

**By** the Committee on Rules; the Appropriations Committee on Pre-K - 12 Education; the Committee on Education Pre-K - 12; and Senator Burgess

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1                                   A bill to be entitled  
2       An act relating to education; amending s. 810.097,  
3       F.S.; defining the term "school bus"; specifying  
4       sufficient notice and prior warning for immediate  
5       arrest and prosecution for school bus trespassing;  
6       amending s. 901.15, F.S.; providing that a law  
7       enforcement officer may arrest a person without a  
8       warrant when there is probable cause to believe that  
9       the person has trespassed upon school grounds or  
10      facilities; amending s. 1002.42, F.S.; authorizing a  
11      private school in a county that meets certain criteria  
12      to construct new facilities on certain property;  
13      specifying that such construction is not subject to  
14      certain zoning or land use conditions; requiring such  
15      construction to meet certain health and safety  
16      requirements; amending s. 1002.33, F.S.; requiring a  
17      charter school sponsor to use a standard monitoring  
18      tool to monitor and review a charter school; amending  
19      s. 1002.84, F.S.; authorizing the Redlands Christian  
20      Migrant Association to use certain school readiness  
21      reimbursement rates; requiring school districts to  
22      provide public charter schools with specified  
23      information relating to public school funding by  
24      specified dates; requiring school districts to provide  
25      a report of shared revenues to the Department of  
26      Education; requiring that such report be published on  
27      a school district's website; amending s. 1003.4282,  
28      F.S.; specifying that certain participation in  
29      marching band satisfies the physical education or

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30 performing arts credit requirement for a standard high  
31 school diploma; amending s. 1006.15, F.S.; authorizing  
32 a student in a full-time virtual instruction program  
33 to participate on an interscholastic athletic team at  
34 a public school in the school district in which the  
35 student resides or to develop an agreement to  
36 participate at a private school; specifying  
37 requirements for such participation; amending s.  
38 1006.195, F.S.; conforming a cross-reference; amending  
39 s. 1011.71, F.S.; authorizing the use of certain  
40 school district tax revenue for liability insurance;  
41 requiring the Commissioner of Education to coordinate  
42 with school districts selected by the department to  
43 implement a policy for a specified school year  
44 prohibiting the use of cell phones while on school  
45 grounds or engaged in certain activities off school  
46 grounds; requiring the department to provide a report  
47 to the Legislature before a specified date; providing  
48 requirements for the report; requiring that the report  
49 include a model policy that school districts and  
50 charter schools may adopt; requiring that the report  
51 and model policy address the authorized use of cell  
52 phones and electronic devices during the school day by  
53 certain students; requiring that the report include  
54 specified student code of conduct provisions;  
55 requiring the department, by a specified date, to  
56 establish competencies for a mathematics endorsement  
57 aligned with certain strategies; providing  
58 requirements for the competencies; providing an

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59 effective date.

60  
61 Be It Enacted by the Legislature of the State of Florida:

62  
63 Section 1. Subsection (5) of section 810.097, Florida  
64 Statutes, is amended, and subsection (6) is added to that  
65 section, to read:

66 810.097 Trespass upon grounds or facilities of a school;  
67 penalties; arrest.—

68 (5) As used in this section, the term:

69 (a) "School" means the grounds or any facility, including  
70 school buses, of any kindergarten, elementary school, middle  
71 school, junior high school, or secondary school, whether public  
72 or nonpublic.

73 (b) "School bus" means any vehicle operated, owned, or  
74 contracted by a school district for student transportation.

75 (6) For purposes of this section, a clearly posted sign or  
76 a verbal warning provided by the school bus operator, the  
77 principal, a school district employee, or law enforcement  
78 personnel, indicating that unauthorized boarding or remaining on  
79 a school bus is prohibited and violators will be prosecuted,  
80 constitutes sufficient notice and satisfies the prior warning  
81 requirement necessary for immediate arrest and prosecution of  
82 any person who boards, enters, or remains upon a school bus  
83 without authorization.

84 Section 2. Paragraph (g) is added to subsection (9) of  
85 section 901.15, Florida Statutes, to read:

86 901.15 When arrest by officer without warrant is lawful.—A  
87 law enforcement officer may arrest a person without a warrant

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88 when:

89 (9) There is probable cause to believe that the person has  
90 committed:

91 (g) Trespass upon school grounds or facilities, including  
92 school buses as defined in s. 810.097(5)(b), in violation of  
93 that section.

94 Section 3. Paragraph (c) is added to subsection (19) of  
95 section 1002.42, Florida Statutes, to read:

96 1002.42 Private schools.—

97 (19) FACILITIES.—

98 (c) A private school located in a county with four  
99 incorporated municipalities may construct new facilities, which  
100 may be temporary or permanent, on property purchased from or  
101 owned or leased by a library, community service organization,  
102 museum, performing arts venue, theater, cinema, or church under  
103 s. 170.201, which is or was actively used as such within 5 years  
104 of any executed agreement with a private school; any land owned  
105 by a Florida College System institution or university; and any  
106 land recently used to house a school or child care facility  
107 licensed under s. 402.305, under its preexisting zoning and land  
108 use designations without rezoning or obtaining a special  
109 exception or a land use change, and without complying with any  
110 mitigation requirements or conditions. Any new facility must be  
111 located on property used solely for purposes described in this  
112 paragraph, and must meet applicable state and local health,  
113 safety, and welfare laws, codes, and rules, including firesafety  
114 and building safety.

115 Section 4. Paragraph (b) of subsection (5) of section  
116 1002.33, Florida Statutes, is amended, and paragraph (i) is

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117 added to subsection (17) of that section, to read:

118 1002.33 Charter schools.—

119 (5) SPONSOR; DUTIES.—

120 (b) *Sponsor duties*.—

121 1.a. The sponsor shall monitor and review the charter  
122 school, using the standard monitoring tool, in its progress  
123 toward the goals established in the charter.

124 b. The sponsor shall monitor the revenues and expenditures  
125 of the charter school and perform the duties provided in s.  
126 1002.345.

127 c. The sponsor may approve a charter for a charter school  
128 before the applicant has identified space, equipment, or  
129 personnel, if the applicant indicates approval is necessary for  
130 it to raise working funds.

131 d. The sponsor may not apply its policies to a charter  
132 school unless mutually agreed to by both the sponsor and the  
133 charter school. If the sponsor subsequently amends any agreed-  
134 upon sponsor policy, the version of the policy in effect at the  
135 time of the execution of the charter, or any subsequent  
136 modification thereof, shall remain in effect and the sponsor may  
137 not hold the charter school responsible for any provision of a  
138 newly revised policy until the revised policy is mutually agreed  
139 upon.

140 e. The sponsor shall ensure that the charter is innovative  
141 and consistent with the state education goals established by s.  
142 1000.03(5).

143 f. The sponsor shall ensure that the charter school  
144 participates in the state's education accountability system. If  
145 a charter school falls short of performance measures included in

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146 the approved charter, the sponsor shall report such shortcomings  
147 to the Department of Education.

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

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

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

157 j. The sponsor may not impose additional reporting  
158 requirements on a charter school as long as the charter school  
159 has not been identified as having a deteriorating financial  
160 condition or financial emergency pursuant to s. 1002.345.

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

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

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

168 (B) The date each application was approved, denied, or  
169 withdrawn.

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

171 (II) Annually, by November 1, the sponsor shall submit to  
172 the department the information for the applications submitted  
173 the previous year.

174 (III) The department shall compile an annual report, by

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175 sponsor, and post the report on its website by January 15 of  
176 each year.

177 2. Immunity for the sponsor of a charter school under  
178 subparagraph 1. applies only with respect to acts or omissions  
179 not under the sponsor's direct authority as described in this  
180 section.

181 3. This paragraph does not waive a sponsor's sovereign  
182 immunity.

183 4. A Florida College System institution may work with the  
184 school district or school districts in its designated service  
185 area to develop charter schools that offer secondary education.  
186 These charter schools must include an option for students to  
187 receive an associate degree upon high school graduation. If a  
188 Florida College System institution operates an approved teacher  
189 preparation program under s. 1004.04 or s. 1004.85, the  
190 institution may operate charter schools that serve students in  
191 kindergarten through grade 12 in any school district within the  
192 service area of the institution. District school boards shall  
193 cooperate with and assist the Florida College System institution  
194 on the charter application. Florida College System institution  
195 applications for charter schools are not subject to the time  
196 deadlines outlined in subsection (6) and may be approved by the  
197 district school board at any time during the year. Florida  
198 College System institutions may not report FTE for any students  
199 participating under this subparagraph who receive FTE funding  
200 through the Florida Education Finance Program.

201 5. For purposes of assisting the development of a charter  
202 school, a school district may enter into nonexclusive interlocal  
203 agreements with federal and state agencies, counties,

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204 municipalities, and other governmental entities that operate  
205 within the geographical borders of the school district to act on  
206 behalf of such governmental entities in the inspection,  
207 issuance, and other necessary activities for all necessary  
208 permits, licenses, and other permissions that a charter school  
209 needs in order for development, construction, or operation. A  
210 charter school may use, but may not be required to use, a school  
211 district for these services. The interlocal agreement must  
212 include, but need not be limited to, the identification of fees  
213 that charter schools will be charged for such services. The fees  
214 must consist of the governmental entity's fees plus a fee for  
215 the school district to recover no more than actual costs for  
216 providing such services. These services and fees are not  
217 included within the services to be provided pursuant to  
218 subsection (20). Notwithstanding any other provision of law, an  
219 interlocal agreement or ordinance that imposes a greater  
220 regulatory burden on charter schools than school districts or  
221 that prohibits or limits the creation of a charter school is  
222 void and unenforceable. An interlocal agreement entered into by  
223 a school district for the development of only its own schools,  
224 including provisions relating to the extension of  
225 infrastructure, may be used by charter schools.

226 6. The board of trustees of a sponsoring state university  
227 or Florida College System institution under paragraph (a) is the  
228 local educational agency for all charter schools it sponsors for  
229 purposes of receiving federal funds and accepts full  
230 responsibility for all local educational agency requirements and  
231 the schools for which it will perform local educational agency  
232 responsibilities. A student enrolled in a charter school that is



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233 sponsored by a state university or Florida College System  
234 institution may not be included in the calculation of the school  
235 district's grade under s. 1008.34(5) for the school district in  
236 which he or she resides.

237 (17) FUNDING.—Students enrolled in a charter school,  
238 regardless of the sponsorship, shall be funded based upon the  
239 applicable program pursuant to s. 1011.62(1)(c), the same as  
240 students enrolled in other public schools in a school district.  
241 Funding for a charter lab school shall be as provided in s.  
242 1002.32.

243 (i) By July 1 of each year, school districts shall provide  
244 public charter schools the following information pertaining to  
245 shared revenues generated by a discretionary half-cent sales  
246 surtax, voted district school operating millage, and non-voted  
247 district school capital improvement millage:

248 1. The estimated total revenue to be received from each  
249 tax.

250 2. The estimated per-student allocation to public charter  
251 schools for each tax and the methodology used to determine the  
252 estimate.

253 3. The estimated timeframe within which the public charter  
254 school will receive funds from each tax.

255 4. A detailed explanation for each revenue transmission at  
256 the time funds are transferred.

257 5. By March 31 of each year, the total revenues distributed  
258 for each revenue source. Each school district shall provide a  
259 report detailing distributed revenues to the department and  
260 publish the report on the school district website.

261 Section 5. Subsection (17) of section 1002.84, Florida

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262 Statutes, is amended to read:

263 1002.84 Early learning coalitions; school readiness powers  
264 and duties.—Each early learning coalition shall:

265 (17) (a) Distribute the school readiness program funds as  
266 allocated in the General Appropriations Act to each eligible  
267 provider based upon the reimbursement rate by county, by  
268 provider type, and by care level. All instructions to early  
269 learning coalitions for distributing the school readiness  
270 program funds to eligible providers shall emanate from the  
271 department in accordance with the policies of the Legislature.

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

274

275 Each early learning coalition and the Redlands Christian Migrant  
276 Association with approved 2023-2024 ~~prior-year~~ provider  
277 reimbursement rates for the infant to age 5 care levels that are  
278 higher than the provider reimbursement rates established in this  
279 subsection may continue to implement its approved prior year  
280 provider reimbursement rates until the rates established in this  
281 subsection exceed its prior year rates.

282 Section 6. Paragraph (f) of subsection (3) of section  
283 1003.4282, Florida Statutes, is amended to read:

284 1003.4282 Requirements for a standard high school diploma.—

285 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT  
286 REQUIREMENTS.—

287 (f) *One credit in physical education.*—Physical education  
288 must include the integration of health. Participation in an  
289 interscholastic sport at the junior varsity or varsity level for  
290 two full seasons shall satisfy the one-credit requirement in

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291 physical education. A district school board may not require that  
292 the one credit in physical education be taken during the 9th  
293 grade year. Completion of 2 years of marching band shall satisfy  
294 the one-credit requirement in physical education or the one-  
295 credit requirement in performing arts. This credit may not be  
296 used to satisfy the personal fitness requirement or the  
297 requirement for adaptive physical education under an individual  
298 education plan (IEP) or 504 plan. Completion of one semester  
299 with a grade of "C" or better in a marching band class, in a  
300 physical activity class that requires participation in marching  
301 band activities as an extracurricular activity, or in a dance  
302 class shall satisfy one-half credit in physical education or  
303 one-half credit in performing arts. This credit may not be used  
304 to satisfy the personal fitness requirement or the requirement  
305 for adaptive physical education under an IEP individual  
306 ~~education plan (IEP)~~ or 504 plan. Completion of 2 years in a  
307 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
308 component of which is drills, shall satisfy the one-credit  
309 requirement in physical education and the one-credit requirement  
310 in performing arts. This credit may not be used to satisfy the  
311 personal fitness requirement or the requirement for adaptive  
312 physical education under an IEP or 504 plan.

313 Section 7. Present paragraphs (h) and (i) of subsection (3)  
314 of section 1006.15, Florida Statutes, are redesignated as  
315 paragraphs (i) and (j), respectively, and a new paragraph (h) is  
316 added to that subsection, to read:

317 1006.15 Student standards for participation in  
318 interscholastic and intrascholastic extracurricular student  
319 activities; regulation.-

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320 (3)

321 (h) A student in a full-time virtual instruction program  
322 under s. 1002.45, including the full-time Florida Virtual School  
323 program, a full-time school district virtual instruction  
324 program, or a full-time virtual charter school, is eligible to  
325 participate on an interscholastic athletic team at any public  
326 school in the school district in which the student resides, or  
327 may develop an agreement to participate at a private school,  
328 provided the student:

329 1. During the period of participation in the  
330 interscholastic extracurricular activity, meets the requirements  
331 in paragraph (a);

332 2. Meets any additional requirements as determined by the  
333 board of trustees of the Florida Virtual School, the district  
334 school board, or the governing board of the virtual charter  
335 school, as applicable;

336 3. Meets the same residency requirements as other students  
337 in the school at which he or she participates;

338 4. Meets the same standards of athletic team acceptance,  
339 behavior, and performance which are required of other students  
340 in extracurricular activities; and

341 5. Registers his or her intent to participate in  
342 interscholastic extracurricular activities with the school  
343 before participation.

344 Section 8. Paragraph (a) of subsection (1) of section  
345 1006.195, Florida Statutes, is amended to read:

346 1006.195 District school board, charter school authority  
347 and responsibility to establish student eligibility regarding  
348 participation in interscholastic and intrascholastic

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349 extracurricular activities.—Notwithstanding any provision to the  
350 contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student  
351 eligibility to participate in interscholastic and  
352 intrascholastic extracurricular activities:

353 (1) (a) A district school board must establish, through its  
354 code of student conduct, student eligibility standards and  
355 related student disciplinary actions regarding student  
356 participation in interscholastic and intrascholastic  
357 extracurricular activities. The code of student conduct must  
358 provide that:

359 1. A student not currently suspended from interscholastic  
360 or intrascholastic extracurricular activities, or suspended or  
361 expelled from school, pursuant to a district school board's  
362 suspension or expulsion powers provided in law, including ss.  
363 1006.07, 1006.08, and 1006.09, is eligible to participate in  
364 interscholastic and intrascholastic extracurricular activities.

365 2. A student may not participate in a sport if the student  
366 participated in that same sport at another school during that  
367 school year, unless the student meets the criteria in s.  
368 1006.15(3)(j) ~~s. 1006.15(3)(i)~~.

369 3. A student's eligibility to participate in any  
370 interscholastic or intrascholastic extracurricular activity may  
371 not be affected by any alleged recruiting violation until final  
372 disposition of the allegation pursuant to s. 1006.20(2)(b).

373 Section 9. Paragraph (b) of subsection (5) of section  
374 1011.71, Florida Statutes, is amended to read:

375 1011.71 District school tax.—

376 (5) A school district may expend, subject to s. 200.065, up  
377 to \$200 per unweighted full-time equivalent student from the

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378 revenue generated by the millage levy authorized by subsection  
379 (2) to fund, in addition to expenditures authorized in  
380 paragraphs (2)(a)-(j), expenses for the following:

381 (b) Payment of the cost of premiums, as defined in s.  
382 627.403, for property and casualty insurance necessary to insure  
383 school district educational and ancillary plants. As used in  
384 this paragraph, casualty insurance has the same meaning as in s.  
385 624.605(1)(b), (d), (f), (g), (h), and (m). Operating revenues  
386 that are made available through the payment of property and  
387 casualty insurance premiums from revenues generated under this  
388 subsection may be expended only for nonrecurring operational  
389 expenditures of the school district.

390 Section 10. (1) The Commissioner of Education shall  
391 coordinate with six districts selected by the Department of  
392 Education which represent two small, two medium, and two large  
393 counties that currently implement, or will implement in the  
394 2025-2026 school year, a policy that prohibits the use of cell  
395 phones and other personal electronic devices by students during  
396 the entire school day, while on school grounds, or while engaged  
397 in school activities off school grounds during the school day.  
398 The department shall provide a report to the President of the  
399 Senate and the Speaker of the House of Representatives before  
400 December 1, 2026, summarizing the effect of each district policy  
401 on student achievement and behavior. The report must also  
402 include a model policy that school districts and charter schools  
403 may adopt.

404 (2) The report and model policy must address the authorized  
405 use of cell phones or other electronic devices during the school  
406 day by students:

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407 (a) With disabilities or who are English Language Learners  
408 who may need such electronic devices to access curriculum or  
409 other required activities.

410 (b) When necessary for health reasons, for emergency  
411 medical issues, or for natural or manmade disasters.

412 (c) On school buses, before or after school hours.

413 (d) Engaged in extracurricular activities outside of the  
414 school day.

415 (3) The report must also include student code of conduct  
416 provisions for violations of the policy restricting the use of  
417 cell phones and other electronic devices, including, but not  
418 limited to, those violations that:

419 (a) Constitute illegal behavior and may result in a  
420 referral to law enforcement.

421 (b) Facilitate bullying, harassing, or threatening other  
422 students.

423 (c) Facilitate cheating or otherwise violating a school's  
424 policy for academic integrity.

425 (d) Capture or display any picture or video of any student  
426 during a medical issue or engaged in misconduct.

427 Section 11. By August 1, 2026, the Department of Education  
428 shall establish competencies for a mathematics endorsement  
429 aligned with evidence-based mathematics instructional and  
430 intervention strategies. The competencies must include numbers  
431 and operations, fractions, algebraic reasoning, measurement,  
432 geometric reasoning, and data analysis and probabilities at the  
433 elementary and secondary level. The competencies must be  
434 approved by the State Board of Education.

435 Section 12. This act shall take effect July 1, 2025.