A bill to be entitled
An act relating to K-12 education; amending s. 212.055, F.S.; requiring that a resolution to levy discretionary sales tax include a statement containing certain information; requiring surtax revenues shared with charter schools to be expended by the charter schools in a certain manner; amending s. 1007.273, F.S.; defining the term “early college program”; deleting a provision related to collegiate high school programs; changing the term “collegiate high school program” to “early college program”; requiring early college programs to prioritize certain courses for degree purposes; authorizing a charter school to execute a contract with a local Florida College System institution or another institution as authorized by law to establish an early college program; requiring that the Commissioner of Education report to the Governor and the Legislature on the status of early college programs by a specified date and annually thereafter; requiring the report contain certain information; amending s. 1011.62, F.S.; changing the calculation of full-time equivalent student membership for dual enrollment purposes; providing that full-time equivalent membership can be calculated based on a student earning a College Board Advanced Placement Capstone Diploma; providing for calculation of full-time equivalent membership for students earning the Capstone Diploma; requiring that before distribution of the mental health assistance allocation occurs, a

CODING: Words stricken are deletions; words underlined are additions.
school district submit a detailed plan that includes
the input of school and community stakeholders and is
informed by a needs assessment; requiring school board
mental health policies and procedures to include
certain items; requiring each school district to
submit a report to the Department of Education which
reflects certain program outcomes and expenditures for
all charter schools in the district; requiring the
report to include certain information; requiring that
certain excess funds be used for specified mental
health expenses; abrogating the scheduled repeal of
provisions relating to the annual funding compression
allocation; amending s. 1003.4282, F.S.; conforming a
provision to changes made by the act; providing an
effective date.

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

Section 1. Subsection (6) of section 212.055, Florida
Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent;
authorization and use of proceeds.—It is the legislative intent
that any authorization for imposition of a discretionary sales
surtax shall be published in the Florida Statutes as a
subsection of this section, irrespective of the duration of the
levy. Each enactment shall specify the types of counties
authorized to levy; the rate or rates which may be imposed; the
maximum length of time the surtax may be imposed, if any; the
procedure which must be followed to secure voter approval, if
required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(6) SCHOOL CAPITAL OUTLAY SURTAX.—
(a) The school board in each county may levy, pursuant to resolution conditioned to take effect only upon approval by a majority vote of the electors of the county voting in a referendum, a discretionary sales surtax at a rate that may not exceed 0.5 percent.

(b) The resolution **must** **shall** include a statement that provides a brief and general description of the school capital outlay projects to be funded by the surtax. The **resolution must** also include a statement that the revenues collected must be shared with charter schools based on their proportionate share of total school district enrollment. The **statement must** **shall** conform to the requirements of s. 101.161 and shall be placed on the ballot by the governing body of the county. The following question shall be placed on the ballot:

....FOR THE ....CENTS TAX

....AGAINST THE ....CENTS TAX

(c) The resolution providing for the imposition of the surtax **must** **shall** set forth a plan for use of the surtax proceeds for fixed capital expenditures or fixed capital costs associated with the construction, reconstruction, or improvement of school facilities and campuses which have a useful life
expectancy of 5 or more years, and any land acquisition, land
improvement, design, and engineering costs related thereto.
Additionally, the plan shall include the costs of retrofitting
and providing for technology implementation, including hardware
and software, for the various sites within the school district.
Surtax revenues may be used for the purpose of servicing bond
indebtedness to finance projects authorized by this subsection,
and any interest accrued thereto may be held in trust to finance
such projects. Neither the proceeds of the surtax nor any
interest accrued thereto shall be used for operational expenses.
Surtax revenues shared with charter schools shall be expended by
the charter schools in a manner consistent with the plan, as
appropriate.
(d) Surtax revenues collected by the Department of Revenue
pursuant to this subsection shall be distributed to the school
board imposing the surtax in accordance with law.
Section 2. Section 1007.273, Florida Statutes, is amended
to read:
1007.273 Early college programs 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 taking postsecondary courses full
time 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
(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 CAPE industry certifications pursuant to s. 1008.44 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)(3) Each district school board and its local Florida College System institution shall execute a contract to establish one or more early college collegiate high school 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)(4) Each student participating in an early college collegiate high school program must enter into a student performance contract that must be signed by the student, the parent, and a representative of the school district and the applicable Florida College System institution partner, state university, or any other eligible postsecondary institution partner participating pursuant to subsection (4) (5). The performance contract must, at a minimum, specify include 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).

(5) 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.

(6) 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 to the Governor, the President of the
Senate, and the Speaker of the House of Representatives the
status of early college programs, including, at a minimum, a
summary of student enrollment in public and private
Section 3. Paragraphs (i) and (n) of subsection (1) and subsections (16) and (17) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as 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 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 an early college 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 “C” or better. For students who are not
enrolled in an early college program, 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 “C” or better. In
addition, a value of 0.3 full-time equivalent student membership
shall be 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
full-time 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).

(n) Calculation of additional full-time equivalent
membership based on college board advanced placement scores of
students and earning College Board Advanced Placement Capstone Diplomas.—A value of 0.16 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives a College Board Advanced Placement Capstone Diploma and meets the requirements for a standard high school diploma under s. 1003.4282. This value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of $500 to each Advanced Placement teacher in a school designated with a grade of “D” or “F” who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.
Bonuses awarded under this paragraph shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of $50 for each student who has a qualifying score.

(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 must develop and submit a detailed plan, which includes the input of school and community
stakeholders and is informed by a needs assessment, 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
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
involved in the student’s care. At a minimum, the plans must
include the following elements:

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 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. School board mental health policies and procedures,
including the following:
a. Universal supports to promote students’ psychological well-being and ensure safe and supportive school 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, to provide intervention services, and to assist students in dealing with trauma and violence.

d. Policies and procedures for responding to a student with suicidal ideation, including risk assessment, guidelines for informing parents of suicide risk, and school board policies for initiating involuntary examination of students with suicide ideation.

e. A school crisis response plan that includes prevention, preparation for, response to, and recovery from a range of crises. The plan should include establishment of district-level and school-level crisis response teams, including, but not limited to, 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) Beginning September 30, 2019, and annually by September 30 thereafter, each school district shall submit to the Department of Education a report on its program outcomes and expenditures for the previous fiscal year. The report must
reflect program outcomes and expenditures for all charter
schools in the district, including charter schools that
submitted a separate plan. The report must that, at a minimum,
must include the number of each of the following:

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 of school social workers, school
   psychologists, and certified school counselors employed by the
   district and the total number of licensed mental health
   professionals employed directly by the district.

6. Contract-based collaborative efforts or partnerships
   with community mental health programs, agencies, or providers.

   (e) The amount of mental health assistance allocation funds
   appropriated subsequent to the 2019-2020 fiscal year that are in
   excess of the amount appropriated in the 2019-2020 fiscal year
   shall be used exclusively to fund additional providers of
   school-based mental health services.

   (17) FUNDING COMPRESSION ALLOCATION.—The Legislature may
   provide an annual funding compression allocation in the General
   Appropriations Act. The allocation is created to provide
   additional funding to school districts and developmental
research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district’s total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district’s share. This subsection expires July 1, 2020.

Section 4. Paragraph (c) of subsection (10) of section 1003.4282, 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 a collegiate high school program, courses necessary to satisfy the Scholar designation...
requisitions, 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 5. This act shall take effect July 1, 2020.