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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2025	.	
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The Committee on Education Pre-K - 12 (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (c) is added to subsection (19) of
section 1002.42, Florida Statutes, to read:

1002.42 Private schools.—

(19) FACILITIES.—

(c) A private school located in a county with four
incorporated municipalities may construct new facilities, which



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11 may be temporary or permanent, on property purchased from or
12 owned or leased by a library, community service organization,
13 museum, performing arts venue, theater, cinema, or church under
14 s. 170.201, which is or was actively used as such within 5 years
15 of any executed agreement with a private school; any land owned
16 by a Florida College System institution or university; and any
17 land recently used to house a school or child care facility
18 licensed under s. 402.305, under its preexisting zoning and land
19 use designations without rezoning or obtaining a special
20 exception or a land use change, and without complying with any
21 mitigation requirements or conditions. Any new facility must be
22 located on property used solely for purposes described in this
23 paragraph, and must meet applicable state and local health,
24 safety, and welfare laws, codes, and rules, including firesafety
25 and building safety.

26 Section 2. Paragraph (b) of subsection (5) of section
27 1002.33, Florida Statutes, is amended to read:

28 1002.33 Charter schools.—

29 (5) SPONSOR; DUTIES.—

30 (b) *Sponsor duties.*—

31 1.a. The sponsor shall monitor and review the charter
32 school, using the standard monitoring tool, in its progress
33 toward the goals established in the charter.

34 b. The sponsor shall monitor the revenues and expenditures
35 of the charter school and perform the duties provided in s.
36 1002.345.

37 c. The sponsor may approve a charter for a charter school
38 before the applicant has identified space, equipment, or
39 personnel, if the applicant indicates approval is necessary for



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40 it to raise working funds.

41 d. The sponsor may not apply its policies to a charter
42 school unless mutually agreed to by both the sponsor and the
43 charter school. If the sponsor subsequently amends any agreed-
44 upon sponsor policy, the version of the policy in effect at the
45 time of the execution of the charter, or any subsequent
46 modification thereof, shall remain in effect and the sponsor may
47 not hold the charter school responsible for any provision of a
48 newly revised policy until the revised policy is mutually agreed
49 upon.

50 e. The sponsor shall ensure that the charter is innovative
51 and consistent with the state education goals established by s.
52 1000.03(5).

53 f. The sponsor shall ensure that the charter school
54 participates in the state's education accountability system. If
55 a charter school falls short of performance measures included in
56 the approved charter, the sponsor shall report such shortcomings
57 to the Department of Education.

58 g. The sponsor is not liable for civil damages under state
59 law for personal injury, property damage, or death resulting
60 from an act or omission of an officer, employee, agent, or
61 governing body of the charter school.

62 h. The sponsor is not liable for civil damages under state
63 law for any employment actions taken by an officer, employee,
64 agent, or governing body of the charter school.

65 i. The sponsor's duties to monitor the charter school do
66 not constitute the basis for a private cause of action.

67 j. The sponsor may not impose additional reporting
68 requirements on a charter school as long as the charter school



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69 has not been identified as having a deteriorating financial
70 condition or financial emergency pursuant to s. 1002.345.

71 k. The sponsor shall submit an annual report to the
72 Department of Education in a web-based format to be determined
73 by the department.

74 (I) The report shall include the following information:

75 (A) The number of applications received during the school
76 year and up to August 1 and each applicant's contact
77 information.

78 (B) The date each application was approved, denied, or
79 withdrawn.

80 (C) The date each final contract was executed.

81 (II) Annually, by November 1, the sponsor shall submit to
82 the department the information for the applications submitted
83 the previous year.

84 (III) The department shall compile an annual report, by
85 sponsor, and post the report on its website by January 15 of
86 each year.

87 2. Immunity for the sponsor of a charter school under
88 subparagraph 1. applies only with respect to acts or omissions
89 not under the sponsor's direct authority as described in this
90 section.

91 3. This paragraph does not waive a sponsor's sovereign
92 immunity.

93 4. A Florida College System institution may work with the
94 school district or school districts in its designated service
95 area to develop charter schools that offer secondary education.
96 These charter schools must include an option for students to
97 receive an associate degree upon high school graduation. If a



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98 Florida College System institution operates an approved teacher
99 preparation program under s. 1004.04 or s. 1004.85, the
100 institution may operate charter schools that serve students in
101 kindergarten through grade 12 in any school district within the
102 service area of the institution. District school boards shall
103 cooperate with and assist the Florida College System institution
104 on the charter application. Florida College System institution
105 applications for charter schools are not subject to the time
106 deadlines outlined in subsection (6) and may be approved by the
107 district school board at any time during the year. Florida
108 College System institutions may not report FTE for any students
109 participating under this subparagraph who receive FTE funding
110 through the Florida Education Finance Program.

111 5. For purposes of assisting the development of a charter
112 school, a school district may enter into nonexclusive interlocal
113 agreements with federal and state agencies, counties,
114 municipalities, and other governmental entities that operate
115 within the geographical borders of the school district to act on
116 behalf of such governmental entities in the inspection,
117 issuance, and other necessary activities for all necessary
118 permits, licenses, and other permissions that a charter school
119 needs in order for development, construction, or operation. A
120 charter school may use, but may not be required to use, a school
121 district for these services. The interlocal agreement must
122 include, but need not be limited to, the identification of fees
123 that charter schools will be charged for such services. The fees
124 must consist of the governmental entity's fees plus a fee for
125 the school district to recover no more than actual costs for
126 providing such services. These services and fees are not



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127 included within the services to be provided pursuant to
128 subsection (20). Notwithstanding any other provision of law, an
129 interlocal agreement or ordinance that imposes a greater
130 regulatory burden on charter schools than school districts or
131 that prohibits or limits the creation of a charter school is
132 void and unenforceable. An interlocal agreement entered into by
133 a school district for the development of only its own schools,
134 including provisions relating to the extension of
135 infrastructure, may be used by charter schools.

136 6. The board of trustees of a sponsoring state university
137 or Florida College System institution under paragraph (a) is the
138 local educational agency for all charter schools it sponsors for
139 purposes of receiving federal funds and accepts full
140 responsibility for all local educational agency requirements and
141 the schools for which it will perform local educational agency
142 responsibilities. A student enrolled in a charter school that is
143 sponsored by a state university or Florida College System
144 institution may not be included in the calculation of the school
145 district's grade under s. 1008.34(5) for the school district in
146 which he or she resides.

147 Section 3. Subsection (17) of section 1002.84, Florida
148 Statutes, is amended to read:

149 1002.84 Early learning coalitions; school readiness powers
150 and duties.—Each early learning coalition shall:

151 (17) (a) Distribute the school readiness program funds as
152 allocated in the General Appropriations Act to each eligible
153 provider based upon the reimbursement rate by county, by
154 provider type, and by care level. All instructions to early
155 learning coalitions for distributing the school readiness



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156 program funds to eligible providers shall emanate from the
157 department in accordance with the policies of the Legislature.

158 (b) All provider reimbursement rates shall be charged as
159 direct services pursuant to s. 1002.89.

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161 Each early learning coalition and the Redlands Christian Migrant
162 Association with approved prior year provider reimbursement
163 rates for the infant to age 5 care levels that are higher than
164 the provider reimbursement rates established in this subsection
165 may continue to implement their ~~its~~ approved prior year provider
166 reimbursement rates until the rates established in this
167 subsection exceed its prior year rates.

168 Section 4. Paragraph (f) of subsection (3) of section
169 1003.4282, Florida Statutes, is amended to read:

170 1003.4282 Requirements for a standard high school diploma.—

171 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
172 REQUIREMENTS.—

173 (f) *One credit in physical education.*—Physical education
174 must include the integration of health. Participation in an
175 interscholastic sport at the junior varsity or varsity level for
176 two full seasons shall satisfy the one-credit requirement in
177 physical education. A district school board may not require that
178 the one credit in physical education be taken during the 9th
179 grade year. Completion of 2 years of marching band shall satisfy
180 the one-credit requirement in physical education or the one-
181 credit requirement in performing arts. This credit may not be
182 used to satisfy the personal fitness requirement or the
183 requirement for adaptive physical education under an individual
184 education plan (IEP) or 504 plan. Completion of one semester



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185 with a grade of "C" or better in a marching band class, in a
186 physical activity class that requires participation in marching
187 band activities as an extracurricular activity, or in a dance
188 class shall satisfy one-half credit in physical education or
189 one-half credit in performing arts. This credit may not be used
190 to satisfy the personal fitness requirement or the requirement
191 for adaptive physical education under an IEP ~~individual~~
192 ~~education plan (IEP)~~ or 504 plan. Completion of 2 years in a
193 Reserve Officer Training Corps (R.O.T.C.) class, a significant
194 component of which is drills, shall satisfy the one-credit
195 requirement in physical education and the one-credit requirement
196 in performing arts. This credit may not be used to satisfy the
197 personal fitness requirement or the requirement for adaptive
198 physical education under an IEP or 504 plan.

199 Section 5. Paragraph (b) of subsection (5) of section
200 1011.71, Florida Statutes, is amended to read:

201 1011.71 District school tax.—

202 (5) A school district may expend, subject to s. 200.065, up
203 to \$200 per unweighted full-time equivalent student from the
204 revenue generated by the millage levy authorized by subsection
205 (2) to fund, in addition to expenditures authorized in
206 paragraphs (2)(a)-(j), expenses for the following:

207 (b) Payment of the cost of premiums, as defined in s.
208 627.403, for property and casualty insurance necessary to insure
209 school district educational and ancillary plants. As used in
210 this paragraph, casualty insurance has the same meaning as in s.
211 624.605(1) (b), (d), (f), (g), (h), and (m). Operating revenues
212 that are made available through the payment of property and
213 casualty insurance premiums from revenues generated under this



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214 subsection may be expended only for nonrecurring operational
215 expenditures of the school district.

216 Section 6. This act shall take effect July 1, 2025.

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

219 And the title is amended as follows:

220 Delete everything before the enacting clause
221 and insert:

222 A bill to be entitled

223 An act relating to education; amending s. 1002.42,
224 F.S.; authorizing a private school in a county that
225 meets certain criteria to construct new facilities on
226 certain property; specifying that such construction is
227 not subject to certain zoning or land use conditions;
228 requiring such construction to meet certain health and
229 safety requirements; amending s. 1002.33, F.S.;
230 requiring a charter school sponsor to use a standard
231 monitoring tool to monitor and review a charter
232 school; amending s. 1002.84, F.S.; authorizing the
233 Redlands Christian Migrant Association to use certain
234 school readiness reimbursement rates; amending s.
235 1003.4282, F.S.; specifying that certain participation
236 in marching band satisfies the physical education or
237 performing arts credit requirement for a standard high
238 school diploma; amending s. 1011.71, F.S.; authorizing
239 the use of certain school district tax revenue for
240 liability insurance; providing an effective date.