

	LEGISLATIVE ACTION	
Senate	•	House
Comm: RCS	•	
02/26/2020	•	
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Appropriations Subcommittee 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 (6) and paragraph (e) of subsection (10) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.-

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

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(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 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 agreed to by the applicant and 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 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 of any kind. Before approving or denying any application, the sponsor shall allow the applicant, upon receipt 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 errors are identified by the sponsor as cause to deny the final



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- 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

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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

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substantially similar to at least one of the applicant's highperforming 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.
 - (10) ELIGIBLE STUDENTS.-

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- (e) A charter school may limit the enrollment process only to target the following student populations:
 - 1. Students within specific age groups or grade levels.
- 2. Students considered at risk of dropping out of school or academic failure. Such students shall include exceptional education students.
- 3. Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality established pursuant to subsection (15).
- 4. Students residing within a reasonable distance of the charter school, as described in paragraph (20)(c). Such students shall be subject to a random lottery and to the racial/ethnic balance provisions described in subparagraph (7)(a)8. or any federal provisions that require a school to achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.
- 5. Students who meet reasonable academic, artistic, or other eligibility standards established by the charter school and included in the charter school application and charter or, in the case of existing charter schools, standards that are consistent with the school's mission and purpose. Such standards shall be in accordance with current state law and practice in public schools and may not discriminate against otherwise qualified individuals.
- 6. Students articulating from one charter school to another pursuant to an articulation agreement between the charter schools that has been approved by the sponsor.
 - 7. Students living in a development in which a developer,

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including any affiliated business entity or charitable foundation, contributes to the formation, acquisition, construction, or operation of one or more charter schools or charter provides the school facilities facility and related property in an amount equal to or having a total an appraised value of at least \$5 million to be used as $\frac{1}{8}$ charter schools school to mitigate the educational impact created by the development of new residential dwelling units. Students living in the development are shall be entitled to no more than 50 percent of the student stations in the charter schools school. The students who are eligible for enrollment are subject to a random lottery, the racial/ethnic balance provisions, or any federal provisions, as described in subparagraph 4. The remainder of the student stations must shall be filled in accordance with subparagraph 4.

Section 2. Paragraph (b) of subsection (3), subsection (5), and paragraph (a) of subsection (11) 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



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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



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- (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.
 - (11) SCHOLARSHIP FUNDING AND PAYMENT.-
- (a) The scholarship is established for up to 18,000 students annually on a first-come, first-served basis beginning in with the 2019-2020 school year. Beginning in the 2020-2021 school year, the maximum number of students participating in the scholarship program under this section shall may annually increase by 1.0 0.25 percent of the state's total public school student enrollment.
- Section 3. 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 260 185 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.

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> 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 the student 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 scholarshipfunding 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.

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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 4. 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 paragraph (a) of 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 evidencebased reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness,

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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



330 institution that is accredited or approved pursuant to the rules 331 of the State Board of Education. 332 333 Each teacher preparation program may waive these admissions 334 requirements for up to 10 percent of the students admitted. Programs shall implement strategies to ensure that students 335 336 admitted under a waiver receive assistance to demonstrate 337 competencies to successfully meet requirements for certification 338 and shall annually report to the Department of Education the 339 status of each candidate admitted under such a waiver. 340 (d) Each program must include the opportunity for the 341 candidate to complete coursework to obtain a required 342 endorsement in the candidate's chosen teaching field. 343 (e) Each program must include, in addition to the core 344 standards for effective education, instruction in the training 345 required of certified instructional personnel, including, but 346 not limited to: 1. Identification, intervention, and prevention of child 347 348 abuse, abandonment, and neglect; 349 2. Integration of technology into classroom teaching; 350 3. Management, assessment, and monitoring of student 351 learning and performance; 352 4. Skills in classroom management, violence prevention, 353 conflict resolution, and related areas; 354 5. Developmental disabilities pursuant to s. 1012.582; 355 6. Youth suicide awareness and prevention pursuant to s. 356 1012.583; and 357 7. Youth mental health awareness and assistance pursuant to 358 s. 1012.584.

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- (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

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prepares teachers to work with a diverse population of students in a variety of settings in Florida public schools.

- e. Results of program completers' annual evaluations in accordance with the timeline as set forth in s. 1012.34.
- f. Production of program completers in statewide critical teacher shortage areas as identified in s. 1012.07.
- 4. Results of the program completers' survey measuring their satisfaction with preparation for the realities of the classroom.
- 5. Results of the employers' survey measuring satisfaction with the program and the program's responsiveness to local school districts. The survey must include the employer's assessment of the student's proficiency in the use of stateadopted content standards and general preparation for the classroom.
- Section 5. 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

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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 quide 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

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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

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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 6. Paragraph (c) is added to subsection (3), and paragraphs (c) through (q) of that subsection are redesignated as paragraphs (d) through (h) of section 1008.22, to read:

1008.22 Student assessment program for public schools.-

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content

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established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

- (c) Nationally recognized high school assessments.-
- 1. Beginning with the 2020-2021 school year, each school district shall provide for the administration of the SAT or ACT to each public school student in grade 11 in the district, including students attending public high schools, alternative schools, and centers of the Department of Juvenile Justice.
- 2. School districts must choose either the SAT or ACT for districtwide administration.
- 3. Funding for the SAT and the ACT for all grade 11 students shall be as provided in the General Appropriations Act.
- Section 7. 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

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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., subsubparagraphs (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 fulltime 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 8. 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

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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. Full-time equivalent students.—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 conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or university and may be included in calculations of

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full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. However, those provisions of law which exempt dual enrolled and early admission students from payment of instructional materials and tuition and fees, including laboratory fees, shall not apply to students who select the option of enrolling in an eligible independent institution. 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 shall be eligible for inclusion in the dual enrollment or early admission program. Students enrolled in dual enrollment instruction shall be exempt from the payment of tuition and fees, including laboratory fees. No student enrolled in college credit mathematics or English dual enrollment instruction shall be funded as a dual enrollment unless the student has successfully completed the relevant section of the entry-level examination required pursuant to s. 1008.30.

2. Additional full-time equivalent student membership.—For students enrolled in a program pursuant to s. 1007.273, a value of 0.16 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 "B" or better. For students who are not enrolled in a program pursuant to s. 1007.273, a value of 0.08 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 "B" or better. In addition, a value of 0.3 full-time equivalent student membership shall be

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calculated for any student who receives an associate degree through the dual enrollment program with a 3.0 grade point average or better. This value shall be added to the total fulltime equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. This section shall be effective for credit earned by dually enrolled students for courses taken in the 2020-2021 school year and each school year thereafter. If the associate degree pursuant to this paragraph is earned in 2020-2021 following completion of courses taken in the 2020-2021 school year, then courses taken towards the degree as part of the dual enrollment program prior to 2020-2021 may not preclude eligibility for the 0.3 additional full-time equivalent student membership bonus. Each school district shall allocate at least 50 percent of the funds received from the dual enrollment bonus FTE funding, in accordance with this paragraph, to the schools that generated the funds to support student academic guidance and postsecondary readiness.

3. Qualifying courses.—For the purposes of this paragraph, general education core courses are those that are identified in rule by the State Board of Education and in regulation by the Board of Governors pursuant to s. 1007.25(3).

Section 9. 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

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institution as defined in rule 6A-4.003, Florida Administrative Code;

- (b) (a) 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) (b) 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) (c) 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) (d) 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;
- (f) (e) Documentation of a valid professional standard teaching certificate issued by another state;

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(g) (f) 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) (g) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program; or (i) (h) 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 10. 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 11. 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

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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 12. 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

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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

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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 highquality 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



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- (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. 1012.585(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



823 standards adopted by the state board in rule and standards 824 adopted by the National Staff Development Council. 825 2. Training completed under this subsection must comply 826 with and satisfy the requirements of s. 1012.585(3). 827 3. Professional learning activities may include, but are 828 not limited to, in-person or online training; travel and registration for conferences or workshops; college credit 829 830 courses; and district professional development certification and 8.31 education competency programs. 832 (b) To be eliqible for a pilot program grant, an individual 833 must: 834 1. Hold a professional certificate issued pursuant to s. 835 1012.56(7)(a); 836 2. Be employed as a classroom teacher, as defined in s. 837 1012.01(2)(a), excluding substitute teachers, by a district 838 school board or by a charter school; and 839 3. Apply for a grant in a format determined by the 840 department. The application must require an applicant to 841 describe how the professional development activity relates to 842 and will improve instruction in the classroom. 843 (c) Each classroom teacher eligible under paragraph (b) may receive a reimbursement for training pursuant to paragraph (a). 844 845 The reimbursement for each teacher participating in the pilot

- (d) Each school district shall:
 - 1. Review a proposed professional development activity to

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

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basis.



352	determine alignment with district and individual professional
353	development plans and determine the number of inservice credit
354	hours to be awarded; and
355	2. Approve any professional development opportunity
356	included on the department's registry pursuant to subsection
357	<u>(13).</u>
358	(e) The department shall:
359	1. Maintain a registry of approved providers and
360	professional development activities pursuant to subsection (14).
361	2. Establish, no later than August 1, 2020, a grant
362	application form.
363	Section 13. Section 1012.981, Florida Statutes, is created
364	to read:
365	1012.981 Professional Education Excellence Resources Pilot
366	Program.—
367	(1) There is established the Professional Education
368	Excellence Resources (PEER) Pilot Program, administered by the
369	department, to provide school district flexibility to increase
370	opportunities for professional learning, collaboration with
371	teachers and leaders, and teacher leadership.
372	(2) The PEER Pilot Program is established in Clay, Palm
373	Beach, Pinellas, and Walton Counties.
374	(3) Participating school districts implementing the PEER
375	Pilot Program may:
376	(a) Extend the contract day or the contract year, or both,
377	for participating teachers for professional development,
378	collaboration with colleagues, or instructional coaching. A
379	participating school district that chooses to extend the

contract day or year must, before the start of the 2020-2021

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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.



910 (d) Satisfy requirements for renewal of an educator 911 certificate. (e) Include online assessments with timely feedback to 912 913 evaluate participant learning measured against program goals. 914 (5) Participating school districts may use program funds to 915 establish a master teacher program. The master teacher program 916 provides accomplished teachers the opportunity to innovate and 917 improve classroom practices, facilitate improved professional development, and improve instructional quality through 918 919 collaboration with teachers and leaders. School districts shall 920 determine the specific roles assigned to a master teacher. 921 (a) Each master teacher program must include, but is not 922 limited to: 923 1. Providing release time for planning and meeting with 924 teachers and leaders; 925 2. Additional professional development opportunities, to 926 include participation in local and national conferences or 927 payments for college credit courses to increase skills or obtain 928 a higher university degree; and 929 3. Monetary compensation. 930 (b) School districts may select for the master teacher 931 program teachers who were rated highly effective in the previous 932 school year and may determine other selection criteria, which 933 may include, but are not limited to, information in performance 934 evaluations, peer reviews, demonstration of content expertise, 935 principal recommendation, or candidate interviews. 936 (c) Each participating school district must collaborate 937 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 939 940 must: 1. Provide recommendations for the selection, training, and 941 942 support of district master teachers. 943 2. Create a bank of online professional development tools 944 that serve as exemplars for instructional best practices. Such content may include pedagogy, instructional delivery, 945 946 professional learning communities, collaboration, personalized learning, teacher and student or parent conferencing, positive 947 948 behavior supports, and using data to improve instruction. 949 3. Provide instructional coaching for school-based leaders 950 and principal supervisors. The content must focus on providing 951 teachers with actionable feedback on performance. 952 (6) Each school district participating in the PEER Pilot 953 Program must annually, by August 1, report to the Governor, the 954 President of the Senate, the Speaker of the House of 955 Representatives, and the department on the performance of the 956 pilot program. Each report must include, but is not limited to: 957 (a) The use of the pilot program funds. (b) The impact of the pilot program on student achievement. 958 959 (c) The impact of the pilot program on teacher annual 960 evaluations. 961 (d) The results of satisfaction surveys given to pilot 962 program participants. 963 (e) Recommendations for continuation of the pilot program 964 and for scaling the pilot program for statewide implementation. 965 (7) The State Board of Education shall adopt rules to

(8) This section shall be implemented only to the extent

administer this section.

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specifically funded and authorized by law.

Section 14. Pathways in Technology Early College High School (P-TECH) program.-

- (1) By December 1, 2020, the Commissioner of Education 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 implementing the Pathways in Technology Early College High School (P-TECH) program, or a similar program, in Florida. The P-TECH program must:
- (a) Incorporate secondary and postsecondary education with workforce education and work experience through a flexible 6year integrated model.
- (b) Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience within 6 years after enrolling in the 9th grade.
- (c) Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.
- (d) Support student success through flexible class scheduling, advising and mentoring components, and other wraparound services.
- (e) Provide seamless articulation with Florida's postsecondary institutions.
 - (2) The report must, at a minimum, include the following:
- (a) Timelines for implementing a P-TECH program, or a similar program, as described in subsection (1), including courses of study which support program completion in 4 to 6

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years and which meet regional workforce demand.

- (b) A funding model that provides the P-TECH program, or a similar program, at no cost to students. The funding model may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.
- (c) Partnerships with industries and businesses, which include private investment, work-based training, internships, and priority placement for job opportunities upon graduation.
- (d) Recommendations for modifications, if any, to the school and school district accountability requirements of s. 1008.34, Florida Statutes.
- (3) This section shall take effect upon this act becoming a law and shall expire on December 1, 2020.
- Section 15. 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)(b) 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.

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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 16. This act shall take effect July 1, 2020.

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1058 And the title is amended as follows:

> Delete everything before the enacting clause and insert:

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A bill to be entitled An act relating to education; amending s. 1002.33, F.S.; prohibiting sponsors from refusing to receive a charter school application submitted during the calendar year; authorizing charter schools to limit the enrollment process to target certain additional student populations; 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; requiring, rather than authorizing, an annual specified increase in the maximum number of students participating in such program; 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

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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. 1008.22, F.S.; requiring school districts to provide the SAT or ACT to grade 11 students beginning in a specified school year; requiring school districts to choose which assessment to administer; 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. 1011.62, F.S.; changing the calculation of full-time equivalent student membership for dual enrollment purposes; 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

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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

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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;

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requiring school districts participating in the program to collaborate with the department and other entities 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; requiring the Commissioner of Education to submit to certain entities by a specified date a report with recommendations relating to the implementation of the Pathways in Technology Early College High School program, or a similar program; providing requirements for such program and report; providing for expiration; amending s. 1012.586, F.S.; conforming a crossreference; providing an effective date.