florida Sheriffs Association (Jan. 10, 2020). Counties and municipalities are authorized to impose a surcharge on parking fines for the purpose of funding school crossing guard programs. Section 318.21(11), F.S; Florida Department of Transportation, supra note 1, at 1.
6 Section 316.640(4), F.S.
7 Staff of the Florida Department of Law Enforcement, Legislative Bill Analysis for SB 754 (2020).
8 Section 316.640(4), F.S.
9 Sections 943.12 and 943.13, F.S.
minimum standards established by the CJST for law enforcement officers or auxiliary law enforcement officers.10

III. Effect of Proposed Changes:

SB 754 provides alternate training requirements for school crossing guards employed by a private school. The bill authorizes the local county sheriff to approve a private school crossing guard at specified locations if the school crossing guard successfully completes at least 8 hours of instruction in traffic control procedures through a program approved by the Criminal Justice Standards and Training Commission (CJST) or a similar program offered by the police or sheriff’s department within the county.

The bill also provides that a school crossing guard who completes the required instruction in traffic control procedures and is approved by the local sheriff:
- May perform his or her duties without the immediate supervision of a fully qualified law enforcement officer.
- Is not required to meet the uniform minimum standards established by the CJST for law enforcement officers or auxiliary law enforcement officers.

The bill takes effect July 1, 2020.

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.

10 Section 316.640(4), F.S.
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 s. 316.75, F.S.

IX. Additional Information:
   A. Committee Substitute – Statement of Changes:
      (Summarizing differences between the Committee Substitute and the prior version of the bill.)
      None.
   B. Amendments:
      None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introduce or the Florida Senate.
The Committee on Education (Baxley) recommended the following:

**Senate Amendment**

1. Delete lines 40 - 41
2. and insert:
3. approved by the Criminal Justice Standards and Training Commission or through a
A bill to be entitled An act relating to school crossing guards; amending s. 316.75, F.S.; authorizing a school crossing guard employed by a private school, upon approval of the sheriff of the county in which such private school is located, to direct traffic at certain locations under certain circumstances; providing that the school crossing guard is not required to meet specified uniform minimum standards; authorizing the school crossing guard to perform his or her duties without the immediate supervision of a fully qualified law enforcement officer if approved by the sheriff of the county; providing an effective date.

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

Section 1. Section 316.75, Florida Statutes, is amended to read:

316.75 School crossing guards.—
(1) The Department of Transportation shall adopt uniform guidelines for the training of school crossing guards. Each local governmental entity administering a school crossing guard program shall provide a training program for school crossing guards according to the uniform guidelines.

(2) Successful completion of the training program shall be required of each school guard except:

(a) A person who received equivalent training during employment as a law enforcement officer.

(b) A person who receives less than $5,000 in annual compensation in a county with a population of less than 75,000.

(3) Upon approval of the sheriff of the county in which a private school, as defined in s. 1002.01, is located, a school crossing guard employed by the private school may direct traffic at fixed locations, approved by the sheriff of the county, on private school property or the portion of a county road with egress or ingress to private school property if the school crossing guard successfully completes at least 8 hours of instruction in traffic control procedures through a program approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement or through a similar program offered by the sheriff’s department of the county or police department within the county.

(b) A school crossing guard under this subsection is not otherwise required to meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13.

(c) If approved by the sheriff of the county, a school crossing guard under this subsection may perform his or her duties without the immediate supervision of a fully qualified law enforcement officer.

(4) School crossing guard training programs may be made available to nonpublic schools upon contract.

Section 2. This act shall take effect July 1, 2020.
I. Summary:

SB 866 requires the Florida Talent Development Council (FTDC) to submit a report with recommendations addressing the feasibility of establishing and implementing a Pathways in Technology Early College High School (P-TECH) or similar program that incorporates secondary and postsecondary education with workforce education and work experience, in Florida. The report is required to minimally include the following:

- A school model, for students to earn a high school diploma and associate degree within six years of enrolling in ninth grade.
- A funding model that ensures the program is no cost to students.
- Modification to the school and district accountability requirements.
- An open enrollment policy that encourages a diverse student body.
- Courses of study that support program completion in 4-6 years.
- School governance and staffing recommendations.
- Timelines and additional funding requirements for planning and launching a P-TECH school.
- Seamless articulation with Florida post-secondary institutions.
- Partnerships with industry and business.
- A support model for student success.

The bill has no impact on state revenues or expenditures.

The bill takes effect upon becoming law.
II. Present Situation:

Pathways in Technology Early College High School (P-TECH)

P-TECH, co-developed by the IBM Corporation, is an approach to education that blends high school, community college and workplace skills.¹ P-TECH schools are primarily public schools, governed and supported by the local school district, although there are some examples of similar charter schools. P-TECH is designed to help close the achievement gap among underserved youth. Within six years of enrolling in ninth grade, students graduate with their high school diplomas, no-cost associate degrees and applicable credentials, and participate in workplace learning opportunities.²

P-TECH schools are defined by a set of six key tenets:³

- Public-private partnership;
- Six year integrated program;
- Workplace learning including internships;
- Open enrollment with no grade or testing requirements;
- Cost-Free; and
- First in-line for job openings with industry partners.

The P-TECH model has spread to 200 schools⁴ in 23 countries and 8 states⁵, serving 100,000 students⁶ since its founding in 2011. The P-TECH programs currently in operation have developed 12 different pathways based on regional workforce demand, including:⁷

- Construction technology;
- Process technology;
- Cybersecurity;
- Business;
- Mechanical engineering;
- Energy management;
- Healthcare;
- Advanced manufacturing;
- Machining;
- Early childhood education;
- Computer science; and
- Networking technology.

¹ P-TECH, P-TECH About http://www.ptech.org/about/ (last visited Dec. 17, 2019).
³ Id.
⁵P-TECH, P-TECH Our Schools http://www.ptech.org/resources/schools-map/ (last visited Jan. 8, 2020).
Florida’s Workforce Outlook

An estimated 60 percent of Florida jobs in 2025 will require a postsecondary degree or certificate (postsecondary vocational, associate, bachelor’s, master’s or higher).\(^8\) Currently, 49 percent of working age Floridians have a high quality credential or degree.\(^9\) Florida ranks 21\(^{st}\) in the nation for percentage of adults with education and high-quality workforce credentials.\(^10\) In January, 2019, Governor DeSantis issued Executive Order 19-31 to chart a course for Florida to become number one in the nation for workforce education by 2030, with the goal of ensuring Florida students are prepared to succeed in jobs of the future and satisfy the state’s growing workforce demands.\(^11\)

Career Education Opportunities for Secondary Students in Florida

The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency.\(^12\) Career education program standards for which district school boards and the Florida College System are accountable for, include:\(^13\)

- Student demonstration of the academic skills necessary to enter an occupation.
- Student preparation to enter an occupation in an entry-level position or continue postsecondary study.
- Career program articulation with other corresponding postsecondary programs and job training experiences.
- Employer satisfaction with the performance of students who complete career education or reach occupational completion points.
- Student completion, placement, and retention rates.

Florida Career and Professional Education (CAPE)

In 2007, the Legislature enacted the Florida Career and Professional Education (CAPE) Act to provide a statewide planning partnership between the business and education communities to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.\(^14\) The primary purpose of the CAPE Act is to:\(^15\)

- Improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities;
- Provide rigorous and relevant career-themed courses that articulate to post-secondary level coursework and lead to industry certification;
- Support local and regional economic development;

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\(^9\) Id. at 6.
\(^12\) Section 1004.92(1), F.S.
\(^13\) Id. at (2)(a).
\(^14\) Section 1003.491, F.S.
\(^15\) Id. at (1).
• Respond to Florida’s critical workforce needs; and
• Provide state residents with access to high-wage and high-demand careers.

As part of this act, the Department of Education’s (DOE’s) Division of Career and Adult Education is responsible for developing and maintaining Career and Technical Education (CTE) programs that prepare individuals for occupations important to Florida’s economic development. Each program is aligned to a career cluster and is detailed in curriculum frameworks adopted by the State Board of Education. The programs and courses adopted range from middle grades through associate in science degree level.

**Career Technical Education (CTE) Graduation Pathway**

In addition to requiring high schools to provide students access to CTE courses, a minimum 18 credit CTE Graduation pathway was codified in law beginning with the 2019-2020 school year. A student completing the CTE pathway option must complete the specified requirements and earn a cumulative grade point average (GPA) of 2.0 or higher on a 4.0 scale. A student must also pass the statewide, standardized grade 10 English Language Arts (ELA) Florida Standards Assessment (FSA) and the statewide, standardized Algebra I End-of-Course (EOC) assessment. The 18 required credits minimally include:

- Four credits in ELA;
- Four credits in mathematics;
- Three credits in science;
- Three credits in social studies;
- Two credits in career and technical education; and
- Two credits in work-based learning programs.

**Dual Enrollment**

Florida has a long history with articulated acceleration mechanisms for secondary and postsecondary students including dual enrollment. Dual enrollment is the enrollment of an eligible secondary student or home education program student in a postsecondary course creditable toward both a high school diploma and a career certificate or an associate or baccalaureate degree.

Students who meet the eligibility requirements and choose to participate in dual enrollment programs are exempt from the payment of registration, tuition, and laboratory fees.
Over an eight-year period, annual dual enrollment participation at Florida College System (FCS) institutions increased approximately 59 percent from 50,054 students in 2011-12\textsuperscript{25} to 79,585 students in 2018-19\textsuperscript{26}, an increase of 29,531 students. In 2018-19, there were 2,107 students who obtained an associate degree by spring term of their high school graduation year.\textsuperscript{27}

However in 2018-2019, Hispanic, black, and low income students eligible for the Free and Reduced Lunch (FRL) program were underrepresented in Florida’s dual enrollment programs at FCS institutions as compared to the composition of Florida public high schools: \textsuperscript{28}

- White students comprised 37.9 percent of all Florida public high school students, but represent 51.1 percent of students enrolled in dual enrollment.
- Hispanic students comprised 33.1 percent of all Florida public high school students but only represent 25 percent of students enrolled in dual enrollment.
- Black students comprised 22.5 percent of all Florida public high school students but only represent 15.2 percent of students enrolled in dual enrollment.
- FRL students represented 53.5 percent of all Florida public high school students but only 35.7 percent of students enrolled in dual enrollment.

\textit{Collegiate High School Program}

In 2014, the Legislature codified the collegiate high school program and specified related requirements.\textsuperscript{29} Florida law requires each FCS institution to work with each district school board in its designated service area\textsuperscript{30} to establish one or more collegiate high school programs.\textsuperscript{31}

At a minimum, collegiate high school programs must include an option for public school students in grade 11 or grade 12 participating in the program, for at least 1 full school year, to earn CAPE industry certifications and to successfully complete 30 credit hours through dual enrollment toward the first year of college for an associate degree or baccalaureate degree while enrolled in the program.\textsuperscript{32}

In fall 2018, there were 11,146 students enrolled in a collegiate high school or collegiate high school program.\textsuperscript{33}

\textit{Florida Talent Development Council}

In 2019, the legislature reconstituted the Higher Education Coordinating Council (HECC) as the Florida Talent Development Council (FTDC) for the purpose of developing a data-driven, statewide approach to meeting Florida’s need for a 21\textsuperscript{st} century workforce, which utilizes the in-

\textsuperscript{26} Email, Florida Department of Education (Jan. 8, 2020).
\textsuperscript{27} Id.
\textsuperscript{28} Id.
\textsuperscript{29} Section 10, ch. 2014-184, L.O.F.
\textsuperscript{30} Section 1000.21(3), F.S.
\textsuperscript{31} Section 1007.273(1), F.S.
\textsuperscript{32} Id. at (2), F.S.
\textsuperscript{33} Email, Florida Department of Education (Jan. 8, 2020).
state talent supply system.\textsuperscript{34} The FTDC is responsible for the development and monitoring of a strategic plan for talent development to accomplish the attainment goal of 60 percent of working age adults with a high-value postsecondary credential by 2030.\textsuperscript{35}

III. Effect of Proposed Changes:

SB 866 requires the Florida Talent Development Council (FTDC) to submit a report with recommendations addressing the feasibility of establishing and implementing a Pathways in Technology Early College High School (P-TECH) or similar program, in Florida. The report must be submitted to the Governor, President of the Senate, Speaker of the House of Representatives, Board of Governors, and State Board of Education by December 1, 2020.

The report must include, at a minimum, recommendations regarding the following:

- A school model, for students to earn a high school diploma, an associate degree, and applicable industry certifications and work experience within 6 years of enrolling in 9th grade.
- A funding model that ensures the P-TECH program is no cost to students.
- Modification to the school and district accountability requirements.
- An open enrollment policy that encourages a diverse student body.
- Courses of study that support program completion in 4-6 years and meet regional workforce demand.
- School governance and staffing recommendations.
- Timelines and additional funding requirements for planning and launching a P-TECH school.
- Seamless articulation with Florida post-secondary institutions.
- Partnerships with industry and business to include private investment, work-based training, internships, and first-in-line job opportunities upon graduation.
- A support model for student success.

Requiring the FTDC to prepare and submit a report on the feasibility of implementing a P-TECH, or similar program, may lead to the establishment of such schools in Florida. The establishment of P-TECH programs may assist in preparing students for careers and help Florida attain its goal of 60 percent of working age adults with a high-value postsecondary credential by 2030.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

\textsuperscript{34} Section 1004.015(1), F.S.

\textsuperscript{35} Id. at (4).
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 1004.015 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 Diaz

A bill to be entitled
An act relating to the Florida Talent Development Council; amending s. 1004.015, F.S.; requiring the council to submit, by a specified date, a report with recommendations related to the Pathways in Technology Early College High School (P-TECH) program, or a similar program, to the Governor, the Legislature, the Board of Governors, and the State Board of Education; requiring the P-TECH program to incorporate secondary and postsecondary education with workforce education and work experience; providing requirements for the report; providing an effective date.

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

Section 1. Subsection (6) is added to section 1004.015, Florida Statutes, to read:

1004.015 Florida Talent Development Council.—
(6) By December 1, 2020, the council shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education a report with recommendations that address the feasibility of establishing and implementing the Pathways in Technology Early College High School (P-TECH) program, or a similar program, in Florida. The term "P-TECH program" means a program that incorporates secondary and postsecondary education with workforce education and work experience through a flexible 6-year integrated model. The report must, at a minimum, include the following:

CODING: Words **stricken** are deletions; words _underlined_ are additions.
opportunities upon graduation.

(j) A support model for student success, which may include flexible class scheduling, advising and mentoring components, and other wrap-around services.

Section 2. This act shall take effect upon becoming a law.
I. Summary:

SB 918 authorizes the development and integration of a nonpartisan civic literacy practicum and the designation of a public school providing high-quality civic learning as a Freedom School. Specifically, the bill requires:

- The Commissioner of Education to develop minimum criteria for a nonpartisan civic literacy practicum that may be incorporated into a school’s curriculum for the high school United States Government course, along with a process for district school boards to verify student completion of the practicum.
- School districts to include and accept nonpartisan civic literacy practicum activities and hours in requirements for academic awards.
- The State Board of Education to annually designate each public school in the state which provides students with high-quality civic learning, based on specified criteria, as a Freedom School.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2020.

II. Present Situation:

Florida law requires the adoption of standards for core curricula content taught in public schools and specifies the requirements students must meet to earn a standard high school diploma.¹

Next Generation Sunshine State Standards

The Next Generation Sunshine State Standards (NGSSS) establish the core content to

¹ Sections 1003.41 and 1003.4282(3), F.S.
be taught in Florida and specify the core knowledge and skills K-12 public school students are expected to acquire. The curricular content must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; collaboration skills; information and media-literacy skills; and civic-engagement skills, among others.

The State Board of Education (SBE) is responsible for adopting the NGSSS and subsequent revisions to standards in rule. NGSSS for social studies include at a minimum curricular content for geography, United States and world history, government, civics, humanities, economics, and financial literacy.

High School Diploma Requirements

A student can graduate from a Florida high school with a standard high school diploma through successfully completing one of the following options:

- The 24-credit option;
- The 18-credit Academically Challenging Curriculum to Enhance Learning (ACCEL) option;
- The Career and Technical Education (CTE) Pathway;
- An International Baccalaureate (IB) curriculum; or

To earn a standard high school diploma through the 24-credit option, 18-credit ACCEL option, or CTE Pathway, a student must complete 14 credits in the following subject areas:

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics, including one each in Algebra I and Geometry.
- Three credits in science, including one credit in Biology I and two credits in equally rigorous courses.
- Three credits in social studies, including one credit each in United States History and World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government.

Service Learning

Service learning refers to a student-centered, research-based teaching and learning strategy that engages students in meaningful service activities in their schools or communities. Service learning activities are directly tied to academic curricula, standards, and course, district, or state assessments. The Department of Education must encourage school districts to initiate, adopt, expand and institutionalize service-learning programs, activities, and policies in kindergarten through grade 12.

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2 Section 1003.41(1), F.S.
3 Id.
4 Section 1003.41(3)-(4), F.S.
5 Section 1003.41(2)(d), F.S.
6 Section 1003.4282(1)(a), F.S.
7 Section 1003.4282(3), F.S.
8 Two of the three science credits must have a laboratory component. Section 1003.4282(3)(c), F.S.
9 Section 1003.497(1), F.S.
10 Id.
Civic Literacy in Florida

Florida law establishes civic literacy as a priority of the Florida K-20 education system and defines civic literacy to mean that students are prepared to become civically engaged and knowledgeable adults who make positive contributions to their communities.\(^\text{11}\)

III. Effect of Proposed Changes:

SB 918 authorizes the development and integration of a nonpartisan civic literacy practicum and the designation of a public school providing high-quality civic learning as a Freedom School. Specifically, the bill requires:

- The Commissioner of Education (commissioner) to develop minimum criteria for a nonpartisan civic literacy practicum that may be incorporated into a school’s curriculum for the high school United States Government course, along with a process for district school boards to verify student completion of the practicum.
- School districts to include and accept nonpartisan civic literacy practicum activities and hours in requirements for academic awards.
- The State Board of Education (SBE) to annually designate each public school in the state which provides students with high-quality civic learning, based on specified criteria, as a Freedom School.

The bill requires the commissioner to develop minimum criteria for a nonpartisan civic literacy practicum that may be incorporated into a school’s curriculum for the high school United States Government course required for high school graduation, beginning with the 2021-2022 school year. The bill also requires the commissioner to develop a process by which a district school board can verify that a student successfully completed a practicum meeting the required criteria, specifically:

- The criteria must require a student to:
  - Identify a civic issue that impacts his or her community.
  - Rigorously research the issue from multiple perspectives and develop a plan for his or her personal involvement in addressing the issue.
  - Create a portfolio to evaluate and reflect upon his or her experience and the outcomes or likely outcomes of his or her involvement. A portfolio must, at a minimum, include research, evidence, and a written plan of involvement.
- A civic literacy practicum must be:
  - Nonpartisan;
  - Focus on addressing at least one community issue; and
  - Promote a student’s ability to consider differing points of view and engage in civil discourse with individuals who hold an opposing opinion.

School districts are required to include and accept nonpartisan civic literacy practicum activities and hours in requirements for academic awards, especially those awards that currently include community service as a criterion or selection actor. The bill authorizes school districts to count

\(^\text{11}\) Section 1000.03(5), F.S. “Civic literacy” means students are prepared to become civically engaged and knowledgeable adults who make positive contributions to their communities. Section 1000.03(5)(c), F.S.
the hours outside of classroom instruction a student devotes to the nonpartisan civic literacy practicum to implement his or her plan of involvement toward meeting the community service requirements of the Florida Bright Futures Scholarship Program.

The bill requires the SBE to designate on an annual basis each public school in the state which provides students with high-quality civic learning, including civic-engagement skills, as a Freedom School. The SBE must establish the criteria for a school’s designation as a Freedom School, which must include:

- The extent to which strategies to develop high-quality civic learning, including civic-engagement skills, are integrated into the classroom using best instructional practices.
- The scope of integration of high-quality civic learning, including civic-engagement skills, across the school’s curricula.
- The extent to which the school supports interdisciplinary, teacher-led professional learning communities to support continuous improvement in instruction and student achievement.
- The percentage of students graduating with a standard high school diploma who successfully completed a civic literacy practicum and earned associated community service.

This bill aligns with the Governor’s Executive Order 19-32, which requires the commissioner to review Florida’s education standards and materials and to identify opportunities to equip high school graduates with sufficient knowledge of America’s civics.

The creation of a civic literacy practicum may promote civic literacy in Florida and create an additional pathway for students to fulfill the community service requirements of other academic awards.

The bill takes effect July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:
   None.

B. Public Records/Open Meetings Issues:
   None.

C. Trust Funds Restrictions:
   None.

D. State Tax or Fee Increases:
   None.

E. Other Constitutional Issues:
   None.
V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures. There may be costs for a school district to incorporate a nonpartisan civic literacy practicum into a school’s curriculum for the high school United States Government course. However, the nonpartisan civic literacy practicum is not required and a school district will only experience these costs if the district chooses to incorporate the practicum into its curriculum for the course.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1003.44 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.
By Senator Brandes

A bill to be entitled An act relating to civic education; amending s. 1003.44, F.S.; requiring the Commissioner of Education to develop minimum criteria for a nonpartisan civic literacy practicum for high school students, beginning with a specified school year; requiring the commissioner to develop a certain process for use by district school boards; specifying criteria for the civic literacy practicum; authorizing students to apply the hours they devote to practicum activities to certain community service requirements; requiring the State Board of Education to designate certain high schools as Freedom Schools, based on criteria the board establishes relating to students’ civic learning and civic engagement; providing an effective date.

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

Section 1. Present subsection (5) of section 1003.44, Florida Statutes, is redesignated as subsection (6), and a new subsection (5) is added to that section, to read:

1003.44 Patriotic programs; rules.—

(5) (a) In order to help students evaluate the roles, rights, and responsibilities of United States citizens and determine methods of active participation in society, government, and the political system, the commissioner shall develop minimum criteria for a nonpartisan civic literacy practicum that may be incorporated into a school’s curriculum for the high school United States Government course under s. 1003.4282(3)(d), beginning with the 2021-2022 school year. The commissioner also shall develop a process by which a district school board can verify that a student successfully completed a practicum meeting the criteria.

1. The criteria must require a student to:
   a. Identify a civic issue that impacts his or her community.
   b. Rigorously research the issue from multiple perspectives and develop a plan for his or her personal involvement in addressing the issue.
   c. Create a portfolio to evaluate and reflect upon his or her experience and the outcomes or likely outcomes of his or her involvement. A portfolio must, at minimum, include research, evidence, and a written plan of involvement.
   2. A civic literacy practicum must be nonpartisan, focus on addressing at least one community issue, and promote a student’s ability to consider differing points of view and engage in civil discourse with individuals who hold an opposing opinion.
   (b) The hours outside of classroom instruction which a student devotes to the nonpartisan civic literacy practicum to implement his or her plan of involvement may be counted toward meeting the community service requirements of the Florida Bright Futures Scholarship Program. School districts must include and accept nonpartisan civic literacy practicum activities and hours in requirements for academic awards, especially those awards that currently include community service as a criterion or selection factor.
   (c) The State Board of Education shall annually designate each public school in the state which provides students with
high-quality civic learning, including civic-engagement skills, as a Freedom School. The state board shall establish the criteria for a school’s designation as a Freedom School. The criteria must include:

1. The extent to which strategies to develop high-quality civic learning, including civic-engagement skills, are integrated into the classroom using best instructional practices.

2. The scope of integration of high-quality civic learning, including civic-engagement skills, across the school’s curricula.

3. The extent to which the school supports interdisciplinary, teacher-led professional learning communities to support continuous improvement in instruction and student achievement.

4. The percentage of students graduating with a standard high school diploma who successfully completed a civic literacy practicum and earned community service hours as provided in this subsection.

Section 2. This act shall take effect July 1, 2020.
I. Summary:

SB 1220 modifies provisions relating to initial teacher preparation (ITP) programs, demonstration of subject area mastery for educator certification, and the Education Practices Commission (EPC). Specifically, the bill:

- Modifies admissions and uniform core curricula requirements for ITP programs by:
  - Changing from an admission requirement to a program requirement the provisions related to student grade point average and mastery of general knowledge.
  - Modifying ITP program core curricula relating to reading instructional strategies and adding a new requirement for mental health strategies and support.

- Authorizes an additional option to demonstrate mastery of subject area competence to include a bachelor’s degree in the subject area, with conditions.

- Modifies requirements relating to the EPC to specify that:
  - The Commissioner of Education may select and remove the EPC executive director, and may establish the duties of the executive director.
  - The administrative assignment of the EPC to the Department of Education includes fiscal accountability.
  - The EPC may expend funds for legal services, and removes the authority to expend funds for a general counsel or access to counsel.

The bill has no impact on state expenditures. The bill may impact state revenues, see section V.

The bill takes effect on July 1, 2020.
II. Present Situation:

Education Preparation Programs

In Florida, initial teacher preparation (ITP) programs are accountable for producing individuals with the competencies and skills necessary to achieve state education goals. ITP programs prepare candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas, mastery of general knowledge, and mastery of professional preparation and education competence. There are currently 53 state-approved ITP programs at Florida College System institutions, state universities, and independent colleges and universities, which typically culminate in a bachelor's or master's degree. ITP program completers are eligible for a Florida Professional Educator's Certification upon program completion.

In order to be admitted into an ITP program, a student must, at a minimum:

- Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from an approved college or university.
- Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an approved institution.

Each ITP program may waive these admissions requirements for up to 10 percent of the students admitted. Programs must implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification, and must annually report to the Department of Education the status of each candidate admitted under such a waiver.

The State Board of Education (SBE) must adopt rules to establish uniform core curricula for each state-approved teacher preparation program. These rules must include, at a minimum, the following:

- The Florida Educator Accomplished Practices.

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1 Section 1004.04(1)(b), F.S.
2 Section 1004.04, F.S., and Rule 6A-5.066(2), F.A.C., detail criteria for state approval of ITP programs.
5 An approved institution is one that is accredited by a specified regional accrediting association or an accrediting agency approved by the United States Department of Education. A qualifying non-accredited institution is one that is identified as having a quality program resulting in a bachelor’s degree or higher by criteria specified in SBE rule. Rule 6A-4.003, F.A.C.
6 Rule 6A-4.003, supra note 5.
7 Section 1004.04(2)(a), F.S.
8 Section 1004.04(2)(b)1.-7., F.S.
9 The Florida Educator Accomplished Practices are Florida’s core standards for effective educators. The Accomplished Practices form the foundation for the state’s teacher preparation programs, educator certification requirements and school district instructional personnel appraisal systems. The Accomplished Practices are based on three essential principles: (1) the
The use of state-adopted content standards to guide curricula and instruction.

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

Content literacy and mathematics practices.

Strategies appropriate for the instruction of English language learners.

Strategies appropriate for the instruction of students with disabilities.

Strategies to differentiate instruction based on student needs.

The use of character-based classroom management.

**Educator Certification Requirements**

The Legislature has established certification requirements to assure that educational personnel in public schools possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence so as to demonstrate an acceptable level of professional performance.\(^{10}\)

In order to seek educator certification, a person must meet general eligibility requirements, which include receipt of a bachelor’s or higher degree from an approved postsecondary institution.\(^{11}\) Individuals must also demonstrate mastery of general knowledge, if the person serves as a classroom teacher; mastery of subject area knowledge; and mastery of professional preparation.\(^{12}\)

**Mastery of General Knowledge**

In order to seek professional certification as a classroom teacher,\(^{13}\) a person must, among other requirements, demonstrate mastery of general knowledge.\(^{14}\) Florida law provides options for a teacher to demonstrate mastery of general knowledge.\(^{15}\) Such options include achieving passing scores on all sections of the general knowledge examination required by SBE rule,\(^{16}\) holding a specified teaching certificate from another state, completing specified postsecondary teaching experience, or achieving passing scores on the Graduate Record Examination.

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\(^{10}\) Section 1012.54, F.S.

\(^{11}\) Section 1012.56(2)(c), F.S., and Rule 6A-4.003, *supra* note 5.

\(^{12}\) Section 1012.56(2)(g)-(i), F.S.

\(^{13}\) Section 1012.01(2)(a), F.S.

\(^{14}\) Section 1012.56(2), F.S.

\(^{15}\) Section 1012.56(3), F.S.

\(^{16}\) In 2014, the general knowledge test was redeveloped to match the increased rigor of competencies and skills required for teacher certification. The SBE also approved new higher passing scores for the examination. These new passing scores for all subtests of the General Knowledge Test became effective January 1, 2015. State Board of Education, *Approval of Amendment to Rule 6A-4.0021, Florida Teacher Certification Examinations* (Nov. 18, 2014), available at [http://www.fldoe.org/core/fileparse.php/9931/urlt/01090314-40021.pdf](http://www.fldoe.org/core/fileparse.php/9931/urlt/01090314-40021.pdf). The cut scores were set for a beginning effective teacher, one that is likely to have successful students in his or her classroom as opposed to the prior standard, which was minimum competency. State Board of Education, *Nov. 18, 2014 Meeting Minutes* (Jan. 14, 2015), available at [http://www.fldoe.org/core/fileparse.php/9971/urlt/minutes11415.pdf](http://www.fldoe.org/core/fileparse.php/9971/urlt/minutes11415.pdf), at 7.
The General Knowledge Test is a component of the Florida Teacher Certification Examination and includes subtests in English language skills, reading, writing, mathematics. In 2018, there were 87,457 first-time and retake attempts, with a pass rate of 52 percent. Among examinees in a state-approved teacher preparation program, there were 11,924 first-time and retake attempts, with a pass rate of 60 percent.

**Mastery of Subject Area Knowledge**

Acceptable means of demonstrating mastery of subject area knowledge are:

- For bachelor's degree level subjects: achievement of a passing score on the appropriate subject area examination earned no more than 10 years prior to the date of application.
- For master's degree level subjects: completion of the required degree and content courses for the subject and achievement of a passing score on the appropriate Florida subject area examination earned no more than 10 years prior to the date of application.
- For all subject areas: hold a valid standard certificate in the subject area applied for from a state or territory, or hold a specified valid national certificate in the subject area.
- For select world languages: passage of a specified foreign language proficiency examination.

**Education Practices Commission**

Educator misconduct occurs in various forms and ranges in severity from allegations of direct harm to students (such as physical or sexual abuse) to an act detrimental to the education profession (such as falsifying documentation of continuing education courses or cheating on a professional exam).

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17 The purpose of the Florida Teacher Certification examinations (FTCE) is to ensure that all teacher candidates demonstrate the necessary content and pedagogical knowledge necessary to effectively instruct students in Florida. Florida Department of Education, Florida Teacher Certification Examinations (FTCE), [http://fldoe.org/accountability/assessments/postsecondary-assessment/ftce](http://fldoe.org/accountability/assessments/postsecondary-assessment/ftce) (last visited Jan. 14, 2020). The written examinations includes subtests of English language skills, reading, writing, mathematics, professional skills, and subject area specialty. Rule 6A-4.0021(2), F.A.C.

18 Rule 6A-4.0021, F.A.C.


20 Id. at 73.


23 The fee for a first time registration or retake of the full battery of subject area subtests is $150. Retake fees are prorated based on the number of subtests required. Rule 6A-4.0021(4), F.A.C. For a subject without a subject area examination, the SBE may identify a passing score on a standardized examination or competency may be verified by a school district. Section 1012.56(5), F.S.

24 Rule 6A-4.002(4)(a), F.A.C.


The SBE has adopted standards for educator conduct, referred to as the Principles of Professional Conduct for the Education Profession. The Education Practices Commission (EPC or commission) interprets and applies the principles. If the Commissioner of Education determines the educator's conduct warrants disciplinary action, the EPC determines what penalty to issue against an educator's certificate. Penalties that can be issued against an educator's certificate include a letter of reprimand, fines, probation, suspension or revocation.

The EPC is composed of 25 members specified in law, who are appointed by the SBE based on nominations by the commissioner. From among the commission members, the EPC elects a chair who presides over meetings and performs other duties as directed by the EPC or rules. The EPC, by a vote of three-fourths of the membership, employs an executive director, who may be dismissed by a majority vote of the membership.

The EPC is assigned to the DOE only for administrative purposes, and is not subject to control, supervision, or direction by the DOE.

The EPC is financed from educator certification fees; fines, penalties, and costs collected pursuant to law; and general revenue. The EPC may make expenditures as necessary in exercising its authority and powers and carrying out its duties and responsibilities, including expenditures for personal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding.

III. Effect of Proposed Changes:

SB 1220 modifies provisions relating to initial teacher preparation (ITP) programs, demonstration of subject area mastery for educator certification, and the Education Practices Commission (EPC). Specifically, the bill:

- Modifies admissions and uniform core curricula requirements for ITP programs by:
  - Changing from an admission requirement to a program requirement the provisions related to student grade point average and mastery of general knowledge.
  - Modifying ITP program core curricula relating to reading instructional strategies and adding a new requirement for mental health strategies and support.
- Authorizes an additional option to demonstrate mastery of subject area competence to include a bachelor’s degree in the subject area, with conditions.
- Modifies requirements relating to the EPC to specify that:

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27 Section 1012.795(1)(j), F.S.; Rule 6A-10.081, F.A.C.
28 Section 1012.79(7)(a), F.S.
29 Florida Department of Education, What is Educator Misconduct?, http://www.fldoe.org/teaching/professional-practices/what-is-educator-misconducta.stml (last visited Jan. 14, 2020), and s. 1012.79(7)(b), F.S.
30 Section 1012.79(1), F.S.
31 Section 1012.79(4), F.S.
32 Section 1012.79(5), F.S.
33 Section 1012.79(6)(a), F.S.
34 Section 1012.796(9), F.S.
35 Section 1012.79(10), F.S.
36 Section 1012.79(9), F.S.
The Commissioner of Education may select and remove the EPC executive director, and may establish the duties of the executive director.

The administrative assignment of the EPC to the Department of Education includes fiscal accountability.

The EPC may expend funds for legal services, and removes the authority to expend funds for a general counsel or access to counsel.

The bill modifies s. 1004.04, F.S., relating to prerequisites for admission to, and uniform core curricula of, each state-approved teacher preparation program. The bill:

- Changes the admission requirements to an ITP program to specify that the grade point average and General Knowledge (GK) Test requirements are not required for admission, but instead are required to be completed during the student’s time in the program. Accordingly, the bill removes provisions relating to waivers of admission requirements that are not necessary under the bill modifications.
- Modifies the requirement for State Board of Education (SBE) rules establishing uniform core curricula to require:
  - Reading instructional strategies be evidence based, and removes the requirement that such strategies be scientifically researched.
  - A new provision for mental health strategies and support.

Such changes may enable students who have not meet the GPA or general knowledge requirement to be admitted into a program and meet the requirement while in the program. Completion of the GK Test has been a barrier to student admittance to ITP programs, and so such changes may enable more students to be admitted into ITP programs and increase the supply of available teachers.

In addition, changes to the uniform core curricula are consistent with the current designation of reading strategies, and with the recent emphasis on school-based mental health supports for students and families.

The bill modifies s. 1012.56, F.S., to add another acceptable method of demonstrating mastery of subject area knowledge. The bill authorizes that a person seeking an educator certificate in a subject requiring only a baccalaureate degree may demonstrate subject area knowledge with a baccalaureate degree with a major in the subject area, conferred within the last 10 years from an accredited or approved institution as defined in SBE rule. The provision of an additional option to demonstrate mastery of subject area competence may allow more candidates for educator certification to meet the requirements. In 2018, there were 63,774 first time and retake subject

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38 Examples of recent activity related to school-based mental health services include: (1) the requirement in s. 1012.584, F.A.C., for the DOE to, beginning in the 2018-2019 school years, establish an evidence-based youth mental health awareness and assistance training program for school personnel; (2) the establishment of a Mental Health Allocation, with specified application requirements, that has allocated over $144 million to school districts in Specific Appropriation, s. 36, ch. 2018-3, L.O.F., and Specific Appropriation 93, ch. 2019-115, L.O.F.; (3) the 2019 requirement in SBE Rule 6A-1.094121, F.A.C., that all school districts annually provide a minimum of five hours of specified instruction regarding youth mental health awareness and assistance; and (4) specifying the purpose for and adding duties to the multiagency network for students with emotional and behavioral disabilities in s. 23, ch. 2018-3, L.O.F.
39 Rule 6A-4.003, F.A.C., supra note 5.
area exams attempted, but it is not clear how many such attempts were by individuals who could otherwise qualify with a specified bachelor’s degree under the additional option authorized in the bill.

The bill also modifies s. 1012.586, F.S., to provide a conforming cross-reference relating to completion of a subject area examination for addition of subject coverage or an endorsement to an educator certificate.

The bill modifies s. 1012.79, F.S., to modify the selection and duties of the executive director of the EPC and to modify EPC accountability and allowable expenditures, which may increase collaboration between the DOE and the EPC, and may strengthen financial accountability of the EPC. Specifically, the bill:
- Removes from the EPC the authority to select and remove an executive director, and authorizes the Commissioner of Education, with the advice and consent of the EPC chair, to appoint and remove an executive director.
- Specifies that the executive director has administrative duties, as specified by the commissioner, and may not impact or influence decisions of the EPC.
- Specifies that the EPC is assigned to the DOE for not only administrative purposes, but also for fiscal accountability purposes.
- Removes the authorization for the EPC to make expenditures for a general counsel or access to counsel, and authorizes expenditures for legal services.

The bill takes effect on July 1, 2020.

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.

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V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons seeking an educator certificate who demonstrate subject area knowledge by a specified baccalaureate degree from an approved institution may not have to take a subject area examination, and so would not have to pay the fee for such exam.

C. Government Sector Impact:

If individuals demonstrate mastery of subject area competence though a specified bachelor’s degree as authorized in the bill rather than by a subject area examination, the Department of Education may experience decreased revenue from the loss of subject area examination fees. Such fees are deposited into the Educational Certification and Services Trust Fund and are used for the payment of expenses incurred by the Educational Practices Commission and in the printing of forms and bulletins and the issuing of certificates. The number of individuals who may demonstrate subject area competence under this additional option is not known.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1004.04, 1012.56, 1012.79, and 1012.586.

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.
The Committee on Education (Diaz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (3) and subsection (5) of section 1002.394, Florida Statutes, are amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(3) INITIAL SCHOLARSHIP ELIGIBILITY.—A student is eligible for a Family Empowerment Scholarship under this section if the student meets the following criteria:

(b)1. The student is eligible to enroll in kindergarten or
has spent the prior school year in attendance at a Florida public school; or

2. Beginning with the 2020-2021 school year, the student received a scholarship pursuant to s. 1002.395 during the previous school year and, before initial receipt of such scholarship, spent the prior school year in attendance at a Florida public school.

For purposes of this paragraph, the term “prior school year in attendance” means that the student was enrolled and reported by a school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which includes time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program. However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent’s permanent change of station orders or a foster child is exempt from the prior public school attendance requirement under this paragraph, but must meet the other eligibility requirements specified under this section to participate in the program.

(5) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter;
(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

c) Receiving any other educational scholarship pursuant to this chapter;

d) Participating in a home education program as defined in s. 1002.01(1);

e) Participating in a private tutoring program pursuant to s. 1002.43; or

(f) Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student’s participation, unless the participation is limited to no more than two courses per school year.

Section 2. Subsection (3) and paragraph (e) of subsection (6) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

(a) The Florida Tax Credit Scholarship Program is established.

(b) A student is eligible for a Florida tax credit scholarship under this section if the student meets one or more of the following criteria:

1. The student is on the direct certification list or the student’s household income level does not exceed 300 percent of the federal poverty level; or

2. The student is currently placed, or during the previous state fiscal year was placed, in foster care or in out-of-home care as defined in s. 39.01.
3. The student’s household income level is greater than 185 percent of the federal poverty level but does not exceed 260 percent of the federal poverty level.

Priority must be given to students whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care. A student who initially receives a scholarship based on eligibility under this paragraph subparagraph (b)2. remains eligible to participate until he or she graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s household income level. A student who initially received a scholarship based on income eligibility before the 2019-2020 school year remains eligible to participate until he or she graduates from high school, attains the age of 21 years, or the student’s household income level exceeds 260 percent of the federal poverty level, whichever occurs first. A sibling of a student who is participating in the scholarship program under this subsection is eligible for a scholarship if the student resides in the same household as the sibling.

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

(e) Must give first priority to eligible students who received a scholarship from an eligible nonprofit scholarship-funding organization or from the State of Florida during the previous school year. Beginning in the 2016-2017 school year, an eligible nonprofit scholarship-funding organization shall give priority to new applicants whose household income levels do not
exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care.

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

Section 3. Paragraph (b) of subsection (2) of section 1004.04, Florida Statutes, is amended, paragraph (b) of subsection (3) of that section is amended, paragraphs (d) and (e) of subsection (3) of that section are added, and subsection (4) of that section is amended, to read:

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

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

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

1. Candidate instruction and assessment in the Florida Educator Accomplished Practices across content areas.
2. The use of state-adopted content standards to guide curricula and instruction.
3. Evidence-based scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
4. Content literacy and mathematics practices.

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

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

7. Strategies to differentiate instruction based on student needs.

8. The use of character-based classroom management.

9. Mental health strategies and support.

(3) INITIAL STATE PROGRAM APPROVAL.—

(b) Each teacher preparation program approved by the Department of Education, as provided for by this section, shall require students, at a minimum, to meet, at a minimum, the following as prerequisites for admission into the program:

1. Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from any college or university accredited by a regional accrediting association as defined by State Board of Education rule or any college or university otherwise approved pursuant to State Board of Education rule.

2. Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an institution that is accredited or approved pursuant to the rules of the State Board of Education.
Each teacher preparation program may waive these admissions requirements for up to 10 percent of the students admitted. Programs shall implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification and shall annually report to the Department of Education the status of each candidate admitted under such a waiver.

(d) Each program must include the opportunity for the candidate to complete coursework to obtain a required endorsement in the candidate’s chosen teaching field.

(e) Each program must include, in addition to the core standards for effective education, instruction in the training required of certified instructional personnel, including, but not limited to:

1. Identification, intervention, and prevention of child abuse, abandonment, and neglect;
2. Integration of technology into classroom teaching;
3. Management, assessment, and monitoring of student learning and performance;
4. Skills in classroom management, violence prevention, conflict resolution, and related areas;
5. Developmental disabilities pursuant to s. 1012.582;
6. Youth suicide awareness and prevention pursuant to s. 1012.583; and
7. Youth mental health awareness and assistance pursuant to s. 1012.584.

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

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

1. Documentation from the program that each program
candidate met the admission requirements provided in subsection
(3).

2. Documentation from the program that the program and each
program completer have met the requirements provided in
subsection (2).

3. Evidence of performance in each of the following areas:
   a. Placement rate of program completers into instructional
      positions in Florida public schools and private schools, if
      available.
   b. Rate of retention for employed program completers in
      instructional positions in Florida public schools.
   c. Performance of students in prekindergarten through grade
      12 who are assigned to in-field program completers on statewide
      assessments using the results of the student learning growth
      formula adopted under s. 1012.34.
   d. Performance of students in prekindergarten through grade
      12 who are assigned to in-field program completers aggregated by
      student subgroup, as defined in the federal Elementary and
      Secondary Education Act (ESEA), 20 U.S.C. s.
      6311(b)(2)(C)(v)(II), as a measure of how well the program
      prepares teachers to work with a diverse population of students
      in a variety of settings in Florida public schools.
Section 4. Paragraph (a) of subsection (3) and subsection (5) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.—

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

(a) Within 90 days after receipt of a request for approval,
the Department of Education shall approve a preparation program pursuant to the requirements of this subsection or issue a statement of the deficiencies in the request for approval. The department shall approve a certification program if the institute provides evidence of the institute’s capacity to implement a competency-based program that includes each of the following:

1. a. Participant instruction and assessment in the Florida Educator Accomplished Practices across content areas.
   
   b. The use of state-adopted student content standards to guide curriculum and instruction.
   
   c. Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
   
   d. Content literacy and mathematical practices.
   
   e. Strategies appropriate for instruction of English language learners.
   
   f. Strategies appropriate for instruction of students with disabilities.
   
   g. Strategies to differentiate instruction based on student needs.
   
   h. The use of character-based classroom management.

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

3. Field experiences appropriate to the certification subject area specified in the educational plan with a diverse population of students in a variety of challenging environments, including, but not limited to, high-poverty schools, urban schools, and rural schools, under the supervision of qualified educators.

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

5. The opportunity for a candidate to complete coursework to obtain a required endorsement in the candidate’s chosen teaching field.

6. In addition to the core standards for effective education, instruction in the training required of certified instructional personnel, including, but not limited to:
   a. Identification, intervention, and prevention of child abuse, abandonment, and neglect;
   b. Integration of technology into classroom teaching;
   c. Management, assessment, and monitoring of student learning and performance;
   d. Skills in classroom management, violence prevention, conflict resolution, and related areas;
   e. Developmental disabilities pursuant to s. 1012.582;
   f. Youth suicide awareness and prevention pursuant to s. 1012.583; and
   g. Youth mental health awareness and assistance pursuant to
s. 1012.584.

(5) Each institute approved pursuant to this section shall submit to the Department of Education annual performance evaluations that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and candidates. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the student’s proficiency in the use of state-adopted content standards, the realities of the classroom, and the institute’s responsiveness to local school districts. These evaluations shall be used by the Department of Education for purposes of continued approval of an educator preparation institute’s certification program.

Section 5. Subsection (4) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e) shall be the sum of the calculations in paragraphs (a), (b), and (c) as calculated by the department.

(a) The sum of the student’s full-time equivalent student membership value for the school year or the equivalent derived from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and
subsection (2). If the sum is greater than 1.0, the full-time equivalent student membership value for each program or course shall be reduced by an equal proportion so that the student’s total full-time equivalent student membership value is equal to 1.0.

(b) If the result in paragraph (a) is less than 1.0 full-time equivalent student and the student has full-time equivalent student enrollment pursuant to sub-sub-subparagraph (1)(c)1.b.(VIII), calculate an amount that is the lesser of the value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of 1.0 less the value in paragraph (a).

(c) The full-time equivalent student enrollment value in sub-subparagraph (1)(c)2.a.

A scholarship award provided to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program pursuant to s. 1002.39 or the Family Empowerment Scholarship Program pursuant to s. 1002.394 is not subject to the maximum value for funding a student under this subsection.

Section 6. Subsection (5) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—
(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:
(a) For a subject requiring only a baccalaureate degree, a baccalaureate degree with a major in the subject area, conferred within the last 10 years from an accredited or approved institution as defined in rule 6A-4.003, Florida Administrative Code;
For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;

For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;

For a subject requiring a master’s or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination specified in state board rule;

Documentation of a valid professional standard teaching certificate issued by another state;

Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national
School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

Section 7. Paragraph (g) is added to subsection (3) of section 1012.585, Florida Statutes, to read:

1012.585 Process for renewal of professional certificates.—

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

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

Section 8. Subsections (5), (6), and (9) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(5) The Commissioner of Education, with the advice and consent of the commission chair, is responsible for appointing, and may remove, commission, by a vote of three-fourths of the membership, shall employ an executive director, who shall be exempt from career service. The executive director shall have administrative duties, as determined by the Commissioner of
Education. The executive director may not impact or influence decisions of the commission. The executive director may be dismissed by a majority vote of the membership.

(6)(a) The commission shall be assigned to the Department of Education for administrative and fiscal accountability purposes. The commission, in the performance of its powers and duties, shall not be subject to control, supervision, or direction by the Department of Education.

(b) The property, personnel, and appropriations related to the specified authority, powers, duties, and responsibilities of the commission shall be provided to the commission by the Department of Education.

(9) The commission shall make such expenditures as may be necessary in exercising its authority and powers and carrying out its duties and responsibilities, including expenditures for personal services, legal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding. The expenditures of the commission shall be subject to the powers and duties of the Department of Financial Services as provided in s. 17.03.

Section 9. Subsection (5) of section 1012.98, Florida Statutes, is amended, and subsections (13), (14), and (15) are added to that section, to read:

1012.98 School Community Professional Development Act.—

(5) Each district school board shall provide funding for the professional development system as required by s. 1011.62 and the General Appropriations Act, and shall direct expenditures from other funding sources to continuously
strengthen the system in order to increase student achievement and support instructional staff in enhancing rigor and relevance in the classroom. Each district school board shall calculate a proportionate share of professional development funds for each classroom teacher and allow each classroom teacher to use up to 25 percent of the proportionate share on professional development that addresses the academic needs of students or an identified area of professional growth for the classroom teacher. The department shall identify professional development opportunities that require the classroom teacher to demonstrate proficiency in a specific classroom practice. A school district may coordinate its professional development program with that of another district, with an educational consortium, or with a Florida College System institution or university, especially in preparing and educating personnel. Each district school board shall make available inservice activities to instructional personnel of nonpublic schools in the district and the state certified teachers who are not employed by the district school board on a fee basis not to exceed the cost of the activity per all participants.

(13) To assist school district planning for required teacher professional development, by August 1, 2020, the department shall develop a model annual and 5-year calendar that incorporates all state-required professional development. No later than January 1, 2021, school districts shall develop an annual and a 5-year calendar of professional development for inclusion in the professional development system approved by the department pursuant to subsection (4).

(14) The department shall develop and maintain a statewide
registry of approved professional development providers and professional development activities for use by teachers in this state. The registry is intended to provide educators with high-quality professional development opportunities in addition to those offered by an entity specified in subsection (1).

(a) Any professional development provider seeking to be added to the registry must complete an application developed by the department. Approved providers are responsible for notifying the department of any changes to the provider or approved activities using an update form developed by the department. The approval form must include, but is not limited to, requirements that the provider specify:

1. Compliance with this section.
2. The alignment of professional development activities with professional development standards adopted by the state board in rule and standards adopted by the National Staff Development Council.
3. Professional development activities offered by the provider.
4. Qualifications of instructors for the professional development activities to be approved.

(b) Providers specified in subsection (1), as well as providers approved by such entities, are not required to seek department approval to offer professional development activities and are not required to be added to the registry. However, such providers that wish to offer statewide professional development opportunities may seek department approval and be added to the registry.

(c) Providers approved by the department must maintain
information that includes, but is not limited to, the professional development activity, date of the activity, hours of instruction, and instructor, if applicable. The approved provider must provide such information to each participant.

(d) The department shall review the professional development provider application for compliance with requirements. The department must inform the provider in writing within 90 days after submission of an application regarding the approval or denial of the provider. The approval is valid for a period not to exceed 5 years, after which the provider must reapply.

1. Each school district shall accept an approved professional development activity on the registry toward meeting the requirements of s. 1002.385(3).

2. The department shall determine the number of inservice hours to be awarded for completion of each specified professional development activity.

(15) There is created the Professional Development Choice Pilot Program to be administered by the department for a period of 3 years, subject to legislative appropriation. The purpose of the pilot program is to provide grants to eligible teachers to select professional learning opportunities that best meet each teacher’s individual needs.

(a) A teacher may use a pilot program grant for professional development approved by a school district or by a provider approved by the department pursuant to subsection (14).

1. Professional development must be aligned with the standards adopted by the state board in rule and standards adopted by the National Staff Development Council.
2. Training completed under this subsection must comply with and satisfy the requirements of s. 1012.585(3).

3. Professional learning activities may include, but are not limited to, in-person or online training; travel and registration for conferences or workshops; college credit courses; and district professional development certification and education competency programs.

(b) To be eligible for a pilot program grant, an individual must:

1. Hold a professional certificate issued pursuant to s. 1012.56(7)(a);

2. Be employed as a classroom teacher, as defined in s. 1012.01(2)(a), excluding substitute teachers, by a district school board or by a charter school; and

3. Apply for a grant in a format determined by the department. The application must require an applicant to describe how the professional development activity relates to and will improve instruction in the classroom.

(c) Each classroom teacher eligible under paragraph (b) may receive a reimbursement for training pursuant to paragraph (a). The reimbursement for each teacher participating in the pilot program may not exceed $500 per school year. Each classroom teacher is eligible for one grant per school year. The pilot program grants must be awarded on a first-come, first-served basis.

(d) Each school district shall:

1. Review a proposed professional development activity to determine alignment with district and individual professional development plans and determine the number of inservice credit
hours to be awarded; and

2. Approve any professional development opportunity included on the department’s registry pursuant to subsection (13).

   (e) The department shall:

   1. Maintain a registry of approved providers and professional development activities pursuant to subsection (14).

2. Establish, no later than August 1, 2020, a grant application form.

Section 10. Section 1012.981, Florida Statutes, is created to read:

1012.981 Professional Education Excellence Resources Pilot Program.—

(1) There is established the Professional Education Excellence Resources (PEER) Pilot Program, administered by the department, to provide school district flexibility to increase opportunities for professional learning, collaboration with teachers and leaders, and teacher leadership.

(2) The PEER Pilot Program is established in Clay, Pinellas, and Walton Counties.

(3) Participating school districts implementing the PEER Pilot Program may:

   (a) Extend the contract day or the contract year, or both, for participating teachers for professional development, collaboration with colleagues, or instructional coaching. A participating school district that chooses to extend the contract day or year must, before the start of the 2020-2021 school year, negotiate with the certified collective bargaining unit for instructional personnel a memorandum of understanding...
that addresses the additional duty hours in a week or duty days
in a school year and additional payments based on the salary
scale of the district to teachers who participate in the pilot
program.

(b) Use program funds to:
1. Compensate teachers who are assigned to an extended
school day or school year pursuant to paragraph (a).
2. Hire additional instructional personnel to provide
teachers with additional planning periods or other release time
to complete professional development, collaborate with
colleagues, or perform other appropriate activities.
3. Provide content area specialists to provide support for
teachers’ individual needs and professional growth.
4. Provide instructional coaches for participating
teachers.
5. Provide professional development opportunities.

(4) School districts participating in the pilot program
must collaborate with the department, postsecondary educational
institutions, regional education consortia, the University of
Florida Lastinger Center, or other appropriate organizations to
develop high-quality online professional development
opportunities accessible to instructional personnel statewide.
Such online professional development must:
(a) Be self-paced and available to teachers at any time.
(b) Align with standards for professional development as
described in state board rule.
(c) Protect the private information of participants.
(d) Satisfy requirements for renewal of an educator
certificate.
(e) Include online assessments with timely feedback to evaluate participant learning measured against program goals.

(5) Participating school districts may use program funds to establish a master teacher program. The master teacher program provides accomplished teachers the opportunity to innovate and improve classroom practices, facilitate improved professional development, and improve instructional quality through collaboration with teachers and leaders. School districts shall determine the specific roles assigned to a master teacher.

(a) Each master teacher program must include, but is not limited to:

1. Providing release time for planning and meeting with teachers and leaders;

2. Additional professional development opportunities, to include participation in local and national conferences or payments for college credit courses to increase skills or obtain a higher university degree; and

3. Monetary compensation.

(b) School districts may select for the master teacher program teachers who were rated highly effective in the previous school year and may determine other selection criteria, which may include, but are not limited to, information in performance evaluations, peer reviews, demonstration of content expertise, principal recommendation, or candidate interviews.

(c) Each participating school district must collaborate with the department and with the University of Florida Lastinger Center to develop a master teacher academy to support instructional personnel statewide. The master teacher academy must:
1. Provide recommendations for the selection, training, and support of district master teachers.

2. Create a bank of online professional development tools that serve as exemplars for instructional best practices. Such content may include pedagogy, instructional delivery, professional learning communities, collaboration, personalized learning, teacher and student or parent conferencing, positive behavior supports, and using data to improve instruction.

3. Provide instructional coaching for school-based leaders and principal supervisors. The content must focus on providing teachers with actionable feedback on performance.

(6) Each school district participating in the PEER Pilot Program must annually, by August 1, report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the department on the performance of the pilot program. Each report must include, but is not limited to:

(a) The use of the pilot program funds.
(b) The impact of the pilot program on student achievement.
(c) The impact of the pilot program on teacher annual evaluations.
(d) The results of satisfaction surveys given to pilot program participants.
(e) Recommendations for continuation of the pilot program and for scaling the pilot program for statewide implementation.

(7) The State Board of Education shall adopt rules to administer this section.

(8) This section shall be implemented only to the extent specifically funded and authorized by law.

Section 11. Subsection (1) of section 1012.586, Florida
1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(b), or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

(a) To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.

(b) By July 1, 2018, and at least once every 5 years thereafter, the department shall conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas. The review must include reciprocity requirements for out-of-state certificates and requirements for demonstrating competency in the reading instruction professional development topics listed in s. 1012.98(4)(b)11. The review must also consider the award of an endorsement to an individual who holds a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers or who completes a postsecondary program that is accredited by such organization. Any such certificate or program must require an individual who completes the certificate or program to demonstrate competence in reading intervention...
strategies through clinical experience. At the conclusion of each review, the department shall recommend to the state board changes to the subject coverage or endorsement requirements based upon any identified instruction or intervention strategies proven to improve student reading performance. This paragraph does not authorize the state board to establish any new certification subject coverage.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 12. This act shall take effect July 1, 2020.

And the title is amended as follows:
Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to education; amending s. 1002.394, F.S.; revising initial scholarship eligibility criteria for the Family Empowerment Scholarship Program, beginning with a specified school year; providing that participation in certain virtual schools, correspondence schools, or distance learning programs does not make a student ineligible for a
scholarship under the program in certain circumstances; amending s. 1002.395, F.S.; revising eligibility criteria for the Florida Tax Credit Scholarship Program and applying the criteria only to initial eligibility; requiring that priority be given to students whose household incomes do not exceed a specified amount; amending s. 1004.04, F.S.; requiring that the rules to establish uniform core curricula for each state-approved teacher preparation program include evidence-based reading instructional strategies and mental health strategies and support; requiring state-approved teacher preparation programs include opportunities to complete endorsements and complete training required of instructional personnel; removing admission requirements, and deleting a provision allowing teacher preparation programs to waive admission requirements for up to 10 percent of the students admitted; requiring an assessment of student proficiency is employer surveys; amending s. 1004.85, F.S.; expanding requirements for the certification program of a postsecondary educator preparation institute to be approved by the Department of Education; amending s. 1011.61, F.S.; providing that a certain scholarship award is not subject to the maximum value for funding a student under the Florida Education Finance Program; amending s. 1012.56, F.S.; providing that for a subject requiring only a baccalaureate degree, a baccalaureate degree with a major in the subject area, conferred within the last
10 years, is an acceptable means of demonstrating mastery of subject area knowledge; amending s. 1012.585, F.S.; specifying that teachers may earn inservice points only once during a certain time period for any mandatory training topic not linked to student learning or professional growth; amending s. 1012.79, F.S.; directing the Commissioner of Education, with the advice and consent of the chair of the Education Practices Commission, to appoint an executive director who is exempt from career service and may be removed by the commissioner; specifying that the executive director will have administrative duties, as determined by the commissioner; making a technical change; amending s. 1012.98, F.S.; requiring district school boards to calculate a proportionate share of professional development funds for each classroom teacher; authorizing classroom teachers to use up to a certain amount of such funds for certain purposes; requiring the Department of Education to identify professional development opportunities for classroom teachers to demonstrate proficiency in a specific classroom practice; requiring the department to create and develop a model annual and 5-year calendar of professional development by a specified date; requiring school districts to develop annual and 5-year calendars of professional development for inclusion in the department’s professional development system by a specified date; requiring the department to maintain a statewide registry of approved

professional development providers and professional
development activities for use by teachers; requiring
professional development providers to be approved by
the department; specifying requirements for
professional development providers; requiring the
department to review professional development provider
applications for compliance and to approve or deny an
application within a certain timeframe; providing for
provider reapplication; requiring each school district
to accept an approved professional development
activity for a certain purpose; requiring the
department to determine the number of inservice hours
to be awarded for completion of an activity; creating
the Professional Development Choice Pilot Program to
be administered by the department for a specified
period; providing the pilot program’s purpose;
authorizing the use of pilot program grants for
specified purposes; providing requirements for the use
of such grants; providing eligibility requirements for
receiving pilot program grants; providing requirements
and limits for grant disbursements; providing certain
duties of each school district; requiring the
department to maintain a registry of approved provider
and professional development activities; requiring the
department to establish an application form by a
specified date; creating s. 1012.981, F.S.; creating
the Professional Education Excellence Resources (PEER)
Pilot Program in specified counties; authorizing
school districts implementing the pilot program to
engage in certain activities; authorizing school
districts to use program funds for certain purposes;
requiring school districts participating in the
program to collaborate with the department and other
tentities to develop high-quality online professional
development opportunities accessible to instructional
personnel statewide; providing requirements for such
professional online development opportunities;
authorizing participating school districts to use
program funds to establish a master teacher program;
providing requirements for the master teacher program;
requiring participating school districts to
 collaborate with the department and the University of
Florida Lastinger Center to develop a master teacher
academy; providing duties for the master teacher
academy; requiring each school district participating
in the PEER Pilot Program to report annually to the
Governor, the Legislature, and the department on the
performance of the pilot program; requiring the annual
report to contain certain information; requiring the
State Board of Education to adopt rules; specifying
that the pilot program be implemented only to the
extent specifically funded and authorized by law;
amending s. 1012.586, F.S.; conforming a cross-
reference; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (2) and paragraph (b) of subsection (3) of section 1004.04, Florida Statutes, are amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—
(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—
(b) The rules to establish uniform core curricula for each state-approved teacher preparation program must include, but are not limited to, the following:
1. Candidate instruction and assessment in the Florida Educator Accomplished Practices across content areas.
2. The use of state-adopted content standards to guide curricula and instruction.
3. Evidence-based scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
4. Content literacy and mathematics practices.
5. Strategies appropriate for the instruction of English language learners.
6. Strategies appropriate for the instruction of students with disabilities.
7. Strategies to differentiate instruction based on student needs.
8. The use of character-based classroom management.
9. Mental health strategies and support.
(3) INITIAL STATE PROGRAM APPROVAL.—
(b) Each teacher preparation program approved by the Department of Education, as provided for by this section, shall
require students, at a minimum, to meet, at a minimum, the following as prerequisites for admission into the program:

1. Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from any college or university accredited by a regional accrediting association as defined by State Board of Education rule or any college or university otherwise approved pursuant to State Board of Education rule.

2. Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an institution that is accredited or approved pursuant to the rules of the State Board of Education.

Each teacher preparation program may waive these admissions requirements for up to 10 percent of the students admitted. Programs shall implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification and shall annually report to the Department of Education the status of each candidate admitted under such a waiver.

Section 2. Subsection (5) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) For a subject requiring only a baccalaureate degree, a baccalaureate degree with a major in the subject area, conferred within the last 10 years from an accredited or approved institution as defined in rule 6A-4.003, Florida Administrative Code;

(b) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;

(c) For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

(d) For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;

(e) For a subject requiring a master’s or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on a Florida subject area examination.
the Florida-developed subject area examination or a standardized examination specified in state board rule;

\( f \) Documentation of a valid professional standard teaching certificate issued by another state;

\( g \) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;

\( h \) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program; or

\( i \) Documentation of a passing score on the Defense Language Proficiency Test (DLPT).

School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

Section 3. Subsections (5), (6), and (9) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(5) The Commissioner of Education, with the advice and consent of the commission chair, is responsible for appointing, and may remove, commission, by a vote of three-fourths of the membership, shall employ an executive director, who shall be exempt from career service. The executive director shall have administrative duties, as determined by the Commissioner of Education. The executive director may not impact or influence decisions of the commission. The executive director may be dismissed by a majority vote of the membership.

(6) (a) The commission shall be assigned to the Department of Education for administrative and fiscal accountability purposes. The commission, in the performance of its powers and duties, shall not be subject to control, supervision, or direction by the Department of Education.

(b) The property, personnel, and appropriations related to the specified authority, powers, duties, and responsibilities of the commission shall be provided to the commission by the Department of Education.

(9) The commission shall make such expenditures as may be necessary in exercising its authority and powers and carrying out its duties and responsibilities, including expenditures for personal services, legal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding. The expenditures of the commission shall be subject to the powers and duties of the Department of Financial Services as provided in s. 17.03.

Section 4. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s.

1012.56(5)(a) or the completion of the
requirements of an approved school district program or the
inservice components for an endorsement.

(a) To reduce duplication, the department may recommend the
consolidation of endorsement areas and requirements to the State
Board of Education.

(b) By July 1, 2018, and at least once every 5 years
thereafter, the department shall conduct a review of existing
subject coverage or endorsement requirements in the elementary,
reading, and exceptional student educational areas. The review
must include reciprocity requirements for out-of-state
certificates and requirements for demonstrating competency in
the reading instruction professional development topics listed
in s. 1012.98(4)(b)11. The review must also consider the award
of an endorsement to an individual who holds a certificate
issued by an internationally recognized organization that
establishes standards for providing evidence-based interventions
to struggling readers or who completes a postsecondary program
that is accredited by such organization. Any such certificate or
program must require an individual who completes the certificate
or program to demonstrate competence in reading intervention
strategies through clinical experience. At the conclusion of
each review, the department shall recommend to the state board
changes to the subject coverage or endorsement requirements
based upon any identified instruction or intervention strategies
proven to improve student reading performance. This paragraph
does not authorize the state board to establish any new
certification subject coverage.

The employing school district shall charge the employee a fee
not to exceed the amount charged by the Department of Education
for such services. Each district school board shall retain a
portion of the fee as defined in the rules of the State Board of
Education. The portion sent to the department shall be used for
maintenance of the technology system, the web application, and
posting and mailing of the certificate.

Section 5. This act shall take effect July 1, 2020.
I. Summary:

SB 1246 modifies the dual enrollment and collegiate high school programs to ensure students have access to such programs, parents and legal guardians are informed of opportunities and responsibilities, and school districts and postsecondary institutions are provided financial support to offer dual enrollment opportunities to students. Specifically, the bill:

- Modifies the dual enrollment program to increase access for students by specifying that:
  - School districts or Florida College System institutions may not deny an eligible student from participating in dual enrollment, and may not establish eligibility criteria in addition to those in law.
  - Instructional materials are free-of-charge for students in private schools and home education programs.
  - Private schools are exempt from the payment of tuition and fees for dual enrollment.

- Renames the “collegiate high school” to “early college” program and specifies requirements in the program contract and student performance contract.

- Establishes funding and financial incentives for school districts and postsecondary institutions by:
  - Creating the Dual Enrollment Scholarship Program in the Department of Education to reimburse eligible postsecondary institutions a specified amount for tuition and instructional materials for dual enrollment taken by private school and home education program students in the fall and spring term, and by all students in the summer term, subject to appropriation in the General Appropriations Act.
  - Providing a full-time equivalent (FTE) student membership bonus in the Florida Education Finance Program (FEFP) for students who complete general education core courses or an associate degree through dual enrollment, and requiring school districts to allocate half of such funds to support academic guidance and postsecondary readiness.

- Establishes a requirement for the Commissioner of Education to report to the Governor and Legislature regarding the status of dual enrollment programs for public and private school and home education program students.
The fiscal impact of the bill is discussed in section V.

The bill takes effect on July 1, 2020.

II. Present Situation:

Florida law provides students in secondary schools access to advanced coursework. Such coursework is intended to shorten the time necessary for a student to complete the requirements associated with the conference of a high school diploma and a postsecondary degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject.¹

Dual Enrollment

Dual enrollment is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward both a high school diploma and a career certificate or an associate or baccalaureate degree.²

An eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public school or in a Florida private school that is in compliance with the requirements specified in law³ and provides a secondary curriculum pursuant to law.⁴ Students who meet the eligibility requirements and who participate in dual enrollment programs are exempt from the payment of registration, tuition, and laboratory fees.⁵

A growing body of research suggests that participation in dual enrollment can lead to improved academic outcomes, especially for students from low-income backgrounds and first-generation college students. Research suggests that participation in dual enrollment can lead to better grades in high school, increased enrollment in college following high school, higher rates of persistence in college, greater credit accumulation, and increased rates of credential attainment.⁶ In addition, research indicates that allowing students in high school to complete even a single college class may significantly increase their chances of attending college and eventually graduating.⁷

¹ Section 1007.27(1), F.S.
² Section 1007.271(1), F.S.
³ Section 1002.42(2), F.S.
⁴ Section 1007.271(2), F.S.
⁵ Section 1007.271(16), F.S. Florida law specifies that the provisions of law which exempt dual enrolled and early admission students from payment of instructional materials and tuition and fees, including laboratory fees, do not apply to students who select the option of enrolling in an eligible independent institution. Section 1011.62(1)(i), F.S. An eligible independent institution is an independent college or university, which is not for profit, is accredited by a regional or national accrediting agency recognized by the United States Department of Education, and confers degrees as defined in s. 1005.02. Id.
⁷ Jobs for the Future, Taking College Courses in High School: A Strategy for College Readiness (Oct. 2012), available at https://jfforg-prod-prime.s3.amazonaws.com/media/documents/TakingCollegeCourses_101712.pdf. Students who had completed college algebra for dual enrollment had associate degree attainment rates that were 23 percentage points higher and bachelor’s attainment rates 24 percentage points higher than students with no such experience. Id.
The following table shows 2018-2019 academic year dual enrollment participation by public and private school and home education program students at Florida College System (FCS) institutions, state universities, and at eligible private colleges and universities.

<table>
<thead>
<tr>
<th></th>
<th>FCS Institutions(^8)</th>
<th>State Universities(^9)</th>
<th>Private Colleges and Universities(^{10})</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public School</td>
<td>73,408</td>
<td>9,250</td>
<td>6,908</td>
</tr>
<tr>
<td>Private School</td>
<td>2,607</td>
<td>688</td>
<td></td>
</tr>
<tr>
<td>Home Education</td>
<td>3,818</td>
<td>113</td>
<td></td>
</tr>
</tbody>
</table>

Generally, about three times as many students take dual enrollment courses at an FCS institution during the fall and spring terms than in the summer term.\(^{11}\) About 10 times as many students take dual enrollment courses at a state university in the fall and spring compared to the summer term.\(^{12}\)

**Eligibility Criteria**

Student eligibility requirements for initial enrollment in college credit dual enrollment courses include a 3.0 unweighted high school grade point average (GPA) and the minimum score on a common placement test\(^{13}\) adopted by the State Board of Education (SBE) which indicates that the student is ready for college-level coursework. For continued enrollment in college credit dual enrollment courses, students must maintain a 3.0 unweighted high school GPA and the minimum postsecondary GPA established by the postsecondary institution. For initial and continued enrollment in career certificate dual enrollment courses, students must have a 2.0 unweighted high school GPA. Exceptions to the required GPA may be granted on an individual student basis if the educational entities agree and the terms of the agreement are contained within the dual enrollment articulation agreement. FCS institutions may establish additional student eligibility requirements, which may not arbitrarily prohibit or limit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses. Such additional eligibility requirements must be included in the dual enrollment articulation agreement.\(^{14}\)

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\(^8\) Email, Florida Department of Education (Jan. 8, 2020).
\(^9\) Email, Florida Board of Governors (Jan. 3, 2020).
\(^10\) Email, Florida Department of Education (Jan 8, 2020).
\(^11\) *Id.* In 2018-2019, 74,071 students dually enrolled at an FCS institution in the fall and spring terms, and 22,240 students dually enrolled in the summer term (students enrolled in fall/spring and summer are counted twice). *Id.*
\(^12\) Email, Florida Board of Governors (Jan. 3, 2020). In 2018-2019, 14,658 students dually enrolled at a state university in the fall and spring terms, and 1,408 students dually enrolled in the summer term. *Id.*
\(^13\) The Postsecondary Education Readiness Test (PERT) is Florida's customized common placement test. The purpose of the PERT is to determine accurate course placement based on the student's skills and abilities. The PERT is aligned with the Postsecondary Readiness Competencies identified by Florida faculty as necessary for success in entry-level college credit coursework. The PERT assessment system includes Placement and Diagnostic tests in mathematics, reading and writing. Rule 6A-10.0315, F.A.C. establishes the test scores used to determine whether a student is ready for college-level coursework. Florida Department of Education, *Common Placement Testing*, [http://www.fldoe.org/schools/higher-ed/fl-college-system/common-placement-testing.stml](http://www.fldoe.org/schools/higher-ed/fl-college-system/common-placement-testing.stml) (last visited April 2, 2019). As an alternative to PERT, students may take the ACCUPLACER, SAT, and ACT to demonstrate readiness to perform college-level work. Rule 6A-10.0315(2), F.A.C.; *see also* Rule 6A-14.064(1)(b), F.A.C.
\(^14\) Section 1007.271(3), F.S.
**Notification of Dual Enrollment Option**

Each district school board must inform all secondary students and their parents of dual enrollment as an educational option and mechanism for acceleration. Students and their parents must be informed of student eligibility requirements, the option for taking dual enrollment courses beyond the regular school year, and the minimum academic credits required for graduation.\(^{15}\)

**Dual Enrollment Articulation Agreement**

A dual enrollment articulation agreement establishes the guidelines for implementing the program for eligible students.\(^{16}\) Specifically, Florida law requires:

- Each district school superintendent and each public postsecondary institution president to develop a comprehensive dual enrollment articulation agreement for the respective school district and postsecondary institution.\(^{17}\)
- Each public postsecondary institution to enter into a home education articulation agreement with each home education student seeking enrollment in a dual enrollment course and the student’s parent.\(^{18}\)
- Each public postsecondary institution to enter into a private school articulation agreement with each eligible private school in its geographic service area seeking to offer dual enrollment courses to its students.\(^{19}\)

Additionally, district school boards and FCS institutions may enter into additional dual enrollment articulation agreements with state universities, and school districts may also enter into dual enrollment articulation agreements with eligible independent colleges and universities.\(^{20}\)

Dual enrollment articulation agreements are developed locally by the entities specified in law. Florida law specifies the information that must be addressed in the dual enrollment articulation agreements.\(^{21}\) Such agreements must be submitted to the Florida Department of Education (DOE) by August 1 of each year.\(^{22}\) District school boards may not refuse to enter into a dual enrollment articulation agreement with a local FCS institution if that institution has the capacity to offer dual enrollment courses.\(^{23}\)

**Instructional Materials**

Instructional materials assigned for use within dual enrollment courses must be made available to dual enrollment students from Florida public high schools free of charge.\(^{24}\) Florida law does not

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\(^{15}\) Section 1007.271(8), F.S.
\(^{17}\) Section 1007.271(21), F.S.
\(^{18}\) Section 1007.271(13), F.S.
\(^{19}\) Section 1007.271(24), F.S.
\(^{20}\) Section 1007.271(23), F.S.
\(^{21}\) Section 1007.271(13), (21), and (24), F.S.
\(^{22}\) Section 1007.271(13), (21), (23), and (24), F.S.
\(^{23}\) Section 1007.271(4), F.S.
\(^{24}\) Section 1007.271(17), F.S.
prohibit an FCS institution from providing instructional materials at no cost to a home education student or a student from a private school. Instructional materials purchased by a district school board or FCS institution board of trustees on behalf of dual enrollment students must be the property of the board against which the purchase is charged.

**Collegiate High School Program**

In 2014, the Legislature codified the collegiate high school program and specified related requirements. Florida law requires each FCS institution to work with each district school board in its designated service area to establish one or more collegiate high school programs. In fall 2018, there were 11,146 students enrolled in a collegiate high school or collegiate high school program.

**Purpose**

At a minimum, collegiate high school programs must include an option for public school students in grade 11 or grade 12 participating in the program, for at least 1 full school year, to earn CAPE industry certifications and to successfully complete 30 credit hours through dual enrollment toward the first year of college for an associate degree or baccalaureate degree while enrolled in the program.

**Program Contract**

Each district school board and its local FCS institution must execute a contract to establish one or more collegiate high school programs at a mutually agreed upon location or locations. If the FCS institution does not establish a program with a district school board in its designated service area, another FCS institution may execute a contract with that district school board to establish the program.

In addition to executing a contract with the local FCS institution, Florida law authorizes a district school board to execute a contract to establish a collegiate high school program with an eligible state university or an independent college or university.

Florida law specifies the information that must be addressed in the contract which must be executed by January 1 of each school year for implementation of the program during the next school year.

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25 Section 1007.271(17), F.S.
26 Id.
27 Section 10, ch. 2014-184, L.O.F.
28 Section 1000.21(3), F.S.
29 Section 1007.273(1), F.S.
30 Email, Florida Department of Education (Jan. 8, 2020).
31 Section 1007.273(2), F.S.
32 Section 1007.273(3), F.S.
33 Section 1007.273(5), F.S. To participate in a collegiate high school program, an independent college or university must be an institution that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program, that is a nonprofit independent college or university located and chartered in this state, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees. Id.
34 Section 1007.273(3), F.S.
**Student Performance Contract**

Each student participating in a collegiate high school program must enter into a student performance contract which must be signed by the student, the parent, and a representative of the school district and the applicable FCS institution, state university, or eligible independent college or university. The performance contract must include the schedule of courses, by semester, and industry certifications to be taken by the student, student attendance requirements, and course grade requirements.

**Funding for Dual Enrollment and Collegiate High School Programs**

Florida is required to provide for an efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require.

**Florida Education Finance Program**

The Florida Education Finance Program (FEFP) is the primary mechanism for funding the operating costs of Florida school districts. Under the FEFP, financial support for education is based on the full-time equivalent (FTE) student membership in the public schools. The number of FTE students in each of the funded education programs is multiplied by cost factors relative to each program to obtain weighted FTE student values. The base student allocation from state and local funds is determined annually by the Florida Legislature and is a component in the calculation of base funding.

**Funding for Dual Enrollment**

Dual enrollment funding for public schools is included in the calculation of FTE students within the FEFP. There is no provision in law to allow for additional funding for students earning dual enrollment credit.

The dual enrollment articulation agreement between a district school superintendent and a public postsecondary institution president must address specified information including a funding provision that delineates costs incurred by each entity, which include the following:

- School districts are required to pay public postsecondary institutions the standard tuition rate per credit hour from funds provided in the FEFP when dual enrollment course instruction

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35 Section 1007.273(4), F.S.
36 Art. IX, s. 1, Fla. Const.
37 See Section 1011.62, F.S.
38 Program cost factors are based on desired relative cost differences between the following programs as established in the annual General Appropriations Act: grades K-3; 4-8; 9-12; two program cost factors for exceptional students; secondary career education programs; and English for Speakers of Other Languages. Section 1011.62(1)(c), F.S.
41 Id. at 11.
42 Section 1007.271(21)(n), F.S.
takes place on the postsecondary institution’s campus and the course is taken during the fall or spring term.  

- When dual enrollment is provided on the high school site by postsecondary institution faculty, the school district must reimburse the costs associated with the postsecondary institution’s proportion of salary and benefits to provide the instruction.
- When dual enrollment course instruction is provided on the high school site by school district faculty, the school district is not responsible for payment to the postsecondary institution.

Florida law does not specify a similar funding provision for private schools to pay public postsecondary education institutions for the dual enrollment instruction that such institutions provide to the private school dual enrollment students. However, postsecondary institutions are not prohibited from charging a fee to private schools for the dual enrollment of its students.

Subject to annual appropriation in the General Appropriations Act, a public postsecondary institution must receive an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a student during the summer term.

**Funding for Collegiate High School Programs**

The collegiate high school program must be funded in accordance with the funding for dual enrollment through the FEFP. The SBE must enforce compliance with the law regarding the collegiate high school program by withholding the transfer of funds for the school districts and the FCS institutions.

**FEFP Incentives for Acceleration Mechanisms**

The FEFP provides a funding incentive for school districts with students in Advanced Placement (AP), International Baccalaureate (IB), and Advanced Certificate of Education (AICE) courses who successfully complete AP, IB, and AICE examinations and IB and AICE diplomas. The additional FTE is calculated as follows:

- A value of 0.16 FTE student membership is calculated for each student in each AP course who receives a score of 3 or higher on the College Board AP examination.
- A value of 0.16 FTE student membership is calculated for each student enrolled in an IB course who receives a score of 4 or higher on a subject examination. A value of 0.3 FTE student membership is calculated for each student who receives an IB diploma.
- A value of 0.16 FTE student membership is calculated for each student enrolled in a full-credit AICE course, and 0.08 FTE student membership for each student enrolled in a half-
credit AICE course, for each student who receives a score of E or higher on a subject examination. A value of 0.3 FTE student membership is calculated for each student who receives an AICE diploma.\textsuperscript{52}

Additionally, classroom teachers may receive bonus funds for the performance of their students on AP, IB, and AICE examinations. School districts must use the additional FTE funds for AP, IB, and AICE programs for purposes specified in law.\textsuperscript{53}

III. Effect of Proposed Changes:

SB 1246 modifies the dual enrollment and collegiate high school programs to ensure students have access to such programs, parents and legal guardians are informed of opportunities and responsibilities, and school districts and postsecondary institutions are provided financial support to offer dual enrollment opportunities to students. Specifically, the bill:

- Modifies the dual enrollment program to increase access for students by specifying that:
  - School districts or Florida College System (FCS) institutions may not deny an eligible student from participating in dual enrollment, and may not establish eligibility criteria in addition to those in law.
  - Instructional materials are free-of-charge for students in private schools and home education programs.
  - Private schools are exempt from the payment of tuition and fees for dual enrollment.
- Renames the “collegiate high school” to “early college” program and specifies requirements in the program contract and student performance contract.
- Establishes funding and financial incentives for school districts and postsecondary institutions by:
  - Creating the Dual Enrollment Scholarship Program in the Department of Education (DOE) to reimburse eligible postsecondary institutions a specified amount for tuition and instructional materials for dual enrollment taken by private school and home education program students in the fall and spring term, and by all students in the summer term, subject to appropriation in the General Appropriations Act.
  - Providing a full-time equivalent (FTE) student membership bonus in the Florida Education Finance Program (FEFP) for students who complete general education core courses or an associate degree through dual enrollment, and requiring school districts to allocate half of such funds to support academic guidance and postsecondary readiness.
- Establishes a requirement for the Commissioner of Education (commissioner) to report to the Governor and Legislature regarding the status of dual enrollment programs for public and private school and home education program students.

Dual Enrollment

The bill modifies s. 1007.271, F.S., regarding dual enrollment student eligibility, notification requirements, articulation agreements, and costs. Such changes may increase dual enrollment opportunities for students through programmatic and financial supports and provide additional information to parents and students about dual enrollment benefits and responsibilities.

\textsuperscript{52} Section 1011.62(1)(m), F.S.
\textsuperscript{53} Section 1011.62(1)(l)-(n), F.S.
The bill modifies student eligibility for and access to dual enrollment. Specifically, the bill:

- Clarifies that a student eligible for dual enrollment includes a student enrolled in a home education program specified in law.
- Specifies that the individual student exceptions to the required high school grade point average (GPA) in current law are only for career certificate dual enrollment.
- Authorizes an exception to the required GPA for college credit dual enrollment for students who achieve higher scores than the established minimum on the common placement test adopted by the State Board of Education (SBE). Such exception must be specified in the articulation agreement.
- Removes the authorization for an FCS institution to establish additional dual enrollment eligibility criteria, to specify that a postsecondary institution may not establish additional initial student academic eligibility requirements.
- Specifies that a district school board or FCS institution may not deny a student who has met the state eligibility requirements from participating in dual enrollment unless the institution documents that it does not have the capacity to accommodate all eligible students seeking to participate in the dual enrollment program. If the institution documents that it does not have the capacity to accommodate all eligible students, participation must be based on a first-come, first-served basis.
- Specifies that a home education student must meet the same minimum score requirement on a common placement test required of other dually enrolled students.

The bill expands the notification requirement to parents to include legal guardians, and requires that students and their parents or legal guardians be informed that dual enrollment course grades are included in the student’s college GPA, become a part of the student’s permanent academic record, and may affect the student’s future financial aid eligibility. The bill also specifies that a school may not enroll a student in a dual enrollment course without an acknowledgment form on file, which must be signed by both the student and the student’s parent or legal guardian.

The bill extends the deadline for annual reporting of articulation agreements to the DOE from August 1, to October 1, which may provide additional time for agreements to be negotiated and approved by the school district and postsecondary governing boards.

The bill modifies provisions relating to the cost of dual enrollment to students and to postsecondary institutions. Specifically, the bill:

- Specifies that instructional materials used in dual enrollment courses are free to students at private schools and home education programs.
- Specifies that the private school of a student’s enrollment is exempt from the payment of tuition and fees to the postsecondary institution.
- Establishes the Dual Enrollment Scholarship Program as an additional funding source.

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54 Section 27, ch. 2018-6, L.O.F., included a provision removing from the home education articulation agreement a provision that such students must be responsible for their own instructional materials.
**Dual Enrollment Scholarship Program**

The bill creates s. 1009.31, F.S., to establish the Dual Enrollment Scholarship Program (program) within the DOE to support postsecondary institutions in providing dual enrollment to Florida secondary school and home education program students.

For any student who meets the dual enrollment eligibility requirements established in law, the bill requires the program to:

- Beginning in the 2020 fall term, reimburse eligible postsecondary institutions for tuition and related instructional materials costs for dual enrollment courses taken by private school or home education program secondary students during the fall or spring terms.
- Beginning in the 2021 summer term, reimburse institutions for tuition and related instructional materials costs for dual enrollment courses taken by public school, private school, or home education program secondary students during the summer terms.

The specific reimbursements amounts are as follows:

- FCS institutions are reimbursed at the in-state resident tuition rate established in law.
- State University System institutions and independent postsecondary institutions are reimbursed at the standard tuition rate established in law.
- Institutions are reimbursed for instructional materials costs based on a rate as specified in the GAA.

The bill specifies that reimbursement for dual enrollment courses is contingent upon an appropriation in the GAA each year. If the statewide reimbursement amount is greater than the appropriation, the institutional reimbursement amounts must be prorated among the institutions that have reported eligible students to the DOE by the established deadlines.

Each participating institution must report to the DOE specified information about the student; postsecondary institution, course, and credits, and:

- Annually, by March 15, its eligible secondary students from private schools or home education programs who were enrolled during the previous fall or spring terms. For dual enrollment courses taken during the fall and spring terms, the DOE must reimburse institutions by April 15 of the same year.
- Annually, by July 15, its eligible public school, private school, or home education program students who were enrolled during the summer terms. For dual enrollment courses taken during the summer terms, the DOE must reimburse institutions by August 15 of the same year, before the beginning of the next academic year.

The bill authorizes the SBE to adopt rules to implement these provisions.

**Early College Program**

The bill modifies s. 1007.273, F.S., and changes the name of the collegiate high school program to the early college program. In addition, the bill:

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The bill does not include a reimbursement amount for career centers operated by school districts.

The standard in-state tuition rate at an FCS institution is $71.98 per credit hour. Section 1009.23(3)(a), F.S.

The standard in-state tuition rate at state universities is $105.07 per credit hour. Section 1009.24(4)(a), F.S.
- Changes the purpose of the program to remove specified grade levels and credit thresholds to specify that an early college program means a structured high school acceleration program in which a cohort of students is enrolled full-time in postsecondary courses toward an associate degree.

- Requires that early college program prioritize courses applicable as general education core courses for an associate degree or a baccalaureate degree, and specifies that the early college program contract between a district school board and the local FCS institution, which includes a delineation of dual enrollment courses available, must include general education core courses.

- Requires the student performance contract for the early college program include a provision describing the applicability of dual enrollment courses in the program to an associate degree or a baccalaureate degree.

- Specifies that a charter school may execute a contract directly with the local FCS institution or another postsecondary institution to establish an early college program at a mutually agreed upon location.

Additionally, the bill includes conforming provisions to change the name of the collegiate high school program to the early college program related to K-12 student and parent rights and educational choice, and requirements for a standards high school diploma for students with a disability.

The modifications to the early college program may increase access to such programs by students in charter schools, and may assist students in choosing dual enrollment courses that will satisfy associate and baccalaureate degree requirements at public postsecondary institutions.

**Reporting Requirement**

The bill modifies sections 1007.271 and 1007.273, F.S., to establish reporting requirements relating to the dual enrollment and early college programs. By November 30, 2021, and annually thereafter, the commissioner must report to the Governor, President of the Senate, and the Speaker of the House of Representatives the status of dual enrollment and early college programs, including, at a minimum, a summary of student enrollment and completion at public and private postsecondary institutions.

**FEFP Incentive for Dual Enrollment**

The bill adds new provisions for funding students enrolled in dual enrollment courses and early college programs similar to FTE student membership incentives for successful completion of

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58 s. 1007.25 and Rule 6A-14.0303, F.A.C.

59 General education core course options consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. Beginning with students initially entering an FCS institution or state university in 2015-2016 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. The general education core course options must be adopted in rule by the SBE and in regulation by the Board of Governors. Section 1007.25(3), F.S. See also Rule 6A-10.0303 and Board of Governors Regulation 8.005.

60 Section 1002.20(6)(a), F.S.

61 Section 1003.4282(10)(c)2., F.S.
AP, IB, and AICE examinations. Specifically, for the 2020-2021 school year and thereafter, the bill:

- Provides bonus FTE funding to public school districts for any student who completes a general education core course through dual enrollment with an earned grade of “C” or better.
  - Students enrolled in an early college program generate a 0.16 FTE student membership bonus.
  - Students not enrolled in an early college program generate a 0.08 FTE student membership bonus.
- Provides bonus FTE funding for each associate degree earned through the dual enrollment program with 3.0 GPA or better. Students earning an associate degree with the required GPA generate a 0.3 FTE student membership bonus. Courses taken prior to 2020-2021 may be included in the associate degree. In the 2018-2019 academic year, 2,107 students earned an associate degree through dual enrollment prior to high school graduation.62
- Specifies that bonus funding will be added to the total FTE student membership in basic programs for grades 9-12 in the subsequent fiscal year and requires school districts to allocate at least 50 percent of the bonus funds to the schools that generated the funds to support academic guidance and postsecondary readiness.

Adding performance funding incentives for students taking dual enrollment courses may incentivize public schools to increase the number of students enrolled in dual enrollment courses in both dual enrollment and early college programs.

The bill takes effect on July 1, 2020.

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.

62 Email, Florida Department of Education (Jan. 8, 2020).
V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The financial supports for the dual enrollment and early college programs may increase opportunities for Florida secondary students to take college-credit courses that will count toward an associate or baccalaureate degree while still in high school, which may reduce costs for students and families.

C. Government Sector Impact:

For the 2020-2021 fiscal year, the estimated costs are as follows:
- The Dual Enrollment Scholarship Program is estimated to cost $28.5 million. The estimate is based on tuition and instructional materials costs for the estimated number of private school and home education program students participating in dual enrollment in the fall and spring terms, and all dual enrollment students in the summer term.
- The dual enrollment FTE bonus funding within the Florida Education Finance Program (FEFP) is estimated to be $61.3 million. This estimate is based on the weighted value for the number of students participating in dual enrollment and early college programs who complete courses with a “C” or better or graduate with an associate degree.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1007.271, 1007.273, 1011.62, 1002.20, 1003.4282, 1003.436, and 1011.68.
This bill creates section 1009.31 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.
A bill to be entitled An act relating to dual enrollment; amending s. 1007.271, F.S.; clarifying that secondary students eligible for dual enrollment programs include students who are enrolled in home education programs; providing for exceptions to grade point average requirements relating to student eligibility; requiring that exceptions to required grade point averages be specified in the dual enrollment articulation agreement; prohibiting postsecondary institutions from establishing additional initial student academic eligibility requirements; prohibiting district school boards and Florida College System institutions from denying students who have met eligibility requirements from participating in dual enrollment except under specified circumstances; revising the date by which career centers are required to annually complete and submit specified agreements to the Department of Education; requiring district school boards to inform secondary students and their parents or legal guardians of specified information; prohibiting schools from enrolling students in dual enrollment courses under certain circumstances; revising the date by which eligible postsecondary institutions are required to annually complete and submit home education articulation agreements to the department; revising requirements for home education students enrolled in dual enrollment courses; conforming a provision to changes made by the act; requiring that instructional materials assigned for use within dual enrollment courses be made available to dual enrollment students from public schools, private schools, and home education programs free of charge; revising the date by which certain postsecondary institutions are required to annually complete and submit to the department a dual enrollment articulation agreement; revising requirements for the articulation agreement; revising provisions relating to funding for dual enrollment; providing that certain independent colleges and universities are eligible for inclusion in the dual enrollment and early admission programs; revising the date by which certain district school boards and Florida College System institutions are required to annually complete and submit a dual enrollment articulation agreement to the department; revising the date by which certain postsecondary institutions are required to annually complete and submit a private school articulation agreement to the department; revising requirements for such agreements; conforming provisions to changes made by the act; requiring the Commissioner of Education to annually report the status of dual enrollment programs to the Governor and the Legislature by a specified date; requiring the State Board of Education to adopt rules; amending s. 1007.273, F.S.; changing the term "collegiate high school program" to "early college program"; defining the term "early college program"; requiring early college programs to prioritize certain

CODING: Words **stricken** are deletions; words _underlined_ are additions.
courses; deleting requirements relating to collegiate
high school programs; revising provisions relating to
contracts executed between district school boards and
their local Florida College System institutions to
establish early college programs; revising provisions
relating to student performance contracts for students
participating in early college programs; authorizing
charter schools to execute contracts to establish an
early college program with specified institutions;
requiring the commissioner to annually report the
status of early college programs to the Governor and
the Legislature by a specified date; creating s.
1009.31, F.S.; providing legislative findings;
establishing the Dual Enrollment Scholarship Program;
providing for the administration of the program;
providing for the reimbursement of tuition and costs
to eligible postsecondary institutions; requiring
students participating in dual enrollment programs to
meet minimum eligibility requirements in order for
institutions to receive reimbursements; requiring
participating institutions to annually report
specified information to the department by certain
dates; providing a reimbursement schedule for tuition
and instructional materials costs; requiring the
department to reimburse institutions by specified
dates; providing that reimbursement for dual
enrollment courses is contingent upon appropriations;
providing for the prorating of reimbursements under
certain circumstances; requiring the State Board of
Education to adopt rules; amending s. 1011.62, F.S.;
revising provisions relating to the calculation of
full-time equivalent student membership with respect
to dual enrollment instruction for purposes of
allocating funds for the operation of schools;
amending ss. 1002.20 and 1003.4282, F.S.; conforming
provisions to changes made by the act; amending s.
1003.436, F.S.; conforming a cross-reference;
reenacting s. 1011.68(1)(d), F.S., relating to funds
for student transportation, to incorporate the
amendments made to s. 1011.62, F.S.; providing an
effective date.

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

Section 1. Section 1007.271, Florida Statutes, is amended
to read:

1007.271 Dual enrollment programs.—
(1) The dual enrollment program is the enrollment of an
eligible secondary student or home education student in a
postsecondary course creditable toward high school completion
and a career certificate or an associate or baccalaureate
degree. A student who is enrolled in postsecondary instruction
that is not creditable toward a high school diploma may not be
classified as a dual enrollment student.

(2) For the purpose of this section, an eligible secondary
student is a student who is enrolled in any of grades 6 through
12 in a Florida public school or in a Florida private school
that is in compliance with s. 1002.42(2) and provides a
(3) Student eligibility requirements. For initial enrollment in college credit dual enrollment courses, a student must achieve a 3.0 unweighted high school grade point average and the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework. Student eligibility requirements for continued enrollment in college credit dual enrollment courses, a student must maintain a minimum must include the maintenance of a 3.0 unweighted high school grade point average and the minimum postsecondary grade point average established by the postsecondary institution. Regardless of meeting student eligibility requirements for continued enrollment, a student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered. Student eligibility requirements for initial and continued enrollment in career certificate dual enrollment courses must include a 2.0 unweighted high school grade point average. An exception exceptions to the required grade point average for career certificate dual enrollment courses may be granted on an individual student basis. An exception to the required grade point average for college credit dual enrollment may be granted for students who achieve higher scores than the established minimum on the common placement test adopted by the State Board of Education. Any exception to the required grade point average must be specified in if the educational entities agree and the terms of the agreement are contained within the dual enrollment articulation agreement established pursuant to subsection (21). A postsecondary institution Florida College System institution boards of trustees may not establish additional initial student academic eligibility requirements, which shall be included in the dual enrollment articulation agreement, to ensure student...
(a) Each faculty member providing instruction in college credit dual enrollment courses must:

1. Meet the qualifications required by the entity accrediting the postsecondary institution offering the course. The qualifications apply to all faculty members regardless of the location of instruction. The postsecondary institution offering the course must require compliance with these qualifications.

2. Provide the institution offering the dual enrollment course a copy of his or her postsecondary transcript.

3. Provide a copy of the current syllabus for each course taught to the discipline chair or department chair of the postsecondary institution before the start of each term. The content of each syllabus must meet the same standards required for all college-level courses offered by that postsecondary institution.

4. Adhere to the professional rules, guidelines, and expectations stated in the postsecondary institution's faculty or adjunct faculty handbook. Any exceptions must be included in the dual enrollment articulation agreement.

5. Adhere to the rules, guidelines, and expectations stated in the postsecondary institution's student handbook which apply to faculty members. Any exceptions must be noted in the dual enrollment articulation agreement.

(b) Each president, or designee, of a postsecondary institution offering a college credit dual enrollment course must:

1. Provide a copy of the institution's current faculty or adjunct faculty handbook to all faculty members teaching a dual enrollment course.

2. Provide to all faculty members teaching a dual enrollment course a copy of the institution's current student handbook, which may include, but is not limited to, information on registration policies, the student code of conduct, grading policies, and critical dates.

3. Designate an individual or individuals to observe all faculty members teaching a dual enrollment course, regardless of the location of instruction.
4. Use the same criteria to evaluate faculty members teaching a dual enrollment course as the criteria used to evaluate all other faculty members.

5. Provide course plans and objectives to all faculty members teaching a dual enrollment course.

The following curriculum standards apply to college credit dual enrollment:

(a) Dual enrollment courses taught on the high school campus must meet the same competencies required for courses taught on the postsecondary institution campus. To ensure equivalent rigor with courses taught on the postsecondary institution campus, the postsecondary institution offering the course is responsible for providing in a timely manner a comprehensive, cumulative end-of-course assessment or a series of assessments of all expected learning outcomes to the faculty member teaching the course. Completed, scored assessments must be returned to the postsecondary institution and held for 1 year.

(b) Instructional materials used in dual enrollment courses must be the same as or comparable to those used in courses offered by the postsecondary institution with the same course prefix and number. The postsecondary institution must advise the school district of instructional materials requirements as soon as that information becomes available but no later than one term before a course is offered.

(c) Course requirements, such as tests, papers, or other assignments, for dual enrollment students must be at the same level of rigor or depth as those for all nondual enrollment postsecondary students. All faculty members teaching dual enrollment courses must observe the procedures and deadlines of the postsecondary institution for the submission of grades. A postsecondary institution must advise each faculty member teaching a dual enrollment course of the institution’s grading guidelines before the faculty member begins teaching the course.

(d) Dual enrollment courses taught on a high school campus may not be combined with any noncollege credit high school course.

Career dual enrollment shall be provided as a curricular option for secondary students to pursue in order to earn industry certifications adopted pursuant to s. 1008.44, which count as credits toward the high school diploma. Career dual enrollment shall be available for secondary students seeking a degree and industry certification through a career education program or course. Each career center established under s. 1001.44 shall enter into an agreement with each high school in any school district it serves. Beginning with the 2019-2020 school year, the agreement must be completed annually and submitted by the career center to the Department of Education by October 1. The agreement must:

(a) Identify the courses and programs that are available to students through career dual enrollment and the clock hour credits that students will earn upon completion of each course and program.

(b) Delineate the high school credit earned for the completion of each career dual enrollment course.

(c) Identify any college credit articulation agreements associated with each clock hour program.

(d) Describe how students and their parents or legal guardians agree to the policies and guidelines before the faculty member begins teaching the course.
(10) The Commissioner of Education shall appoint faculty committees representing public school, Florida College System institution, and university faculties to identify postsecondary courses that meet the high school graduation requirements of s. 1003.4282 and to establish the number of postsecondary semester credit hours of instruction and equivalent high school credits earned through dual enrollment pursuant to this section that are necessary to meet high school graduation requirements. Such equivalencies shall be determined solely on comparable course content and not on seat time traditionally allocated to such courses in high school. The Commissioner of Education shall recommend to the State Board of Education those postsecondary courses identified to meet high school graduation requirements, based on mastery of course outcomes, by their course numbers, and all high schools shall accept these postsecondary education courses toward meeting the requirements of s. 1003.4282.

(11) Early admission is a form of dual enrollment through which eligible secondary students enroll in a postsecondary institution on a full-time basis in courses that are creditable toward the high school diploma and the associate or baccalaureate degree. A student must enroll in a minimum of 12 college credit hours per semester or the equivalent to participate in the early admission program; however, a student may not be required to enroll in more than 15 college credit hours per semester or the equivalent. Students enrolled pursuant...
2. Be responsible for his or her own transportation unless provided for in the articulation agreement.

(13) Career early admission is a form of career dual enrollment through which eligible secondary students enroll full time in a career center or a Florida College System institution in postsecondary programs leading to industry certifications, as listed in the CAPE Postsecondary Industry Certification Funding List pursuant to s. 1008.44, which are creditable toward the high school diploma and the certificate or associate degree. Participation in the career early admission program is limited to students who have completed a minimum of 4 semesters of full-time secondary enrollment, including studies undertaken in the ninth grade. Students enrolled pursuant to this section are exempt from the payment of registration, tuition, and laboratory fees.

(12) The State Board of Education shall adopt rules for any dual enrollment programs involving requirements for high school graduation.

(13)(a) The dual enrollment program for a home education student, including, but not limited to, students with disabilities, consists of the enrollment of an eligible home education secondary student in a postsecondary course creditable toward an associate degree, a career certificate, or a baccalaureate degree. To participate in the dual enrollment program, an eligible home education secondary student must:

1. Provide proof of enrollment in a home education program pursuant to s. 1002.41.

2. Be responsible for his or her own transportation unless provided for in the articulation agreement.

3. Sign a home education articulation agreement pursuant to paragraph (b).

(b) Each public postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a home education articulation agreement with each home education student seeking enrollment in a dual enrollment course and the student’s parent or legal guardian. By October August 1 of each year, the eligible postsecondary institution shall complete and submit the home education articulation agreement to the Department of Education. The home education articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution. Any course or program limitations may not exceed the limitations for other dually enrolled students.

2. The initial and continued eligibility requirements for home education student participation, not to exceed those required of other dually enrolled students. A home education student must meet the same minimum score requirement on a common placement test which is required of other dually enrolled students. A high school grade point average may not be required for home education students who meet the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework; however, home education student eligibility requirements for continued enrollment in dual enrollment courses must include the maintenance of the minimum postsecondary grade minimum:

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point average established by the postsecondary institution for other dually enrolled students.

3. The student’s responsibilities for providing his or her own transportation.

4. A copy of the statement on transfer guarantees developed by the Department of Education under subsection (15).

(14) The Department of Education shall approve any course for inclusion in the dual enrollment program that is contained within the statewide course numbering system. However, developmental education and physical education and other courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, may not be so approved but must be evaluated individually for potential inclusion in the dual enrollment program. This subsection may not be construed to mean that an independent postsecondary institution eligible for inclusion in a dual enrollment or early admission program pursuant to subsection (23) must participate in the statewide course numbering system developed pursuant to s. 1007.24 to participate in a dual enrollment program.

(15) The Department of Education shall develop a statement on transfer guarantees to inform students and their parents or legal guardians, prior to enrollment in a dual enrollment course, of the potential for the dual enrollment course to articulate as an elective or a general education course into a postsecondary education certificate or degree program. The statement shall be provided to each district school superintendent, who shall include the statement in the information provided to all secondary students and their parents or legal guardians as required pursuant to this subsection. The statement may also include additional information, including, but not limited to, dual enrollment options, guarantees, privileges, and responsibilities.

(16) Students who meet the eligibility requirements of this section and who choose to participate in dual enrollment programs are exempt from the payment of registration, tuition, and laboratory fees.

(17) Instructional materials assigned for use within dual enrollment courses shall be made available to dual enrollment students from Florida public high schools, private schools, and home education programs free of charge. This subsection does not prohibit a Florida College System institution from providing instructional materials at no cost to a home education student or student from a private school. Instructional materials purchased by a district school board or Florida College System institution board of trustees on behalf of dual enrollment students shall be the property of the board against which the purchase is charged.

(18) School districts and Florida College System institutions must weigh dual enrollment courses the same as advanced placement, International Baccalaureate, and Advanced International Certificate of Education courses when grade point averages are calculated. Alternative grade calculation systems, alternative grade weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited.

(19) The Commissioner of Education may approve dual enrollment agreements for limited course offerings that have statewide appeal. Such programs shall be limited to a single
site with multiple county participation.

(20) A postsecondary institution shall assign letter grades to each student enrolled in a dual enrollment course. The letter grade assigned by the postsecondary institution shall be posted to the student’s high school transcript by the school district.

(21) Each district school superintendent and each public postsecondary institution president shall develop a comprehensive dual enrollment articulation agreement for the respective school district and postsecondary institution. The superintendent and president shall establish an articulation committee for the purpose of developing the agreement. Each state university president may designate a university representative to participate in the development of a dual enrollment articulation agreement. A dual enrollment articulation agreement shall be completed and submitted annually by the postsecondary institution to the Department of Education on or before October 1. The agreement must include, but is not limited to:

(a) A ratification or modification of all existing articulation agreements.

(b) A description of the process by which students and their parents are informed about opportunities for student participation in the dual enrollment program.

(c) A delineation of courses and programs available to students eligible to participate in dual enrollment.

(d) A description of the process by which students and their parents exercise options to participate in the dual enrollment program.

(e) The agreed upon common placement test scores and

CODING: Words **stricken** are deletions; words **underlined** are additions.
1. School districts shall pay public postsecondary institutions the in-state resident standard tuition rate per credit hour from funds provided in the Florida Education Finance Program when dual enrollment course instruction takes place on the postsecondary institution’s campus and the course is taken during the fall or spring term. When dual enrollment is provided on the high school site by postsecondary institution faculty, the school district shall reimburse the costs associated with the postsecondary institution’s proportion of salary and benefits to provide the instruction. When dual enrollment course instruction is provided on the high school site by school district faculty, the school district is not responsible for payment to the postsecondary institution. A postsecondary institution may enter into an agreement with the school district to authorize teachers to teach dual enrollment courses at the high school site or the postsecondary institution. A school district may not deny a student access to dual enrollment unless the student is ineligible to participate in the program subject to provisions specifically outlined in this section.

2. Subject to annual appropriation in the General Appropriations Act, a public postsecondary institution shall receive an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a private school or home education student at the postsecondary institution during the fall and spring terms, pursuant to s. 1009.31.

3. Subject to annual appropriation in the General Appropriations Act, a public postsecondary institution shall receive an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a student during the summer term, pursuant to s. 1009.31.

(o) Any institutional responsibilities pursuant to s. 1011.62(1)(i). An independent college or university that is not for profit, is accredited by a regional or national accrediting agency recognized by the United States Department of Education, and confers degrees as defined in s. 1005.02 shall be eligible for inclusion in the dual enrollment or early admission program. By October 1 of each year, the district school board and the Florida College System institution shall complete and submit the dual enrollment articulation agreement with the state university.
or an eligible independent college or university, as applicable, to the Department of Education.

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

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

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

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

(b) Each public postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a private school articulation agreement with each eligible private school in its geographic service area seeking to offer dual enrollment courses to its students, including, but not limited to, students with disabilities. By October 1 of each year, the eligible postsecondary institution shall complete and submit the private school articulation agreement to the Department of Education.

The private school articulation agreement must include, at a minimum:

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

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

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

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

5. A provision expressing that the private school of enrollment is exempt from the payment of costs associated with tuition and fees, including registration, and laboratory fees, will not be passed along to the student.

(25) For students with disabilities, a postsecondary institution eligible to participate in dual enrollment pursuant to s. 1011.62(1)(i) shall include in its dual enrollment articulation agreement, services and resources that are available to students with disabilities who register in a dual enrollment course at the eligible institution and provide information regarding such services and resources to the Florida Center for Students with Unique Abilities. The Department of Education shall provide to the center the Internet website link to dual enrollment articulation agreements specific to students with disabilities. The center shall include in the information that it is responsible for disseminating to students with disabilities and their parents or legal guardians pursuant to s.
(26) By November 30, 2021, and annually thereafter, the commissioner must report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the status of dual enrollment programs, including, at a minimum, a summary of student enrollment and completion for public school, private school, and home education program students at public and private postsecondary institutions.

(27) The State Board of Education shall adopt rules for any dual enrollment programs involving requirements for high school graduation.

Section 2. Section 1007.273, Florida Statutes, is amended to read:

1007.273 Early college collegiate high school program.—

(1) Each Florida College System institution shall work with each district school board in its designated service area to establish one or more early college collegiate high school programs. As used in this section, the term “early college program” means a structured high school acceleration program in which a cohort of students is enrolled full-time in postsecondary courses toward an associate degree. The early college program must prioritize courses applicable as general education core courses under s. 1007.25 for an associate degree or a baccalaureate degree.

(2) At a minimum, collegiate high school programs must include an option for public school students in grade 11 or grade 12 participating in the program, for at least 1 full school year, to earn CBEE industry certifications pursuant to s. 1008.34 and to successfully complete 30 credit hours through the dual enrollment program under s. 1007.271 toward the first year of college for an associate degree or baccalaureate degree while enrolled in the program.

(2)(1) Each district school board and its local Florida College System institution shall execute a contract to establish one or more early college collegiate high schools programs at a mutually agreed upon location or locations. Beginning with the 2015-2016 school year, if the Florida College System institution does not establish an early college program with a district school board in its designated service area, another Florida College System institution may execute a contract with that district school board to establish the early college program. The contract must be executed by January 1 of each school year for implementation of the program during the next school year. The contract must:

(a) Identify the grade levels to be included in the early college collegiate high school program which must, at a minimum, include grade 12.

(b) Describe the early college collegiate high school program, including the delineation of courses that must, at a minimum, include general education core courses pursuant to s. 1007.25; and industry certifications offered, including online course availability; the high school and college credits earned for each postsecondary course completed and industry certification earned; student eligibility criteria; and the enrollment process and relevant deadlines.

(c) Describe the methods, medium, and process by which...
students and their parents are annually informed about the availability of the early college collegiate high school program, the return on investment associated with participation in the early college program, and the information described in paragraphs (a) and (b).

(d) Identify the delivery methods for instruction and the instructors for all courses.

(e) Identify student advising services and progress monitoring mechanisms.

(f) Establish a program review and reporting mechanism regarding student performance outcomes.

(g) Describe the terms of funding arrangements to implement the early college collegiate high school program pursuant to subsection (5).

(3) Each student participating in an early college collegiate high school program must enter into a student performance contract, which must be signed by the student, the parent or legal guardian, and a representative of the school district and the applicable Florida College System institution partner, state university, or other eligible postsecondary institution partner participating pursuant to subsection (4). The performance contract must, at a minimum, specify the schedule of courses, by semester, and industry certifications to be taken by the student, if any; student attendance requirements; and course grade requirements; and the applicability of such courses to an associate degree or a baccalaureate degree.

(4) In addition to executing a contract with the local Florida College System institution under this section, a district school board may execute a contract to establish an early college collegiate high school program with a state university or an institution that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program, that is a nonprofit independent college or university located and chartered in this state, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees. Such university or institution must meet the requirements specified under subsections (2) and (3). A charter school may execute a contract directly with the local Florida College System institution or another institution as authorized under this section to establish an early college program at a mutually agreed upon location.

(5) The early college collegiate high school program shall be funded pursuant to ss. 1007.271 and 1011.62. The State Board of Education shall enforce compliance with this section by withholding the transfer of funds for the school districts and the Florida College System institutions in accordance with s. 1008.32.

(6) By November 30, 2021, and annually thereafter, the commissioner must report the status of early college programs, including, at a minimum, a summary of student enrollment in public and private postsecondary institutions and completion information to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 3. Section 1009.31, Florida Statutes, is created to read:

1009.31 Dual Enrollment Scholarship Program—
(1) The Legislature finds and declares that dual enrollment is an integral part of the education system in this state and should be available for all eligible secondary students without cost to the student. There is established the Dual Enrollment Scholarship Program to support postsecondary institutions in providing dual enrollment.

(2) The department shall administer the Dual Enrollment Scholarship Program in accordance with rules of the State Board of Education.

(3)(a) Beginning in the 2020 fall term, the program shall reimburse eligible postsecondary institutions for tuition and related instructional materials costs for dual enrollment courses taken by private school or home education program secondary students during the fall or spring terms.

(b) Beginning in the 2021 summer term, the program shall reimburse institutions for tuition and related instructional materials costs for dual enrollment courses taken by public school, private school, or home education program secondary students during the summer terms.

(4) A student participating in a dual enrollment program must meet the minimum eligibility requirements specified in s. 1007.271 in order for the institution to receive a reimbursement.

(5) Annually, by March 15, each participating institution must report to the department its eligible secondary students from private schools or home education programs who were enrolled during the previous fall or spring terms. Annually, by July 15, each participating institution must report to the department its eligible public school, private school, or home education program secondary students who were enrolled during the previous summer terms.

(6) (a) Florida College System institutions shall be reimbursed at the in-state resident tuition rate established in s. 1009.23(3)(a).

(b) State University System institutions and independent postsecondary institutions shall be reimbursed at the standard tuition rate established in s. 1009.24(4)(a).

(c) Institutions shall be reimbursed for instructional materials costs based on a rate as specified in the General Appropriations Act.

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

(8) Reimbursement for dual enrollment courses is contingent upon an appropriation in the General Appropriations Act each year. If the statewide reimbursement amount is greater than the appropriation, the institutional reimbursement amounts specified in subsection (6) shall be prorated among the institutions that have reported eligible students to the department by the deadlines specified in subsection (5).

(9) The State Board of Education shall adopt rules to
Section 4. Paragraph (i) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

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

1. COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

   (i) Calculation of full-time equivalent membership with respect to dual enrollment instruction.—

   1. Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(4). Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district. Students in dual enrollment courses may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a Florida College System institution or university.

   2. For students enrolled in an early college program pursuant to s. 1007.273, a value of 0.36 full-time equivalent student membership shall be calculated for each student who completes a general education core course through the dual enrollment program with a grade of "C" or higher. For students who are not enrolled in an early college program, a value of

   (ii) Students who are not enrolled in an early college program with a grade of "C" or higher. For students who are not enrolled in an early college program, a value of...
Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(6) EDUCATIONAL CHOICE.—
(a) Public educational school choices.—Parents of public school students may seek any public educational school choice options that are applicable and available to students throughout the state. These options may include controlled open enrollment, single-gender programs, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), CAPE digital tools, CAPE industry certifications, early college collegiate high school programs, Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public educational choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

Section 6. Paragraph (c) of subsection (10) of section 1002.20, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—
(10) STUDENTS WITH DISABILITIES.—Beginning with students entering grade 9 in the 2014-2015 school year, this subsection applies to a student with a disability.
(c) A student with a disability who meets the standard high school diploma requirements in this section may defer the receipt of a standard high school diploma if the student:

1. Has an individual education plan that prescribes special education, transition planning, transition services, or related services through age 21; and

2. Is enrolled in accelerated college credit instruction pursuant to s. 1007.27, industry certification courses that lead to college credit, an early college or collegiate high school program, courses necessary to satisfy the Scholar designation requirements, or a structured work-study, internship, or preapprenticeship program.

The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to implement this subsection, including rules that establish the minimum requirements for students described in this subsection to earn a standard high school diploma. The State Board of Education shall adopt emergency rules pursuant to ss. 120.536(1) and 120.54.

Section 7. Paragraph (a) of subsection (1) of section 1003.436, Florida Statutes, is amended to read:

1003.436 Definition of "credit."—

(1) (a) For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3). One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement according to s. 1007.271(21) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(10) and 1007.271(21).

Section 8. For the purpose of incorporating the amendment made by this act to section 1011.62, Florida Statutes, in a reference thereto, paragraph (d) of subsection (1) of section 1011.68, Florida Statutes, is reenacted to read:

1011.68 Funds for student transportation.—The annual allocation to each district for transportation to public school programs, including charter schools as provided in s. 1002.33(17)(b), of students in membership in kindergarten through grade 12 and in migrant and exceptional student programs below kindergarten shall be determined as follows:

1. Subject to the rules of the State Board of Education, each district shall determine the membership of students who are transported:

   (d) By reason of being career, dual enrollment, or students with disabilities transported from one school center to another to participate in an instructional program or service; or students with disabilities, transported from one designation to another in the state, provided one designation is a school center and provided the student's individual educational plan provides for the student to participate in the program.
(IEP) identifies the need for the instructional program or service and transportation to be provided by the school district. A “school center” is defined as a public school center, Florida College System institution, state university, or other facility rented, leased, or owned and operated by the school district or another public agency. A “dual enrollment student” is defined as a public school student in membership in both a public secondary school program and a Florida College System institution or a state university program under a written agreement to partially fulfill ss. 1003.435 and 1007.23 and earning full-time equivalent membership under s. 1011.62(1)(i).

Section 9. This act shall take effect July 1, 2020.
I. **Summary:**

SB 1420 revises provisions regarding charter school applications, employee and board member criminal history checks, and virtual instruction programs. Specifically, the bill:

- Requires a sponsor to receive and consider a charter school application submitted at any time during the calendar year.
- Allows another verification option for criminal history checks for charter school employees and governing board members.
- Specifies a high-performing charter school may submit two applications to establish a new charter school to be opened at a time determined by the high-performing charter school, with conditions.
- Authorizes a virtual charter school to provide part-time virtual instruction and contract with any public or charter school to provide any course the virtual school cannot otherwise provide.

The bill takes effect July 1, 2020.

II. **Present Situation:**

**Florida Charter Schools**

Charter schools are public schools that operate under a performance contract (charter),\(^1\) which frees them from many regulations created for traditional public schools while holding them accountable for academic and financial results.\(^2\) The charter between the charter school

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\(^1\) Section 1002.33(5)(a), F.S.

\(^2\) Section 1002.33(7), F.S.
governing board and the charter school sponsor details the school’s mission, program, goals, students served, methods of assessment, and ways to measure success.³

A district school board may sponsor a charter school in the county over which the district school board has jurisdiction.⁴ Additionally, a state university may grant a charter to a developmental research (laboratory) school.⁵

In the 2018-2019 school year, over 313,000 students were enrolled in 658 charter schools in 47 Florida school districts.⁶

Charter School Applications

An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state.⁷

A sponsor receives and reviews all charter school applications⁸ and must, within 90 calendar days of receipt, approve or deny the application by majority vote.⁹ Charter applicants are required to prepare and submit an application on a standard form prepared by the Department of Education (DOE), which application contains information a sponsor may require and:

- Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.
- Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.
- Contains goals and objectives for improving student learning and measuring that improvement.
- Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level.
- Contains an annual financial plan for each year requested by the charter for operation of the school for up to five years.
- Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor must consider in deciding whether to approve or deny the application.

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⁴ Section 1002.33(5)(a)1., F.S.
⁵ Section 1002.32, F.S. Such school must be considered a charter lab school. Section 1002.33(5)(a)2., F.S.
⁷ Section 1002.33(3)(a), F.S.
⁸ Section 1002.33(6)(b), F.S.
⁹ Section 1002.33(6)(b)3.a., F.S.
¹⁰ Section 1002.33(6)(a), F.S. Charter school applications are incorporated into State Board of Education Rule 6A-6.0786, F.A.C.
• Documents, for the establishment of a virtual charter school, that the applicant has contracted with a provider of virtual instruction services in accordance with law.\textsuperscript{11}

A sponsor must receive and consider charter school applications received on or before February 1 of each year in order for charter schools to be opened 18 months later at the beginning of the school district’s school year, or to be opened at a time determined by the applicant.\textsuperscript{12} A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment.\textsuperscript{13}

**High-Performing Charter Schools**

A charter school is considered a high-performing charter school if it:\textsuperscript{14}

- Received at least two school grades of “A” and no school grade below “B” during each of the previous three school years or received at least two consecutive school grades of “A” in the most recent two school years.
- Received an unqualified opinion on each required annual financial audit\textsuperscript{15} in the most recent three fiscal years for which such audits are available, or two most recent fiscal years if the charter school earns two consecutive grades of “A.”
- Did not receive a financial audit that revealed one or more of the financial emergency conditions specified in law\textsuperscript{16} in the most recent three fiscal years for which such audits are available, or two most recent fiscal years if the charter school earns two consecutive grades of “A.”

There are currently 213 charter schools in the state designated as high-performing charter schools.\textsuperscript{17}

**High-Performing Charter School Applications**

An application submitted by a high-performing charter school or a high-performing charter school system may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:\textsuperscript{18}

- The application of a high-performing charter school does not materially comply\textsuperscript{19} with the charter school application requirements or, for a high-performing charter school system, the

\textsuperscript{11} Section 1002.45(1)(d), F.S.
\textsuperscript{12} Section 1002.33(6)(b), F.S. A sponsor may receive and consider applications after February 1, if it chooses. Id.
\textsuperscript{13} Id.
\textsuperscript{14} Section 1002.331(1), F.S.
\textsuperscript{15} Any local governmental entity, district school board, charter school, or charter technical career center that will not undergo a financial audit for that fiscal year by the Auditor General must have an annual financial audit of its accounts and records completed within 9 months after the end of its fiscal year by an independent certified public accountant retained by it and paid from its public funds. Section 218.39(1), F.S.
\textsuperscript{16} Section 218.503(1), F.S.
\textsuperscript{18} Section 1002.33(6)(b)3.b., F.S.
\textsuperscript{19} Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. Section 1002.33(6)(b)3.b., F.S.
application does not materially comply with high-performing charter school system application requirements specified in law;\textsuperscript{20}

- The charter school proposed in the application does not materially comply with charter school requirements specified in law;\textsuperscript{21}
- The proposed charter school’s educational program does not substantially replicate\textsuperscript{22} that of the applicant or one of the applicant’s high-performing charter schools;
- The applicant has made a material misrepresentation or false statement, or concealed an essential or material fact during the application process; or
- The proposed charter school’s educational program and financial management practices do not materially comply with the charter school requirements specified in law.

A high-performing charter school may submit an application in any school district in the state to establish and operate a new charter school that will substantially replicate its educational program.\textsuperscript{23}

The Commissioner of Education (commissioner), upon request by a charter school, must verify that the charter school meets the specified criteria and provide a letter to the charter school and the sponsor stating that the charter school is a high-performing charter school. The commissioner must also annually determine whether a high-performing charter school continues to meet the specified criteria.\textsuperscript{24} An application submitted by a high-performing charter school must include the verification letter provided by the commissioner.\textsuperscript{25}

If the sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based on identified criteria, supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the DOE. The applicant may appeal the sponsor’s denial of the application to the State Board of Education (SBE).\textsuperscript{26} If the sponsor fails to act on the application within 90 days after receipt, the application is deemed approved.\textsuperscript{27}

\textsuperscript{20} Section 1002.332(2)(b), F.S.
\textsuperscript{21} Section 1002.33(9)(a)-(f), F.S.
\textsuperscript{22} An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant’s high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools. Section 1002.33(6)(b)(3).b., F.S.
\textsuperscript{23} Section 1002.331(3)(a)1., F.S. A high-performing charter school may not establish more than two charter schools within the state in any year. However, a high-performing charter school may establish more than one charter school within the state in any year if it operates in the area of a persistently low-performing school and serves students from that school. Section 1002.331(3)(b), F.S.
\textsuperscript{24} Section 1002.331(4), F.S.
\textsuperscript{25} Section 1002.331(3)(a)1., F.S.
\textsuperscript{26} Section 1002.33(6)(b)(3.c.), F.S. An applicant may appeal any denial of that applicant’s application or failure to act on an application to the SBE no later than 30 calendar days after receipt of the sponsor’s decision or failure to act, and must notify the sponsor of its appeal. The SBE must by majority vote accept or reject the decision of the sponsor no later than 90 calendar days after an appeal is filed. The SBE must remand the application to the sponsor with its written decision that the sponsor approve or deny the application. The SBE’s decision is a final action subject to judicial review in the district court of appeal, and the sponsor must act upon the decision of the SBE within 30 calendar days after it is received. Section 1002.33(6)(c), F.S.
\textsuperscript{27} Section 1002.331(3)(a)2., F.S.
Charter School Employees

For any employee who has direct contact with students, a charter school must conduct an employment history check of each of the individual’s previous employers and conduct the required screening through the use of the educator screening tools.28 Each employee and contracted personnel with direct student contact is required to undergo a state and national background screening by electronically filing a complete set of fingerprints with the Florida Department of Law Enforcement.29 A charter school is required to disqualify any instructional personnel and school administrators from employment in any position that requires direct contact with students if the personnel are ineligible for such employment based on conviction of certain qualified offenses.30

Charter School Funding and Financial Requirements

Students enrolled in a charter school are funded the same as students enrolled in other public schools in the school district, regardless of sponsorship.31 Funding for students enrolled in a charter school is based on the sum of the school district’s operating funds from the Florida Education Finance Program (FEFP)32 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district’s current operating discretionary millage levy, divided and multiplied by the appropriate numbers of weighted full-time equivalent students.33 Total funding for each charter school is recalculated during the year to reflect the state’s revised calculations under the FEFP and the actual weighted full-time equivalent students reported by the charter school.34 Each charter school reports its student enrollment to the sponsor as required by law, and the sponsor includes each charter schools’ enrollment in the district’s report of student enrollment.35 Charter schools are entitled to their proportionate share of categorical program funds for eligible students and programs.36

Charter schools are required to maintain and provide financial information through:

- Ensuring that the charter school has retained the services of a certified public accountant or auditor for the annual financial audit, who shall submit the report to the governing body according to the requirements defined by law.38
- Reviewing and approving the audit report, including audit findings.
- Maintaining a website that enables the public to obtain information regarding the school, including the school’s annual budget and its annual independent fiscal audit.39

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28 The employment screening tools consist of the Professional Practices' Database of Disciplinary Actions Against Educators; and the Department of Education’s Teacher Certification Database. Section 1001.10(5), F.S.
29 Section 1002.421(1)(m), F.S.
30 Sections 1002.33 and 1012.315, F.S.
31 Section 1002.33(17), F.S.
32 See s. 1011.62, F.S.
33 1002.33(17)(b), F.S.
34 Id.
35 Section 1002.33(17)(a), F.S.
37 Section 1002.33(9)(j)2.-3., F.S.
38 Section 1002.345, F.S.
39 Section 1002.33(9)(p)1., F.S.
For charter schools operated by a not-for-profit or municipal entity, any unrestricted current and capital assets identified in the charter school’s annual financial audit may be used for other charter schools operated by the not-for-profit or municipal entity within the school district.\(^{40}\)

**Virtual Instruction Programs**

Virtual instruction programs provide instruction in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both.\(^{41}\) DOE annually publishes online a list of providers approved to offer virtual instruction programs.\(^{42}\) The DOE-published list includes five approved virtual instruction providers for the 2018-2019 school year.\(^{43}\)

All students, including home education and private school students, are eligible to participate in any of the following:\(^{44}\)
- School district operated part-time or full-time kindergarten through grade 12 virtual instruction programs;\(^{45}\)
- Full-time virtual charter school instruction;\(^{46}\)
- Virtual courses offered in the course code directory to students within the school district or to students in other school districts throughout the state;\(^{47}\) or
- Virtual instruction provided by the Florida Virtual School.\(^{48}\)

A school district may enter into an agreement with a virtual charter school to provide full-time virtual instruction for students in kindergarten through grade 12.\(^{49}\) A virtual charter school may provide instruction by:\(^{50}\)
- Contracting with the Florida Virtual School.
- Contracting with a DOE-approved provider.
- Entering into an agreement with a school district to allow the participation of the virtual charter school’s students in the school district’s virtual instruction program. The school district providing virtual instruction shall report full-time equivalent students for a virtual instruction program or a virtual charter school to DOE, and funding shall be provided through the FEFP.\(^{51}\)

\(^{40}\) Section 1002.33(18)(b), F.S.
\(^{41}\) Section 1002.45(1)(a)2., F.S.
\(^{42}\) Section 1002.45(2), F.S.
\(^{44}\) Section 1002.455, F.S.
\(^{45}\) See s. 1002.45(1)(b), F.S.
\(^{46}\) See s. 1002.33, F.S.
\(^{47}\) See s. 1003.498, F.S.
\(^{48}\) See s. 1002.37, F.S.
\(^{49}\) Section 1002.45(1)(c), F.S.
\(^{50}\) Section 1002.45(1)(d), F.S.
\(^{51}\) Section 1002.45(7)(e), F.S.
Seven virtual charter schools currently operate in the state for the 2019-2020 school year and generate 3,748 full-time equivalent (FTE) enrollment for funding through the FEFP.  

III. Effect of Proposed Changes:

SB 1420 revises provisions regarding charter school applications, employee and board member criminal history checks, and virtual instruction programs. Specifically, the bill:

- Requires a sponsor to receive and consider a charter school application submitted at any time during the calendar year.
- Allows another verification option for criminal history checks for charter school employees and governing board members to complete criminal history checks.
- Specifies a high-performing charter school may submit two applications to establish a new charter school to be opened at a time determined by the high-performing charter school, with conditions.
- Authorizes a virtual charter school to provide part-time virtual instruction and contract with any public or charter school to provide any course the virtual school cannot otherwise provide.

Florida Charter Schools

Application

The bill removes the specified date by which charter school applications must be submitted and received each calendar year in order for the school to be opened the next year and prohibits a sponsor from refusing to receive a charter school application submitted any time during the calendar year. The bill also allows a charter school to be opened at a time determined by the applicant, such that the agreement of the sponsor is no longer required.

Employee Background Screening

The bill specifies that a charter school employee or governing board member who is subject to a criminal history check must inform a school district if he or she has completed a criminal history check in another school district within the last five years. The school district is required to verify the results of the criminal history check using the shared services available through the Care Provider Background Screening Clearinghouse (clearinghouse). A school district may not charge a fee for verifying the results of a charter school employee’s or governing board member’s criminal history check.

The Department of Education is defined as a qualified entity for purposes of access to criminal history information when fulfilling these duties and is required to participate in the

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52 Email, Florida Department of Education (Jan. 17, 2020).
53 Provisions for background screening are contained in s. 1012.32, F.S. Educator certification requirements are contained in s. 1012.56, F.S.
54 The Care Provider Background Screening Clearinghouse is a secure web-based system created by the Agency for Health Care Administration in consultation with the Department of Law Enforcement. See s. 435.12, F.S.
55 “Qualified entity” means a business or organization, whether public, private, operated for profit, operated not for profit, or voluntary, which provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services. Section 943.0542(1)(b), F.S.
56 Access to criminal history information provided by the department to qualified entities is outlined in s. 943.0542, F.S.
clearinghouse. The fingerprint submission and rescreening schedule for instructional personnel certified under this section, without regard to who conducted the previous screening, is set according to the year the last screening was conducted. Specifically, rescreening is required:

- By December 31, 2020, for persons who serve in more than one county and submit fingerprints for rescreening after July 1, 2020, and persons for whom the last screening was conducted on or before December 31, 2014;
- By December 31, 2021, for persons for whom the last screening was conducted between January 1, 2015, and December 31, 2016; and
- By December 31, 2022, for persons for whom the last screening was conducted between January 1, 2017, and December 31, 2018.

**Funding and Financial Requirements**

The bill expands the authorized use of unrestricted current or capital assets identified in the charter school’s annual financial audit by allowing these funds to be used by other charter schools operated by the not-for-profit or municipal entity within the state, rather than being limited to other charter schools within the school district. This may allow a charter school to expend its proportionate share of funding derived from local funds in another school district.

**High-Performing Charter Schools**

The bill applies both to high-performing charter schools that are yet to submit their applications and to those that have already had their applications approved. The bill specifies that a high-performing charter school has the option of submitting two applications for a charter school, to be opened at a time determined by the high-performing charter school. A high-performing charter school may not submit a subsequent application unless each charter school application commences operations or is otherwise withdrawn.

**Virtual Charter Schools**

The bill authorizes virtual charter schools to provide part-time virtual instruction, in addition to full-time instruction. The bill expands the authority under which a virtual charter school can operates by allowing a virtual charter school to:

- Be an approved virtual provider, rather than being authorized to contract with one.
- Contract with any public or charter school to provide any course that the virtual school cannot otherwise provide.

Expanding the availability of virtual charter school instruction may provide students with greater access to virtual instruction programs.

The bill takes effect July 1, 2020.

**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 the following sections of the Florida Statutes: 1002.33, 1002.331, and 1002.45.

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.
SECTION 1. Paragraph (b) of subsection (6), paragraph (g) of subsection (12), and paragraph (b) of subsection (17) of section 1002.33, Florida Statutes, are amended to read:

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

(b) A sponsor shall receive and review all applications for a charter school using the evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received during or on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district’s next school year, or to be opened at a time determined by the sponsor. A sponsor may not refuse to receive a charter school application submitted by an applicant during the calendar year, before August 1 and may receive an application submitted later than August 1 if it chooses. Beginning in 2018 and thereafter, a sponsor shall receive and consider charter school applications received on or before February 1 of each calendar year for charter schools to be opened 18 months later at the beginning of the school district’s school year, or to be opened at a time determined by the applicant. A sponsor may not refuse to receive a charter school application submitted before February 1 and may receive an application submitted later than February 1 if it chooses. A sponsor may not charge an applicant a fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a final application upon the promise of future payment of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt of any application, the sponsor shall allow the applicant, upon receipt of any application, the sponsor shall:
of written notification, at least 7 calendar days to make
technical or nonsubstantive corrections and clarifications,
including, but not limited to, corrections of grammatical,
typographical, and like errors or missing signatures, if such
ersors are identified by the sponsor as cause to deny the final
application.

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

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

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

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

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

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

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

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

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

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

Material noncompliance is a failure to follow requirements or a
violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant’s high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

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

 4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of an application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

 5. Upon approval of an application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted. A charter school may defer the opening of the school’s operations for up to 3 years to provide time for adequate facility planning. The charter school must provide written notice of such intent to the sponsor and the parents of enrolled students at least 30 calendar days before the first day of school.

 (12) EMPLOYEES OF CHARTER SCHOOLS.—

 (g)1. A charter school shall employ or contract with employees who have undergone background screening as provided in s. 1012.32. Members of the governing board of the charter school shall also undergo background screening in a manner similar to that provided in s. 1012.32.

 a. A charter school employee or governing board member who is subject to a criminal history check under this section shall inform a school district if he or she has completed a criminal history check in another school district within the last 5 years. The school district shall verify the results of the criminal history check using the shared system described in subparagraph (12)(g)1.b. The school district may not charge a fee for verifying the results of a charter school employee’s or governing board member’s criminal history check.

 b. The department is a qualified entity for purposes of s. 943.0542 when fulfilling its duties under this section and shall participate in the clearinghouse created under s. 435.12. The rescreening schedule of instructional personnel certified under this section, without regard to whether the previous screening was conducted by the department or by an employing school district, shall be:

 (I) By December 31, 2020, for persons who serve in more than one county and submit fingerprints for rescreening after July 1, 2020, and persons for whom the last screening was...
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CODING: Words **stricken** are deletions; words **underlined** are additions.

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204 personnel or school administrators with employment references or
discuss the personnel’s or administrators’ performance with
205 prospective employers in another educational setting, without
disclosing the personnel’s or administrators’ misconduct. Any
206 part of an agreement or contract which has the purpose or
effect of concealing misconduct by instructional personnel or
207 school administrators which affects the health, safety, or
208 welfare of a student is void, is contrary to public policy, and
209 may not be enforced.

4. Before employing instructional personnel or school
210 administrators in any position that requires direct contact with
211 students, a charter school shall conduct employment history
212 checks of each of the personnel’s or administrators’ previous
213 employers, screen the instructional personnel or school
214 administrators through use of the educator screening tools
215 described in s. 1001.10(5), and document the findings. If unable
216 to contact a previous employer, the charter school must document
efforts to contact the employer.

5. The sponsor of a charter school that knowingly fails to
217 comply with this paragraph shall terminate the charter under
218 subsection (8).

(17) FUNDING.--Students enrolled in a charter school,
221 regardless of the sponsorship, shall be funded as if they are in
222 a basic program or a special program, the same as students
223 enrolled in other public schools in the school district. Funding
224 for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students
226 enrolled in a charter school shall be the sum of the school
227 district’s operating funds from the Florida Education Finance
Section 3. Paragraph (d) of subsection (1) of section 1002.45, Florida Statutes, is amended to read:

(3)(a)1. A high-performing charter school may submit an application pursuant to s. 1002.33(6) in any school district in the state to establish and operate a new charter school that will substantially replicate its educational program. An application submitted by a high-performing charter school must state that the application is being submitted pursuant to this paragraph and must include the verification letter provided by the Commissioner of Education pursuant to subsection (4).

2. If the sponsor fails to act on the application within 90 days after receipt, the application is deemed approved and the procedure in s. 1002.33(7) applies.

(b) A high-performing charter school may submit two applications for a charter school not established more than two charter schools within the state under paragraph (a) to be opened at a time determined by the high-performing charter school. In any year, a subsequent application to establish a charter school under paragraph (a) may not be submitted unless each charter school application commences operations or an application is otherwise withdrawn, each charter school established in this manner achieves high-performing charter school status. However, a high-performing charter school may establish more than one charter school within the state under paragraph (a) in any year if it operates in the area of a persistently low-performing school and serves students from that school.

(c) This section applies to any high-performing charter school with an existing approved application.
1002.45 Virtual instruction programs.—
(1) PROGRAM.—
(d) A virtual charter school may provide full-time and part-time virtual instruction for students in kindergarten through grade 12 if the virtual charter school has a charter approved pursuant to s. 1002.33 authorizing full-time virtual instruction. A virtual charter school may:
1. Contract with the Florida Virtual School.
2. Contract with or be an approved provider under subsection (2).
3. Enter into an agreement with a school district to allow the participation of the virtual charter school’s students in the school district’s virtual instruction program. The agreement must indicate a process for reporting of student enrollment and the transfer of funds required by paragraph (7)(e).
4. Contract with any public or charter school to provide any course that the virtual school cannot otherwise provide.

Section 4. This act shall take effect July 1, 2020.
I. Summary:

SPB 7040 provides additional safeguards for Florida’s students and schools by building upon the school safety and security foundation established in the Marjory Stoneman Douglas High School Public Safety Act and the recommendations of the Marjory Stoneman Douglas High School Public Safety Commission (commission). The bill:

- Improves school safety planning and reporting to require:
  - Each district school board to adopt a school district emergency event family reunification plan to reunite students and employees with their families in the event of an emergency.
  - The State Board of Education to establish emergency drill policies and procedures.
  - Comprehensive participation from all members of a school threat assessment team.
  - Law enforcement officers responsible for responding to the school in the event of an emergency to be on campus and directly involved in the execution of emergency drills.
  - Alignment of school-based diversion programs with local judicial circuit diversion programs.
  - Each district school board to adopt policies to ensure the accurate and timely reporting of all school safety and discipline incidents.
  - The Office of Safe Schools (OSS) include in school safety specialist training information about federal and state reporting and data privacy laws.

- Enhances the safe school officer position and the role of the county sheriff by:
  - Requiring school safety officers to complete mental health crisis intervention training.
  - Expanding the power of school safety officers to make arrests on property owned or leased by a charter school in the district.
  - Making the sheriff responsible for the provision of Feis guardian training and clarifying the training requirements applicable to such training.

- Strengthens school mental health coordination and implementation and requires:
  - A workgroup to provide guidance on the implementation of mental health-related recommendations of the commission.
  - Additional reporting requirements for the mental health assistance allocation.
Individualized Education Plans to include additional provisions related to post-high school transition.

- Strengthens school safety oversight and accountability by directing the:
  - Commissioner of Education to enforce compliance with all school safety requirements.
  - OSS to coordinate compliance with school safety incident reporting.
  - FortifyFL reporting tool to notify users of consequences for false reporting.
- Expands representation on the commission to include superintendents, principals, or teachers.

The bill takes effect upon becoming a law, unless otherwise specified.

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:

School Safety Planning and Reporting

Present Situation

Safety Incident Reporting

Each district school board is required to adopt policies to ensure the accurate and timely reporting of incidents related to school safety and discipline. The School Environmental Safety Incident Reporting (SESIR) system collects data on incidents related to school safety and discipline that occur on school grounds, school transportation, and off-campus, school-sponsored events. The State Board of Education (SBE or state board) is required to adopt rules establishing the requirements for the SESIR.

The law requires each school principal to ensure that standardized forms prescribed by SBE rule are used to report data concerning school safety and discipline to the Department of Education (DOE). The DOE may notify a district school board to withhold the salary of a district school superintendent who has failed to comply with SESIR reporting requirements and impose other appropriate sanctions that the Commissioner of Education (commissioner) or state board may impose. A district school board member who is responsible for a violation of the reporting or sanctions requirements applicable to a superintendent is subject to suspension and removal.

District school boards are required to promote a safe and supportive learning environment in schools. In this regard, district school boards are required to adopt policies prohibiting crime and

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1 Section 1006.07(9), F.S.
3 Section 1006.07(9), F.S.
4 Section 1006.09(6), F.S.
5 Section 1001.212(8), F.S.
6 Section 1001.42(13)(b), F.S.
victimization, hazing, bullying and harassment, and dating violence and abuse.\textsuperscript{7} School board policies prohibiting bullying and harassment must include procedures for tracking data and reporting incidents to the DOE, which prepares an annual report on bullying and harassment policies to the Governor, the President of the Senate (President), and the Speaker of the House of Representatives (Speaker).\textsuperscript{8}

**School Emergency Response Policies and Procedures**

District school boards must formulate and prescribe policies and procedures for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, active shooter and hostage situations, and bomb threats, for all students and faculty at all district K-12 public schools.\textsuperscript{9}

Drills for active shooter and hostage situations must be conducted in accordance with developmentally appropriate and age-appropriate procedures at least as often as other emergency drills. District school board policies must establish model emergency management and emergency preparedness procedures, including emergency notification procedures.\textsuperscript{10}

The Florida Safe Schools Assessment Tool (FSSAT) is required to be used by school officials at each school district and public school site in the state in conducting security assessments and is intended to help school officials identify threats, vulnerabilities and appropriate safety controls for the schools that they supervise.\textsuperscript{11} The FSSAT is required to address certain components of school safety, such as school emergency and crisis preparedness planning.\textsuperscript{12}

**Threat Assessment Teams**

Each district school board must adopt policies for the establishment of threat assessment teams (TATs) at each school.\textsuperscript{13} The purpose of TATs is to coordinate resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students. Each TAT must include persons with expertise in counseling, instruction, school administration, and law enforcement.\textsuperscript{14} The Office of Safe Schools (OSS) developed a Behavioral Threat Assessment Instrument (CSTAG)\textsuperscript{15} to assist TATs in the threat assessment process. The law provides specific requirements for the CSTAG, including that the CSTAG address training for TATs and school administrators.\textsuperscript{16}

\textsuperscript{7} Sections 1006.13, 1006.135, 1006.147, and 1006.148, F.S.
\textsuperscript{8} Section 1006.147, F.S.
\textsuperscript{9} Section 1006.07(4), F.S.
\textsuperscript{10} Section 1006.07(4), F.S.
\textsuperscript{11} Section 1006.1493, F.S.
\textsuperscript{12} Id.
\textsuperscript{13} Section 1006.07(7), F.S.
\textsuperscript{14} Id.
\textsuperscript{16} Section 1001.212(12)(a)6., F.S.
Mobile Suspicious Activity Reporting Tool (FortifyFL)

FortifyFL, the mobile suspicious activity reporting tool, is a computer and mobile phone application free to all public and private schools in Florida. District and school-level administrators receive and must respond to tips from FortifyFL. Any tips submitted via FortifyFL are sent to local school district and law enforcement officials until action is taken.

The identity of the reporting party received through the mobile suspicious activity reporting tool is confidential and exempt from public records disclosure requirements. Information received through the mobile suspicious activity reporting tool is also exempt.

Juvenile Diversion Programs

Juvenile diversion programs (diversion programs) are alternatives to juvenile arrest. A juvenile arrest may be diverted based on comprehensive knowledge of the juvenile’s criminal history, prior contacts with law enforcement, and prior program enrollment. Florida law directs that a civil citation or similar pre-arrest diversion program for misdemeanor offenses be established in each judicial circuit in the state.

Compliance with the community-based diversion programs includes all reporting requirements, specifically that criminal diversions be entered into Juvenile Justice Information System (JJIS) Prevention Web. School districts may still operate their own “diversion programs” that address non-criminal conduct, such as Student Code of Conduct violations and other misbehavior.

Currently, 58 school districts do not offer any form of school-based diversion program. Seven school districts participate in the civil citation or similar pre-arrest diversion program of the local judicial circuit, and three school districts operate school-based diversion programs.

Effect of Proposed Changes

Safety Incident Reporting

The bill modifies s. 1006.07(9), F.S., to clarify that a district school board’s duty to adopt policies to ensure the reporting of incidents related to school safety and discipline includes the

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18 Id.
19 Section 943.082(6), F.S.
21 Section 985.12, F.S.
22 Id.
23 Id.
24 Commission, supra note 20, at 133.
25 Florida Department of Juvenile Justice, Statewide Audit of School-Based Diversion Programs (July 1, 2019), available at http://www.fdle.state.fl.us/MSDHS/Meetings/2019/August/August-14-1015am-Report-on-Statewide-Assessment-DJ.aspx, at 21-23.
26 Id. The information that is required to be entered into JJIS Prevention Web varies among school districts who participate in the local judicial circuit diversion programs. Sarasota County School District participates in the local judicial circuit diversion program but also appears to operate a school-based diversion program. Id.
reporting of incidents related to SESIR, zero tolerance for crime and victimization, hazing, bullying and harassment, and dating violence and abuse. The bill also clarifies that school principals must ensure that incidents concerning school safety and discipline are reported to the DOE through the SESIR system.

The bill clarifies the enforcement authority for school district and charter school reporting requirements under the SESIR system to specify that, upon notification by the commissioner, the district school board or charter school governing board must withhold the salary of a superintendent or charter school administrator for failure to comply with such requirements, based on clear and convincing evidence, pending demonstration of full compliance.

The bill authorizes the SBE to adopt rules establishing the requirements for all school safety incident reporting.

This clarification may improve school safety incident reporting by school districts and charter schools.

Emergency Drills

The bill modifies s. 1006.07, F.S., to require the SBE refer to recommendations provided in published reports of the Marjory Stoneman Douglas High School Public Safety Commission (commission), consult with state and local constituencies, and adopt rules establishing minimum requirements for school district policies and procedures related to emergency response and drills. The SBE’s rules must be adopted by August 1, 2020, and must:

- Define, at a minimum, “emergency drill,” “active threat,” and “after-action report.”
- Establish minimum requirements related to the timing frequency, participation, training, notification, accommodations, and responses to threat situations.
- Specifically address incident type, school level, school type, and student and school characteristics.
- Require all types of emergency drills be conducted no less frequently than on an annual basis.

The bill requires sheriffs to coordinate with the district school safety specialist to determine the necessary law enforcement officers responsible for responding to a school in the event of an active assailant emergency, and requires the designated law enforcement officers to be physically present on campus and directly involved in the execution of active assailant drills.

These changes may provide for consistent application of emergency drill requirements across all school districts.

Emergency Event Family Reunification

The bill modifies s. 1006.07, F.S., to require district school boards and charter school governing boards to, by August 1, 2021, adopt an emergency event family reunification plan for the purpose of reuniting students and employees with their families in the event of a mass casualty or other emergency event situation. The bill requires the adoption of the emergency event family reunification plans to be coordinated with local law enforcement agencies.
The bill modifies s. 1001.212, F.S., to require the OSS develop, in coordination with the Division of Emergency Management and other federal, state, and local law enforcement agencies and first-responder agencies, a model emergency event family reunification plan for use by child care facilities, public K-12 schools, and public postsecondary institutions that are closed or unexpectedly evacuated due to natural or man-made disasters or emergencies.

The bill amends s. 1006.1493, F.S., to require the FSSAT address policies and procedures to prepare for and respond to natural or manmade disasters or emergencies, including plans to reunite students and employees with families after a school is closed or unexpectedly evacuated due to such disasters or emergencies.

**Threat Assessment Teams**

The bill modifies s. 1006.07, F.S., relating to TATs. Specifically, the bill:
- Clarifies that the law enforcement presence on a threat assessment team must include a sworn law enforcement officer who has undergone threat assessment training identified by the OSS.
- Requires that all members of the TAT be involved in the threat assessment process from start to finish, including the determination of the final disposition decision.

These changes may ensure that all members of the TAT are active participants in the entire threat assessment process.

**Mobile Suspicious Activity Reporting Tool (FortifyFL)**

The bill modifies s. 943.082, F.S., effective October 1, 2020, to require notification to parties reporting through FortifyFL that if, following investigation, it is determined that a person knowingly submitted a false tip through FortifyFL, the IP address of the device on which the tip was submitted will be provided to law enforcement agencies and the reporting party may be subject to criminal penalties for a false report. In all other circumstances, unless the reporting party has chosen to disclose his or her identity, the report must remain anonymous.

**Juvenile Diversion Programs**

The bill modifies s. 985.12, F.S., to require the Department of Juvenile Justice and the state attorney of each judicial circuit to monitor and enforce compliance with school-based diversion program requirements, in cooperation with the DOE. School-based diversion programs must:
- Operate consistently with criteria established by the state attorney in the judicial circuit in which the school is located.
- Be defined in school policy and the code of conduct.
- Be approved by the district school board, charter school governing board, or private school governing authority, as applicable.

The bill requires the OSS to maintain a current directory of public and private school-based diversion programs and cooperate with each judicial circuit and the Department of Juvenile Justice (DJJ), which are responsible for facilitating compliance with the law. The bill requires law enforcement officers to have field access to JJIS Prevention Web by the 2021-2022 fiscal year.
These changes may ensure all school-based diversion programs meet established requirements for prearrest diversion programs. This may improve the quality and accountability of such diversion programs.

Safe School Officers

Present Situation

Safe School Officer Requirement

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

- Establishing a school resource officer (SRO) program, through a cooperative agreement with law enforcement agencies. SROs are certified law enforcement officers who must meet specified screening requirements and also complete mental health crisis intervention training.
- Commissioning one or more school safety officers. School safety officers are certified law enforcement officers with the power of arrest on district school property, who are employed by either a law enforcement agency or by the district school board. School safety officers must undergo the same screening requirements as an SRO.
- Participating in the Coach Aaron Feis Guardian Program (guardian program).
- Contracting with a security agency to employ as a school security guard an individual who holds a Class “D” and Class “G” license and completes the same training and evaluation requirements as a school guardian.

Coach Aaron Feis Guardian Program

The guardian program was established in 2018 as an option for school districts to meet the safe-school officer requirements in law. Persons certified as school guardians have no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.

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26 Section 1006.12, F.S.
27 “Law enforcement officer” means any person who is elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state. Section 943.10(1), F.S.
28 SROs must undergo criminal background checks, drug testing, and a psychological evaluation. Section 1006.12(1)(a), F.S.
29 “Security agency” means any person who, for consideration, advertises as providing or is engaged in the business of furnishing security services, armored car services, or transporting prisoners. This includes any person who utilizes dogs and individuals to provide security services. Section 493.6101(18), F.S.
30 License requirements are specified in chapter 493.
31 Section 26, ch. 2018-3, L.O.F.
32 Section 1006.12, F.S.
33 Section 30.15(1)(k), F.S.
A sheriff is required to provide access to a guardian program to aid in the prevention or abatement of active assailant incidents on school premises. If a district school board has voted by a majority to implement a guardian program, the sheriff in that county must establish a guardian program to provide training to school district or charter school employees, either directly or through a contract with another sheriff’s office that has established a guardian program.

In addition, a charter school governing board in a school district that has not implemented a guardian program may request the sheriff in the county to establish a guardian program for the purpose of training the charter school employees. If the county sheriff denies the request, the charter school governing board may contract with a sheriff that has established a guardian program to provide such training. The charter school governing board must notify the superintendent and the sheriff in the charter school’s county of the contract prior to its execution.

The sheriff must certify as school guardians school employees who:

- Hold a valid concealed weapon license.
- Complete a 144-hour training program, consisting of 12 hours of certified nationally recognized diversity training and 132 total hours of comprehensive firearm safety and proficiency training, including 12 hours of training in precision pistol, conducted by Criminal Justice Standards and Training Commission (CJSTC)-certified instructors.
- Pass a psychological evaluation administered by a licensed psychologist and designated by the Florida Department of Law Enforcement (FDLE) and submit the results of the evaluation to the sheriff’s office.
- Submit to and pass an initial drug test and subsequent random drug tests in accordance with law and the sheriff’s office.
- Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis.

The sheriff who conducts the guardian training must issue a school guardian certificate to individuals who have completed the required training to the satisfaction of the sheriff. The sheriff must also maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each school guardian certified by the sheriff. An individual certified as a school guardian may serve only if he or she is appointed by the applicable school district superintendent or charter school principal.

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34 Section 30.15(1)(k), F.S. A sheriff is required to consult with the Florida Department of Law Enforcement on programmatic guiding principles, practices, and resources in establishing a school guardian program. Section 30.15(1)(k)2., F.S.
35 Section 30.15(1)(k)1.a., F.S. The sheriff conducting the training is reimbursed for screening-related and training-related costs and for providing a one-time stipend of $500 to each school guardian who participates in the school guardian program. Section 30.15(1)(k)1.c., F.S.
36 Section 30.15(1)(k)2., F.S.
37 See section 790.06, F.S.
38 Chapter 490 of the Florida Statutes governs licensure for psychological services.
39 Section 112.0455, F.S.
40 Section 30.15(1)(k), F.S.
**Effect of Proposed Changes**

The bill modifies s. 1006.12, F.S., relating to safe-school officers to align requirements between sworn law enforcement (SROs and school safety officers) and between Feis guardian program certified personnel (school guardians and school security guards).

The bill modifies requirements relating to school safety officer authority and training by:

- Clarifying that school safety officers have the power to make arrests on property owned or leased by a charter school in the district.
- Requiring that school safety officers must complete mental health crisis intervention training, similar to the training required of an SRO.

These provisions may clarify the authority of a school safety officer within the school district, and ensure that all sworn law enforcement officers in schools are trained to deal with crisis situations.

The bill also establishes requirements for Feis guardian program certified school security guards to clarify training, screening, authority, and oversight. Specifically:

- The school security guard must satisfactorily complete all requirements of the guardian program, and that training must be conducted by a county sheriff.
- The sheriff providing the training for a school security guard must be reimbursed by the DOE for screening- and training-related costs.
- The sheriff must maintain specified training, certification, inspection, and qualification records for school security guards.
- Similar to a school guardian, the school security guard has no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.
- The contract between a security agency and district school board must also define conditions, requirements, costs, and responsibilities necessary to satisfy background screening requirements.
- A school security guard serving in the capacity of a safe-school officer is considered to be a “noninstructional contractor” for the purpose of background screening, which must be satisfied prior to the school security guard being permitted access to school grounds.
- An individual may only serve as a school security guard if he or she is appointed by the applicable school district superintendent or charter school administrator.

The bill modifies s. 30.15, F.S., to clarify that the sheriff is responsible for Feis guardian program training. A sheriff may provide Feis guardian program training to school district or charter school employees directly, through a contract with an entity selected by the local sheriff, through a contract with another sheriff’s office that has established a Feis guardian program, or any combination thereof. If the local sheriff contracts with another entity to provide the training, the local sheriff must oversee, supervise, and certify all aspects of the contract governing the Feis guardian program.
The bill also modifies Feis guardian program training to specify that:

- A sheriff who contracts with one or more county sheriffs to provide Feis guardian program training must notify, in writing, the local school district superintendent and charter school governing boards of any county-specific protocols.
- The 144-hour training program and ongoing training be conducted by CJSTC-certified instructors who hold active instructional certifications.
- The 16 hours of instruction in precision pistol include night and low-light shooting conditions.
- A licensed professional may administer the psychological examination individuals must pass as part of the Feis guardian program training, which is similar to the requirements for an SRO or school safety officer. The licensed professional is not required to be a licensed psychologist designated by the FDLE.
- The sheriff’s office must review and approve the results of the psychological evaluation and drug tests for each applicant seeking Feis guardian program certification, before accepting the applicant into the Feis guardian program.

These changes may ensure that guardian training is available to personnel in each Florida county, is consistently applied to all personnel serving as school guardians and school security guards, and improve delivery and administration of the program under the sole authority of a county sheriff.

**School-Based Mental Health Services**

**Present Situation**

The DOE, through the Bureau of Exceptional Education and Student Services and the OSS, is required to promote a system of support, policies, and practices that focus on prevention and early intervention to improve student mental health and school safety. Student services personnel, including school psychologists, social workers, and counselors, are responsible for advising students with regard to personal and social adjustments and providing services at the district and school level.

**The Louis de la Parte Florida Mental Health Institute**

Chapter 2002-397, L.O.F., established the Louis de la Parte Florida Mental Health Institute (institute) within the University of South Florida to strengthen mental health services throughout the state. The institute is authorized to provide direct mental health services, coordinate with other agencies to provide mental health services, and support state agencies in the delivery of mental health services.

The OSS is responsible for providing data to support the evaluation of mental health services by the institute.

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41 Section 1012.01(2)(b), F.S.
42 Section 1004.44, F.S.
43 Section 1004.44(3), F.S.
44 Section 1001.212(7), F.S.
Individualized Education Plans

The individualized education plan (IEP) is the primary vehicle for communicating the school district’s commitment to addressing the unique educational needs of a student with a disability.\(^{45}\) When the student attains the age of 16, the IEP must include an annually updated statement addressing the intent for the student to pursue a standard high school diploma and other appropriate measurable long-term postsecondary education and career goals.\(^{46}\)

Mental Health Assistance Allocation

The mental health assistance allocation is a categorical fund established to provide funding to assist school districts in establishing or expanding school-based mental health care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services.\(^{47}\) A total of $75 million was appropriated to school districts through the mental health assistance allocation for the 2019-2020 school year.\(^{48}\) In order to receive the allocation, a school district must develop and submit a plan outlining the local program and planned expenditures to the district school board for approval. This plan must include all district schools, including charter schools, unless a charter school chooses to independently develop and submit a plan outlining the local program and planned expenditures.\(^{49}\)

The plans must include elements such as:\(^{50}\)
- Identification of strategies to increase the amount of time that school-based student services personnel spend providing direct services to students, which may include the review and revision of district staffing resource allocations based on school or student mental health assistance needs.
- Strategies or programs to reduce the likelihood of at-risk students developing certain mental health problems.
- Strategies to identify mental health problems more effectively, to improve the provision of early intervention services, and to assist students in dealing with trauma and violence.

School districts are required to annually submit a report to the DOE on program outcomes and expenditures for the previous fiscal year, by September 30.

Effect of Proposed Changes

The Louis de la Parte Florida Mental Health Institute

The bill modifies ss. 1001.212 and 1004.44, F.S., to require the DJJ, the Department of Children and Families (DCF), and the DOE to consult with the institute in order for the institute to convene a workgroup of practitioners and experts to review, evaluate, and provide

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\(^{46}\) Section 1003.5716(2), F.S.

\(^{47}\) Section 1011.62(16), F.S.

\(^{48}\) Specific Appropriation 93, s. 2, ch. 2019-115, L.O.F.

\(^{49}\) Section 1011.62(16), F.S.

\(^{50}\) Section 1011.62(16)2.(b). F.S.
implementation guidance on the mental health-related findings and recommendations of the commission. The bill requires the workgroup to analyze, evaluate, and identify regulatory or legislative actions necessary to facilitate implementation of each recommendation, and to submit an initial summary report to the Governor, the President, and the Speaker by August 1, 2020. The report must include specific policy and budget recommendations, including draft legislation and associated fiscal impact statements, and other information and policy or administrative recommendations to improve the state’s mental health care system.

The bill requires the institute to continue to monitor commission activities and coordinate with agency partners to advise on implementation activities. The bill also authorizes the institute to submit subsequent reports and recommendations on an annual basis or as requested. The bill provides a sunset date for the workgroup of July 1, 2024, which is one year after the sunset date of the commission.

**Individual Education Plans**

The bill modifies s. 1003.5716, F.S., to add that the required transition plan for a student with an IEP must also include a statement of post-high school performance expectations, which must include:

- A plan to facilitate continuity of care and coordination of any behavioral health services needed to assist the student in reaching post-high school performance expectations.
- Parent, student, and agency roles and responsibilities pertaining to the provision and funding of specified transition services.

These changes may assist students who require an IEP, and their parents, in successfully navigating the transition from high school to higher education or the workforce.

**Mental Health Assistance Allocation**

The bill modifies s. 1011.62, F.S., effective July 1, 2020, to clarify and add new requirements for the mental health plans that must be submitted by school districts in order to receive the mental health assistance allocation. In addition to existing requirements, the bill requires plans to include input from school and community stakeholders and include mental health policies and procedures that implement and support:

- Universal supports to promote psychological well-being, and safe and supportive school environments.
- Methods for responding to a student with suicidal ideation, including training in suicide risk assessment and the use of suicide awareness, prevention, and screening instruments developed as required for continuing education and inservice training for youth suicide awareness and prevention; adoption of guidelines for informing parents of suicide risk; and implementation of school board policies for initiating involuntary examination of students at risk of suicide.
- A school crisis response plan that includes strategies to prevent, prepare for, respond to, and recover from a range of school crises. The plan must establish or coordinate the implementation of district-level and school-level crisis response teams whose membership includes, but is not limited to, representatives of school administration and school-based mental health service providers.
The bill also modifies district reporting requirements to the DOE and requires the DOE to submit a state summary of the required information from the school district reports to the Governor, the President, and the Speaker, by November 1 of each year. The bill requires the DOE report to include school district data required under current law and requires both reports to additionally include:

- Program outcomes and expenditures for all public schools in the district, including charter schools.
- District-level and school-level information, including multiple-year trend data, when available.
- The number and ratio of school social workers, school psychologists, and certified school counselors employed by the district or charter school and the total number of licensed mental health professionals employed directly by the district or charter school.

These changes may provide more suitable data to assist in the refinement of policies and improve the provision of school-based mental health services.

School Safety Oversight and Accountability

Present Situation

The Commissioner of Education

The commissioner is required by law to oversee compliance with the safety and security requirements of the Marjory Stoneman Douglas High School Public Safety Act, chapter 2018-3, L.O.F., by school districts; district school superintendents; and public schools, including charter schools.\textsuperscript{51} The commissioner must facilitate compliance to the maximum extent provided under law, identify incidents of noncompliance, and impose or recommend to the SBE, the Governor, or the Legislature enforcement and sanctioning actions.\textsuperscript{52}

Charter School Safety Requirements

Charter schools must operate in accordance with the terms of their respective charters and are generally exempt from other requirements in the K-20 Education Code.\textsuperscript{53} The law requires charter schools to comply with certain provisions in the K-20 Education Code, including any statutes pertaining to student health, safety, and welfare.\textsuperscript{54}

The OSS is required to provide ongoing professional development opportunities to school district personnel.

The Office of Safe Schools

The OSS is a division of the DOE that serves as a central repository for best practices, training standards, and compliance oversight in matters regarding school safety and security, including

\textsuperscript{51} Section 1001.11, F.S.
\textsuperscript{52} Id.
\textsuperscript{53} Section 1002.33(16), F.S. The K-20 Education Code includes chapters 1000-1013 of the Florida Statutes.
\textsuperscript{54} Id.
prevention efforts, intervention efforts, and emergency preparedness planning.\textsuperscript{55} OSS responsibilities include duties related to school safety incident reporting and data. The OSS is also required to develop and implement a School Safety Specialist Training Program for school safety specialists, which must be based on national and state best practices on school safety and include active shooter training.\textsuperscript{56}

\textit{Effect of Proposed Changes}

\textbf{The Commissioner of Education}

The bill modifies s. 1001.11, F.S., to clarify existing authority of the commissioner to oversee compliance with school safety and security requirements. The bill directs the commissioner to facilitate public and nonpublic school compliance with any education-related requirements of the law relating to health, welfare, safety, and security, pursuant to existing authority established in law. The bill clarifies that the incidents of noncompliance that require the commissioner to impose or recommend sanctions must be incidents of material noncompliance.

\textbf{Charter School Safety Requirements}

The bill modifies the requirement that charter schools comply with certain statutes to require that charter schools demonstrate and certify compliance with specified statutes in their contracts or addendums to their contracts. The bill specifically requires charter schools to certify compliance with district school requirements related to emergency drills and procedures and emergency procedures.

The bill modifies s. 1001.11(9), F.S., to require charter school governing boards to designate at least one administrator to be responsible for the duties assigned to a district school superintendent related to state reporting requirements concerning health, safety, and welfare. The bill aligns the penalties authorized to be imposed against a designated charter school administrator or charter school governing board with the penalties authorized to be imposed against a superintendent or district school board for violations of reporting requirements.

The bill also provides notification requirements for charter schools relating to safe-school officers. Specifically, the bill:

- Requires that charter school governing board notification to the applicable superintendent and sheriff of participation in the Feis guardian program must be in writing.
- Requires require charter school administrators to comply with notification requirements to the county sheriff and the OSS for safe-school officer misconduct or firearm discharge.

The bill requires the OSS to provide ongoing professional development opportunities to charter school personnel in addition to existing requirements to provide training to school district personnel.


\textsuperscript{56} Section 1006.07(6)(a), F.S., requires each district school superintendent to designate a school administrator employed by the school district or a law enforcement officer employed by the sheriff’s office as a school safety specialist for the district.
The Office of Safe Schools

The bill modifies s. 1001.212, F.S., to require the OSS to provide support with school safety incident reporting requirements. The bill requires the School Safety Specialist Training Program developed by the OSS to include information about federal and state laws regarding education records, medical records, data privacy, and incident reporting requirements, particularly with respect to behavioral threat assessment and emergency planning and response procedures. The bill also clarifies that the centralized integrated data repository provided by the OSS, known as the Florida School Safety Portal, must include data from all school safety incident reporting.

The bill requires the OSS to oversee, facilitate, and coordinate district and school compliance with school safety incident reporting requirements. The bill specifically requires the OSS to:

- Provide technical assistance to administrators for school safety incident reporting.
- Review and evaluate the safety incident reports related to SESIR, zero tolerance for crime and victimization, hazing, bullying and harassment, and dating violence and abuse, reported by each school district, charter school, and other entities as may be required by law.

The additional responsibilities concerning school safety that the bill delegates to the OSS may improve the accuracy of reported school safety data.

Marjory Stoneman Douglas High School Public Safety Commission

Present Situation

The commission was established in 2018 to investigate system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents, and to develop recommendations for system improvements.\(^{57}\) The commission submitted its initial report to the Governor and the Legislature on January 2, 2019,\(^{58}\) and its second report on November 1, 2019.\(^{59}\) The commission is composed of 16 members,\(^{60}\) with five members each appointed by Governor, the President, and the Speaker. Members serve at the pleasure of the officer who appointed the member. A vacancy on the commission must be filled in the same manner as the original appointment. The commission is scheduled to sunset on July 1, 2023.\(^{61}\)

Effect of Proposed Changes

The bill modifies s. 943.687, F.S., to require the Governor, the President, and the Speaker to each appoint one additional member to the commission to be selected from among the state’s actively-serving school district superintendents, school principals, or classroom teachers. The bill also requires:

- The three new appointments be made by May 30, 2020, to serve beginning June 1, 2020.
- Future appointments be made in consideration of an equal balance of school district, law enforcement, and health care professional representation, and reflect the diversity of the state.

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\(^{57}\) Section 943.687(3), F.S.


\(^{59}\) Commission, supra note 20. The commission was required to submit an initial report by January 1, 2019, and is authorized to issue annual reports. Section 943.687(9), F.S.

\(^{60}\) Section 943.687, F.S.

\(^{61}\) Section 943.687, F.S.
These changes ensure education representation on the commission and may assist the commission in addressing school safety and security issues.

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 the following sections of the Florida Statutes: 30.15, 943.082, 943.687, 985.12, 1001.11, 1001.212, 1002.33, 1003.5716, 1004.44, 1006.07, 1006.09, 1006.12, 1006.13, 1006.1493, and 1011.62.

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.
A bill to be entitled An act relating to implementation of the recommendations of the Marjory Stoneman Douglas High School Public Safety Commission; amending s. 30.15, F.S.; authorizing a sheriff to contract for services to provide training under the Coach Aaron Feis Guardian Program; revising training and evaluation requirements for school guardians; requiring the program to include the training and certification of school security guards; requiring the review and approval of evaluations and results; amending s. 943.082, F.S.; adding penalties for persons who knowingly submit false information to a law enforcement agency; amending s. 943.687, F.S.; requiring the addition of three members to the Marjory Stoneman Douglas High School Public Safety Commission as of a certain date; requiring consideration of balanced representation; amending s. 985.12, F.S.; requiring certain state agencies and state attorneys to cooperate in the oversight and enforcement of school-based diversion programs; requiring that law enforcement officers have access to a certain database; amending s. 1001.11, F.S.; specifying legislative intent; assigning the Commissioner of Education specified duties regarding education-related school safety requirements; amending s. 1001.212, F.S.; revising the training, consultation, and coordination responsibilities of the Office of Safe Schools; conforming and requiring evaluation and coordination of incident reporting requirements; requiring the office to maintain a directory of programs; requiring the office to develop a model plan; amending s. 1002.33, F.S.; conforming safety requirements to changes made by the act; amending s. 1003.5716, F.S.; revising individual education plan requirements for certain students to include a statement of expectations for the transition of behavioral health services needed after high school graduation; requiring parent, student, and agency roles and responsibilities to be specified in a course of action transition plan, as applicable; amending s. 1004.44, F.S.; requiring the Louis de la Parte Florida Mental Health Institute to consult with specified state agencies and convene a workgroup to advise those agencies on the implementation of specified mental health recommendations; requiring the institute to submit a report with administrative and legislative policy recommendations to the Governor and the Legislature by a specified date; authorizing the institute to submit additional reports and recommendations as needed and requested; amending s. 1006.07, F.S.; requiring code of student conduct policies to contain prearrest diversion program criteria; specifying requirements applicable to emergency drill policies and procedures, in accordance with State Board of Education rules; requiring the state board to adopt rules in consultation with state and local entities; adding threat assessment team
memberships, training, and procedural requirements;
incorporating additional discipline and behavioral
incident reports within school safety incident
reporting requirements; requiring district school
boards to adopt school district emergency event family
reunification policies and plans; requiring school-
based emergency event family reunification plans to be
consistent with school board policy and the school
district plan; requiring plans to address specified
requirements within the framework of model policies
and plans identified by the office; amending s.
1006.09, F.S.; requiring school principals to use a
specified system to report school safety incidents;
amending s. 1006.12, F.S.; requiring school safety
officers to complete specified training to improve
knowledge and skills as first responders to certain
incidents; specifying county sheriffs’ responsibility
for specified training required for school security
guards; requiring certain school security guards to
meet district background screening requirements and
qualification requirements; conforming notification
requirements to changes made by the act; amending s.
1006.13, F.S.; authorizing district school boards to
assign students to certain diversion programs as
options within zero-tolerance policies; amending s.
1006.1493, F.S.; revising components that must be
assessed by the Florida Safe Schools Assessment Tool
to include policies and procedures to prepare for and
respond to natural or man-made disasters or

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emergencies; amending s. 1011.62, F.S.; revising
requirements that must be met before the distribution
of the mental health assistance allocation; providing
effective dates.

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

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

30.15 Powers, duties, and obligations.—

(1) Sheriffs, in their respective counties, in person or by
deputy, shall:

(k) Assist district school boards and charter school
governing boards in complying with s. 1006.12. A sheriff must,
at a minimum, provide access to — Coach Aaron Feis Guardian
Program training to aid in the prevention or abatement of active
assailant incidents on school premises, as required under this
paragraph. Persons certified as Feis guardian program certified
school guardians or Feis guardian program certified school
security guards pursuant to this paragraph do not have — authority to act in any law enforcement capacity except to the
extent necessary to prevent or abate an active assailant
incident.

1.a. If a local school board has voted by a majority to
implement a Feis guardian program, the sheriff in that county
shall establish a Feis guardian program to provide training,
pursuant to subparagraph 2., to school district or charter
school employees directly; through a contract with an entity
selected by the local sheriff, provided that the local sheriff

oversees, supervises, and certifies all aspects of the contract governing the Feis guardian program for the local jurisdiction; either directly or through a contract with another sheriff’s office that has established a Feis guardian program, or through any combination thereof. To facilitate effective training and emergency response in the event of an active assailant situation, a sheriff who contracts with one or more county sheriffs to provide Feis guardian program training and certification for the local school district and charter school within its county jurisdiction shall notify, in writing, the local district school superintendent and charter school administrators of all county-specific protocols incorporated into the contracted Feis guardian program training and certification requirements.

b. A charter school governing board in a school district that has not voted, or has declined, to implement a Feis guardian program may request the sheriff in the county to establish a Feis guardian program for the purpose of training the charter school employees. If the county sheriff denies the request, the charter school governing board may contract with a sheriff that has established a Feis guardian program to provide such training. The charter school governing board must notify, in writing, the superintendent and the sheriff in the charter school’s county of the contract prior to its execution.

c. The sheriff conducting the Feis guardian program training pursuant to subparagraph 2. shall be reimbursed by the Department of Education for screening-related and training-related costs for Feis guardian program certified school guardians and Feis guardian program certified school security guards as provided in s. 1006.12(3) and (4), respectively, and for providing a one-time stipend of $500 to each Feis guardian program certified school guardian who participates in the Feis school guardian program as an employee of a school district or charter school.

2. A sheriff who establishes a Feis guardian training program shall consult with the Department of Law Enforcement on programmatic guiding principles, practices, and resources, and shall certify, without the power of arrest, as Feis guardian program certified school guardians, without the power of arrest, school employees, as specified in s. 1006.12(3) and Feis guardian program school security guards as specified in s. 1006.12(4), who:

a. Hold a valid license issued under s. 790.06, applicable to district or school employees serving as Feis guardian program certified school guardians pursuant to s. 1006.12(3); or hold a valid Class "D" and Class "G" license issued under chapter 493, applicable to individuals contracted to serve as Feis guardian program certified school security guards under s. 1006.12(4).

b. Complete a 144-hour training program, consisting of 12 hours of certified nationally recognized diversity training and 132 total hours of comprehensive firearm safety and proficiency training, conducted by Criminal Justice Standards and Training Commission-certified instructors who hold active instructional certifications, which must include:

(I) Eighty hours of firearms instruction based on the Criminal Justice Standards and Training Commission’s Law Enforcement Academy training model, which must include at least 10 percent but no more than 20 percent more rounds fired than
associated with academy training. Program participants must achieve an 85 percent pass rate on the firearms training.

(II) Sixteen hours of instruction in precision pistol.

Training must include night and low-light shooting conditions.

(III) Eight hours of discretionary shooting instruction using state-of-the-art simulator exercises.

(IV) Eight hours of instruction in active shooter or assailant scenarios.

(V) Eight hours of instruction in defensive tactics.

(VI) Twelve hours of instruction in legal issues.

C. Submit to and pass a psychological evaluation administered by a licensed professional psychologist licensed under chapter 403 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff’s office. The sheriff’s office must review and approve the results of each applicant’s psychological evaluation before accepting the applicant into the Feis guardian program. The Department of Law Enforcement is authorized to provide the sheriff’s office with mental health and substance abuse data for compliance with this paragraph.

D. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff’s office. The sheriff’s office must review and approve the results of each applicant’s drug tests before accepting the applicant into the Feis guardian program.

e. Successfully complete ongoing training conducted by a Criminal Justice Standards and Training Commission-certified instructor who holds an active instructional certification, weapon inspection, and firearm qualification on at least an annual basis, as required by the sheriff’s office.

The sheriff who conducts the Feis guardian program training pursuant to this paragraph shall issue a Feis school guardian program certificate to individuals who meet the requirements of this section to the satisfaction of the sheriff, and shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each Feis guardian program certified school guardian and Feis guardian program certified school security guard certified by the sheriff. An individual who is certified under this paragraph may serve as a Feis guardian program certified school guardian under s. 1006.12(3) or a Feis guardian program certified school security guard under s. 1006.12(4) only if he or she is appointed by the applicable district school superintendent or charter school administrator principal.

Section 2. Effective October 1, 2020, paragraph (c) is added to subsection (2) of section 943.082, Florida Statutes, to read:

943.082 School Safety Awareness Program.—

(2) The reporting tool must notify the reporting party of the following information:

(c) That, if following investigation, it is determined that a person knowingly submitted a false tip through FortifyFL, the IP address of the device on which the tip was submitted will be provided to law enforcement agencies for further investigation and the reporting party may be subject to criminal penalties under s. 837.05. In all other circumstances, unless the
appointments to fill vacancies or replace members of the commission must give consideration to achieving an equal balance of school district, law enforcement, and health care professional representation which reflects the cultural diversity of the state.

Section 4. Paragraphs (c) and (f) of subsection (2) of section 985.12, Florida Statutes, are amended to read:

985.12 Civil citation or similar prearrest diversion programs.—

(2) JUDICIAL CIRCUIT CIVIL CITATION OR SIMILAR PREARREST DIVERSION PROGRAM DEVELOPMENT, IMPLEMENTATION, AND OPERATION.—

(c) The state attorney of each circuit shall operate a civil citation or similar prearrest diversion program in each circuit. A sheriff, police department, county, municipality, locally authorized entity, or public or private educational institution may continue to operate an independent civil citation or similar prearrest diversion program that is in operation as of October 1, 2018, if the independent program is reviewed by the state attorney of the applicable circuit and he or she determines that the independent program is substantially similar to the civil citation or similar prearrest diversion program developed by the circuit. If the state attorney determines that the independent program is not substantially similar to the civil citation or similar prearrest diversion program developed by the circuit, the operator of the independent diversion program may revise the program and the state attorney may conduct an additional review of the independent program. In cooperation with the Department of Education pursuant to s. 1001.212, the department and the state

2. In addition to the membership requirements of subparagraph 1., beginning June 1, 2020, the commission shall include three additional members selected from among the state’s actively serving district school superintendents, school principals, and classroom teachers. The additional members must be appointed by May 30, 2020, one each by the Governor, the President of the Senate, and the Speaker of the House of Representatives. Thereafter, to the extent possible, future
attorney of each judicial circuit shall monitor and enforce
compliance with school-based diversion program requirements.

(f) Each civil citation or similar prearrest diversion
program shall enter the appropriate youth data into the Juvenile
Justice Information System Prevention Web within 7 days after
the admission of the youth into the program. Beginning in fiscal
year 2021-2022, law enforcement officers must have field access
to the Juvenile Justice Information System Prevention Web.

Section 5. Subsection (9) of section 1001.11, Florida
Statutes, is amended to read:

1001.11 Commissioner of Education; other duties.—
(9) With the intent of ensuring safe learning and teaching
environments, the commissioner shall oversee compliance with
education-related health, law safety, welfare, and security
requirements of law the Marjory Stoneman Douglas High School
Public Safety Act, chapter 2018-3, Laws of Florida, by school
districts; district school superintendents; and public schools,
including charter schools; and other entities or constituencies
as may be applicable. The commissioner shall ensure facilitate
public and nonpublic school compliance to the maximum extent
provided under law, identify incidents of material
noncompliance, and impose or recommend to the State Board of
Education, the Governor, or the Legislature enforcement and
sanctioning actions pursuant to s. 1001.42, s. 1001.51, chapter
1002, and s. 1008.32, and other authority granted under law. For
purposes of this subsection, s. 1001.42(13)(b), and s.
1001.51(12)(b), the duties assigned to a district school
superintendent apply to charter school administrative personnel
as defined in s. 1012.01(3), and charter school governing boards
shall designate at least one administrator to be responsible for
such duties. The duties assigned to a district school board
apply to a charter school governing board.

Section 6. Present subsections (14) and (15) of section
1001.212, Florida Statutes, are redesignated as subsections (16)
and (17), respectively, new subsections (14) and (15) are added
to that section, and subsections (2), (4), (6), (7), and (8) of
that section are amended, to read:

1001.212 Office of Safe Schools.—There is created in the
Department of Education the Office of Safe Schools. The office
is fully accountable to the Commissioner of Education. The
office shall serve as a central repository for best practices,
training standards, and compliance oversight in all matters
regarding school safety and security, including prevention
efforts, intervention efforts, and emergency preparedness
planning. The office shall:

(2) Provide ongoing professional development opportunities
to school district and charter school personnel.

(4) Develop and implement a School Safety Specialist
Training Program for school safety specialists appointed
pursuant to s. 1006.07(6). The office shall develop the training
program, which shall be based on national and state best
practices on school safety and security and must include active
shooter training. Training must also include information about
federal and state laws regarding education records, medical
records, data privacy, and incident reporting requirements,
particularly with respect to behavioral threat assessment and
emergency planning and response procedures. The office shall
develop training modules in traditional or online formats. A
school safety specialist certificate of completion shall be awarded to a school safety specialist who satisfactorily completes the training required by rules of the office.

(6) Coordinate with the Department of Law Enforcement to provide a centralized integrated data repository, known as the Florida Schools Safety Portal, and data analytics resources to improve access to timely, complete, and accurate information integrating data from, at a minimum, but not limited to, the following data sources by August 1, 2022:

(a) Social media Internet posts;
(b) Department of Children and Families;
(c) Department of Law Enforcement;
(d) Department of Juvenile Justice;
(e) Mobile suspicious activity reporting tool known as FortifyFL;
(f) School environmental safety incident reports collected under subsection (8); and
(g) Local law enforcement.

Data that is exempt or confidential and exempt from public records requirements retains its exempt or confidential and exempt status when incorporated into the centralized integrated data repository. To maintain the confidentiality requirements attached to the information provided to the centralized integrated data repository by the various state and local agencies, each source agency providing data to the repository shall be the sole custodian of the data for the purpose of any request for inspection or copies thereof under chapter 119. The department shall only allow access to data from the source agencies in accordance with rules adopted by the respective source agencies and the requirements of the Federal Bureau of Investigation Criminal Justice Information Services security policy, where applicable.

(7) Provide data to support the evaluation of mental health services pursuant to s. 1004.44.

(8) Oversee, facilitate, and coordinate district and school compliance with school safety incident reporting requirements in accordance with rules adopted by the state board enacting the school safety incident reporting requirements of this subsection, s. 1006.07(9), and other statutory safety incident reporting requirements. The office shall:

(a) Provide technical assistance to school districts and charter school governing boards and administrators for school environmental safety incident reporting as required under s. 1006.07(9).

(b) The office shall collect data through school environmental safety incident reports on incidents involving any person which occur on school premises, on school transportation, and at off-campus, school-sponsored events.

(c) Review and evaluate safety incident reports of each school district and charter school or confidential and exempt from public records requirements.
Section 7. Paragraph (b) of subsection (16) of section 434.1002.33, Florida Statutes, is amended to read:

The office shall ensure compliance with reporting requirements. The office shall timely notify the commissioner of all incidents of material noncompliance for purposes of invoking the commissioner's responsibilities provided under s. 1001.11(9). Upon notification by the commissioner department that a superintendent or charter school administrator has, based on clear and convincing evidence, failed to comply with the requirements of s. 1006.07(9), the district school board or charter school governing board, as applicable, shall withhold further payment of his or her salary as authorized under s. 1001.42(13)(b) and impose other appropriate sanctions that the commissioner or state board by law may impose, pending demonstration of full compliance.

(14) Maintain a current directory of public and private school-based diversion programs and cooperate with each judicial circuit and the Department of Juvenile Justice to facilitate their efforts to monitor and enforce each governing body's compliance with s. 985.12.

(15) Develop, in coordination with the Division of Emergency Management, other federal, state, and local law enforcement agencies, fire and rescue agencies, and first responder agencies, a model emergency event family reunification plan for use by child care facilities, public K-12 schools, and public postsecondary institutions that are closed or unexpectedly evacuated due to natural or manmade disasters or emergencies.

Section 7. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—
(16) EXEMPTION FROM STATUTES.—
(b) Additionally, a charter school shall demonstrate and certify in its contract, and if necessary through addendum to its contract, the charter school’s be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.
2. Chapter 119, relating to public records.
3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.
4. Section 1012.22(1)(c), relating to compensation and salary schedules.
5. Section 1012.33(5), relating to workforce reductions.
6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.
7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.
8. Section 1006.12, relating to safe-school officers.
9. Section 1006.07(7), relating to threat assessment teams.
10. Section 1006.07(9), relating to school safety incident reporting.
11. Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.
12. Section 1006.07(6)(c), relating to adopting an active assailant response plan.
13. Section 943.082(4)(b), relating to the mobile
is established the Louis de la Parte Florida Mental Health Institute within the University of South Florida.

District school board duties relating to student discipline and school safety.—The district school board shall

Words ___________ are deletions; words _______ are additions.
provide for the proper accounting for all students, for the
attendance and control of students at school, and for proper
attention to health, safety, and other matters relating to the
welfare of students, including:
(2) CODE OF STUDENT CONDUCT.—Adopt a code of student
code for elementary schools and a code of student conduct for
middle and high schools and distribute the appropriate code to
all teachers, school personnel, students, and parents, at the
beginning of every school year. Each code shall be organized and
written in language that is understandable to students and
parents and shall be discussed at the beginning of every school
year in student classes, school advisory council meetings, and
parent and teacher association or organization meetings. Each
code shall be based on the rules governing student conduct and
discipline adopted by the district school board and shall be
made available in the student handbook or similar publication.
Each code shall include, but is not limited to:
(n) Criteria for assigning a student to a civil citation or
similar prearrest diversion program that is an alternative to
expulsion or referral to law enforcement agencies. All civil
citation or similar prearrest diversion programs must comply
with s. 985.12.
(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—
(a) Formulate and prescribe policies and procedures, in
consultation with the appropriate public safety agencies, for
emergency drills and for actual emergencies, including, but not
limited to, fires, natural disasters, active shooter and hostage
situations, and bomb threats, for all students and faculty at
all public schools of the district comprised of grades

K-12, pursuant to state board rule. Drills for active shooter
and hostage situations shall be conducted in accordance with
developmentally appropriate and age-appropriate procedures, as
specified in state board rules at least as often as other
emergency drills. Law enforcement officers responsible for
responding to the school in the event of an active assailant
emergency, as determined necessary by the sheriff in
coordination with the district’s school safety specialist, must
be physically present on campus and directly involved in the
execution of active assailant emergency drills. District school
board policies shall include commonly used alarm system
responses for specific types of emergencies and verification by
each school that drills have been provided as required by law
state board rule, and fire protection codes. The emergency
response policy shall identify the individuals responsible for
contacting the primary emergency response agency and the
emergency response agency that is responsible for notifying the
school district for each type of emergency. The state board
shall refer to recommendations provided in reports published
pursuant to s. 943.687 for guidance and, by August 1, 2020,
consult with state and local constituencies to adopt rules
applicable to the requirements of this subsection which, at a
minimum, define "emergency drill," "active threat," and "after-
action report," and must establish minimum emergency drill
policies and procedures related to the timing, frequency,
participation, training, notification, accommodations, and
responses to threat situations by incident type, school level,
school type, and student and school characteristics. Such rules
must require all types of emergency drills to be conducted no
The school safety specialist must earn a certificate of
specialist's recommendations at a publicly noticed district
of the law enforcement officer as a school safety specialist.

(f) Consistent with subsection (10), as a component of
each district school board and charter
governing board must adopt, in coordination with local
law enforcement agencies, an emergency event family
reunification plan to reunite students and employees with their
families in the event of a mass casualty or other emergency
event situation.

(6) SAFETY AND SECURITY BEST PRACTICES.—Each district
school superintendent shall establish policies and procedures
for the prevention of violence on school grounds, including the
assessment of and intervention with individuals whose behavior
poses a threat to the safety of the school community.

(a) Each district school superintendent shall designate a
school safety specialist for the district. The school safety
specialist must be a school administrator employed by the school
district or a law enforcement officer employed by the sheriff’s
office located in the school district. Any school safety
specialist designated from the sheriff’s office must first be
authorized and approved by the sheriff employing the law
enforcement officer. Any school safety specialist designated
from the sheriff’s office remains the employee of the office for
purposes of compensation, insurance, workers’ compensation, and
other benefits authorized by law for a law enforcement officer
employed by the sheriff’s office. The sheriff and the school
superintendent may determine by agreement the reimbursement for
such costs, or may share the costs, associated with employment
of the law enforcement officer as a school safety specialist.

The school safety specialist must earn a certificate of

CODING: Words stricken are deletions; words underlined are additions.
school board meeting to provide the public an opportunity to
hear the district school board members discuss and take action
on the findings and recommendations. Each school safety
specialist shall report such findings and school board action to
the Office of Safe Schools within 30 days after the district
school board meeting.

(7) THREAT ASSESSMENT TEAMS.—Each district school board
shall adopt policies for the establishment of threat assessment
teams at each school whose duties include the coordination of
resources and assessment and intervention with individuals whose
behavior may pose a threat to the safety of school staff or
students consistent with the model policies developed by the
Office of Safe Schools. Such policies must include procedures
for referrals to mental health services identified by the school
district pursuant to s. 1012.584(4), when appropriate, and
procedures for behavioral threat assessments in compliance with
the instrument developed pursuant to s. 1001.212(12).

(a) A threat assessment team shall include a sworn law
enforcement officer who has undergone threat assessment training
identified by the Office of Safe Schools pursuant to s.
1001.212, and persons with expertise in counseling, instruction,
and school administration, and law enforcement. All required
members of the threat assessment team must be involved in the
threat assessment process, from start to finish, including the
determination of the final disposition decision. The threat
assessment teams shall identify members of the school community
to whom threatening behavior should be reported and provide
guidance to students, faculty, and staff regarding recognition
of threatening or aberrant behavior that may represent a threat
to the community, school, or self. Upon the availability of the
behavioral threat assessment instrument developed pursuant to s.
1001.212(12), the threat assessment team shall use that
instrument.

(9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each
district school board shall adopt policies to ensure the
accurate and timely reporting of incidents related to school
safety and discipline. For purposes of s. 1001.212(8) and this
subsection, incidents related to school safety and discipline
include incidents reported pursuant to ss. 1006.09, 1006.13,
1006.135, 1006.147, and 1006.148. The district school
superintendent is responsible for school environmental
safety incident reporting. A district school superintendent who fails
to comply with this subsection is subject to the penalties
specified in law, including, but not limited to, s.
1001.42(13)(b) or s. 1001.51(12)(b), as applicable. The State
Board of Education shall adopt rules establishing the
requirements for the school environmental safety incident
reporting request.

(10) EMERGENCY EVENT FAMILY REUNIFICATION POLICIES AND
PLANS.—By August 1, 2021, each district school board shall adopt
a school district emergency event family reunification policy
establishing elements and requirements for a school district
emergency event family reunification plan and individual school-
based emergency event family reunification plans for the purpose
of reuniting students and employees with their families in the
event of a mass casualty or other emergency event situation.

(a) School district policies and plans must be coordinated
with the county sheriff and local law enforcement. School-based
plans must be consistent with school board policy and the school district plan. The school board is encouraged to apply model mass casualty death notification and reunification policies and practices referenced in reports published pursuant to s. 943.687 and as developed by the Office of Safe Schools.
(b) Minimally, plans must identify potential reunification sites and ensure a unified command at each site, identify equipment needs, provide multiple methods of communication with family members of students and staff, address training for employees, and provide multiple methods to aid law enforcement in identification of students and staff, including written backup documents.

Section 11. Subsection (6) of section 1006.09, Florida Statutes, is amended to read:

1006.09 Duties of school principal relating to student discipline and school safety.—
(6) Each school principal must ensure that standardized forms prescribed by rule of the State Board of Education are used to report data concerning school safety and discipline to the department through the School Environmental Safety Incident Reporting (SESIR) System. The school principal must develop a plan to verify the accuracy of reported incidents.

Section 12. Section 1006.12, Florida Statutes, is amended to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and district school superintendent shall partner with law enforcement agencies or security agencies to establish or

(c) Sworn law enforcement school resource officers shall

assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement one or more any combination of the options specified in subsections (1)-(4) to best meet the needs of the school district and charter schools.

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

(a) Sworn law enforcement school resource officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee’s tenure as a sworn law enforcement school resource officer.

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

(c) Sworn law enforcement school resource officers shall
complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers’ knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

(2) SWORN LAW ENFORCEMENT SCHOOL SAFETY OFFICER.—A school district may commission one or more sworn law enforcement school safety officers for the protection and safety of school personnel, property, and students within the school district.

The district school superintendent may recommend, and the district school board may appoint, one or more sworn law enforcement school safety officers.

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

(b) A sworn law enforcement school safety officer has and shall exercise the power to make arrests for violations of law on district school board property or on property owned or leased by a charter school under the charter contract, as applicable, and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that

department sheriffs are authorized to make arrests. A sworn law enforcement school safety officer has the authority to carry weapons when performing his or her official duties.

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

(d) Sworn law enforcement school safety officers shall complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training must improve officers’ knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

(3) FEIS GUARDIAN PROGRAM CERTIFIED SCHOOL GUARDIAN.—At the school district’s or the charter school governing board’s discretion, as applicable, pursuant to s. 30.15, a school district or charter school governing board may participate in the Coach Aaron Feis Guardian Program to meet the requirement of establishing a safe-school officer. The following individuals may serve as a Feis guardian program certified school guardian, in support of school-sanctioned activities for purposes of s. 790.115, upon satisfactory completion of the requirements under s. 30.15(1)(k) and certification by a sheriff:

(a) A school district employee or personnel, as defined under s. 1012.01, or a charter school employee, as provided under s. 1002.33(12)(a), who volunteers to serve as a Feis guardian program certified school guardian;
guardian program certified school guard in addition to his or her official job duties; or
(b) An employee of a school district or a charter school who is hired for the specific purpose of serving as a Feis guardian program certified school guardian.

(4) FEIS GUARDIAN PROGRAM CERTIFIED SCHOOL SECURITY GUARD.—A school district or charter school governing board may contract with a security agency as defined in s. 493.610(18) to employ as a Feis guardian program certified school security guard an individual who holds a Class "D" and Class "G" license pursuant to chapter 493, provided the following training and contractual conditions are met:
(a) An individual who serves as a Feis guardian program certified school security guard, for purposes of satisfying the requirements of this section, must:
1. Demonstrate satisfactory completion of 144 hours of all training program requirements of the Coach Aaron Feis Guardian Program, as provided and certified by a county sheriff, required training pursuant to s. 30.15(1)(k)2.
2. Submit to and pass a psychological evaluation administered by a licensed professional psychologist licensed under chapter 190 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff’s office, school district, or charter school governing board, as applicable. The sheriff’s office must review and approve the results of each applicant’s psychological evaluation before accepting the applicant into the Feis guardian program.

The Department of Law Enforcement is authorized to provide the sheriff’s office, school district, or charter school governing board with mental health and substance abuse data for compliance with this paragraph.

3. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff’s office, school district, or charter school governing board, as applicable. The sheriff’s office must review and approve the results of each applicant’s drug tests before accepting the applicant into the Feis guardian program.

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

(b) The contract between a security agency and a school district or a charter school governing board regarding requirements applicable to Feis guardian program certified school security guards serving in the capacity of a safe-school officer for purposes of satisfying the requirements of this section shall define the county sheriff or sheriffs entity or entities responsible for Feis guardian program training and the responsibilities for maintaining records relating to training, inspection, and firearm qualification; and define conditions, requirements, costs, and responsibilities necessary to satisfy the background screening requirements of paragraph (d).

(c) Feis guardian program certified school security guards serving in the capacity of a safe-school officer pursuant to this subsection are in support of school-sanctioned activities for purposes of s. 790.115, and must aid in the prevention or abatement of active assailant incidents on school premises.
(d) A Feis guardian program certified school security guard serving in the capacity of a safe-school officer pursuant to this subsection is considered to be a "noninstructional contractor" subject to the background screening requirements of ss. 1012.465 and 1012.467, as they apply to each applicable school district or charter school, and these requirements must be satisfied before the Feis guardian program certified school security guard is given access to school grounds.

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

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

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

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

If a district school board, through its adopted policies, procedures, or actions, denies a charter school access to any school officer options pursuant to this section, the school district must assign a sworn law enforcement school resource officer or sworn law enforcement school safety officer to the charter school. Under such circumstances, the charter school’s share of the costs of the sworn law enforcement school resource officer or sworn law enforcement school safety officer may not exceed the safe school allocation funds provided to the charter school pursuant to s. 1011.62(15) and shall be retained by the school district.

Section 13. Subsection (3) of section 1006.13, Florida Statutes, is amended to read:

1006.13 Policy of zero tolerance for crime and victimization.—

(3) Zero-tolerance policies must require students found to have committed one of the following offenses to be expelled, with or without continuing educational services, from the student’s regular school for a period of not less than 1 full year, and to be referred to the criminal justice or juvenile justice system.

(a) Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.

(b) Making a threat or false report, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.

District school boards may assign the student to a school-based diversion program pursuant to s. 985.12 disciplinary program for
6. School security and school police staffing, operational practices, and related services;

7. School and community collaboration on school safety; and

8. A return on investment analysis of the recommended physical security controls.

9. Policies and procedures to prepare for and respond to natural or manmade disasters or emergencies, including plans to reunite students and employees with families after a school is closed or unexpectedly evacuated due to such disasters or emergencies.

Section 15. Effective July 1, 2020, subsection (16) of section 1011.62, Florida Statutes, is amended to read:

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

(16) MENTAL HEALTH ASSISTANCE ALLOCATION.--The mental health assistance allocation is created to provide funding to assist school districts in establishing or expanding school-based mental health care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds shall be allocated annually in the General Appropriations Act or other law to each eligible school district. Each school district shall receive a minimum of $100,000, with the remaining balance allocated based on each school district’s proportionate share of the state’s total unweighted full-time equivalent student enrollment. Charter schools that submit a plan separate from the
school district are entitled to a proportionate share of
district funding. The allocated funds may not supplant funds
that are provided for this purpose from other operating funds
and may not be used to increase salaries or provide bonuses.
School districts are encouraged to maximize third-party health
insurance benefits and Medicaid claiming for services, where
appropriate.

(a) Before the distribution of the allocation:
1. The school district shall develop and submit a
detailed plan outlining the local program and planned
expenditures to the district school board for approval. The
plan, which must include input from school and community
stakeholders, applies to all district schools, including charter
schools, unless a charter school elects to submit a plan
independently from the school district pursuant to subparagraph
2.

2. A charter school may develop and submit a detailed plan
outlining the local program and planned expenditures to its
governing body for approval. After the plan is approved by the
governing body, it must be provided to the charter school’s
sponsor.

(b) The plans required under paragraph (a) must be focused
on a multitiered system of supports to deliver evidence-based
mental health care assessment, diagnosis, intervention,
treatment, and recovery services to students with one or more
mental health or co-occurring substance abuse diagnoses and to
students at high risk of such diagnoses. The provision of these
services must be coordinated with a student’s primary mental
health care provider and with other mental health providers

1. Direct employment of school-based mental health services
providers to expand and enhance school-based student services
and to reduce the ratio of students to staff in order to better
align with nationally recommended ratio models. These providers
include, but are not limited to, certified school counselors,
school psychologists, school social workers, and other licensed
mental health professionals. The plan also must establish

identify strategies to increase the amount of time that school-
based student services personnel spend providing direct services
to students, which may include the review and revision of
district staffing resource allocations based on school or
student mental health assistance needs.

2. Contracts or interagency agreements with one or more
local community behavioral health providers or providers of
Community Action Team services to provide a behavioral health
staff presence and services at district schools. Services may
include, but are not limited to, mental health screenings and
assessments, individual counseling, family counseling, group
counseling, psychiatric or psychological services, trauma-

informed care, mobile crisis services, and behavior
modification. These behavioral health services may be provided
on or off the school campus and may be supplemented by
telehealth.

3. Policies and procedures, including contracts with
service providers, which will ensure that students who are
referred to a school-based or community-based mental health
service provider for mental health screening for the
identification of mental health concerns and ensure that the assessment of students at risk for mental health disorders occurs within 15 days of referral. School-based mental health services must be initiated within 15 days after identification and assessment, and support by community-based mental health service providers for students who are referred for community-based mental health services must be initiated within 30 days after the school or district makes a referral.

4. Mental health policies and procedures that implement and support all of the following elements:
   a. Universal supports to promote psychological well-being and safe and supportive environments.
   b. Evidence-based strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems, depression, anxiety disorders, suicidal tendencies, or substance use disorders.
   c. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders; provide to improve the provision of early intervention services; and assist students in dealing with trauma and violence.
   d. Methods for responding to a student with suicidal ideation, including training in suicide risk assessment and the use of suicide awareness, prevention, and screening instruments developed under s. 1012.583; adoption of guidelines for informing parents of suicide risk; and implementation of board policies for initiating involuntary examination of students at risk of suicide.
   e. A school crisis response plan that includes strategies for the prevention of, preparation for, response to, and recovery from a range of school crises. The plan must establish or coordinate the implementation of district-level and school-level crisis response teams whose membership includes, but is not limited to, representatives of school administration and school-based mental health service providers.

(c) School districts shall submit approved plans, including approved plans of each charter school in the district, to the commissioner by August 1 of each fiscal year.

(d) By September 30 of each year beginning September 30, 2019, and annually by September 30 thereafter, each school district shall submit its district report to the department. By November 1 of each year, the department shall submit a state summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on Department of Education’s report on its program outcomes and expenditures for the previous fiscal year. The school district report must include program outcomes and expenditures for all public schools in the district, including charter schools that submitted a separate plan. At a minimum, the district and state reports also must that, at a minimum, must include school district-level and school-level, including charter schools, information, including multiple-year trend data, when available, for each of the number of each of the following indicators:

1. The number of students who receive screenings or assessments.
2. The number of students who are referred to either school-based or community-based providers for services or assistance.
3. The number of students who receive either school-based or community-based interventions, services, or assistance.

4. The number of school-based and community-based mental health providers, including licensure type, paid for from funds provided through the allocation.

5. The number and ratio to students of school social workers, school psychologists, and certified school counselors employed by the district or charter school and the total number of licensed mental health professionals directly employed by the district or charter school.

6. Contract-based collaborative efforts or partnerships with community mental health programs, agencies, or providers.

Section 16. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.