

FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

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BILL #: [CS/CS/HB 1279](#)

TITLE: Education

SPONSOR(S): Kincart Jonsson

COMPANION BILL: [CS/CS/SB 7038](#) (Calatayud)

LINKED BILLS: None

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 81 Y's 16 N's **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:

The bill amends the following provisions, among others, relating to PreK-20 education: the access and graduation rate metrics for state university system performance-based incentive funding; approval of accreditors; comment timeframe on proposed transfer degree programs; exemption from licensure by the Commission for Independent Education; transparency for blind services; quality assurance for vocational rehabilitation service providers; marriage and family therapy licensure; specific cross-references to the American Bar Association; expansion of Armed Services resident tuition protections; deferral of an initial Benacquisto Scholarship Program award; epinephrine on public and private school campuses; the Voluntary Prekindergarten (VPK) summer bridge program; accountability for VPK and Gold Seal providers; the New Worlds Reading Initiative; safe school officers in charter schools; regular and direct contact requirements for certain scholarship recipients; middle grades CAPE digital tools; secondary mathematics pathways; creating an applied algebra course; physical education requirements; notifications for virtual instruction programs; use of Title I funding for STEM; requirements for Individualized Education Plan service logs and make-up services; educational emergencies; establishment of a uniform weighted grading system for advanced courses; eligibility and course weighting requirements for dual enrollment courses; and bonuses to school districts and teachers offering a Florida Advanced Course and Test.

Fiscal or Economic Impact:

Provisions in the bill have an indeterminate negative impact on the Department of Education, state government, specified students, and private vocational rehabilitation service providers. The bill has an indeterminate positive impact on Florida students, consumers, teachers, school districts, state universities, and state government.

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EFFECT OF THE BILL:

The bill specifies that for state universities seeking [performance-based incentive funding](#), the metric for a 4-year graduation rate for full-time-in college (FTIC) students includes an adjusted cohort graduation rate for students in a [baccalaureate engineering degree program](#). It also revises the access rate performance metric to measure the percentage of first-year undergraduate students receiving a Pell Grant, rather than all undergraduate students enrolled. (Section [5](#)).

The bill provides flexibility for public postsecondary institutions to seek [accreditation](#) from accreditors beyond the "regional" accreditors. The provision still requires any institutional accreditor that accredits a Florida public postsecondary institution to be approved by both the U.S. Department of Education and the State Board of Education (SBE) and Board of Governors (BOG), as applicable. (Section [24](#)).

The bill also strikes specific references to the [American Bar Association](#) (ABA) in statutes relating to the Florida A&M University (FAMU) College of Law and the Florida International University (FIU) College of Law. (Sections [16](#) and [17](#)). This provision does not prohibit the FAMU or FIU Colleges of Law, or any other public Florida law school, from being accredited by the ABA. The provision also does not prohibit a graduate of a law school accredited by the ABA from sitting for the bar exam.

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The bill expands protection of [residency status](#) for members of the armed forces serving outside of Florida to include individuals, and their dependent children, serving outside the state as civilian personnel in the United States Department of State, Department of Defense, or teaching at a Department of Defense Dependent School. (Section [25](#)).

The bill specifies that to qualify for the [tuition and fee exemption](#) for homeless students, a student must have previously been determined to be homeless by a Florida public school and a distance learning student residing out-of-state is ineligible for the exemption. (Section [26](#)).

The bill allows an eligible student to defer receipt of an initial [Benacquisto Scholarship Program](#) award for up to one year while retaining eligibility for the scholarship. (Section [27](#)).

The bill reduces the comment timeframe on proposed [specialized associate in arts transfer \(SAAT\) degree programs](#) from 60 to 30 days. (Section [20](#)).

The bill clarifies an exemption from licensure by the [Commission for Independent Education](#) (CIE) by specifying that just because another state agency has approved an institution's program or course, that in and of itself does not mean the institution is exempt from CIE licensure. However, the bill does not limit or affect the exemptions for contract training, continuing education, or professional development programs or courses, even if such programs or courses are approved under chapter 466. (Section [18](#)).

The bill amends the requirements for [private schools participating in scholarship programs](#) as it relates to regular and direct contact with students. The bill provides [Family Empowerment Scholarship](#) students receiving the scholarship based on their disability (FES-UA) the same flexibility provided to Personal Education Program (PEP) scholarship students. Under the bill, FES-UA students can satisfy the requirement through regular and direct contact at the private school's physical location at least 2 days per week. (Section [8](#)).

The bill provides additional flexibility to those students that have experienced, or are at risk for, life-threatening allergic reactions by authorizing them to carry and self-administer [epinephrine](#) through any United States Food and Drug Administration (FDA) approved epinephrine delivery device, instead of only auto-injectors as is current law. The bill similarly amends the authorization for private schools to maintain an epinephrine supply from simply auto-injectors to any FDA-approved delivery device. (Sections [6](#) and [7](#)).

The bill expands eligibility for the [Voluntary Prekindergarten](#) (VPK) [summer bridge program](#) by including any student that scored below the 25th percentile on the final administration of the coordinated screening and progress monitoring system, instead of the 10th percentile as is current law. (Section [23](#)).

The bill repeals outdated language relating to kindergarten readiness rates from 2020-2021 program year. (Section [9](#)).

The bill amends the eligibility requirements for [Gold Seal Quality Care](#) providers by requiring the Department of Children and Families (DCF) to determine if the provider was the primary cause of any class 1 violations associated with the provider. (Section [10](#)).

The bill requires that the [individualized progress monitoring plan](#) for students with a substantial reading deficiency include resources related to the student's eligibility for the [New Worlds Reading Initiative](#) (NWRI). The bill requires that monthly progress updates provided to the parents of such students include information about the students' eligibility for the NWRI. (Section [23](#)).

The bill requires parental notice and access when a related service in a student's [individualized education program](#) (IEP) is not provided as scheduled, by requiring a school district to notify the parent or guardian in writing or by electronic means within 10 school days after a related service identified in the student's IEP is not provided as

scheduled. The notice must explain the reason the related service was not provided and discuss a plan for make-up services. Additionally, the bill authorizes a parent or guardian, upon request, to access all service provider logs or progress notes within 15 school days after the related service is provided. The school district must inform parents of the right to access service provider logs or progress notes at each IEP meeting. (Section [14](#)).

The bill authorizes the completion of two years of marching band to satisfy the one-credit requirement in physical education and the one-credit requirement in fine or performing arts to earn a [standard high school diploma](#), rather than just one credit in either physical education or fine or performing arts. (Section [12](#)).

The bill authorizes completion of 1.0 credit with a grade of “C” or better in a dance techniques course, a significant component of which is activities designed to maintain or improve health-related fitness and lifelong fitness, to satisfy the one-credit requirement in physical education or the one-credit requirement in performing arts. The bill specifies that this credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under and IEP or 504 Plan. (Section [12](#)).

The bill authorizes [CAPE Digital Tool certificates](#) for middle grade students and limits additional Florida Education Funding Program (FEFP) funding to not more than two certificates per school year for each middle grade student. (Section [11](#)).

The bill revises the Department of Education’s (DOE) workgroup requirement for career and [mathematics pathways](#) by removing an obsolete convening deadline and specifying additional workgroup duties and deliverables related to applied algebra-based mathematics pathways. Specifically, the bill

- Removes the requirement that the DOE convene the workgroup “no later than December 1, 2024.”
- Requires the workgroup to identify, no later than September 1, 2026, three mathematics pathways for students in secondary grades and to submit the identified pathways to the Governor, the President of the Senate, and the Speaker of the House of Representatives.
- Requires the mathematics pathways to incorporate an applied algebra course that aligns with established Career and Technical Education (CTE) career clusters.
- Requires the DOE to develop applied algebra courses that align with the mathematics pathways and the CTE career clusters by January 1, 2027, with availability for district implementation in the 2029-2030 school year.
- Provides that each mathematics pathway must offer flexibility and the ability to move between pathways, as necessary.
- Requires the mathematics pathways to create clear links between precollege and college-level mathematics pathways and support progression into postsecondary academic programs, state college CTE programs, career center programs, industry certification programs, and high-skill, high-wage occupations.
- Requires each applied algebra course to prepare students to take the statewide, standardized Algebra I end-of-course assessment and meet all requirements for a mathematics credit required for high school graduation or for middle grades promotion.

The bill specifies that the applied algebra course for:

- Engineering and technology must incorporate content and contexts that apply to the following career clusters: energy, engineering and technology education, and information technology.
- Health science must incorporate content and contexts that apply to the health science career cluster.
- Business and finance must incorporate content and contexts that apply to the following career clusters: business management and administration; finance; government and public administration; and marketing, sales, and service.
- Industrial pathways must incorporate content and contexts that apply to the following career clusters: architecture and construction; manufacturing; and transportation, distribution, and logistics.
- Agriculture and natural resources must incorporate content and contexts that apply to the agriculture, food, and natural resources career cluster.

The DOE must collaborate with the BOG to ensure that each applied algebra course is accepted as a mathematics credit for state university admission. Additionally, the bill requires the DOE to provide professional learning, instructional resources, and technical assistance to support district implementation for the 2029-2030 school year. (Section [12](#)).

The bill provides that district school boards, in response to an [educational emergency](#), may adopt salary incentives for persistently low performing schools outside of collective bargaining. (Section [4](#)).

The bill clarifies that school districts must provide parents information on and students access to, based on the student's choice, all available [virtual instruction providers](#). (Section [4](#)).

The bill clarifies that the amount of [Title I funds](#) a school district may withhold for educational services may include the provision of STEM curricula, instructional materials, and related learning technologies support academic achievement in science, technology, engineering, and mathematics in Title I schools. Such funds may only be reserved to the extent that all required reservations under federal law have been met and that such reservation does not reduce school-level allocations below the levels required under federal law. (Section [31](#)).

The bill clarifies that charter schools are able to satisfy the requirement to have a [safe-school officer](#) on campus through any of the four authorized methods, regardless of any local ordinance or development order. (Section [19](#)).

The bill requires the SBE to establish a [statewide uniform weighted grading system](#) for honors courses and articulated acceleration mechanisms, including dual enrollment, the Advanced Placement Program (AP), the International Baccalaureate Program (IB), and the Advanced International Certificate of Education Program (AICE). (Section [13](#)).

The bill clarifies that only students in Florida are eligible for the [dual enrollment](#) program and that the postsecondary institutions eligible to participate include Florida public postsecondary institutions and eligible nonprofit independent colleges and universities. School districts and postsecondary institutions must use the uniform weighted grading system for dual enrollment courses when calculating GPAs and high school GPAs must be calculated based on the high school credit earned by the student in each course. (Sections [13](#) and [21](#)).

The bill authorizes bonuses for school districts and teachers offering a [Florida Advanced Course and Test \(FACT\)](#) that are in line with [bonuses offered for other advanced courses](#), such as AP, AICE, IB, and Career and Professional Education (CAPE) industry certifications. (Section [30](#)).

The bill increases transparency by requiring vendors offering fee-based [services to people who are blind or visually impaired](#) to disclose if equivalent or substantially similar services are available at no cost through the Division of Blind Services or another public agency. (Section [1](#)).

The bill strengthens the quality assurance system for [vocational rehabilitation \(VR\) service providers](#) by giving the VR Division of the DOE more authority to regulate and manage service providers. Beginning January 1, 2027, only service providers that meet the minimum qualifications established by the division and that have been approved by the division to provide employment-related services to individuals with disabilities may participate in the VR program. Providers also must set rates that are allocable, reasonable, and necessary, as determined by the division. (Section [2](#)).

The bill facilitates the [licensure of marriage and family therapists](#) by extending the date before which a master's degree must be earned by 5 years, from September 1, 2027 to September 1, 2032. (Section [3](#)).

The bill saves from repeal the section of law creating the [Statewide Data Repository for Anonymous Human Trafficking Data](#) at the University of South Florida (USF), which is currently set to be repealed on July 1, 2026, extending the repeal date to July 1, 2027. It also changes the due date for the next annual report from July 1, 2026

to January 31, 2027 and requires the USF Trafficking in Persons – Risk to Resilience Lab to consult with the Department of Law Enforcement on the report and analysis of its findings. (Section [15](#)).

Finally, the bill authorizes the chair of the board of the [Florida Prepaid College Board](#) to choose a designee who possesses knowledge, skill, and experience in the areas of accounting, risk management, or investment management to serve as the director of its direct support organization (DSO) and to sit on the board of directors for [Florida ABLE](#). (Sections [28](#) and [29](#)).

The bill was approved by the Governor on May 1, 2026, ch. 2026-59, L.O.F., and will become effective on July 1, 2026. (Section [32](#)).

RULEMAKING:

The bill authorizes the SBE to adopt rules to implement consumer disclosure for blind services. The bill also modifies several provisions of law already under the SBE’s rulemaking authority and the BOG’s regulation authority, thus allowing the SBE and the BOG to make rules and regulations to implement the bill. Current law authorizes the SBE to adopt rules and the BOG to adopt regulations regarding fee exemptions for homeless students. The SBE and the BOG are required to adopt rules relating to determination of resident status for tuition purposes. The BOG is required to adopt regulations to administer the SUS Performance-Based Incentive. The SBE is required to adopt rules relating to dual enrollment programs, the Benacquisto Scholarship Program, and the associate in arts specialized transfer degree.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill has an indeterminate negative fiscal impact to the state by adding additional full-time equivalent (FTE) students to the Florida Education Finance Program (FEFP) for each student in a Florida advanced course who achieves a minimum score on the assessment. Provisions regarding blind services and VR providers may have an indeterminate negative fiscal impact to the DOE through a potential increase in use of services and administrative work.

There is an indeterminate fiscal impact to the DOE for the development and implementation of the mathematics pathways. There is an indeterminate fiscal impact to the state for changing a student’s eligibility for the VPK Summer Bridge Program from a score below the 10th percentile to below the 25th percentile on the coordinated screening and progress monitoring.

Changes to the graduation metric could have a positive fiscal impact for state universities through the performance-based incentive. Provisions regarding homeless students may have an indeterminate positive fiscal impact on the state through savings on fee exemptions. Expanding protection of residency status for members of the armed forces serving outside of Florida may have an insignificant fiscal impact to the SUS.

PRIVATE SECTOR:

The bill has a potential indeterminate negative impact on fee-based providers of blind services and VR services, but a potential positive impact for consumers of those services. The bill may have a negative fiscal impact on students who would no longer qualify for the tuition and fee exemption for homeless students. The bill has a positive impact for teachers of a Florida advanced course who receive bonuses based on student assessment scores.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Residency Status for Tuition Purposes](#)

Students must be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers, career centers operated by school districts, FCS institutions, and state universities. Students pay differing tuition rates based on their status as a resident or nonresident of Florida.¹ A “resident for tuition purposes” means an admitted or currently enrolled student who meets the residency requirements in statute and rule or regulation, and is therefore eligible to pay the resident tuition and fee rate.²

Specifically, to qualify as a resident for tuition purposes:

- A person, or if that person is a dependent child, his or her parent or parents must have established legal residence in Florida and must have maintained legal residence for at least 12 consecutive months immediately prior to his or her initial enrollment in an institution of higher education.
- Every applicant for admission to an institution of higher education must make a statement as to his or her length of residence and establish that his or her presence or, if the applicant is a dependent child, the presence of his or her parent or parents in Florida currently is, and during the requisite 12-month qualifying period was, for the purpose of maintaining a bona fide domicile.³

A person must show certain proof that he or she should be classified as a resident for tuition purposes and may not receive the in-state tuition rate until clear and convincing evidence related to legal residence and its duration has been provided. Each institution of higher education must make a residency determination that is documented by the submission of written or electronic verification that includes two or more specified documents that:

- Must include at least one of the following (“Tier 1”):
 - A Florida voter’s registration card.
 - A Florida driver license.
 - A State of Florida identification card.
 - A Florida vehicle registration.
 - Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual’s parent if the individual is a dependent child.
 - Proof of a homestead exemption in Florida.⁴
 - Transcripts from a Florida high school for multiple years if the Florida high school diploma or high school equivalency diploma was earned within the last 12 months.
 - Proof of permanent full-time employment in Florida for at least 30 hours per week for a 12-month period.
- May include one or more of the following (“Tier 2”):
 - A declaration of domicile in Florida.
 - A Florida professional or occupational license.
 - Florida incorporation.
 - A document evidencing family ties in Florida.
 - Proof of membership in a Florida-based charitable or professional organization.
 - Any other documentation that supports the student’s request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document

¹ Section [1009.21, F.S.](#)

² Rule 6A-10.044, F.A.C.; Board of Governors Regulation 7.005.

³ Section [1009.21\(2\)\(a\), F.S.](#)

⁴ Proof of a homestead exemption in Florida is deemed a single, conclusive piece of evidence proving residency. *See s. [1009.21\(3\)\(c\), F.S.](#)*

evidencing legal ties to Florida.⁵

Baccalaureate Degree Program

Under state law, a baccalaureate degree program must require no more than 120 semester hours of college credit and include 36 semester hours of general education coursework, unless prior approval has been granted by the BOG for programs offered by state universities and by the SBE for programs offered by FCS institutions.⁶

The BOG may approve a university board of trustees (UBOT) request for a baccalaureate degree program to exceed 120 credit hours for one or more of the following reasons:⁷

- Additional courses are required to meet specialized accreditation standards for program content, and such accreditation is expected or required for program graduates to become employed in the profession for which they are being prepared.
- Additional courses are required to meet state or federal-mandated criteria for professional licensing.
- The degree program offers a unique and innovative learning experience, such as honors programs, individualized study, and other non-traditional educational approaches.

Many engineering programs are approved to require more than 120 credit hours.⁸

Performance-Based Incentive Funding

Performance funding for the SUS is intended to provide funding based on indicators of system and institutional attainment of performance expectations.⁹ The BOG Performance Funding Model contains ten performance metrics that evaluate each state university on the following:¹⁰

- The 4-year graduation rate for first-time-in-college students;
- Beginning in fiscal year 2022-2023, the 3-year graduation rate for associate in arts transfer students;
- Retention rates;
- Postgraduation education rates;
- Degree production;
- Affordability;
- Postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree;
- Access rate, based on the percentage of undergraduate students enrolled during the fall term who received a Pell Grant¹¹ during the fall term;
- Beginning in fiscal year 2021-2022, the 6-year graduation rate for students who are awarded a Pell Grant in their first year; and
- Board of Trustees Choice¹²

⁵ Section [1009.21\(3\), F.S.](#)

⁶ Section [1007.25\(10\), F.S.](#)

⁷ Board of Governors Regulation 8.014.

⁸ SUS Council of Provosts, Board of Governors' Update, *Excellence in Engineering Education: Enhancing Undergraduate Student Access, Retention, Graduation and Student Learning Outcomes to Meet Workforce Needs*, available at https://www.flbog.edu/wp-content/uploads/ASA_09b_-Engineering_Programs_Credit_Hour_Review_Report.pdf.

⁹ Section [1011.905, F.S.](#)

¹⁰ Section [1001.92, F.S.](#); Board of Governors Regulation 5.001.

¹¹ Federal Pell Grants usually are awarded only to undergraduate students who display exceptional financial need and have not earned a bachelor's, graduate, or professional degree. A Federal Pell Grant, unlike a loan, does not have to be repaid, except under certain circumstances. See U.S. Department of Education, Federal Student Aid, *Federal Pell Grants*, <https://studentaid.gov/understand-aid/types/grants/pell> (last visited Mar. 26, 2026).

¹² Each Board of Trustees selects a metric from the University Work Plan that is applicable to the mission of the university and has not been previously chosen for the model. See Florida Board of Governors, *Performance Funding Model Overview*, available at <https://www.flbog.edu/wp-content/uploads/2025/08/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version-2025.pdf>.

Institutions receive scores on each metric based on the achievement of both excellence and improvement. The higher of the two scores for each metric is applied to the overall score for each institution. Any institution that fails to meet the BOG's minimum performance funding threshold (a total score of less than 60 points) will not be eligible for the state's investment, will have a portion of its institutional investment withheld, and is required to submit an improvement plan that specifies the activities and strategies for improving its performance.¹³ A state university may submit an improvement plan for only one fiscal year.¹⁴

Accreditation

FCS institutions and state universities are required to be accredited by an accrediting agency or association recognized by the United States Department of Education and the SBE or BOG, respectively. In the year following reaffirmation or fifth-year review by its accreditor, each state college or university must seek and obtain accreditation before its next reaffirmation or fifth-year review date and is limited to a one-time change in accreditors. These requirements do not apply to professional, graduate, departmental, or certificate programs that have specific accreditation requirements or best practices, including, but not limited to, law, pharmacy, engineering, or other similarly situated educational programs.¹⁵ The state college or university is required to seek accreditation from a regional accreditor, approved by the SBE or BOG, as applicable, and provide quarterly reports of its progress toward accreditation to the SBE or BOG, as applicable.¹⁶ Accrediting agencies and associations are prohibited from compelling state colleges and universities to violate state law.¹⁷

In 2025, the BOG approved the creation of the Commission for Public Higher Education (CPHE), a non-profit corporation that will serve as a higher education accreditor. A non-paid Board of Directors (BOD) is responsible for the administration and oversight of CPHE's affairs. The higher education systems from Florida, Georgia, North Carolina, South Carolina, Texas A&M, and Tennessee (Founding University Systems) have representation on the BOD through a designated director selected by each respective state, who together comprise the initial six members of the BOD.¹⁸

The BOD establishes accreditation standards, policies, and procedures and takes accreditation actions (e.g., approval of institutional accreditation applications). CPHE's mission is to advance the quality and improvement of higher education by accrediting state public colleges and universities that are incorporated, chartered, licensed or authorized in the United States. CPHE serves as an institutional accrediting agency for state public colleges and universities that award associate, bachelor's, or higher degrees. By establishing rigorous, transparent, and adaptable outcomes-based accreditation standards and practices, CPHE ensures that colleges and universities meet and maintain academic quality and excellence on behalf of their students. CPHE's competitive advantage lies in modern accreditation frameworks that emphasize data-driven assessment, institutional innovation, and regulatory compliance.¹⁹

American Bar Association

The ABA is the sole programmatic accreditor recognized by the United States Department of Education to accredit programs in legal education that lead to the first professional degree in law.²⁰ Pursuant to Article 5 of the Florida

¹³ Section [1001.92\(3\)\(a\), F.S.](#); see also Florida Board of Governors, *Performance Funding Model Overview*, available at <https://www.flbog.edu/wp-content/uploads/2025/08/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version-2025.pdf>.

¹⁴ Section [1001.92\(3\)\(a\), F.S.](#)

¹⁵ Section [1008.47\(2\)\(a\), F.S.](#)

¹⁶ Section [1008.47\(2\)\(b\), F.S.](#)

¹⁷ Section [1008.47\(3\), F.S.](#)

¹⁸ Florida Board of Governors, *Agenda Item for Board Action* (July 11, 2025), available at <https://www.flbog.edu/wp-content/uploads/2025/07/Agenda-Item-for-Board-Action-7.pdf>.

¹⁹ *Id.*

²⁰ Supreme Court of Florida, Opinion No.SC2025-2064 (January 15, 2026), available at https://flcourts-media.flcourts.gov/content/download/2483731/opinion/Opinion_SC2025-2064.pdf.

Constitution, the Florida Supreme Court (FLSC) has exclusive jurisdiction over admission to the Florida Bar.²¹ Prior to January of 2026, graduation from an ABA-accredited law school was required for admission to the Florida Bar.

However, pursuant to the FLSC's recent decision²² to no longer recognize the ABA as the sole accrediting agency for law schools whose graduates are eligible to sit for the state's Bar Exam, that requirement has changed.²³

In relevant part, the FLSC's majority opinion stated the following to explain the effect of the decision:

“The effect of this amendment is to expand the accrediting agencies by which a law school may be approved or provisionally approved for purposes of graduate eligibility to sit for this state's General Bar Examination. At present, the ABA is the sole programmatic accreditor recognized by the United States Department of Education to accredit programs in legal education that lead to the first professional degree in law. The Court acknowledges that additional programmatic accreditors for legal education programs may be recognized in the future and expresses its support for that possibility; this amendment is intended to accommodate that outcome. Under the amended rule, graduates of ABA-accredited law schools will continue to qualify to sit for the state's General Bar Examination, and graduates of law schools accredited by any subsequently recognized programmatic accreditor will be afforded the same eligibility.”

[Tuition and Fee Exemption for Homeless Students](#)

In Florida, young adults who meet certain criteria are exempt from paying tuition and fees at school districts that provide workforce education programs, state colleges, and state universities.²⁴

Among those criteria, a student is eligible if he or she was the subject of a shelter proceeding, a dependency proceeding, or a termination of parental rights proceeding, and:²⁵

- is, or was at the time he or she reached 18 years of age, in out-of-home care.
- is, or was at the time he or she reached 18 years of age, in the custody of a relative or nonrelative.²⁶
- after spending at least six months in the custody of the Department after reaching 16 years of age, was placed in a guardianship by the court.
- after reaching 14 years of age and thereafter spending at least 18 months in out-of-home care, was reunited with his or her parent or parents who were the subject of the dependency proceeding before he or she reaches 18 years of age. ²⁷ Such a student must be Pell Grant-eligible and the entity imposing the tuition and fees must verify such eligibility.
- was adopted from the Department after May 5, 1997.
- was placed in a permanent guardianship, regardless of whether the caregiver participates or participated in the Relative Caregiver Program,²⁸ and remains in such guardianship until the student either reaches 18 years of age or, if before reaching 18 years of age, he or she enrolls in an eligible institution.

The exemption includes fees associated with enrollment in applied academics for adult education instruction and remains valid until a student reaches 28 years of age.²⁹

A student who meets the definition of a homeless child or youth under federal law³⁰ is also eligible for the exemption. Florida uses the same criteria as in federal law to identify students experiencing homelessness, and

²¹ Art. V, s. 15, Fla. Const.

²² Supreme Court of Florida, Opinion No.SC2025-2064 (January 15, 2026), available at https://flcourts-media.flcourts.gov/content/download/2483731/opinion/Opinion_SC2025-2064.pdf.

²³ *Id.*

²⁴ Section [1009.25\(1\), F.S.](#)

²⁵ Section [1009.25\(1\)\(c\)1-6., F.S.](#)

²⁶ See ss. [39.5085](#) and [39.6225, F.S.](#)

²⁷ See s. [39.8155, F.S.](#)

²⁸ Section [39.5085, F.S.](#)

²⁹ Section [1009.25\(1\)\(c\), F.S.](#)

³⁰ McKinney-Vento Homeless Assistance Act, s. 725 (42 U.S.C. s. 11434a(2)).

also includes individuals who would otherwise meet the definition but for their residence in college or university dormitory housing. Any student who is determined to be a homeless child or youth for a preceding award year is presumed to be a homeless child or youth for each subsequent year unless the student informs the institution that his or her circumstances have changed or the institution has specific conflicting information about the student's independence, and has informed the student of this information.³¹

[The Benacquisto Scholarship Program](#)

The Benacquisto Scholarship Program is established to reward high school graduates who are recognized as National Merit Scholars and enroll in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution. The program applies to students who initially enroll in the 2014–2015 academic year or later.

The DOE administers the program in accordance with rules and procedures adopted by the SBE and is responsible for advertising the availability of the scholarship and notifying students, parents, educators, and school administrators of the eligibility criteria.

To qualify for an initial award, a student must meet specified residency, academic, and enrollment requirements. A Florida resident student must earn a standard Florida high school diploma or its equivalent, subject to statutory exceptions for home education students and students who earn a diploma from a non-Florida school while residing with a parent on a military or public service assignment out of state. The student must also be accepted by and enroll full time in a baccalaureate degree program at a regionally accredited Florida public or independent postsecondary educational institution during the fall academic term immediately following high school graduation.³²

[SAAT Degree Programs](#)

In 2024, the Legislature authorized state colleges to offer SAAT degrees for students who need supplemental lower-division coursework beyond the 60 credits required for an associate in arts degree in preparation for transfer to another institution.³³ An SAAT degree must include 36 semester hours of general education coursework and require 60 semester hours or more of college credit. The SBE is required to establish criteria for the review and approval of new SAAT degrees, including a requirement for a college to submit a notice of its intent to propose a new SAAT degree program to the Division of Florida Colleges. The notice must include the recommended credit hours, the rationale for the specialization, the demand for students entering the field, and the coursework being proposed to be included beyond the 60 semester hours required for the general transfer degree, if applicable. The Division of Florida Colleges must forward the notice of intent within 10 business days to all FCS institutions and to the Chancellor of the SUS, who must forward the notice to all state universities. State universities and colleges have 60 days after receiving the notice to submit comments to the proposed SAAT degree. After receiving the comments, the requesting college submits a proposal to the Division of Florida Colleges, which includes responses to the comments received.³⁴

[Commission for Independent Education](#)

The CIE was established in 2001 and is responsible for matters relating to nonpublic postsecondary educational institutions. The commission's functions include consumer protection, program improvements, institutional policies and administration, data management, and the licensure of independent schools, colleges, and universities.³⁵ Under current law, any college, school, or course that is licensed or approved for establishment and

³¹ Section [1009.25\(1\)\(e\), F.S.](#); r. 6A-10.087, F.A.C.; Board of Governors Regulation 7.008.

³² Section [1009.893, F.S.](#)

³³ Section [1007.25\(9\), F.S.](#); r. 6A-14.094, F.A.C.

³⁴ *Id.* See also Florida Department of Education, Florida College System, *SAAT Proposal Approval Process Timeline*, <https://www.fldoe.org/schools/higher-ed/fl-college-system/administrators/saat.shtml> (last visited Mar. 26, 2026).

³⁵ Section [1005.21, F.S.](#); Florida Department of Education, *Commission for Independent Education*, <https://www.fldoe.org/policy/cie/> (last visited Mar. 26, 2026).

operation by another state agency is not under the jurisdiction of the CIE and not required to obtain licensure by the CIE.³⁶

Epinephrine in Schools

Students who have experienced or are at risk for life-threatening allergic reactions may carry and self-administer epinephrine auto-injectors at school, during school-sponsored activities, or while traveling to and from these activities with proper parental and physician authorization. The SBE, in collaboration with the Department of Health, must establish rules ensuring the safe use of epinephrine auto-injectors, including protections against misuse or abuse.³⁷

Schools may also maintain a supply of epinephrine auto-injectors secured in a designated location, accessible to trained school personnel or authorized students. Schools must adopt a physician-developed protocol for the administration of these auto-injectors by school personnel who are trained to recognize an anaphylactic reaction and to administer an epinephrine auto-injection during emergencies.³⁸ School districts, employees, agents, and the physician who provides the protocol are protected from liability related to injuries from administration, provided the trained personnel follow the protocol in response to a suspected anaphylactic reaction.³⁹ School personnel and volunteers involved in administering epinephrine to students during an emergency are protected from liability, provided they adhere to established guidelines and procedures.⁴⁰

Schools must establish clear protocols for effectively managing allergic reactions, including procedures for administering epinephrine either by trained school personnel or by authorized students themselves. Protocols require an annual Individual Health Care Plan developed by the school nurse in collaboration with the student, parents or guardians, healthcare provider, and school personnel. This plan must include an Emergency Action Plan specifying immediate contact with emergency services (911) during an anaphylaxis event and detailing actions if the student cannot self-administer epinephrine.⁴¹

Schools are required to develop written policies, procedures, and protocols to manage health emergencies, including maintaining updated emergency information cards for each student and listing key health details and contacts. Schools must ensure emergency supplies and equipment are clearly identified and accessible, with locations and lists of staff certified in first aid and cardiopulmonary resuscitation (CPR) visibly posted in high-risk areas. Additionally, schools must have at least two staff members (excluding health room personnel) certified in first aid and CPR. The school nurse, in collaboration with school administration, assists in training staff to provide care during emergencies and ensures first aid supplies and emergency equipment are adequately stocked and maintained.⁴²

Administration of Medication and Medical Services by District School Personnel

District school personnel may assist students with the administration of prescription medication at school, provided certain conditions are met, including:⁴³

- Providing training to designated school personnel by a registered nurse, licensed practical nurse, advanced practice registered nurse, physician, or physician assistant.
- Adopting formal policies and procedures to guide medication administration by school personnel.

³⁶ Section [1005.06\(1\)\(b\), F.S.](#) This includes colleges, schools, or courses licensed under part I of chapter 464 (Nurse Practice Act), chapter 466 (Dentistry, Dental Hygiene, and Dental Laboratories), chapter 475 (Real Estate Brokers, Sales Associates, Schools, and Appraisers), or any other chapter of the Florida Statutes.

³⁷ Section [1002.20\(3\)\(i\)1., F.S.](#)

³⁸ Section [1002.20\(3\)\(i\)2., F.S.](#)

³⁹ Section [1002.20\(3\)\(i\)3., F.S.](#)

⁴⁰ Section [1002.20\(3\)\(i\), F.S.](#)

⁴¹ Rule 6A-6.0251, F.A.C. See also, Florida Health, *School Health Administrative Resource Manual*, at 24, available at <https://www.floridahealth.gov/programs-and-services/childrens-health/school-health/SchoolHealthAdministrativeResourceManualRev20217621FINAL.pdf>.

⁴² Rule 64F-6.004, F.A.C.

⁴³ Section [1006.062\(1\), F.S.](#)

- Obtaining written permission from the student's parent or guardian, clearly stating the necessity of medication administration during school hours or school-sponsored events.
- Receiving, counting, and securely storing medication in its original container, accessible only to authorized personnel.

Nonmedical district personnel may also perform specific health-related services following the successful completion of child-specific training and periodic monitoring by medical professionals.⁴⁴ However, nonmedical district personnel are prohibited from performing invasive medical procedures such as sterile catheterization, nasogastric tube feeding, and tracheostomy care requiring deep suctioning.⁴⁵

District school personnel administering medication in compliance with established policies and procedures are protected from liability for civil damages, provided they act reasonably and prudently under similar circumstances.⁴⁶

Schools must establish emergency procedures specifically designed for life-threatening emergencies as part of a school health services plan developed jointly with the county health department and local school health advisory committee.⁴⁷ District school boards and charter school governing boards are required to ensure that each school that serves students in kindergarten through grade 8 provide training to an adequate number of school personnel and contracted personnel in preventing and responding to allergic reactions, including anaphylaxis. The training must include recognizing the signs of an anaphylactic reaction and administering an FDA-approved epinephrine delivery device with a pre-measured, appropriate weight-based dose.⁴⁸

[Family Empowerment Scholarship](#)

The Family Empowerment Scholarship Program provides children of families in Florida with educational options to achieve success in their education, including children of families with limited financial resources, children of law enforcement and military families, and children with disabilities.⁴⁹ The scholarship program includes two types of scholarships: (a) one that assists eligible students to pay for the tuition and fees associated with attendance at a private school, and (b) one that provides access to additional education options for a student with a disability by covering the cost of a variety of approved items, including: contracted services, curriculum, instructional materials, tutoring, specified education programs, and specialized services (FES-UA).⁵⁰ Each scholarship has unique student eligibility requirements, program requirements, award calculation methodologies, and allowable expenditures.⁵¹

[Private School Participation in Scholarship Programs](#)

While each scholarship program has unique requirements for private schools, there are common criteria that each private school must meet in order to participate in any of the state's scholarship programs.⁵² A private school may

⁴⁴ Section [1006.062\(4\), F.S.](#) The child-specific training can be done by a registered nurse or advanced practice registered nurse licensed under chapter 464, a physician licensed pursuant to chapter 458 or chapter 459, or a physician assistant licensed pursuant to chapter 458 or chapter 459.

⁴⁵ Section [1006.062\(3\), F.S.](#)

⁴⁶ Section [1006.062\(2\), F.S.](#)

⁴⁷ Section [1006.062\(7\), F.S.](#) and s. [381.0056\(4\), F.S.](#)

⁴⁸ Section [1002.20\(3\)\(q\), F.S.](#)

⁴⁹ Section [1002.394, F.S.](#); *see also* r. 6A-6.0952, F.A.C.

⁵⁰ Section [1002.394\(3\)\(a\) and \(3\)\(b\), F.S.](#) The John M. McKay Scholarship for Students with Disabilities Program and the Gardiner Scholarship Program were previously offered as two separate scholarships for students with disabilities before the programs were consolidated under the FES-UA. The Gardiner Scholarship was repealed effective July 1, 2021, s. 2, ch. 2021-27 L.O.F. The McKay Scholarship was repealed effective July 1, 2022, s. 3, ch. 2021-27, L.O.F.

⁵¹ Section [1002.394, F.S.](#)

⁵² *See* s. [1002.421, F.S.](#)

be sectarian or nonsectarian, must meet Florida’s definition of a private school,⁵³ be registered with the state, and be in compliance with all the requirements of a private school.⁵⁴ Additionally, a private school must:⁵⁵

- comply with 42 U.S.C. s. 2000d which prohibits excluding a person from participation in federally assisted programs on the grounds of race, color, or national origin;
- notify the DOE of its intent to participate in a scholarship program;
- notify the DOE of any changes in the school’s name, director, mailing address, or physical location within 15 days of the change;
- provide the DOE or the scholarship-funding organization (SFO) all required documentation for student registration and payment;
- annually complete and submit to the DOE a notarized scholarship compliance statement that includes certification that all school employees and contracted personnel with direct student contact have undergone required background screening and met the screening standards;
- demonstrate fiscal soundness in accordance with statutory requirements;
- meet applicable state and local health, safety, and welfare laws, codes, and rules;
- employ or contract with teachers that meet specified requirements;
- maintain a physical location in the state at which each student has regular and direct contact with teachers;
- provide to parents, either on a website or in other written form, information regarding the school’s programs, services, classroom teacher qualifications, and a statement that a parentally placed private school student with a disability does not have an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school under the Individuals with Disabilities Education Act (IDEA), as amended;
- provide the parent, at least on a quarterly basis, a written report of the student’s progress;
- cooperate with a parent who wants a student to participate in Florida’s statewide, standardized assessments;
- adopt policies establishing standards of ethical conduct for educational support employees, instructional personnel, and school administrators; and
- not be owned or operated by a person or an entity domiciled in, owned by, or in any way controlled by a foreign country of concern or foreign principal, as identified in law.

Regular and direct contact with a teacher for a scholarship student at an eligible private school is defined as a program of instruction that provides for a minimum of 170 actual school instruction days with the required instructional hours under the direct instruction of the private school teacher at the school’s approved physical location. This may include occasional off-site activities including the FES-UA transition-to-work plan under the supervision of the private school teacher.⁵⁶ In 2024, the Legislature amended the requirements for regular and direct contact related to students receiving a PEP Scholarship. For PEP scholarship recipients, regular and direct contact may be satisfied by maintaining contact with teachers at the private school’s physical location at least two school days per week and the student learning plan must address the remaining instructional time.⁵⁷

Mathematics Pathways

In 2023, the Legislature required the DOE to convene a workgroup, no later than December 1, 2024, to:

- Identify best practices in CTE pathways from middle school to high school to aid middle school students in career planning and facilitate their transition to high school programs. The career pathway must be linked to postsecondary programs.
- Establish three mathematics pathways for students enrolled in secondary grades by aligning mathematics courses to programs, postsecondary education, and careers. The workgroup must collaborate to identify the three mathematics pathways and the mathematics course sequence within each pathway which align to

⁵³ See [s. 1002.01\(3\), F.S.](#)

⁵⁴ Section [1002.421\(1\), F.S.](#)

⁵⁵ Section [1002.421\(1\)\(a\)-\(s\), F.S.](#); see also r. 6A-6.03315, F.A.C.

⁵⁶ Rule 6A-6.03315, F.A.C.

⁵⁷ Section [1002.421\(1\)\(i\), F.S.](#)

the mathematics skills needed for success in the corresponding academic programs, postsecondary education, and careers.⁵⁸

The DOE gathered a workgroup to discuss and determine three mathematics pathways for students enrolled in grades K-12 by aligning mathematics courses to CTE programs, postsecondary education and careers. The workgroup consisted of teacher-experts across the state selected through an application process and approved by the DOE. The workgroup met regularly to gather information and provide data for each of the mathematics pathways. Based on workgroup collaboration, the Bureau of Standards and Instructional Support within the DOE recommends the three pathways, that are tentatively scheduled to be adopted by rule in the Fall of 2026:

- Algebraic Thinking - Students will engage in mathematics courses that provide a strong foundation for success within various fields including engineering, health sciences, information technology and energy.
- Statistical Thinking - Students will engage in mathematics courses that provide a strong foundation for success within various fields including finance, marketing, business administration and education.
- Quantitative Thinking - Students will engage in mathematics courses that provide a strong foundation for success within various fields including human services, education, communication, public safety and manufacturing.⁵⁹

Florida Graduation Requirements

Florida's graduation requirements for receiving a standard high school diploma are outlined in statute.⁶⁰ Florida students entering grade nine may choose from one of five options to earn a standard diploma. The five options are:⁶¹

- 24-credit program.
- 18-credit program, Academically Challenging Curriculum to Enhance Learning or ACCEL.
- A CTE Pathway.
- An IB curriculum.
- An AICE curriculum.

To be awarded a standard high school diploma under the 24-credit program requires students entering the ninth grade in 2023-2024 or later must earn the following credits:⁶²

- Four credits in English Language Arts (ELA).
- Four credits in mathematics.
- Three credits in science.
- Three credits in social studies.
- One credit in fine or performing arts, speech and debate, or CTE.
- One credit in physical education, which includes the integration of health.⁶³
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.

Students may choose to substitute the required one credit in physical education through participation in an interscholastic sport at the junior varsity or varsity level for two full seasons. Participation in two years of marching band may satisfy one credit of physical education or one credit in fine or performing arts. Students may also satisfy one-half of the credit for physical education by completing one semester and earning a "C" or better in a marching band class, a physical activity class that requires participation in marching band activities, or a dance

⁵⁸ Chapter 2023-87, S. 22, L.O.F. *See also* s. 1003.4282(10), F.S.

⁵⁹ Email, Florida Department of Education, Governmental Relations (Jan. 13, 2026) (on file with the Senate Committee on Education Pre-K-12).

⁶⁰ Sections 1003.4282 and 1002.3105, F.S.

⁶¹ Florida Department of Education, Student Support Services, Graduation Requirements, <https://www.fldoe.org/schools/k-12-public-schools/sss/graduation-requirements/> (last visited Mar. 26, 2026).

⁶² Section 1003.4282(3), F.S.

⁶³ Section 1003.4282(3)(f), F.S.

class. Students may also substitute the required one credit in physical education through completion of two years of Reserve Officer Training Corps (R.O.T.C) class.

In each circumstance where students may choose a substitute for the one credit in physical education, Florida law does not allow the substitution to be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan.⁶⁴

Career and Professional Education (CAPE) Digital Tools

Each district school board is required to make available CAPE Digital Tool certificates to all public elementary grades students to attain digital skills. The DOE is required to identify CAPE Digital Tool certificates in the CAPE Industry Certification Funding List that indicate a student's digital skills and notify each school district when the certificates are available. CAPE Digital Tool certificates earned by students are eligible for additional funding through the Florida Education Funding Program.⁶⁵

Florida Voluntary Prekindergarten Program

The VPK program, implemented in 2005, is a free education program available to all four-year-old children residing in the state.⁶⁶ Each child who resides in Florida who attains the age of four years on or before September 1 of the school year is eligible for the VPK program during either that school year or the following school year. Parents of four-year-old children with birthdays from February 2 through September 1 may wait to enroll their child the following year when they are five.⁶⁷ The child remains eligible until the child is admitted to kindergarten, or unless the child has attained the age of 6 years by February 1 of any school year.⁶⁸ In 2024-2025, there were 153,132 children enrolled with 6,292 providers in Florida's VPK program.⁶⁹

Parents of each child eligible for a VPK program in Florida may enroll their child in one of the following programs:⁷⁰

- A school-year prekindergarten program delivered by an approved private prekindergarten provider.
- A school-year prekindergarten program delivered by a public school.
- A summer prekindergarten program delivered by a public school or private prekindergarten provider.
- A specialized instructional services program for children who have disabilities, if the child has been evaluated and determined as eligible and has a current individual educational plan developed by the local school board.

Requirements for Voluntary Prekindergarten Program Providers

The VPK program may be offered by either a private prekindergarten provider or a public school. To offer the VPK program, a private prekindergarten provider must apply with the Early Learning Coalition (ELC) using forms prescribed by the SBE and must be a:

- licensed child care facility;
- licensed family day care home (FDCH);
- licensed large family child care home (LFCCH);
- nonpublic school exempt from licensure;
- faith-based child care provider exempt from licensure;
- child development program accredited by a national accrediting body and operating on a military installation that is certified by the United States Department of Defense; or

⁶⁴ *Id.*

⁶⁵ Section 1003.4203(2), F.S.

⁶⁶ Art. IX, s. 1., Fla. Const.

⁶⁷ Florida Department of Education, *Division of Early Learning, Annual Report 2024-2025, available at <https://www.fldoe.org/file/20628/2425-DEL-AnnualReport.pdf>* (last visited Mar. 26, 2026).

⁶⁸ Section 1002.53(2), F.S.

⁶⁹ Florida Department of Education, *Division of Early Learning, Annual Report 2024-2025, available at <https://www.fldoe.org/file/20628/2425-DEL-AnnualReport.pdf>* (last visited Mar. 26, 2026).

⁷⁰ Section 1002.53(3), F.S.

- private prekindergarten provider that has been issued a provisional license.⁷¹

In addition, a private prekindergarten provider must:

- be accredited by an accrediting association that is a member of either the National Council for Private School Accreditation, or the Florida Association of Academic Nonpublic Schools, or be accredited by the Southern Association of Colleges and Schools, the Western Association of Colleges and Schools, the North Central Association of Colleges and Schools, the Middle States Association of Colleges and Schools, or the New England Association of Colleges and Schools; and has written accreditation standards that meet the state's licensing requirements and requires at least one onsite visit before accreditation is granted;⁷²
- hold a current Gold Seal Quality Care designation;⁷³ or
- be licensed and demonstrate to the ELC that the provider meets the VPK program's statutory requirements.⁷⁴

Voluntary Prekindergarten Program Provider Accountability

If a private prekindergarten provider or public school's performance metric or designation falls below the minimum performance metric or designation, the ELC must:

- require the provider or school to submit an improvement plan to the ELC for approval and implement the plan;
- place the provider or school on probation; and
- require certain corrective actions, including the use of a DOE-approved VPK curriculum and staff development plan.⁷⁵

A VPK provider placed on probation must continue to implement its improvement plan and take corrective actions until meeting the minimum performance metric or designation or else the provider's contract to deliver the VPK program must be terminated for between 2 and 5 years.⁷⁶ If a VPK provider remains on probation for 2 consecutive years and fails to meet the minimum performance metric or designation, or is not granted a good cause exemption by the DOE, the DOE must require the ELC or school district, as applicable, to remove the private provider or school from eligibility to deliver the VPK program and receive state funds for such program for between 2 and 5 years.⁷⁷

⁷¹ Section [1002.55\(3\)\(a\) and \(h\), F.S.](#); *see also* r. 6M-8.300(3), F.A.C.; [s. 402.305, F.S.](#) (child care facilities licensing); [s. 402.313, F.S.](#) (family day care homes licensing); [s. 402.3131, F.S.](#) (large family child care homes licensing); [s. 402.316, F.S.](#) (faith-based provider exempt from licensure); [s. 402.309, F.S.](#) (provisional license). A private prekindergarten provider may not deliver the program while holding a probation-status license. *See* [s. 402.310, F.S.](#)

⁷² The pre-college divisions of the Southern Association of Colleges and Schools and the North Central Association of Colleges and Schools are now classified as legacy agencies of Cognia, a non-profit, non-governmental accrediting organization. Section 1002.55(3)(b)1., F.S.; *see also* National Council for Private School Accreditation, <http://www.ncpsa.org> (last visited Mar. 26, 2026); Florida Association of Academic Nonpublic Schools, <http://www.faans.org> (last visited Mar. 26, 2026); Southern Association of Colleges and Schools, <https://www.cognia.org/services/accreditation-certification> (last visited Mar. 26, 2026); Western Association of Colleges and Schools, <http://www.acswasc.org/> (last visited Mar. 26, 2026); North Central Association of Colleges and Schools, <https://www.cognia.org/services/accreditation-certification/> (last visited Mar. 26, 2026); Middle States Association of Colleges and Schools, <https://www.msa-cess.org> (last visited Mar. 26, 2026); New England Association of Colleges and Schools, <http://www.neasc.org/> (last visited Mar. 26, 2026).

⁷³ In 1996 the Legislature established the Gold Seal Quality Care Program to recognize facility and home-based child care providers that go beyond minimum licensing requirements and are accredited based on specified standards by qualifying accrediting entities. *See* s. 402.281(1)-(2), F.S. (2020). In 2021, the Legislature also transferred administrative responsibility of the Gold Seal Quality Care Program from the DCF to the DOE. Section [1002.945, F.S.](#) *See* r. 6M-10.001 and 6M-10.002, F.A.C.

⁷⁴ Section [1002.55\(3\)\(b\)3., F.S.](#)

⁷⁵ Section [1002.68\(5\)\(b\), F.S.](#) A provider or school that fails to meet the minimum change-in-ability scores established pursuant to s. [1002.68, F.S.](#) must use a DOE-approved VPK curriculum. Section [1002.67\(2\), F.S.](#)

⁷⁶ Section [1002.68\(5\)\(c\), F.S.](#)

⁷⁷ Section [1002.68\(5\)\(d\), F.S.](#)

Voluntary Prekindergarten Summer Bridge Program

In 2021, the Legislature⁷⁸ required the DOE to implement a coordinated screening and progress monitoring system (system) to assess emergent literacy and mathematics skills for VPK through grade 3 students based on identified standards. The results obtained by the system are required to be reported to the DOE and maintained in the education data warehouse.⁷⁹

The DOE procured the system that measures student progress in the VPK program and the public schools to identify the educational strengths and needs of the students.⁸⁰ Specifically, the system measures student progress in meeting the appropriate expectations in early literacy and mathematics skills and in ELA and mathematics standards. Assessment through the system must occur at least three times within a school year, with the first administration occurring no later than the first 30 instructional days after a student's enrollment or the start of the school year, the second administration occurring midyear, and the third administration occurring within the last 30 days of the school year pursuant to SBE rule. The SBE may adopt alternate timeframes to address nontraditional school year calendars to ensure the coordinated screening and progress monitoring program is administered a minimum of three times within a year.⁸¹

In 2024, the Legislature established the VPK summer bridge program to provide early learning literacy skills instructional support to VPK students who exhibit a substantial deficiency and score below the 10th percentile on the final administration of the system. The summer bridge program must meet requirements adopted by the DOE and must consist of 4 hours of instruction per day for a minimum of 100 total hours.⁸²

Of the 6,422 students who were eligible for the VPK summer bridge program in most recent program year, 841 students participated.⁸³

Gold Seal Quality Care Program

The DOE administers the Gold Seal Quality Care program. In 1996,⁸⁴ the Florida Legislature established the Gold Seal Quality Care Program to recognize child care facilities and family day care homes that have gone above the required minimum licensing standards to become accredited by recognized agencies whose standards reflect quality in the level of care and supervision provided to children. The Gold Seal Quality Care Program is not an accreditation, but a designation with potential benefits to those that participate including, but not limited to:⁸⁵

- A positive marketing tool for prospective parents.
- Tax exemptions. The Department of Revenue issues the exemption certificates for sales tax. This exemption is for certain educational materials.
- Higher reimbursement for School Readiness providers.
- Eligibility to participate in VPK.

To obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family child care home must have:⁸⁶

- No Class I⁸⁷ violations within preceding 2 years;

⁷⁸ Chapter 2021-10, L.O.F.

⁷⁹ *Id.*

⁸⁰ Section [1008.25\(9\)\(a\)1, F.S.](#)

⁸¹ Section [1008.25\(9\)\(b\)1, F.S.](#)

⁸² Section [1008.25\(5\)\(d\), F.S.](#)

⁸³ Email, Florida Department of Education, *Data Request on HB 1071*, (Jan. 14, 2026), on file with the Student Academic Success Subcommittee.

⁸⁴ Section 72, ch. 96-175, L.O.F.

⁸⁵ DOE, DEL, *Gold Seal Quality Care Program*, <https://www.fldoe.org/schools/early-learning/providers/gold-seal.stml> (last visited Mar. 26, 2026).

⁸⁶ Section [1002.945, F.S.](#)

⁸⁷ Class "I" violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines present an imminent danger to the clients of the provider or a substantial probability that death or serious physical or emotional harm would result therefrom. Section [408.813, F.S.](#)

- Less than 3 of the same Class II⁸⁸ violations within preceding 2 years;
- Less than 3 of the same Class III⁸⁹ violations within the preceding 2 years that were not corrected within 1 year.

[New Worlds Reading Initiative](#)

In 2021, the Florida Legislature created the NWRI, Florida’s first statewide book distribution program. The purpose of the NWRI is to instill a love of reading by providing high-quality, free books to students in prekindergarten through grade 5 who are reading below grade level and to improve the literacy skills of students in prekindergarten through grade 12.⁹⁰

To facilitate the NWRI, the DOE designated the University of Florida (UF) Lastinger Center⁹¹ as the administrator,⁹² also serving as the nonprofit SFO.⁹³ Among other responsibilities, the administrator is responsible for:⁹⁴

- Developing, in consultation with the Just Read, Florida! Office, a selection of high-quality books encompassing diverse subjects and genres for each grade level to be mailed to students in the initiative and an online repository of digital science of reading materials and science of reading instructional resources that is accessible to public school teachers, school leaders, parents, and educator preparation programs and associated faculty.
- Distributing books at no cost to students either directly or through an agreement with a book distribution company.
- Assisting with local implementation of the initiative by providing marketing materials to school districts and any partnering nonprofit organizations to assist with public awareness campaigns and other activities designed to increase family engagement and instill a love of reading in students.
- Maintaining a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to improve literacy and provide books to children.
- Developing, for parents of students in the initiative, resources and training materials that engage families in reading and support the reading achievement of their students.
- Providing professional development and resources to teachers that correlate with the books provided through the initiative.
- Developing and administering an early literacy micro-credential program for teachers.
- Submitting to the DOE an annual financial report that includes, at a minimum, the amount of eligible contributions received by the administrator; the amount spent on each activity, including administrative expenses; and the number of students and households served under the initiative.
- Maintaining separate accounts for operating funds and funds for the purchase and delivery of books.
- Expending eligible contributions received only for the purchase and delivery of books and to implement the requirements for NWRI, as well as for administrative expenses not to exceed two percent of total eligible contributions.

⁸⁸ Class “II” violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines directly threaten the physical or emotional health, safety, or security of the clients, other than Class I violations. *Id.*

⁸⁹ Class “III” violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of clients which the agency determines indirectly or potentially threaten the physical or emotional health, safety, or security of clients, other than Class I or Class II violations. *Id.*

⁹⁰ Section [1003.485\(2\), F.S.](#)

⁹¹ See University of Florida, Lastinger Center for Learning, New Worlds Reading Initiative, <https://lastinger.center.ufl.edu/new-worlds/> (last visited Mar. 26, 2026). The UF Lastinger Center for Learning promotes learning that is competency-based, technology-enhanced, researched-informed and validated, and rooted in public-private partnerships.

⁹² Rule 6A-6.0532, F.A.C.; *see also* s. [1003.485\(1\)\(a\), F.S.](#) Administrator means a state university registered with the department and designated to administer the initiative by implementing the NWRI and to receive funding as provided in s. [1003.485, F.S.](#)

⁹³ *See* ss. [1002.394\(11\)](#) and [1002.395\(6\) and \(15\), F.S.](#)

⁹⁴ Section [1003.485\(4\), F.S.](#)

- Upon receipt of a contribution, providing the taxpayer that made the contribution with a certificate of contribution.

The DOE, in addition to designating a state university to administer the initiative, must also publish information about the initiative and tax credits⁹⁵ available for the NWRI⁹⁶ on its website,⁹⁷ including the process for a taxpayer to select the administrator as the recipient of funding through a tax credit.⁹⁸

[Interventions for Students with a Substantial Deficiency in Reading](#)

Public schools that serve any students in kindergarten through grade 8 must also implement an early warning system to identify students who need additional support to improve academic performance and stay engaged in school. Among other early warning indicators, the early warning system must identify a student with a substantial reading deficiency, from kindergarten through grade 3.⁹⁹

Each school district must adopt a reading instruction plan to implement supports for all students in prekindergarten through grade 12 and students who exhibit a substantial deficiency in early reading.¹⁰⁰ The plan may include the following:

- Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students, which may be delivered during or outside of the regular school day.
- Highly qualified reading coaches, who must be endorsed in reading, to specifically support classroom teachers in making instructional decisions based on progress monitoring data and improve classroom teacher delivery of effective reading instruction, reading intervention, and reading in the content areas based on student need.
- Professional learning to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.
- Summer reading camps, using only classroom teachers or other district personnel who possess a micro-credential or are certified or endorsed in reading for all students in kindergarten through grade 5 exhibiting a reading deficiency as determined by district and state assessments.
- Intensive reading interventions, which must be delivered by instructional personnel who possess a micro-credential or are certified or endorsed in reading and must incorporate evidence-based strategies identified by the Just Read, Florida! Office.
- Tutoring in reading.
- A description of how the district prioritizes the assignment of highly effective teachers from kindergarten to grade 2.
- Providing resources that support informed parent involvement in decision-making processes for students who have difficulty in reading and for parents of students who are reading below grade level, information about the students' eligibility for the New Worlds Reading Initiative.¹⁰¹

Florida law requires that any student in kindergarten through grade 3 with a substantial reading deficiency or who exhibits characteristics of dyslexia; based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must receive intervention.¹⁰² The parent of the student who

⁹⁵ See section [1002.395, F.S.](#) and rule 6A-6.0960, F.A.C. The University of Florida Lastinger Center for Learning is a registered SFO and accepts tax credit contributions to support the New Worlds Reading Initiative.

⁹⁶ See section [1003.485\(5\), F.S.](#) New Worlds Reading Initiative Tax Credits; Applications; Transfers and Limits.

⁹⁷ Florida Department of Education, *Florida Tax Credit Scholarships*, <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/ftc/> (last visited Mar. 26, 2026) and Florida Department of Education, *New Worlds Scholarship Accounts*, <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/reading/> (last visited Mar. 26, 2026).

⁹⁸ Section [1003.485\(3\)\(a\) and \(b\), F.S.](#)

⁹⁹ Section [1001.42\(18\)\(b\)1.e., F.S.](#)

¹⁰⁰ Section [1003.4201, F.S.](#)

¹⁰¹ Section [1003.4201\(1\)\(a\), F.S.](#)

¹⁰² Sections [1008.25\(5\)-\(6\), F.S.](#)

exhibits a substantial deficiency must be notified in writing of their child’s status, the interventions provided, and the strategies for parents to use at home.¹⁰³

Following the identification of a reading deficiency, a student in kindergarten through grade 3 must be provided daily targeted small group explicit, direct instruction. The instruction must be systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency vocabulary, and comprehension; and must be implemented during regular school hours. The DOE is required to provide a list of approved reading and intervention programs, in addition to the core reading instruction.¹⁰⁴

Additionally, such students must be provided with a federally required student plan, such as an IEP or an individualized progress monitoring plan, or both, as necessary.¹⁰⁵ An Individualized progress monitoring plan must be developed within 45 days of receipt of the progress monitoring results.¹⁰⁶ The plan must include, at a minimum:

- the student’s specific, identified reading or mathematics skill deficiency;
- goals and benchmarks for student growth in reading or mathematics;
- a description of the specific measures that will be used to evaluate and monitor the student’s progress;
- the specific evidence-based literacy instruction grounded in the science of reading which the student will receive;
- strategies, resources, and materials that will be provided to the student’s parent to support the student’s progress; and
- any additional services the student’s teacher deems available and appropriate to accelerate the student’s reading or mathematics skill development.¹⁰⁷

Exceptional Student Education

Exceptional Student Education (ESE) consists of specially designed instruction and related services provided to students with disabilities.¹⁰⁸ Under the federal IDEA, school districts must provide a free appropriate public education (FAPE) to students ages 3 through 21, which includes special education and related services delivered according to the student’s IEP.¹⁰⁹ During the 2024-2025 school year, Florida public schools served 448,482 students with disabilities.¹¹⁰

Individuals with Disabilities Education Act (IDEA)

The IDEA¹¹¹ is the federal law governing how states and public agencies provide early intervention, education, and related services to eligible children with disabilities.¹¹² States that receive IDEA funds must comply with

¹⁰³ Section [1008.25\(5\)\(d\) and \(6\)\(c\), F.S.](#)

¹⁰⁴ Section [1008.25\(5\)\(a\)1., F.S.](#)

¹⁰⁵ Sections [1002.20\(11\)](#) and [1008.25\(4\)\(c\), F.S.](#)

¹⁰⁶ Section [1008.25\(4\)\(c\), F.S.](#)

¹⁰⁷ *Id.*

¹⁰⁸ Section [1003.57\(1\)\(b\), F.S.](#) and r. 6A-6.03411(1)(m) and (n), Disabilities that qualify a student as an exceptional student include an intellectual disability; an autism spectrum disorder; a speech impairment; a language impairment; an orthopedic impairment; another health impairment; traumatic brain injury; a visual impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; deafness, hard of hearing, or dual sensory impairment; or developmental delays from birth through five years old or if the student is hospitalized or homebound. Section [1003.01\(3\)\(a\), F.S.](#) Students who are identified as gifted are also eligible to receive specially designed instruction and related services. R. 6A-6.03019(1), F.A.C. *See also*, Florida Department of Education, *ESE Eligibility*, available at <https://www.fldoe.org/academics/exceptional-student-edu/ese-eligibility/> (last visited Mar. 26, 2026).

¹⁰⁹ 20 U.S.C. §1400(d)(1)(A); 34 C.F.R. s. 300.101; 34 C.F.R. §300.17; r. 6A-6.03028(1) and 6A-6.03411(1)(p), F.A.C. For students that are gifted, FAPE is provided from kindergarten through grade twelve. *See also*, rr. 6A-6.0331, 6A-6.03026, and 6A-f.03411(1)(i), F.A.C. A school district, at its discretion, may provide services to eligible infants and toddlers with disabilities below 3 years of age. In Florida statute, IEP refers to an “individual education plan.” Section [1003.5716, F.S.](#)

¹¹⁰ Florida Department of Education, Education Information and Accountability Services Data Report, *Membership in Programs for Exceptional Students, Survey 2, 2024-25*, <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/students.stml> (last visited Mar. 26, 2026).

¹¹¹ 20 U.S.C. § 412(a)(1); [s. 1003.5716, F.S.](#)

¹¹² *See* 20 U.S.C. §1412(a)(1).

procedural requirements, including identifying and evaluating students, determining eligibility, and developing and implementing an IEP for each eligible student.¹¹³

Florida Law Governing Exceptional Student Education

As the state educational agency, the Florida DOE exercises general supervision over all educational programs for children with disabilities in the state, including all programs administered by other state or local agencies.¹¹⁴ DOE's Bureau of Exceptional Education and Student Services ensures compliance with federal and state requirements by reviewing ESE procedures, records, and programs, providing technical assistance to districts, and supporting effective operations.¹¹⁵

Florida law requires each district school board to provide an appropriate program of special instruction, facilities, and related services for exceptional students in accordance with standards prescribed by the SBE. Districts must deliver necessary evaluations and services directly, in collaboration with other districts, or through approved private or community providers.¹¹⁶

IEP Transitional Requirements

For students with disabilities, the IEP must address transition services in middle school to prepare for high school, postsecondary goals and career readiness.

During the student's seventh grade year or when the student attains the age of 12, whichever occurs first, an IEP team must begin the process of developing transition services. Before age 14, needed transition services must be included in the IEP so postsecondary and career goals are in place by the first day of high school.¹¹⁷ The process includes instruction in self-determination and self-advocacy, preparation for a standard high school diploma and Scholar or Industry Scholar designation, and information on district and state programs supporting career, technical, and postsecondary opportunities. One year before reaching the age of majority, the IEP must guide legal rights and options to maintain parental involvement, including consent, guardianship, and supported decision-making.¹¹⁸

Beginning no later than the first IEP to be in effect when the student enters high school, attains the age of 14, or when determined appropriate by the parent and IEP team, whichever occurs first, the IEP must include the following specific statements that are to be updated annually:¹¹⁹

- A statement of intent to pursue a standard high school diploma and a Scholar or Industry Scholar designation, as determined by the parent.
- A statement of intent to receive a standard high school diploma before the student attains the age of 22 and a description of how the student will fully meet the requirements of obtaining a standard high school diploma. The IEP must also specify the outcomes and additional benefits expected by the parent and the IEP team at the time of the student's graduation.

A statement of appropriate, measurable long-term postsecondary education and career goals based upon age-appropriate transition assessments related to training, education, employment, and if appropriate, independent

¹¹³ 20 U.S.C. §1415.

¹¹⁴ 20 U.S.C. §1412(a)(11); 34 C.F.R. §300.149.

¹¹⁵ 34 C.F.R. §300.149(a)(1) and (2) and Section [1008.32, F.S.](#); *see also*, Florida Department of Education, Bureau of Exceptional Student Education and Student Services, *Exceptional Student Education Compliance Protocols 2020-2021*, at 1, available at <http://www.fldoe.org/core/fileparse.php/7673/urlt/MonitoringIntroduction.pdf>.

¹¹⁶ Section [1003.57\(1\)\(b\), F.S.](#)

¹¹⁷ Section [1003.5716\(1\), F.S.](#)

¹¹⁸ Section [1003.5716\(1\)\(a\)-\(d\), F.S.](#)

¹¹⁹ Section [1003.5716\(2\), F.S.](#) "Preemployment transition services" are defined as the services of job exploration counseling, work-based learning experiences, counseling on comprehensive transition or postsecondary education programs, workplace readiness training, and instruction in self-advocacy as required by the Workforce Innovation and Opportunity Act of 2014, which may be provided to students with disabilities who are eligible or potentially eligible for vocational rehabilitation services. Section [413.20\(20\), F.S.](#)

living skills and the transition services including preemployment transition services and courses of study needed to assist the student in reaching those goals.

District School Board Authority in an Educational Emergency

To free schools with a school grade of “D” or “F” from contract restrictions that limit the school’s ability to implement programs and strategies needed to improve student performance, current law allows a district school board to adopt salary incentives or other strategies that address the selection, placement, compensation, and expectations of instructional personnel and provide principals with additional autonomy described in statute. An educational emergency exists in a school district if one or more schools in the district have a school grade of “D” or “F.” Notwithstanding provisions relating to collective bargaining, a district school board may:

- Provide salary incentives that differentiate based on a teacher’s certification, subject area taught, or grade level taught. Such incentives are not subject to collective bargaining requirements.
- Notwithstanding provisions relating to assignment of teachers, adopt strategies to assign high-quality teachers more equitably across schools in the district to low-performing schools as a management right. Such strategies are not subject to collective bargaining requirements.¹²⁰

Persistently Low Performing Schools

Current law defines a persistently low performing school as a school that meets at least one of the following criteria:

- a school that has earned three grades lower than a “C,” pursuant to the school grading system, in at least 3 of the previous 5 years that the school received a grade and has not earned a grade of “B” or higher in the most recent 2 school years;
- a school that was closed pursuant to Florida’s school improvement system within 2 years after the submission of a notice of intent; or
- a school in the bottom 10 percent in at least 2 of the previous 3 years for student performance on the end-of-year administration of the coordinated screening and progress monitoring system for grade 3 ELA or grade 4 mathematics.¹²¹

Equity in School-Level Funding

Title I of the Elementary and Secondary Education Act of 1965,¹²² as amended by the Every Student Succeeds Act of 2015,¹²³ is a federal funding program to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.¹²⁴

Title I, Part A provides local educational agencies resources that help children gain a high-quality education and the skills to master Florida’s state academic standards. These resources provide additional teachers, professional learning, extra time for teacher, parent involvement activities, and other activities designed to raise student achievement.¹²⁵

Prior to the allocation of Title I funds to eligible schools, Florida law authorizes a district school board to withhold funds only as follows:

- One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement.
- A necessary and reasonable amount for administration which includes the district’s indirect cost rate, not to exceed a total of 10 percent.
- A reasonable and necessary amount to provide:

¹²⁰ Section [1001.42\(21\), F.S.](#)

¹²¹ Section [1002.333\(1\)\(c\), F.S.](#)

¹²² Pub. L. No. 89-10, 79 Stat. 27 (Apr. 11, 1965).

¹²³ Pub. L. 114-95, 129 Stat 1802 (Dec. 10, 2015).

¹²⁴ 20 U.S.C. a. 6301.

¹²⁵ See Department of Education, *Title I, Part A: Improving the Academic Achievement of the Disadvantaged*, <https://www.fldoe.org/policy/federal-edu-programs/title-i-part-a-improving-the-academic/> (last visited Mar. 26, 2026).

- Homeless programs;
 - Delinquent and neglected programs;
 - Prekindergarten programs and activities;
 - Private school equitable services; and
 - Transportation for foster care children to their school of origin or choice programs.
- A necessary and reasonable amount, not to exceed one percent, for eligible schools to provide educational services in accordance with the approved Title I plan.¹²⁶

Title I also authorizes district school boards to provide up to five percent of the Title I-A allocation to provide financial incentives and rewards to teacher who serve in eligible schools that are identified for comprehensive support and improvement activities or targeted support and improvement activities for the purpose of attracting and retained qualified and effective teachers.¹²⁷

Safe-school Officers

District school boards and school district superintendents are required to partner with law enforcement or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options in order for charter schools to satisfy the requirement that at least one safe-school officer be present on each school facility.¹²⁸

A safe-school officer may be a school resource officer, school safety officer, school guardian, or a school security guard. A school district may implement any combination of the following options based upon the needs of the school district:¹²⁹

- **School Resource Officer.** Establish a school resource officer program through a cooperative agreement with law enforcement agencies. A school resource officer is a certified law enforcement officer¹³⁰ who is employed by a law enforcement agency and is required to undergo criminal background checks, drug testing, and psychological evaluation. School resource officers abide by school board policies and consult with and coordinate activities through the school principal. They are rely on the law enforcement agency for all matters relating to employment, subject to agreements between a school board and a law enforcement agency. Activities conducted by the school resource officer, which are part of the regular instructional program of the school, are under the principal's direction.¹³¹
- **School Safety Officer.** Commission one or more school safety officers as recommended by the district school superintendent and appointed by the district school board. A school safety officer is a certified law enforcement officer who may be employed by a district school board or law enforcement agency and is required to undergo criminal backgrounds checks, drug testing, and psychological evaluation. A school safety officer has and must exercise the power to make arrests for violations of law on school board property or on property owned or leased by a charter school under a charter contract. The officer may also make arrests off school board property if the law violation occurred on such property and may carry weapons when performing his or her official duties. A school safety officer's salary may be paid jointly by the school board and the law enforcement agency, as mutually agreed.
- **School Guardian.** Appoint a school guardian under the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel School Guardian program (Guardian Program) who is certified by the sheriff after satisfactory completion of training hours and screening requirements. A guardian may be a school district employee or

¹²⁶ Section [1011.69\(4\), F.S.](#)

¹²⁷ 20 U.S.C. 6313(c)(4).

¹²⁸ Section [1006.12, F.S.](#) (flush left provisions at the beginning of the section.)

¹²⁹ Section [1006.12\(1\)-\(4\), F.S.](#)

¹³⁰ See [s. 943.10\(1\), F.S.](#)

¹³¹ Section [1006.12\(1\)\(b\), F.S.](#)

personnel or charter school employee who volunteers to serve as a guardian, in support of school sanctioned activities, in addition to his or her official job duties. A qualifying individual may also be employed specifically as a guardian. Guardians do not have arrest powers.¹³²

- **School Security Guard.** Contract with a security agency to employ a school security guard. A school security guard is an individual who is employed by a security agency and serves on a school facility as a safe-school officer in support of school sanctioned activities. Security guards are required to hold a concealed carry weapon permit and undergo drug testing and psychological evaluation. An individual serving in this capacity must also complete guardian program training, including 144 training hours. A security guard must aid in the prevention or abatement of active assailant incidents on school premises, but does not have arrest powers.¹³³ A school district contract with a security agency must define the entity or entities responsible for training and the responsibilities for maintaining records relating to training, inspection, and firearm qualification.

Virtual Instruction Programs

A virtual instruction program provides an interactive, technology-based learning environment in which students are separated from their teachers by time, space, or both.¹³⁴ A school district may provide the option to participate in virtual instruction programs for students residing within the school district.¹³⁵

In order to provide students with the opportunity to participate in virtual instruction programs, a school district may:

- Contract with the Florida Virtual School (FLVS) or establish a franchise of the FLVS.
- Contract with a provider approved by the DOE for the provision of a full-time or part-time school district virtual instruction program.
- Enter into an agreement with another school district to allow its students to participate in a virtual instruction program provided by the other school district.
- Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs.
- Enter into an agreement with a virtual charter school authorized by the school district.¹³⁶

Contracts with the FLVS or other providers may include multidistrict contractual arrangements that may be executed by a regional consortium service organization¹³⁷ on behalf of its member school districts.¹³⁸ Additionally, a virtual charter school may enter into an agreement with a school district to allow participation of the virtual charter school's students in the school district's virtual instruction program.¹³⁹

District school boards are required to adopt procedures whereby the general public can be adequately informed of the educational programs, needs, and objectives of public education within the district, including educational opportunities available through the FLVS.¹⁴⁰ Additionally, district school boards must provide students with access

¹³² Section [30.15\(1\)\(k\), F.S.](#)

¹³³ Section [30.15\(1\)\(k\), F.S.](#) The local sheriff is required to establish a training program in a district where the school board has contracted for the use of school security guards. The security agency is responsible for costs associated with such training, which may not be waived by the sheriff's office.

¹³⁴ Section [1002.45\(1\)\(a\)3., F.S.](#)

¹³⁵ Section [1002.45\(1\)\(b\), F.S.](#)

¹³⁶ Section [1002.45\(1\)\(b\)1.-5., F.S.](#)

¹³⁷ See s. [1001.451, F.S.](#) School districts with 20,000 or fewer unweighted full-time equivalent students, lab schools, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization.

¹³⁸ Sections [1002.45\(1\)\(b\), F.S.](#) (flush left provision at the end of the subsection).

¹³⁹ Section [1002.45\(1\)\(c\)3., F.S.](#)

¹⁴⁰ Section [1001.42\(17\)\(a\), F.S.](#)

to courses available through a virtual instruction program option, including the FLVS and other approved providers, and award credit for successful completion of such courses.¹⁴¹

Middle and High School Grading System

The grading system and interpretation of letter grades used to measure student success in grade 6 through grade 12 courses for students in public schools is as follows:¹⁴²

- Grade “A” equals 90 percent through 100 percent, has a grade point average value of 4, and is defined as “outstanding progress.”
- Grade “B” equals 80 percent through 89 percent, has a grade point average value of 3, and is defined as “above average progress.”
- Grade “C” equals 70 percent through 79 percent, has a grade point average value of 2, and is defined as “average progress.”
- Grade “D” equals 60 percent through 69 percent, has a grade point average value of 1, and is defined as “lowest acceptable progress.”
- Grade “F” equals zero percent through 59 percent, has a grade point average value of zero, and is defined as “failure.”
- Grade “I” equals zero percent, has a grade point average value of zero, and is defined as “incomplete.”

For the purposes of class ranking, district school boards are authorized to exercise a weighted grading system.¹⁴³ School districts and FCS institutions must weigh dual enrollment courses the same as AP, IB, and AICE courses when GPAs are calculated. Alternative grade calculation systems, alternative grade weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited.¹⁴⁴

Dual Enrollment

The dual enrollment program is an acceleration mechanism that allows an eligible secondary¹⁴⁵ or home education student to enroll and earn credit in a postsecondary course creditable toward high school completion and career certificate or an associate or baccalaureate degree.¹⁴⁶ Upon successful completion of a dual enrollment course, the student simultaneously receives credit towards their high school diploma and, a career certificate, an industry certification, or an associate or baccalaureate degree.¹⁴⁷ College credit earned prior to high school graduation may reduce the average time-to-degree and increase the likelihood of completion of a postsecondary degree.¹⁴⁸ Eligible students are permitted to enroll in dual enrollment courses conducted during and after school hours and during the summer term.¹⁴⁹ The DOE maintains an active list of dual enrollment articulation agreements between Florida’s state universities, FCS institutions, and career and technical centers.¹⁵⁰

¹⁴¹ Section [1001.42\(23\), F.S.](#)

¹⁴² Section [1003.437, F.S.](#)

¹⁴³ Sections [1003.437](#) and [1007.271\(18\), F.S.](#)

¹⁴⁴ Section [1007.271\(18\), F.S.](#)

¹⁴⁵ For purposes of dual enrollment, “secondary” is defined as a student who is enrolled in grades 6-12 in a Florida public school or Florida private school. Section [1007.271\(2\), F.S.](#)

¹⁴⁶ Section [1007.271\(1\), F.S.](#) See also r. 6A-14.064, F.A.C.

¹⁴⁷ Florida Department of Education, Office of Articulation, *Dual Enrollment Frequently Asked Questions*, at 1, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/DualEnrollmentFAQ.pdf>.

¹⁴⁸ *Id.* See also Florida Department of Education, *Dual Enrollment*, <https://www.fldoe.org/policy/articulation/dual-enrollment-agreements.stml> (last visited Mar. 26, 2026).

¹⁴⁹ Section [1007.271\(2\), F.S.](#) If an eligible student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment.

¹⁵⁰ Florida Department of Education, *Dual Enrollment*, *Active List of Dual Enrollment Articulation Agreements*, <https://www.fldoe.org/policy/articulation/dual-enrollment-agreements.stml> (last visited Mar. 26, 2026).

A student must meet the following eligibility criteria for initial enrollment in college credit dual enrollment courses:¹⁵¹

- Be enrolled as a student in any of grades 6 through 12 in a Florida public school, Florida private school, or home education program.
- Not be scheduled to graduate from high school prior to the completion of the dual enrollment course.
- Have a 3.0 unweighted high school GPA to enroll in college credits or a 2.0 unweighted high school GPA to enroll in career certificate dual enrollment courses.¹⁵²
- Achieve a minimum score on a common placement test adopted by the SBE or meet alternative methods for assessing postsecondary readiness adopted by the SBE.¹⁵³
- Meet any additional eligibility criteria specified by the postsecondary institution in the dual enrollment articulation agreement.

FACT

In 2023, the Legislature established advanced courses developed by the DOE in collaboration with public postsecondary institutions as an additional acceleration option for students.¹⁵⁴ The DOE collaborated with secondary and postsecondary faculty to develop a high school advanced mathematics course and associated assessment that will offer students an opportunity to earn college credit in college algebra. The DOE launched a pilot of the FACT College Algebra in the 2025-26 academic year, coordinated by the Division of Florida Colleges Florida Student Success Center. Participating secondary instructors received professional learning and will provide feedback to the DOE on the course. Full statewide implementation is scheduled for the 2026-27 school year.

The FACT College Algebra assessment will be based on the B.E.S.T. Standards within the 9-12 Florida Advanced College Algebra course and aligned to competencies and outcomes identified in the course curriculum for College Algebra (MAC X105). The assessment will be offered during the normal spring (March – May) K-12 testing window. Upon passing the FACT College Algebra assessment, students will receive college credit for MAC X105 good at any public college or university in the state of Florida. Additionally, students who pass the assessment will be prepared for courses in the “Algebra through Calculus” postsecondary mathematics pathway, including pre-calculus, statistics, and/or business calculus.¹⁵⁵

Bonuses for Advanced Courses

The Academic Acceleration Options Supplement was created in 2025 to assist school districts in providing academic acceleration options, career-themed courses, and courses that lead to digital tool certificates and industry certifications for prekindergarten through grade 12 students. The supplement is allocated based on each school district’s proportionate share of the state’s total academic acceleration values. The total academic acceleration options supplement for FY 2025-26 is \$596.8 million.¹⁵⁶ Acceleration values by program:

¹⁵¹ Section [1007.271\(2\)-\(3\) and \(13\), F.S.](#) Such requirements may not arbitrarily prohibit students who have demonstrated the ability to master advanced courses and may not limit the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.

¹⁵² A home education student participating in dual enrollment may not be required to meet the GPA requirement for initial eligibility if the student demonstrates achievement of college-level communication and computation skills and such eligibility is included in the articulation agreement. *See* s. [1007.271\(13\)\(b\)2., F.S.](#)

¹⁵³ *See* s. [1008.30\(1\)-\(2\), F.S.](#) An FCS institution may use alternative methods adopted by the SBE to assess student readiness for college-level work in communication and computation. *See also* rr. 6A-14.064 and 6A-10.0315, F.A.C.

¹⁵⁴ Section [1007.35\(1\), F.S.](#)

¹⁵⁵ Florida Department of Education, *Memorandum, Subject: Florida Advanced Course and Test (FACT) College Algebra* (June 13, 2025), available at <https://info.fldoe.org/docushare/dsweb/Get/Version-11717/20225-69.pdf>.

¹⁵⁶ Section [1011.62\(17\), F.S.](#) Specific Appropriations 5 and 88, s. 2, ch. 2025-198, L.O.F.

Program	Acceleration Value	Qualifying Student Attainment
Advanced Placement (AP)	0.16 FTE	Score of three or higher on each College Board AP Subject examination. ¹⁵⁷
College Board AP Capstone Diploma	0.3 FTE	Receives a Capstone Diploma and meets the requirements for a standard high school diploma. ¹⁵⁸
International Baccalaureate (IB)	0.16 FTE	Score of four or higher on the subject examination or a score of “C” or higher on the Theory of Knowledge Course. ¹⁵⁹
IB Diploma	0.3 FTE	Receives an IB Diploma. ¹⁶⁰
Advanced International Certificate of Education (AICE)	0.16 FTE	Receives a score of “E” or higher on a full-credit subject exam. ¹⁶¹
	0.08 FTE	Enrolled in a half-credit class and earns a score of “E” or higher on the subject exam. ¹⁶²
AICE Diploma	0.3 FTE	Receives an AICE Diploma. ¹⁶³
Dual Enrollment	0.16 FTE	Enrolled in an early college program and completes a general education core course with a grade of “A” or better. ¹⁶⁴
	0.08 FTE	Completes a general education core course with a grade of “A” or completes a career course with a grade of “A” in a pathway that leads to an industry certification that is included on the CAPE Industry Certification Funding List. ¹⁶⁵
	0.3 FTE	Receives an associate degree through the dual enrollment program and earns a 3.0 grade point average or better. ¹⁶⁶
Career and Professional Education Act (CAPE)	0.025 FTE	CAPE Digital Tool certificates earned by students in elementary and middle school grades. Beginning with the 2025-26 school year, this value only applies to students in elementary school grades. ¹⁶⁷
	0.1 FTE	Completes a career-themed course or a course with an embedded CAPE Industry Certification and earns an industry certification that does not articulate for college credit. ¹⁶⁸
	0.2 FTE	Completes a career-themed course or a course with an embedded CAPE Industry Certification and earns an industry certification that has a

¹⁵⁷ Section [1011.62\(17\)\(c\)1, F.S.](#)

¹⁵⁸ *Id.*

¹⁵⁹ Section [1011.62\(17\)\(e\)1, F.S.](#)

¹⁶⁰ *Id.*

¹⁶¹ Section [1011.62\(17\)\(d\)1, F.S.](#)

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ Sections [1007.273](#) and [1011.62\(17\)\(b\)1, F.S.](#)

¹⁶⁵ Section [1011.62\(17\)\(b\)1, F.S.](#)

¹⁶⁶ *Id.*

¹⁶⁷ Section [1011.62\(17\)\(f\)1, F.S.](#)

¹⁶⁸ *Id.*

		statewide articulation agreement for college credit. ¹⁶⁹
	0.3 FTE	Completes at least three courses and an industry certification in a single CTE program or program of study. ¹⁷⁰
	0.5 FTE	Completes CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours. ¹⁷¹
	1.0 FTE	Completes CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours. ¹⁷²
Early High School Graduation	0.25 FTE	Student earns 24 credits and graduates one semester in advance of the student's cohort. ¹⁷³
	0.50 FTE	Student earns 24 credits and graduates one year or more in advance of the student's cohort. ¹⁷⁴

Bonuses for teachers of advanced courses, such as IB courses, AICE courses, and AP courses, are based on students' achievements of specified scores on course examinations.¹⁷⁵

- IB- Bonus provides an IB teacher a \$50 bonus for each student who scores 4 or higher on the IB examination or earns a "C" or higher in the Theory of Knowledge course. An IB teacher in a school designated with a grade of "D" or "F" who has at least one student who scores 4 or higher on the IB or earns a "C" or higher in the Theory of Knowledge course examination receives an additional \$500 bonus.¹⁷⁶
- AICE- Bonus provides an AICE teacher a \$50 bonus for each student in an AICE course, or \$25 bonus for each student in a pre-AICE (half-credit) course, who scores "E" or higher on the corresponding AICE examination. An AICE teacher in a school designated with a grade of a "D" or "F" receives an additional \$500 bonus if at least one of the teacher's students' scores "E" or higher on the AICE examination, or a \$250 bonus for each pre-AICE (half-credit) course taught which has at least one student scoring "E" or higher on the half-credit AICE examination.¹⁷⁷
- AP- Bonus provides an AP teacher a \$50 bonus for each student who scores 3 or higher on the College Board AP examination. An AP teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 3 or higher on the College Board AP examination receives an additional \$500 bonus.¹⁷⁸

The table below summarizes the bonuses awarded to teachers based on their students' achievement criteria on the respective advanced course examinations.

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² *Id.*

¹⁷³ Section [1011.62\(17\)\(h\)1., F.S.](#)

¹⁷⁴ *Id.*

¹⁷⁵ Section [1011.62\(1\)\(l\)-\(n\), F.S.](#); *International Baccalaureate*, <https://www.ibo.org/> (last visited Mar. 26, 2026); University of Cambridge, International Examinations, *Cambridge Advanced International Certificate of Education Diploma*, <http://www.cie.org.uk/qualifications/academic/uppersec/aice> (last visited Mar. 26, 2026); College Board, *Advanced Placement Program*, <http://www.collegeboard.com/student/testing/ap/about.html> (last visited Mar. 26, 2026).

¹⁷⁶ Section [1011.62\(17\)\(e\)2., F.S.](#)

¹⁷⁷ Section [1011.62\(17\)\(d\)2. a., F.S.](#) Teachers who receive a \$500 award for a student earning an E or higher on the AICE examination are ineligible for the pre-AICE bonus of \$250, which applies to students earning an E or higher on the AICE exam at schools designated as D or F.

¹⁷⁸ Section [1011.62\(17\)\(c\)2., F.S.](#)

Annual Teacher Bonuses by Advanced Course				
	IB	AP	AICE	pre-AICE
Achieved Required Score (bonus per student)	\$50	\$50	\$50	\$25
Achieved Required Score at D or F School (bonus per teacher)	\$500	\$500	\$500	\$250

There are also bonuses for teachers of career courses that lead to the attainment of a CAPE industry certification. Depending on the certification earned, a school district receives supplemental funding for acceleration courses with assigned values of 0.1, 0.2, 0.3, 0.5, or 1.0 FTE.¹⁷⁹ Teacher bonus funding is awarded for each student taught by a teacher who provided instruction in a course that led to the student's attainment of a CAPE industry certification on the CAPE Industry Certification Funding List¹⁸⁰, as follows:¹⁸¹

Annual Teacher per-Student CAPE Bonuses		
Acceleration Values	Type of Certificate Earned by Student	Amount
0.1 FTE	CAPE industry certification that does not articulate to college credit ¹⁸²	\$25
0.2 FTE	CAPE industry certification that articulates to college credit ¹⁸³	\$50
0.3 FTE	CAPE industry certification in a single career technical education program ¹⁸⁴	\$75
0.5 FTE	CAPE acceleration industry certification articulating to 15-29 college credit hours ¹⁸⁵	\$100
1.0 FTE	CAPE acceleration industry certification articulating to 30+ college credit hours	\$100

Blind Services

The Florida Division of Blind Services, within the DOE, helps blind and visually impaired individuals achieve their goals and live their lives with as much independence and self-direction as possible.¹⁸⁶ As set forth by the Legislature in statute, all programs, projects, and activities of the division are to be carried out in a manner consistent with the following principles:¹⁸⁷

- respect for individual dignity, personal responsibility, self-determination to live independently, and pursuit of meaningful careers, based on informed choice;

¹⁷⁹ Section [1011.62 \(17\)\(f\), F.S.](#)

¹⁸⁰ Sections [1008.44\(1\)](#) and [445.004\(4\), F.S.](#) The CAPE Industry Certification Funding List assigns additional funding to certifications identified in the Master Credentials List under [s. 445.004\(4\), F.S.](#) which meet a statewide, regional, or local demand, and courses that lead to such certifications. A school district can only receive supplemental funding for regional or local demand courses and certifications identified as needs for the region or locality in which the school district is located. *See also*, Florida Department of Education, *CAPE Industry Certification Funding List (2024-2025)*, available at <https://www.fldoe.org/core/fileparse.php/8904/urlt/2425CAPEFundList.pdf>.

¹⁸¹ Section [1011.62 \(17\)\(f\)2., F.S.](#)

¹⁸² Identified in the CAPE Certification Funding List as a CAPE Basic Non-articulated industry certification embedded in a career-themed course. *See s. 1011.62(17)(f)1., F.S.*

¹⁸³ Identified in the CAPE Certification Funding List as a CAPE Basic Articulated industry certification embedded in a career-themed course and has a statewide articulation agreement for college credit. *See s. 1011.62(17)(f)1., F.S.*

¹⁸⁴ Student must also complete at least three courses in addition to achieving an industry certification in a single CTE program or program of study. *See s. 1011.62(17)(f)1., F.S.*

¹⁸⁵ A CAPE Acceleration industry certification is one identified in the CAPE Industry Certification Funding List that articulates to 15 or more college credits. *See s. 1003.4203(4), F.S.*

¹⁸⁶ Florida Department of Education, Division of Blind Services, *Welcome Message*, <https://dbs.fldoe.org/> (last visited Mar. 26, 2026).

¹⁸⁷ Section [413.011\(1\), F.S.](#)

- support for the involvement of an individual’s representative if an individual requests, desires, or needs such support;
- respect for the individual’s privacy and equal access, including the use of information in accessible formats; and
- integration and full participation of individuals who are blind in society on equal terms with others.

VR Service Providers

The State VR Services Program is authorized by the Rehabilitation Act of 1973¹⁸⁸ (Rehabilitation Act), as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA).¹⁸⁹ This program provides grants to assist States in operating statewide VR programs, each of which is an integral part of a statewide workforce development system.¹⁹⁰

State VR programs provide VR services for individuals with disabilities, consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that they may prepare for and engage in competitive integrated employment or supported employment and achieve economic self-sufficiency. To be eligible for the VR program, individuals must have a physical or mental impairment that results in a substantial impediment to employment and who require and can benefit from VR services to achieve employment and maximize career goals, with priority given to individuals with the most significant disabilities.¹⁹¹

As authorized by the Rehabilitation Act, as amended, Florida has two VR agencies both of which are housed within the DOE. The Division of Blind Services serves individuals who are blind and the Division of Vocational Rehabilitation serves all other individuals with disabilities.¹⁹²

VR service providers must register with the Division of Vocational Rehabilitation. To qualify for registration, the division must ensure that the service provider maintains an internal system of quality assurance, has proven functional systems, and is subject to a due-diligence inquiry as to its fitness to undertake service responsibilities.¹⁹³

Licensure of Marriage and Family Therapists

Under current law,¹⁹⁴ to be issued a license as a marriage and family therapist, an applicant must have attained one of the following:

- A minimum of a master’s degree in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.
- A minimum of a master’s degree with a major emphasis in marriage and family therapy or a closely related field from a university program accredited by the Council on Accreditation of Counseling and Related Educational Programs and graduate courses approved by the board.
- A minimum of a master’s degree with an emphasis in marriage and family therapy or a closely related field, with a degree conferred before September 1, 2027, from an institutionally accredited college or university and graduate courses approved by the board.

Statewide Data Repository for Anonymous Human Trafficking Data

The University of South Florida’s (USF) Trafficking in Persons – Risk to Resilience Lab (Lab) was founded in 2020 and is composed of students and faculty members who address human trafficking from an interdisciplinary approach, combining criminological, victim-centered, trauma-informed, and public health perspectives. The Lab:

¹⁸⁸ Rehabilitation Act of 1973, Pub. L. 93-112, 87 Stat. 355.

¹⁸⁹ Workforce Innovation and Opportunity Act, Pub. L. 113-128.

¹⁹⁰ United States Department of Education, *State Vocational Rehabilitation Services Program*, <https://rsa.ed.gov/about/programs/vocational-rehabilitation-state-grants> (last visited Mar. 26, 2026).

¹⁹¹ *Id.*

¹⁹² See Part I and Part II, ch. 413, F.S. See also CareerSource Florida, *2024-2028 WIOA Combined Plan*, available at <https://careersourceflorida.com/wp-content/uploads/2024/02/2024-2028-WIOA-Combined-Plan.pdf>.

¹⁹³ Section 413.208(1), F.S.

¹⁹⁴ Section 491.005(3)(c), F.S.

- conducts research targeting knowledge gaps which impede advances in human trafficking prevention and intervention;
- shares knowledge and proposes solutions to address human trafficking; and
- provides resources to the Tampa Bay community and key stakeholders through a data repository for use by human trafficking researchers.¹⁹⁵

In 2023, the Legislature passed SB 7064, establishing the state’s unified Statewide Data Repository for Anonymous Human Trafficking Data within the Lab.¹⁹⁶ The repository has the following purposes:¹⁹⁷

- To collect and analyze anonymous human trafficking data to determine the impact of and trends in human trafficking in the state.
- To evaluate the effectiveness of state-funded initiatives to combat human trafficking.
- To inform statewide efforts among law enforcement, state agencies, and other entities apprehending and prosecuting persons committing human trafficking offenses.
- To provide intervention services.

The Lab is required to submit an annual report and analysis on its findings to the Governor, Attorney General, President of the Senate, and Speaker of the House, beginning July 1, 2025.¹⁹⁸

Section [1004.343, F.S.](#) is set to sunset July 1, 2026, unless reviewed and reenacted by the Legislature before that date.¹⁹⁹

[Florida Prepaid College Board](#)

The Florida Prepaid College Board (Board) administers the Stanley G. Tate Florida Prepaid College Program (prepaid program) and the Florida College Savings Program (savings program), and performs other specified essential governmental functions.²⁰⁰

In 1989, the Legislature authorized the Board to establish a DSO.²⁰¹ The Board established the Florida Prepaid College Foundation, Inc.,²⁰² (Foundation) in 1990 as a public/private partnership to provide scholarships to students who may not have otherwise had the opportunity to go to college.²⁰³

¹⁹⁵ USF, Department of Criminology, *USF Trafficking in Persons – Risk to Resilience Lab*, <https://www.usf.edu/cbcs/criminology/tip-lab/> (last visited Mar. 26, 2026).

¹⁹⁶ Section 7, ch. 2023-86, L.O.F., codified at [s. 1004.343, F.S.](#)

¹⁹⁷ Section [1004.343\(1\)\(a\), F.S.](#)

¹⁹⁸ Section [1004.343\(5\), F.S.](#)

¹⁹⁹ Section [1004.343\(6\), F.S.](#)

²⁰⁰ Section [1009.971\(1\), F.S.](#) See also ss. [1009.97-1009.988, F.S.](#) The Board is assigned to and administratively housed within the State Board of Administration, but it independently exercises specified powers and duties. The Board consists of seven members, composed of the Attorney General, the Chief Financial Officer, the Chancellor of the State University System, the Chancellor of the Division of Florida Colleges, and three members appointed by the Governor and subject to confirmation by the Senate. Section [1009.971\(1\)-\(2\), F.S.](#)

²⁰¹ Section 1, ch. 89-316, L.O.F.

²⁰² The Foundation was renamed the Stanley G. Tate Florida Prepaid College Foundation, Inc., in 2012. See Florida Prepaid College Foundation, *Amendment and Name Change* (2012), available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (search for “Florida Prepaid College Foundation”, then follow “Florida Prepaid College Foundation, Inc.” hyperlink).

²⁰³ Stanley G. Tate Florida Prepaid College Foundation, *2024 Annual Report*, available at

<https://www.floridaprepaidcollegefoundation.com/wp-content/uploads/2025/03/2024-Florida-Prepaid-College-Foundation-Annual-Report.pdf>, at 5.

The Foundation administers the Florida Prepaid Tuition Scholarship Program (Scholarship Tuition for At-Risk Students, or STARS Program).²⁰⁴ This program provides economically disadvantaged youth with prepaid postsecondary tuition scholarships.²⁰⁵ The Foundation has established additional scholarship programs, which include the Black History Month Scholarship and the Hispanic Heritage Month Scholarship.²⁰⁶

The Board is required to certify that the Foundation operates in a manner consistent with the goals of the Board and in the best interest of the state.²⁰⁷ The Foundation is required to be:²⁰⁸

- A Florida not-for-profit corporation registered, incorporated, organized, and operated in compliance with chapter 617.
- Organized exclusively to receive, hold, invest, and administer property and to make expenditures on behalf of the board.

The Foundation has awarded more than 60,900 Florida Prepaid College Plan scholarships, and more than 37,500 Foundation scholarship recipients have gone to college using their benefits.²⁰⁹ The STARS Program remains the Foundation's largest initiative, representing 83 percent of the scholarships purchased by the Foundation.²¹⁰

Florida ABLE

Congress enacted the ABLE Act (Achieving a Better Life Experience Act) in 2014.²¹¹ The ABLE Act permits a state to implement an ABLE Program and establish ABLE accounts for eligible individuals with disabilities²¹² to spend distributions on "qualified disability expenses."²¹³ The purposes of the ABLE Act are to encourage individuals and families to save money to support individuals with disabilities to maintain health, independence, and quality of life and to provide secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities to supplement benefits provided through other sources.²¹⁴

The Florida ABLE Program was created in 2015 to encourage and assist the saving of private funds in tax-exempt accounts in order to pay for the qualified expenses of eligible individuals with disabilities.²¹⁵ The Florida Prepaid

²⁰⁴ Sections [1009.983\(8\)](#) and [1009.984, F.S.](#); Stanley G. Tate Florida Prepaid College Foundation, *2024 Annual Report*, available at <https://www.floridaprepaidcollegefoundation.com/wp-content/uploads/2025/03/2024-Florida-Prepaid-College-Foundation-Annual-Report.pdf>, at 11.

²⁰⁵ Section [1009.984, F.S.](#)

²⁰⁶ Stanley G. Tate Florida Prepaid College Foundation, *2024 Annual Report*, available at <https://www.floridaprepaidcollegefoundation.com/wp-content/uploads/2025/03/2024-Florida-Prepaid-College-Foundation-Annual-Report.pdf>, at 18.

²⁰⁷ Section [1009.983\(1\)\(c\), F.S.](#)

²⁰⁸ Section [1009.983\(1\), F.S.](#)

²⁰⁹ Stanley G. Tate Florida Prepaid College Foundation, *2024 Annual Report*, available at <https://www.floridaprepaidcollegefoundation.com/wp-content/uploads/2025/03/2024-Florida-Prepaid-College-Foundation-Annual-Report.pdf>, at 4.

²¹⁰ *Id.*

²¹¹ Pub. L. No. 113-295, 128 Stat. 4056 (Dec. 19, 2014).

²¹² 26 U.S.C. § 529(e). An individual is an eligible individual for a taxable year if during such taxable year: (1) the individual is entitled to benefits based on blindness or disability under title II or XVI of the Social Security Act, and such blindness or disability occurred before the date on which the individual attained age 26; or (2) a disability certification with respect to such individual is filed with the Secretary of Education for such taxable year.

²¹³ 26 U.S.C. § 529(e)(5). "Qualified disability expense" is defined as "any expense related to the eligible individual's blindness or disability which are made for the benefit of an eligible individual who is the designated beneficiary, including the following expenses: education, housing, transportation, employment training and support, assistive technology and personal support services, health, prevention and wellness, financial management and administrative services, legal fees, expenses for oversight and monitoring, funeral and burial expenses, and other expenses, which are approved by the Secretary under regulations and consistent with the purposes of this section."

²¹⁴ 26 U.S.C. § 529(b).

²¹⁵ Section 2, ch. 2015-56, L.O.F.

College Board was required to establish a direct-support organization to be known as “Florida ABLE, Inc.” to establish and administer the Florida ABLE Program.²¹⁶

Current law requires the board of directors of the Florida ABLE program to consist of:

- The chair of Florida Prepaid, or his or her designee.
- One individual who possesses knowledge, skill, and experience in the areas of accounting, risk management, or investment management, who must be appointed by Florida Prepaid. A current member of Florida Prepaid, other than the chair, may be appointed.
- One individual who possesses knowledge, skill, and experience in the areas of accounting, risk management, or investment management, who must be appointed by the Governor.
- Two individuals who are advocates of persons with disabilities, one of whom must be appointed by the President of the Senate and one of whom must be appointed by the Speaker of the House of Representatives. At least one of the individuals appointed must be an advocate of persons with developmental disabilities, as that term is defined in statute.²¹⁷

Currently, the Governor-appointee and the individuals appointed by the President of the Senate and Speaker of the House all serve 3-year terms and each may be reappointed for up to one consecutive term. The board of directors annually elects a board member to serve as chair.²¹⁸

²¹⁶ Section [1009.986\(3\), F.S.](#)

²¹⁷ Sections [393.063](#) and [1009.986\(3\)\(d\)1., F.S.](#)

²¹⁸ Section [1009.986\(3\)\(d\)2.b.-c., F.S.](#)

RECENT LEGISLATION:

YEAR	bill #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	CS/CS/HB 1255 - Education	Trabulsy, Tramont/ <i>Calatayud</i>	Became law on July 1, 2025. (The portions of HB 1255 relevant to this bill are present in Committee Substitute 2 as passed by the House.)
2025	SB 2510 - Prekindergarten Through Grade 12 Education	Persons-Mulicka/ <i>Hooper</i>	Became law on June 30, 2025.
2025	CS/SB 1470 - School Safety	Yeager, Hunschofsky/ <i>Burgess</i>	Became law on July 1, 2025.
2025	CS/CS/SB 1514 - Anaphylaxis in Public and Charter Schools	Harris/ <i>Smith</i>	Became law on July 1, 2025.
2025	CS/CS/SB 584 - Young Adult Housing Support	Rizo/ <i>Garcia</i>	Became law on June 27, 2025.
2024	HB 5101 - Education	Tomkow/ <i>Hooper</i>	Became law on July 1, 2024, except as otherwise provided.
2023	SB 7064 - Human Trafficking	Overdorf/ <i>Hutson</i>	Became law on May 16, 2023.
2023	CS/CS/HB 19 - Individual Education Plans	Tant/ <i>Simon, Perry</i>	Became law on July 1, 2023.
2023	CS/CS/CS/HB 1537 - Education	Rizo, Daniels/ <i>Avila</i>	Became law on May 9, 2023.
2023	CS/HB 543 - Public Safety	Brannan, Payne/ <i>Collins</i>	Became law on July 1, 2023.
2022	SB 2524 - Education	Plasencia/ <i>Stargel</i>	Became law on June 2, 2022.
2022	CS/CS/HB 1577 - Homeless Youth	Woodson/ <i>Garcia</i>	Became law on April 6, 2022.
2022	CS/SB 566 - Mental Health Professional Licensure	Koster/ <i>Gruters</i>	Became law on April 6, 2022.