

1 A bill to be entitled
2 An act relating to education funding; amending s.
3 1002.37, F.S.; revising provisions relating to the
4 calculation for determining the amount of state funds
5 received by the Florida Virtual School for operating
6 purposes; amending s. 1002.45, F.S.; revising the
7 requirements for school districts providing virtual
8 instruction programs; requiring each school district
9 to annually report certain information to the
10 Department of Education by a specified date; requiring
11 a school district to limit the enrollment of certain
12 students in the virtual instruction program; providing
13 applicability; requiring a school district to report
14 full-time equivalent students for a virtual
15 instruction program or virtual charter school to the
16 department; amending s. 1011.62, F.S.; removing a
17 requirement that certain school districts use a low-
18 performing school's portion of the supplemental
19 academic instruction allocation to provide an
20 additional hour of intensive reading per day; removing
21 provisions relating to the allocation of funding to
22 school districts with a decline in full-time
23 equivalent students; removing provisions relating to
24 the virtual education contribution; amending s.
25 1012.22, F.S.; removing an obsolete date; revising

26 provisions relating to the annual increase made to the
27 minimum base salary of certain public school
28 employees; requiring school districts to use a portion
29 of their nonenrollment allocation from the federal
30 Elementary and Secondary School Emergency Relief Fund
31 for a specified purpose; defining the term
32 "unaccounted student"; requiring each school district
33 to establish a multiagency workgroup for a specified
34 purpose; requiring a school district to initiate a
35 truancy petition under certain circumstances;
36 requiring each school district to annually submit a
37 report to the department by a specified date;
38 providing for future expiration; requiring that school
39 districts use a portion of their academic acceleration
40 allocation from the federal Elementary and Secondary
41 Education Emergency Relief Fund for a specified
42 purpose; providing certain requirements for school
43 districts; requiring the department to submit a status
44 report to the Governor and Legislature by a specified
45 date; providing for future expiration; amending ss.
46 1001.215, 1003.52, 1003.621, 1006.12, 1008.345,
47 1011.71, and 1012.584, F.S.; conforming cross-
48 references; providing an effective date.

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

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Section 1. Paragraphs (f), (g), and (h) of subsection (3) of section 1002.37, Florida Statutes, are amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

~~(f) The Florida Virtual School shall receive funds for operating purposes in an amount determined as follows: multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the state; divide the result by the total full-time equivalent membership of the state; and multiply the result by the full-time equivalent membership of the school. The amount thus obtained shall be discretionary operating funds and shall be appropriated from state funds in the General Appropriations Act.~~

(f)(g) The Florida Virtual School shall receive additional state funds for operating purposes as may be provided in the General Appropriations Act. The calculation to determine the amount of state funds includes: the sum of the base Florida Education Finance Program funding, the state-funded discretionary contribution and a per-full-time equivalent share of the discretionary millage compression supplement, the exceptional student education guaranteed allocation, the

76 instructional materials allocation, the research-based reading
77 instruction allocation, the mental health assistance allocation,
78 and the teacher salary increase allocation. For the purpose of
79 calculating the state-funded discretionary contribution,
80 multiply the maximum allowable nonvoted discretionary millage
81 for operations pursuant to s. 1011.71(1) and (3) by the value of
82 96 percent of the current year's taxable value for school
83 purposes for the state; divide the result by the total full-time
84 equivalent membership of the state; and multiply the result by
85 the full-time equivalent membership of the school. ~~; however,~~
86 ~~such~~ Funds may not be provided for the purpose of fulfilling the
87 class size requirements in ss. 1003.03 and 1011.685.

88 (g) ~~(h)~~ In addition to the funds provided in the General
89 Appropriations Act, the Florida Virtual School may receive other
90 funds from grants and donations.

91 Section 2. Paragraphs (b) through (e) of subsection (1)
92 and paragraphs (a), (e), and (f) of subsection (7) of section
93 1002.45, Florida Statutes, are amended to read:

94 1002.45 Virtual instruction programs.—

95 (1) PROGRAM.—

96 (b) Each school district ~~that is eligible for the sparsity~~
97 ~~supplement pursuant to s. 1011.62(7)(a) and (b) shall provide~~
98 ~~all enrolled public school students within its boundaries the~~
99 ~~option of participating in part-time and full-time virtual~~
100 ~~instruction programs. Each school district that is not eligible~~

101 ~~for the sparsity supplement pursuant to s. 1011.62(7)(a) and (b)~~
102 shall provide at least one option ~~three options~~ for part-time
103 and full-time virtual instruction for students within the school
104 district. All school districts must provide parents with timely
105 written notification of at least one open enrollment period for
106 full-time students of 90 days or more which ends 30 days before
107 the first day of the school year. The purpose of the program is
108 to make quality virtual instruction available to students using
109 online and distance learning technology in the nontraditional
110 classroom. A school district virtual instruction program shall
111 consist of the following:

- 112 1. Full-time and part-time virtual instruction for
113 students enrolled in kindergarten through grade 12.
- 114 2. Full-time or part-time virtual instruction for students
115 enrolled in dropout prevention and academic intervention
116 programs under s. 1003.53, Department of Juvenile Justice
117 education programs under s. 1003.52, core-curricula courses to
118 meet class size requirements under s. 1003.03, or Florida
119 College System institutions under this section.

120 (c) To provide students with the option of participating
121 in virtual instruction programs as required by paragraph (b), a
122 school district may:

- 123 1. Contract with the Florida Virtual School or establish a
124 franchise of the Florida Virtual School for the provision of a
125 program under paragraph (b). Using this option is subject to the

126 requirements of this section and s. 1011.61(1)(c)1.b.(III) and
127 (IV) and (4). A district may report full-time equivalent student
128 membership for credit earned by a student who is enrolled in a
129 virtual education course provided by the district which was
130 completed after the end of the regular school year if the FTE is
131 reported no later than the deadline for amending the final
132 student membership report for that year.

133 2. Contract with an approved provider under subsection (2)
134 for the provision of a full-time or part-time program under
135 paragraph (b).

136 3. Enter into an agreement with other school districts to
137 allow the participation of its students in an approved virtual
138 instruction program provided by the other school district. The
139 agreement must indicate a process for the transfer of funds
140 required by paragraph (7)(a) ~~(7)(e)~~.

141 4. Establish school district operated part-time or full-
142 time kindergarten through grade 12 virtual instruction programs
143 under paragraph (b) for students enrolled in the school
144 district. A full-time program shall operate under its own Master
145 School Identification Number.

146 5. Enter into an agreement with a virtual charter school
147 authorized by the school district under s. 1002.33.

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149 Contracts under subparagraph 1. or subparagraph 2. may include
150 multidistrict contractual arrangements that may be executed by a

151 regional consortium for its member districts. A multidistrict
152 contractual arrangement or an agreement under subparagraph 3. is
153 not subject to s. 1001.42(4)(d) and does not require the
154 participating school districts to be contiguous. These
155 arrangements may be used to fulfill the requirements of
156 paragraph (b).

157 (d) A virtual charter school may provide full-time virtual
158 instruction for students in kindergarten through grade 12 if the
159 virtual charter school has a charter approved pursuant to s.
160 1002.33 authorizing full-time virtual instruction. A virtual
161 charter school may:

- 162 1. Contract with the Florida Virtual School.
- 163 2. Contract with an approved provider under subsection
164 (2).
- 165 3. Enter into an agreement with a school district to allow
166 the participation of the virtual charter school's students in
167 the school district's virtual instruction program. The agreement
168 must indicate a process for reporting of student enrollment and
169 the transfer of funds required by paragraph (7)(a) ~~(7)(e)~~.

170 (e) Each school district shall:

- 171 1. Provide to the department by each October 1, a copy of
172 each contract and the amounts paid per unweighted full-time
173 equivalent student for services procured pursuant to
174 subparagraphs (c)1. and 2.
- 175 2. Expend the difference in funds provided for a student

176 participating in the school district virtual instruction program
177 pursuant to subsection (7) and the price paid for acquiring
178 computer and device hardware and associated operating system
179 software that comply with the requirements of s.
180 1001.20(4)(a)1.b. and by September 1 of each year report to the
181 department an itemized list of items acquired with these funds
182 ~~contracted services procured pursuant to subparagraphs (c)1. and~~
183 ~~2. for implementation of the school district's digital~~
184 ~~classrooms plan pursuant to s. 1011.62.~~

185 3. Limit the enrollment of virtual full-time equivalent
186 students residing outside of the school district providing the
187 virtual instruction pursuant to paragraph (c) to no more than 50
188 percent of the total enrolled virtual full-time equivalent
189 students residing inside the school district providing the
190 virtual instruction. This subparagraph applies to any virtual
191 instruction contract or agreement that is entered into for the
192 first time after June 30, 2021. However, a school district may
193 not enroll more virtual full-time equivalent students residing
194 outside of the school district than the total number of reported
195 full-time equivalent students residing inside the school
196 district ~~At the end of each fiscal year, but no later than~~
197 ~~September 1, report to the department an itemized list of the~~
198 ~~technological tools purchased with these funds.~~

199 (7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL
200 FUNDING.—

201 (a) Students enrolled in a virtual instruction program or
202 a virtual charter school shall be funded through the Florida
203 Education Finance Program as provided in the General
204 Appropriations Act. However, such funds may not be provided for
205 the purpose of fulfilling the class size requirements in ss.
206 1003.03 and 1011.685. The school district providing the virtual
207 instruction shall report the full-time equivalent students for a
208 virtual instruction program or a virtual charter school to the
209 department in a manner prescribed by the department.

210 ~~(e) The school district providing virtual instruction~~
211 ~~shall report full-time equivalent students for a virtual~~
212 ~~instruction program or a virtual charter school to the~~
213 ~~department in a manner prescribed by the department, and funding~~
214 ~~shall be provided through the Florida Education Finance Program.~~

215 (e)(f) A Florida College System institution provider may
216 not report students who are served in a virtual instruction
217 program for funding under the Florida College System Program
218 Fund.

219 Section 3. Subsections (9) and (10) of section 1011.62,
220 Florida Statutes, are renumbered as subsection (8) and (9),
221 respectively, and subsections (12) through (21) are renumbered
222 as subsections (10) through (19), respectively, paragraph (f) of
223 subsection (1), paragraph (a) of subsection (4), paragraphs (b)
224 and (d) of subsection (6), and subsections (8), (11), and (14)
225 of section 1011.62, Florida Statutes, are amended to read:

226 1011.62 Funds for operation of schools.—If the annual
227 allocation from the Florida Education Finance Program to each
228 district for operation of schools is not determined in the
229 annual appropriations act or the substantive bill implementing
230 the annual appropriations act, it shall be determined as
231 follows:

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

236 (f) Supplemental academic instruction allocation.—

237 1. There is created the supplemental academic instruction
238 allocation to provide supplemental academic instruction to
239 students in kindergarten through grade 12.

240 2. The supplemental academic instruction allocation shall
241 be provided annually in the Florida Education Finance Program as
242 specified in the General Appropriations Act. These funds are in
243 addition to the funds appropriated on the basis of FTE student
244 membership in the Florida Education Finance Program and shall be
245 included in the total potential funds of each district.

246 Beginning with the 2018-2019 fiscal year, each school district
247 that has a school earning a grade of "D" or "F" pursuant to s.
248 1008.34 must use that school's portion of the supplemental
249 academic instruction allocation to implement intervention and
250 support strategies for school improvement pursuant to s. 1008.33

251 and for salary incentives pursuant to s. 1012.2315(3) or salary
252 supplements pursuant to s. 1012.22(1)(c)5.c. that are provided
253 through a memorandum of understanding between the collective
254 bargaining agent and the school board that addresses the
255 selection, placement, and expectations of instructional
256 personnel and school administrators. ~~Each school district that~~
257 ~~has one or more of the 300 lowest-performing elementary schools~~
258 ~~based on a 3-year average of the state reading assessment data~~
259 ~~must use that school's portion of the allocation to provide an~~
260 ~~additional hour per day of intensive reading for the students in~~
261 ~~the school. The additional hour may be provided within the~~
262 ~~school day. Students enrolled in these schools who earned a~~
263 ~~level 4 or level 5 score on the statewide, standardized English~~
264 ~~Language Arts assessment for the previous school year may~~
265 ~~participate in the extra hour of instruction.~~ For all other
266 schools, the school district's use of the supplemental academic
267 instruction allocation may include, but is not limited to, the
268 use of a modified curriculum, reading instruction, after-school
269 instruction, tutoring, mentoring, a reduction in class size,
270 extended school year, intensive skills development in summer
271 school, dropout prevention programs as defined in ss. 1003.52
272 and 1003.53(1)(a), (b), and (c), and other methods of improving
273 student achievement. Supplemental academic instruction may be
274 provided to a student in any manner and at any time during or
275 beyond the regular 180-day term identified by the school as

276 | being the most effective and efficient way to best help that
277 | student progress from grade to grade and to graduate.

278 | 3. The supplemental academic instruction allocation shall
279 | consist of a base amount that has a workload adjustment based on
280 | changes in unweighted FTE. The supplemental academic instruction
281 | allocation shall be recalculated during the fiscal year. Upon
282 | recalculation of funding for the supplemental academic
283 | instruction allocation, if the total allocation is greater than
284 | the amount provided in the General Appropriations Act, the
285 | allocation shall be prorated to the level provided to support
286 | the appropriation, based on each district's share of the total.

287 | 4. Funding on the basis of FTE membership beyond the 180-
288 | day regular term shall be provided in the FEFP only for students
289 | enrolled in juvenile justice education programs or in education
290 | programs for juveniles placed in secure facilities or programs
291 | under s. 985.19. Funding for instruction beyond the regular 180-
292 | day school year for all other K-12 students shall be provided
293 | through the supplemental academic instruction allocation and
294 | other state, federal, and local fund sources with ample
295 | flexibility for schools to provide supplemental instruction to
296 | assist students in progressing from grade to grade and
297 | graduating.

298 | (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
299 | Legislature shall prescribe the aggregate required local effort
300 | for all school districts collectively as an item in the General

301 Appropriations Act for each fiscal year. The amount that each
302 district shall provide annually toward the cost of the Florida
303 Education Finance Program for kindergarten through grade 12
304 programs shall be calculated as follows:

305 (a) Estimated taxable value calculations.—

306 1.a. Not later than 2 working days before July 19, the
307 Department of Revenue shall certify to the Commissioner of
308 Education its most recent estimate of the taxable value for
309 school purposes in each school district and the total for all
310 school districts in the state for the current calendar year
311 based on the latest available data obtained from the local
312 property appraisers. The value certified shall be the taxable
313 value for school purposes for that year, and no further
314 adjustments shall be made, except those made pursuant to
315 paragraphs (c) and (d), or an assessment roll change required by
316 final judicial decisions as specified in paragraph (17) (b)
317 ~~(19) (b)~~. Not later than July 19, the Commissioner of Education
318 shall compute a millage rate, rounded to the next highest one
319 one-thousandth of a mill, which, when applied to 96 percent of
320 the estimated state total taxable value for school purposes,
321 would generate the prescribed aggregate required local effort
322 for that year for all districts. The Commissioner of Education
323 shall certify to each district school board the millage rate,
324 computed as prescribed in this subparagraph, as the minimum
325 millage rate necessary to provide the district required local

326 effort for that year.

327 b. The General Appropriations Act shall direct the
 328 computation of the statewide adjusted aggregate amount for
 329 required local effort for all school districts collectively from
 330 ad valorem taxes to ensure that no school district's revenue
 331 from required local effort millage will produce more than 90
 332 percent of the district's total Florida Education Finance
 333 Program calculation as calculated and adopted by the
 334 Legislature, and the adjustment of the required local effort
 335 millage rate of each district that produces more than 90 percent
 336 of its total Florida Education Finance Program entitlement to a
 337 level that will produce only 90 percent of its total Florida
 338 Education Finance Program entitlement in the July calculation.

339 2. On the same date as the certification in sub-
 340 subparagraph 1.a., the Department of Revenue shall certify to
 341 the Commissioner of Education for each district:

342 a. Each year for which the property appraiser has
 343 certified the taxable value pursuant to s. 193.122(2) or (3), if
 344 applicable, since the prior certification under sub-subparagraph
 345 1.a.

346 b. For each year identified in sub-subparagraph a., the
 347 taxable value certified by the appraiser pursuant to s.
 348 193.122(2) or (3), if applicable, since the prior certification
 349 under sub-subparagraph 1.a. This is the certification that
 350 reflects all final administrative actions of the value

351 adjustment board.

352 (6) CATEGORICAL FUNDS.—

353 (b) If a district school board finds and declares in a
354 resolution adopted at a regular meeting of the school board that
355 the funds received for any of the following categorical
356 appropriations are urgently needed to maintain school board
357 specified academic classroom instruction or improve school
358 safety, the school board may consider and approve an amendment
359 to the school district operating budget transferring the
360 identified amount of the categorical funds to the appropriate
361 account for expenditure:

362 1. Funds for student transportation.

363 2. Funds for research-based reading instruction if the
364 required additional hour of instruction beyond the normal school
365 day for each day of the entire school year has been provided for
366 the students in each low-performing elementary school in the
367 district pursuant to paragraph (8) (a) ~~(9) (a)~~.

368 3. Funds for instructional materials if all instructional
369 material purchases necessary to provide updated materials that
370 are aligned with applicable state standards and course
371 descriptions and that meet statutory requirements of content and
372 learning have been completed for that fiscal year, but no sooner
373 than March 1. Funds available after March 1 may be used to
374 purchase hardware for student instruction.

375 4. Funds for the guaranteed allocation as provided in

376 subparagraph (1) (e) 2.

377 5. Funds for the supplemental academic instruction
378 allocation as provided in paragraph (1) (f).

379 6. Funds for the Florida digital classrooms allocation as
380 provided in subsection (10) ~~(12)~~.

381 7. Funds for the federally connected student supplement as
382 provided in subsection (11) ~~(13)~~.

383 8. Funds for class size reduction as provided in s.
384 1011.685.

385 (d) If a district school board transfers funds from its
386 research-based reading instruction allocation, the board must
387 also submit to the Department of Education an amendment
388 describing the changes that the district is making to its
389 reading plan approved pursuant to paragraph (8) (d) ~~(9) (d)~~.

390 ~~(8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—~~

391 ~~(a) In those districts where there is a decline between~~
392 ~~prior year and current year unweighted FTE students, a~~
393 ~~percentage of the decline in the unweighted FTE students as~~
394 ~~determined by the Legislature shall be multiplied by the prior~~
395 ~~year calculated FEFP per unweighted FTE student and shall be~~
396 ~~added to the allocation for that district. For this purpose, the~~
397 ~~calculated FEFP shall be computed by multiplying the weighted~~
398 ~~FTE students by the base student allocation and then by the~~
399 ~~district cost differential. If a district transfers a program to~~
400 ~~another institution not under the authority of the district's~~

401 ~~school board, including a charter technical career center, the~~
402 ~~decline is to be multiplied by a factor of 0.15. However, if the~~
403 ~~funds provided for the Florida Education Finance Program in the~~
404 ~~General Appropriations Act for any fiscal year are reduced by a~~
405 ~~subsequent appropriation for that fiscal year, the percent of~~
406 ~~the decline in the unweighted FTE students to be funded shall be~~
407 ~~determined by the Legislature and designated in the subsequent~~
408 ~~appropriation.~~

409 ~~(b) The allocation authorized in paragraph (a) is~~
410 ~~suspended for the 2020-2021 fiscal year and does not apply~~
411 ~~during such fiscal year. This paragraph expires July 1, 2021.~~

412 ~~(11) VIRTUAL EDUCATION CONTRIBUTION. The Legislature may~~
413 ~~annually provide in the Florida Education Finance Program a~~
414 ~~virtual education contribution. The amount of the virtual~~
415 ~~education contribution shall be the difference between the~~
416 ~~amount per FTE established in the General Appropriations Act for~~
417 ~~virtual education and the amount per FTE for each district and~~
418 ~~the Florida Virtual School, which may be calculated by taking~~
419 ~~the sum of the base FEFP allocation, the discretionary local~~
420 ~~effort, the state-funded discretionary contribution, the~~
421 ~~discretionary millage compression supplement, the research-based~~
422 ~~reading instruction allocation, the teacher salary increase~~
423 ~~allocation, and the instructional materials allocation, and then~~
424 ~~dividing by the total unweighted FTE. This difference shall be~~
425 ~~multiplied by the virtual education unweighted FTE for programs~~

426 | ~~and options identified in s. 1002.455 and the Florida Virtual~~
427 | ~~School and its franchises to equal the virtual education~~
428 | ~~contribution and shall be included as a separate allocation in~~
429 | ~~the funding formula.~~

430 | (12)~~(14)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
431 | annually in the General Appropriations Act determine a
432 | percentage increase in funds per K-12 unweighted FTE as a
433 | minimum guarantee to each school district. The guarantee shall
434 | be calculated from prior year base funding per unweighted FTE
435 | student which shall include the adjusted FTE dollars as provided
436 | in subsection (17) ~~(19)~~, quality guarantee funds, and actual
437 | nonvoted discretionary local effort from taxes. From the base
438 | funding per unweighted FTE, the increase shall be calculated for
439 | the current year. The current year funds from which the
440 | guarantee shall be determined shall include the adjusted FTE
441 | dollars as provided in subsection (17) ~~(19)~~ and potential
442 | nonvoted discretionary local effort from taxes. A comparison of
443 | current year funds per unweighted FTE to prior year funds per
444 | unweighted FTE shall be computed. For those school districts
445 | which have less than the legislatively assigned percentage
446 | increase, funds shall be provided to guarantee the assigned
447 | percentage increase in funds per unweighted FTE student. Should
448 | appropriated funds be less than the sum of this calculated
449 | amount for all districts, the commissioner shall prorate each
450 | district's allocation. This provision shall be implemented to

451 the extent specifically funded.

452 Section 4. Paragraph (c) of subsection (1) of section
453 1012.22, Florida Statutes, is amended to read:

454 1012.22 Public school personnel; powers and duties of the
455 district school board.—The district school board shall:

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

461 (c) Compensation and salary schedules.—

462 1. Definitions.—As used in this paragraph:

463 a. "Adjustment" means an addition to the base salary
464 schedule that is not a bonus and becomes part of the employee's
465 permanent base salary and shall be considered compensation under
466 s. 121.021(22).

467 b. "Grandfathered salary schedule" means the salary
468 schedule or schedules adopted by a district school board before
469 July 1, 2014, pursuant to subparagraph 4.

470 c. "Instructional personnel" means instructional personnel
471 as defined in s. 1012.01(2)(a)-(d), excluding substitute
472 teachers.

473 d. "Performance salary schedule" means the salary schedule
474 or schedules adopted by a district school board pursuant to
475 subparagraph 5.

476 e. "Salary schedule" means the schedule or schedules used
 477 to provide the base salary for district school board personnel.

478 f. "School administrator" means a school administrator as
 479 defined in s. 1012.01(3)(c).

480 g. "Supplement" means an annual addition to the base
 481 salary for the term of the negotiated supplement as long as the
 482 employee continues his or her employment for the purpose of the
 483 supplement. A supplement does not become part of the employee's
 484 continuing base salary but shall be considered compensation
 485 under s. 121.021(22).

486 2. Cost-of-living adjustment.—A district school board may
 487 provide a cost-of-living salary adjustment if the adjustment:

488 a. Does not discriminate among comparable classes of
 489 employees based upon the salary schedule under which they are
 490 compensated.

491 b. Does not exceed 50 percent of the annual adjustment
 492 provided to instructional personnel rated as effective.

493 3. Advanced degrees.—A district school board may not use
 494 advanced degrees in setting a salary schedule for instructional
 495 personnel or school administrators hired on or after July 1,
 496 2011, unless the advanced degree is held in the individual's
 497 area of certification and is only a salary supplement.

498 4. Grandfathered salary schedule.—

499 a. The district school board shall adopt a salary schedule
 500 or salary schedules to be used as the basis for paying all

501 school employees hired before July 1, 2014. Instructional
502 personnel on annual contract as of July 1, 2014, shall be placed
503 on the performance salary schedule adopted under subparagraph 5.
504 Instructional personnel on continuing contract or professional
505 service contract may opt into the performance salary schedule if
506 the employee relinquishes such contract and agrees to be
507 employed on an annual contract under s. 1012.335. Such an
508 employee shall be placed on the performance salary schedule and
509 may not return to continuing contract or professional service
510 contract status. Any employee who opts into the performance
511 salary schedule may not return to the grandfathered salary
512 schedule.

513 b. In determining the grandfathered salary schedule for
514 instructional personnel, a district school board must base a
515 portion of each employee's compensation upon performance
516 demonstrated under s. 1012.34 and shall provide differentiated
517 pay for both instructional personnel and school administrators
518 based upon district-determined factors, including, but not
519 limited to, additional responsibilities, school demographics,
520 critical shortage areas, and level of job performance
521 difficulties.

522 5. Performance salary schedule.—By July 1, 2014, the
523 district school board shall adopt a performance salary schedule
524 that provides annual salary adjustments for instructional
525 personnel and school administrators based upon performance

526 | determined under s. 1012.34. Employees hired on or after July 1,
527 | 2014, or employees who choose to move from the grandfathered
528 | salary schedule to the performance salary schedule shall be
529 | compensated pursuant to the performance salary schedule once
530 | they have received the appropriate performance evaluation for
531 | this purpose.

532 | a. Base salary.—The base salary shall be established as
533 | follows:

534 | (I) The base salary for instructional personnel or school
535 | administrators who opt into the performance salary schedule
536 | shall be the salary paid in the prior year, including
537 | adjustments only.

538 | (II) ~~Beginning July 1, 2014,~~ Instructional personnel or
539 | school administrators new to the district, returning to the
540 | district after a break in service without an authorized leave of
541 | absence, or appointed for the first time to a position in the
542 | district in the capacity of instructional personnel or school
543 | administrator shall be placed on the performance salary
544 | schedule. Beginning July 1, 2021, and until such time as the
545 | minimum base salary as defined in s. 1011.62(16), equals or
546 | exceeds \$47,500, the annual increase to the minimum base salary
547 | shall not be less than 150 percent of the largest adjustment
548 | made to the salary of an employee on the grandfathered salary
549 | schedule. Thereafter, the annual increase to the minimum base
550 | salary shall not be less than 75 percent of the largest

551 adjustment for an employee on the grandfathered salary schedule.

552 b. Salary adjustments.—Salary adjustments for highly
553 effective or effective performance shall be established as
554 follows:

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

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

565 (III) A ~~The performance~~ salary schedule shall not provide
566 an annual salary adjustment for an employee who receives a
567 rating other than highly effective or effective for the year.

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

572 (I) Assignment to a Title I eligible school.

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

576 improved performance in that school.

577 (III) Certification and teaching in critical teacher
578 shortage areas. Statewide critical teacher shortage areas shall
579 be identified by the State Board of Education under s. 1012.07.
580 However, the district school board may identify other areas of
581 critical shortage within the school district for purposes of
582 this sub-sub-subparagraph and may remove areas identified by the
583 state board which do not apply within the school district.

584 (IV) Assignment of additional academic responsibilities.

585

586 If budget constraints in any given year limit a district school
587 board's ability to fully fund all adopted salary schedules, the
588 performance salary schedule shall not be reduced on the basis of
589 total cost or the value of individual awards in a manner that is
590 proportionally greater than reductions to any other salary
591 schedules adopted by the district.

592 Section 5. (1) Each school district shall use a portion
593 of its nonenrollment allocation from the federal Elementary and
594 Secondary School Emergency Relief Fund as provided in the 2021-
595 2022 General Appropriations Act to locate unaccounted students
596 within the school district. For purposes of this section, the
597 term "unaccounted student" means a student who:

598 (a) Was enrolled in a district or charter school in the
599 2019-2020 academic year but was not counted in either the
600 October 2020 full-time equivalent student membership survey or

601 the February 2021 full-time equivalent student membership survey
602 and for whom the school district or charter school does not have
603 a record of the student's withdrawal from the district or
604 charter school; or

605 (b) Completed enrollment at a district or charter school
606 for the 2020-2021 academic year but was not counted in either
607 the October 2020 full-time equivalent student membership survey
608 or the February 2021 full-time equivalent student membership
609 survey and for whom the school district or charter school does
610 not have record of the student delaying enrollment until the
611 2021-2022 academic year.

612 (2) Each school district shall establish a multiagency
613 workgroup comprised of local and state agencies, including, but
614 not limited to, district school personnel; law enforcement; the
615 state attorney's office; and staff from the Department of
616 Children and Families, the Department of Juvenile Justice, and
617 the Department of Health for the purpose of locating and
618 determining the well-being of the unaccounted students. Once an
619 unaccounted student is located, if the student's parent or
620 caregiver continues to prohibit or facilitate his or her child's
621 access to education, the school district shall initiate a
622 truancy petition pursuant to s. 984.151, Florida Statutes.

623 (3) By September 1, 2021, each school district shall
624 submit a report to the Department of Education that identifies
625 the total number of unaccounted students and their status.

626 (4) This section expires July 1, 2022.

627 Section 6. (1) Each school district shall use a portion
628 of its academic acceleration allocation from the federal
629 Elementary and Secondary Education Emergency Relief Fund as
630 provided in the 2021-2022 General Appropriations Act to
631 remediate the learning loss among kindergarten through grade 12
632 students, including, but not limited to, students with
633 disabilities, students experiencing homelessness, students who
634 attended virtual classes or classes offered through an online
635 learning environment during the 2020-2021 school year, and
636 children and youth in foster care.

637 (2) Each school district shall:

638 (a) Use pre-assessments and post-assessments that are
639 valid and reliable and have been approved by the Department of
640 Education to assess students' academic progress and assist
641 classroom teachers in meeting the students' academic needs
642 through differentiating instruction;

643 (b) Implement evidence-based interventions to meet the
644 comprehensive needs of students by using in classroom
645 instruction both during and outside of the regular school day
646 and year;

647 (c) Use classroom teachers who have received professional
648 development on the use of a multi-tiered system of supports; and

649 (d) Provide information and assistance to parents on how
650 they can effectively support students.

651 (3) By February 1, 2022, the Department of Education shall
 652 submit a status report to the Office of Policy and Budget in the
 653 Executive Office of the Governor and the chairs of the Senate
 654 and the House of Representatives appropriations committees
 655 regarding the effectiveness of the evidence-based intervention
 656 strategies implemented by school districts using the pre-
 657 assessment and post-assessment data submitted by school
 658 districts and charter schools.

659 (4) This section expires on July 1, 2022.

660 Section 7. Subsections (6) and (7) of section 1001.215,
 661 Florida Statutes, are amended to read:

662 1001.215 Just Read, Florida! Office.—There is created in
 663 the Department of Education the Just Read, Florida! Office. The
 664 office is fully accountable to the Commissioner of Education and
 665 shall:

666 (6) Provide technical assistance to school districts in
 667 the development and implementation of district plans for use of
 668 the research-based reading instruction allocation provided in s.
 669 1011.62(8) ~~s. 1011.62(9)~~ and annually review and approve such
 670 plans.

671 (7) Review, evaluate, and provide technical assistance to
 672 school districts' implementation of the K-12 comprehensive
 673 reading plan required in s. 1011.62(8) ~~s. 1011.62(9)~~.

674 Section 8. Paragraph (a) of subsection (13) of section
 675 1003.52, Florida Statutes, is amended to read:

676 1003.52 Educational services in Department of Juvenile
 677 Justice programs.—

678 (13) (a) Funding for eligible students enrolled in juvenile
 679 justice education programs shall be provided through the Florida
 680 Education Finance Program as provided in s. 1011.62 and the
 681 General Appropriations Act. Funding shall include, at a minimum:

682 1. Weighted program funding or the basic amount for
 683 current operation multiplied by the district cost differential
 684 as provided in s. 1011.62(2);

685 2. The supplemental allocation for juvenile justice
 686 education as provided in s. 1011.62(9) ~~s. 1011.62(10)~~;

687 3. A proportionate share of the district's exceptional
 688 student education guaranteed allocation, the supplemental
 689 academic instruction allocation, and the instructional materials
 690 allocation;

691 4. An amount equivalent to the proportionate share of the
 692 state average potential discretionary local effort for
 693 operations, which shall be determined as follows:

694 a. If the district levies the maximum discretionary local
 695 effort and the district's discretionary local effort per FTE is
 696 less than the state average potential discretionary local effort
 697 per FTE, the proportionate share shall include both the
 698 discretionary local effort and the compression supplement per
 699 FTE. If the district's discretionary local effort per FTE is
 700 greater than the state average per FTE, the proportionate share

701 shall be equal to the state average; or

702 b. If the district does not levy the maximum discretionary
 703 local effort and the district's actual discretionary local
 704 effort per FTE is less than the state average potential
 705 discretionary local effort per FTE, the proportionate share
 706 shall be equal to the district's actual discretionary local
 707 effort per FTE. If the district's actual discretionary local
 708 effort per FTE is greater than the state average per FTE, the
 709 proportionate share shall be equal to the state average
 710 potential local effort per FTE; and

711 5. A proportionate share of the district's proration to
 712 funds available, if necessary.

713 Section 9. Paragraph (g) of subsection (2) of section
 714 1003.621, Florida Statutes, is amended to read:

715 1003.621 Academically high-performing school districts.—It
 716 is the intent of the Legislature to recognize and reward school
 717 districts that demonstrate the ability to consistently maintain
 718 or improve their high-performing status. The purpose of this
 719 section is to provide high-performing school districts with
 720 flexibility in meeting the specific requirements in statute and
 721 rules of the State Board of Education.

722 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
 723 high-performing school district shall comply with all of the
 724 provisions in chapters 1000-1013, and rules of the State Board
 725 of Education which implement these provisions, pertaining to the

726 following:

727 (g) Those statutes pertaining to planning and budgeting,
728 including chapter 1011, except s. 1011.62(8)(d) ~~s.~~
729 ~~1011.62(9)(d)~~, relating to the requirement for a comprehensive
730 reading plan. A district that is exempt from submitting this
731 plan shall be deemed approved to receive the research-based
732 reading instruction allocation.

733 Section 10. Section 1006.12, Florida Statutes, is amended
734 to read:

735 1006.12 Safe-school officers at each public school.—For
736 the protection and safety of school personnel, property,
737 students, and visitors, each district school board and school
738 district superintendent shall partner with law enforcement
739 agencies or security agencies to establish or assign one or more
740 safe-school officers at each school facility within the
741 district, including charter schools. A district school board
742 must collaborate with charter school governing boards to
743 facilitate charter school access to all safe-school officer
744 options available under this section. The school district may
745 implement any combination of the options in subsections (1)–(4)
746 to best meet the needs of the school district and charter
747 schools.

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

751 (a) School resource officers shall undergo criminal
752 background checks, drug testing, and a psychological evaluation
753 and be certified law enforcement officers, as defined in s.
754 943.10(1), who are employed by a law enforcement agency as
755 defined in s. 943.10(4). The powers and duties of a law
756 enforcement officer shall continue throughout the employee's
757 tenure as a school resource officer.

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

767 (c) Complete mental health crisis intervention training
768 using a curriculum developed by a national organization with
769 expertise in mental health crisis intervention. The training
770 shall improve officers' knowledge and skills as first responders
771 to incidents involving students with emotional disturbance or
772 mental illness, including de-escalation skills to ensure student
773 and officer safety.

774 (2) SCHOOL SAFETY OFFICER.—A school district may
775 commission one or more school safety officers for the protection

776 and safety of school personnel, property, and students within
777 the school district. The district school superintendent may
778 recommend, and the district school board may appoint, one or
779 more school safety officers.

780 (a) School safety officers shall undergo criminal
781 background checks, drug testing, and a psychological evaluation
782 and be law enforcement officers, as defined in s. 943.10(1),
783 certified under the provisions of chapter 943 and employed by
784 either a law enforcement agency or by the district school board.
785 If the officer is employed by the district school board, the
786 district school board is the employing agency for purposes of
787 chapter 943, and must comply with the provisions of that
788 chapter.

789 (b) A school safety officer has and shall exercise the
790 power to make arrests for violations of law on district school
791 board property and to arrest persons, whether on or off such
792 property, who violate any law on such property under the same
793 conditions that deputy sheriffs are authorized to make arrests.
794 A school safety officer has the authority to carry weapons when
795 performing his or her official duties.

796 (c) A district school board may enter into mutual aid
797 agreements with one or more law enforcement agencies as provided
798 in chapter 23. A school safety officer's salary may be paid
799 jointly by the district school board and the law enforcement
800 agency, as mutually agreed to.

801 (3) SCHOOL GUARDIAN.—At the school district's or the
802 charter school governing board's discretion, as applicable,
803 pursuant to s. 30.15, a school district or charter school
804 governing board may participate in the Coach Aaron Feis Guardian
805 Program to meet the requirement of establishing a safe-school
806 officer. The following individuals may serve as a school
807 guardian, in support of school-sanctioned activities for
808 purposes of s. 790.115, upon satisfactory completion of the
809 requirements under s. 30.15(1)(k) and certification by a
810 sheriff:

811 (a) A school district employee or personnel, as defined
812 under s. 1012.01, or a charter school employee, as provided
813 under s. 1002.33(12)(a), who volunteers to serve as a school
814 guardian in addition to his or her official job duties; or

815 (b) An employee of a school district or a charter school
816 who is hired for the specific purpose of serving as a school
817 guardian.

818 (4) SCHOOL SECURITY GUARD.—A school district or charter
819 school governing board may contract with a security agency as
820 defined in s. 493.6101(18) to employ as a school security guard
821 an individual who holds a Class "D" and Class "G" license
822 pursuant to chapter 493, provided the following training and
823 contractual conditions are met:

824 (a) An individual who serves as a school security guard,
825 for purposes of satisfying the requirements of this section,

826 must:

827 1. Demonstrate completion of 144 hours of required
828 training pursuant to s. 30.15(1)(k)2.

829 2. Pass a psychological evaluation administered by a
830 psychologist licensed under chapter 490 and designated by the
831 Department of Law Enforcement and submit the results of the
832 evaluation to the sheriff's office, school district, or charter
833 school governing board, as applicable. The Department of Law
834 Enforcement is authorized to provide the sheriff's office,
835 school district, or charter school governing board with mental
836 health and substance abuse data for compliance with this
837 paragraph.

838 3. Submit to and pass an initial drug test and subsequent
839 random drug tests in accordance with the requirements of s.
840 112.0455 and the sheriff's office, school district, or charter
841 school governing board, as applicable.

842 4. Successfully complete ongoing training, weapon
843 inspection, and firearm qualification on at least an annual
844 basis and provide documentation to the sheriff's office, school
845 district, or charter school governing board, as applicable.

846 (b) The contract between a security agency and a school
847 district or a charter school governing board regarding
848 requirements applicable to school security guards serving in the
849 capacity of a safe-school officer for purposes of satisfying the
850 requirements of this section shall define the entity or entities

851 responsible for training and the responsibilities for
852 maintaining records relating to training, inspection, and
853 firearm qualification.

854 (c) School security guards serving in the capacity of a
855 safe-school officer pursuant to this subsection are in support
856 of school-sanctioned activities for purposes of s. 790.115, and
857 must aid in the prevention or abatement of active assailant
858 incidents on school premises.

859 (5) NOTIFICATION.—The school district shall notify the
860 county sheriff and the Office of Safe Schools immediately after,
861 but no later than 72 hours after:

862 (a) A safe-school officer is dismissed for misconduct or
863 is otherwise disciplined.

864 (b) A safe-school officer discharges his or her firearm in
865 the exercise of the safe-school officer's duties, other than for
866 training purposes.

867 (6) EXEMPTION.—Any information that would identify whether
868 a particular individual has been appointed as a safe-school
869 officer pursuant to this section held by a law enforcement
870 agency, school district, or charter school is exempt from s.
871 119.07(1) and s. 24(a), Art. I of the State Constitution. This
872 subsection is subject to the Open Government Sunset Review Act
873 in accordance with s. 119.15 and shall stand repealed on October
874 2, 2023, unless reviewed and saved from repeal through
875 reenactment by the Legislature.

876
877 If a district school board, through its adopted policies,
878 procedures, or actions, denies a charter school access to any
879 safe-school officer options pursuant to this section, the school
880 district must assign a school resource officer or school safety
881 officer to the charter school. Under such circumstances, the
882 charter school's share of the costs of the school resource
883 officer or school safety officer may not exceed the safe school
884 allocation funds provided to the charter school pursuant to s.
885 1011.62(13) ~~s. 1011.62(15)~~ and shall be retained by the school
886 district.

887 Section 11. Paragraph (d) of subsection (5) of section
888 1008.345, Florida Statutes, is amended to read:

889 1008.345 Implementation of state system of school
890 improvement and education accountability.—

891 (5) The commissioner shall annually report to the State
892 Board of Education and the Legislature and recommend changes in
893 state policy necessary to foster school improvement and
894 education accountability. The report shall include:

895 (d) Based upon a review of each school district's reading
896 plan submitted pursuant to s. 1011.62(8) ~~s. 1011.62(9)~~,
897 intervention and support strategies used by school districts
898 that were effective in improving the reading performance of
899 students, as indicated by student performance data, who are
900 identified as having a substantial reading deficiency pursuant

901 to s. 1008.25(5) (a) .

902

903 School reports shall be distributed pursuant to this subsection
 904 and s. 1001.42(18) (c) and according to rules adopted by the
 905 State Board of Education.

906 Section 12. Subsection (1) of section 1011.71, Florida
 907 Statutes, is amended to read:

908 1011.71 District school tax.—

909 (1) If the district school tax is not provided in the
 910 General Appropriations Act or the substantive bill implementing
 911 the General Appropriations Act, each district school board
 912 desiring to participate in the state allocation of funds for
 913 current operation as prescribed by s. 1011.62(17) ~~s. 1011.62(19)~~
 914 shall levy on the taxable value for school purposes of the
 915 district, exclusive of millage voted under s. 9(b) or s. 12,
 916 Art. VII of the State Constitution, a millage rate not to exceed
 917 the amount certified by the commissioner as the minimum millage
 918 rate necessary to provide the district required local effort for
 919 the current year, pursuant to s. 1011.62(4) (a)1. In addition to
 920 the required local effort millage levy, each district school
 921 board may levy a nonvoted current operating discretionary
 922 millage. The Legislature shall prescribe annually in the
 923 appropriations act the maximum amount of millage a district may
 924 levy.

925 Section 13. Subsection (4) of section 1012.584, Florida

926 Statutes, is amended to read:

927 1012.584 Continuing education and inservice training for
928 youth mental health awareness and assistance.—

929 (4) Each school district shall notify all school personnel
930 who have received training pursuant to this section of mental
931 health services that are available in the school district, and
932 the individual to contact if a student needs services. The term
933 "mental health services" includes, but is not limited to,
934 community mental health services, health care providers, and
935 services provided under ss. 1006.04 and 1011.62(14) ~~1011.62(16)~~.

936 Section 14. This act shall take effect July 1, 2021.