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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2026	.	
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The Committee on Rules (Jones) recommended the following:

1           **Senate Amendment to Amendment (515704) (with title**  
2 **amendment)**

3  
4           Delete lines 211 - 251

5 and insert:

6           Section 5. Subsections (17) and (19) of section 1002.42,  
7 Florida Statutes, are amended to read:

8           1002.42 Private schools.—

9           (17) EPINEPHRINE SUPPLY.—

10           (a) A private school may purchase a supply of United States  
11 Food and Drug Administration (FDA)-approved epinephrine delivery



656962

12 devices ~~auto-injectors~~ from a wholesale distributor as defined  
13 in s. 499.003 or may enter into an arrangement with a wholesale  
14 distributor or manufacturer as defined in s. 499.003 for the  
15 FDA-approved epinephrine delivery devices ~~auto-injectors~~ at  
16 fair-market, free, or reduced prices for use in the event a  
17 student has an anaphylactic reaction. The FDA-approved  
18 epinephrine delivery devices ~~auto-injectors~~ must be maintained  
19 in a secure location on the private school's premises. The  
20 participating private school shall adopt a protocol developed by  
21 a licensed physician for the administration by private school  
22 personnel who are trained to recognize an anaphylactic reaction  
23 and to administer epinephrine by an FDA-approved epinephrine  
24 delivery device ~~auto-injection~~. The supply of FDA-approved  
25 epinephrine delivery devices ~~auto-injectors~~ may be provided to  
26 and used by a student authorized to self-administer epinephrine  
27 by an FDA-approved delivery device ~~auto-injector~~ under s.  
28 1002.20(3)(i) or trained school personnel.

29 (b) The private school and its employees, agents, and the  
30 physician who provides the standing protocol for school FDA-  
31 approved epinephrine delivery devices ~~auto-injectors~~ are not  
32 liable for any injury arising from the use of an FDA-approved  
33 epinephrine delivery device ~~auto-injector~~ administered by  
34 trained school personnel who follow the adopted protocol and  
35 whose professional opinion is that the student is having an  
36 anaphylactic reaction:

37 1. Unless the trained school personnel's action is willful  
38 and wanton;

39 2. Notwithstanding that the parents or guardians of the  
40 student to whom the epinephrine is administered have not been



656962

41 provided notice or have not signed a statement acknowledging  
42 that the school district is not liable; and

43 3. Regardless of whether authorization has been given by  
44 the student's parents or guardians or by the student's  
45 physician, physician assistant, or advanced practice registered  
46 nurse.

47 (19) FACILITIES AND LAND USE.—

48 (a) A private school may use facilities on property owned  
49 or leased by a library, community service organization, museum,  
50 performing arts venue, theater, cinema, or church facility under  
51 s. 170.201, which is or was actively used as such within 5 years  
52 of any executed agreement with a private school to use the  
53 facilities; any facility or land owned by a Florida College  
54 System institution or university; any similar public  
55 institutional facilities; and any facility recently used to  
56 house a school or child care facility licensed under s. 402.305,  
57 under any such facility's preexisting zoning and land use  
58 designations without rezoning or obtaining a special exception  
59 or a land use change, and without complying with any mitigation  
60 requirements or conditions. The facility must be located on  
61 property used solely for purposes described in this paragraph,  
62 and must meet applicable state and local health, safety, and  
63 welfare laws, codes, and rules, including firesafety and  
64 building safety.

65 (b) A private school may use facilities on property  
66 purchased from a library, community service organization,  
67 museum, performing arts venue, theater, cinema, or church  
68 facility under s. 170.201, which is actively or was actively  
69 used as such within 5 years of any executed agreement with a



656962

70 private school to purchase the facilities; any facility or land  
71 owned by a Florida College System institution or university; any  
72 similar public institutional facilities; and any facility  
73 recently used to house a school or child care facility licensed  
74 under s. 402.305, under any such facility's preexisting zoning  
75 and land use designations without obtaining a special exception,  
76 rezoning, or a land use change, and without complying with any  
77 mitigation requirements or conditions. The facility must be  
78 located on property used solely for purposes described in this  
79 paragraph, and must meet applicable state and local health,  
80 safety, and welfare laws, codes, and rules, including firesafety  
81 and building safety.

82 (c) A private school located in a county with four  
83 incorporated municipalities may construct new facilities, which  
84 may be temporary or permanent, on property purchased from or  
85 owned or leased by a library, community service organization,  
86 museum, performing arts venue, theater, cinema, or church under  
87 s. 170.201, which is or was actively used as such within 5 years  
88 of any executed agreement with a private school; any land owned  
89 by a Florida College System institution or state university; and  
90 any land recently used to house a school or child care facility  
91 licensed under s. 402.305, under its preexisting zoning and land  
92 use designations without rezoning or obtaining a special  
93 exception or a land use change, and without complying with any  
94 mitigation requirements or conditions. Any new facility must be  
95 located on property used solely for purposes described in this  
96 paragraph, and must meet applicable state and local health,  
97 safety, and welfare laws, codes, and rules, including firesafety  
98 and building safety.



656962

99           (d) A private school enrolling 150 or fewer students, or  
100 located within the unincorporated area of a county as defined in  
101 s. 125.011, shall be considered a permitted use and occupancy in  
102 a commercial or mixed-use zoning district within a county or  
103 municipality without rezoning or obtaining a special exception  
104 or a land use change, and without complying with any mitigation  
105 requirements, conditions, performance standards, ordinances,  
106 rules, codes, or policies, except that a county or municipality  
107 may require proportionate mitigation measures necessary to  
108 mitigate vehicular traffic and pedestrian safety.

109           1. The vehicular traffic and pedestrian safety mitigation  
110 measures required by a county or municipality pursuant to this  
111 sub-section shall be limited to those impacts reasonably and  
112 directly attributable to the operation of the private school at  
113 the site and shall be no greater in cost or scope than what is  
114 required of all other uses, education or otherwise, within the  
115 same zoning district.

116           2. The private school subject to vehicular traffic and  
117 pedestrian safety mitigation measures may, in lieu of complying  
118 with such mitigation measures, provide a traffic study that  
119 demonstrates the school will not have disproportionate impact on  
120 vehicular traffic or pedestrian safety compared to other  
121 allowable uses within the same zoning district.

122           3. If a local governing authority fails to comply with this  
123 subsection, the aggrieved school or entity has an immediate  
124 right to bring an action in circuit court for injunctive relief.

125           (e) Notwithstanding any other provision of law, a private  
126 school enrolling 150 or fewer students may operate in a facility  
127 that is an existing assembly, day care, mercantile, or business



656962

128 occupancy, as defined in the Florida Fire Prevention Code. A  
129 private school operating in such a facility must meet the  
130 standards for existing educational occupancy requirements under  
131 the Florida Fire Prevention Code, adopted by the State Fire  
132 Marshal. Completion of the fire safety evaluation system for  
133 educational occupancies in NFPA 101A: Guide on Alternative  
134 Approaches to Life Safety, adopted by the State Fire Marshal, by  
135 a registered design professional licensed under chapter 471 or  
136 chapter 481, with a determination of achieving at a minimum an  
137 "at least equivalent" conclusion, shall be considered evidence  
138 of compliance with the Florida Fire Prevention Code. The State  
139 Fire Marshal may adopt rules to implement this paragraph.

140 Section 6. Subsection (2) of section 1002.67, Florida  
141 Statutes, is amended to read:

142 1002.67 Performance standards and curricula.—

143 (2) (a) Each private prekindergarten provider and public  
144 school may select or design the curriculum that the provider or  
145 school uses to implement the Voluntary Prekindergarten Education  
146 (VPK) Program, except as otherwise required for a provider or  
147 school that fails to meet the minimum performance metric score  
148 or designation ~~change-in-ability~~ established pursuant to s.  
149 1002.68.

150 (b) Each private prekindergarten provider's and public  
151 school's curriculum must be developmentally appropriate and  
152 must:

153 1. Be designed to prepare a student for early literacy and  
154 provide for instruction in early math skills;

155 2. Develop students' background knowledge through a  
156 content-rich and sequential knowledge building early literacy



656962

157 curriculum;

158 3. Enhance the age-appropriate progress of students in  
159 attaining the performance standards adopted by the department  
160 under subsection (1); and

161 4. Support student learning gains through differentiated  
162 instruction that shall be measured by the coordinated screening  
163 and progress monitoring program under s. 1008.25(9).

164 (c) The department shall adopt procedures for the review  
165 and approval of curricula for use by private prekindergarten  
166 providers and public schools that fail to meet the minimum  
167 performance metric score or designation change-in-ability scores  
168 established pursuant to s. 1002.68. The department shall  
169 administer the review and approval process and maintain a list  
170 of the curricula approved under this paragraph and available for  
171 purchase. Each approved curriculum must meet the requirements of  
172 paragraph (b). The review and approval process must include  
173 curricula that are available for purchase and proprietary  
174 curricula that are not available for purchase.

175 (d) The department shall review and may approve a  
176 curriculum that is proprietary or available for purchase outside  
177 of the established review and approval process in paragraph (c).  
178 The curriculum must be used by a private provider or public  
179 school district that operates a VPK program in more than five  
180 distinct locations. Any curriculum approved under this paragraph  
181 must meet the requirements of paragraph (b). Any curriculum  
182 approved under this paragraph which is available for purchase  
183 must be included on the list under paragraph (c). Within 60 days  
184 after receipt of the request, the department shall review and  
185 either approve or deny the submitted curricula and all



656962

186 associated materials. A request may not be submitted under this  
187 paragraph within 120 days before the opening of the regular  
188 review process described in paragraph (c).

189  
190 ===== T I T L E A M E N D M E N T =====

191 And the title is amended as follows:

192 Delete line 1584

193 and insert:

194 auto-injectors; making conforming changes; providing  
195 that certain private schools are considered a  
196 permitted use in certain zoning districts; authorizing  
197 certain private schools to operate in facilities that  
198 meet specified requirements; providing exceptions;  
199 requiring certain private schools operating in such  
200 facilities to meet specified Florida Fire Prevention  
201 Code standards; providing that completion of a  
202 specified evaluation system with certain ratings by  
203 specified persons constitutes evidence of compliance  
204 with the Florida Fire Prevention Code for such private  
205 schools; authorizing the State Fire Marshal to adopt  
206 rules; amending s. 1002.67, F.S.; revising limitations  
207 on curriculum selection for Voluntary Prekindergarten  
208 Education Program providers and public schools that  
209 fail to meet minimum performance metrics or  
210 designations; revising Department of Education  
211 requirements for review and approval of certain  
212 curricula; requiring that the review and approval  
213 process include curricula available for purchase and  
214 proprietary curricula not available for purchase;



656962

215 authorizing the department to approve certain  
216 curricula outside of the established review and  
217 approval process for specified multi-site providers or  
218 school districts; providing requirements for approved  
219 curricula; requiring the department to approve or deny  
220 a request within a specified timeframe; providing a  
221 submission limitation; amending s.