

By Senator Calatayud

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1 A bill to be entitled
2 An act relating to education; amending s. 1001.02,
3 F.S.; deleting a requirement that the State Board of
4 Education establish the cost of certain tuition and
5 fees; amending s. 1001.03, F.S.; deleting a
6 requirement that the state board identify certain
7 metrics and develop a specified plan relating to the
8 Florida College System; amending s. 1002.3105, F.S.;
9 deleting a requirement that a performance contract be
10 completed if a student participates in an Academically
11 Challenging Curriculum to Enhance Learning option;
12 providing that a performance contract may be used at
13 the discretion of the principal; repealing s.
14 1002.311, F.S., relating to single-gender programs;
15 amending s. 1002.34, F.S.; deleting a requirement for
16 the Commissioner of Education to provide for an annual
17 comparative evaluation of charter technical career
18 centers and public technical centers; amending s.
19 1002.45, F.S.; deleting a requirement that school
20 districts provide certain virtual instruction options
21 to students; deleting a requirement that virtual
22 instruction program providers be nonsectarian;
23 authorizing school districts to provide certain
24 students with the equipment and access necessary for
25 participation in virtual instruction programs;
26 amending s. 1002.82, F.S.; requiring the Department of
27 Education to review school readiness program plans
28 every 3 years, rather than every 2 years; amending s.
29 1002.85, F.S.; requiring early learning coalitions to

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30 submit school readiness program plans to the
31 department every 3 years, rather than every 2 years;
32 amending s. 1003.4935, F.S.; deleting a requirement
33 that the department collect and report certain data
34 relating to a middle school career and professional
35 academy or a career-themed course; repealing s.
36 1003.4995, F.S., relating to the fine arts report
37 prepared by the Commissioner of Education; repealing
38 s. 1003.4996, F.S., relating to the Competency-Based
39 Education Pilot Program; amending s. 1003.49965, F.S.;
40 authorizing, rather than requiring, a school district
41 to hold an Art in the Capitol Competition; amending s.
42 1003.51, F.S.; deleting a requirement regarding
43 assessment procedures for Department of Juvenile
44 Justice education programs; revising requirements for
45 which assessment results must be included in a
46 student's discharge packet; revising requirements for
47 when a district school board must face sanctions for
48 unsatisfactory performance in its Department of
49 Juvenile Justice programs; amending s. 1003.621, F.S.;
50 deleting a requirement for academically high-
51 performing school districts to submit an annual report
52 to the state board; repealing s. 1004.925, F.S.,
53 relating to automotive service technology education
54 programs and certification; amending s. 1006.28, F.S.;
55 revising the definition of the term "adequate
56 instructional materials"; authorizing school districts
57 to assess a processing fee for certain objections to
58 materials; providing requirements for the assessment

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59 of such fee; providing for the return of such fee
60 under certain circumstances; requiring certain
61 information published and regularly updated by the
62 Department of Education to be sorted by grade level;
63 deleting a timeframe requirement for each district
64 school superintendent to notify the department about
65 instructional materials; deleting a requirement for
66 such notification; authorizing, rather than requiring,
67 a school principal to collect the purchase price of
68 instructional materials lost, destroyed, or
69 unnecessarily damaged by a student; amending s.
70 1006.283, F.S.; deleting a timeframe requirement for a
71 district school superintendent to certify to the
72 department that certain instructional materials meet
73 applicable state standards; amending s. 1007.33, F.S.;

74 deleting a provision authorizing the Board of Trustees
75 of St. Petersburg College to establish certain degree
76 programs; amending s. 1008.25, F.S.; revising
77 requirements for the administration of the coordinated
78 screening and progress monitoring system; providing
79 requirements for the administration of such system for
80 students in the summer prekindergarten program;
81 amending s. 1008.31, F.S.; revising a provision
82 relating to the "No Child Left Behind Act of 2001";
83 amending s. 1008.332, F.S.; revising a provision
84 relating to the No Child Left Behind Act to relate to
85 the Every Student Succeeds Act; deleting a requirement
86 for certain committee members to annually report to
87 specified entities; amending s. 1008.34, F.S.;

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88 requiring that certain changes made by the state board
89 to components in the school grades model or to the
90 school grading scale go into effect in the following
91 school year or later; conforming cross-references;
92 amending s. 1008.345, F.S.; deleting a requirement for
93 the department to develop an annual feedback report;
94 deleting a requirement for the Commissioner of
95 Education to review specified feedback reports and
96 submit findings to the state board; deleting certain
97 requirements for a report the commissioner produces
98 annually for the state board and Legislature; revising
99 what information certain community assessment team
100 recommendations are based on; amending s. 1008.45,
101 F.S.; deleting a requirement that the state board
102 provide a specified annual evaluation; amending ss.
103 1000.05, 1002.31, 1002.321, 1002.33, 1002.455,
104 1008.22, 1008.37, and 1013.841, F.S.; conforming
105 provisions and cross-references to changes made by the
106 act; providing an effective date.

107
108 Be It Enacted by the Legislature of the State of Florida:

109
110 Section 1. Subsection (5) of section 1001.02, Florida
111 Statutes, is amended to read:

112 1001.02 General powers of State Board of Education.—

113 (5) The State Board of Education is responsible for
114 reviewing and administering the state program of support for the
115 Florida College System institutions ~~and, subject to existing~~
116 ~~law, shall establish the tuition and out-of-state fees for~~

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117 ~~developmental education and for credit instruction that may be~~
118 ~~counted toward an associate in arts degree, an associate in~~
119 ~~applied science degree, or an associate in science degree.~~

120 Section 2. Subsection (17) of section 1001.03, Florida
121 Statutes, is amended to read:

122 1001.03 Specific powers of State Board of Education.—

123 ~~(17) PLAN SPECIFYING GOALS AND OBJECTIVES.—By July 1, 2013,~~
124 ~~the State Board of Education shall identify performance metrics~~
125 ~~for the Florida College System and develop a plan that specifies~~
126 ~~goals and objectives for each Florida College System~~
127 ~~institution. The plan must include:~~

128 ~~(a) Performance metrics and standards common for all~~
129 ~~institutions and metrics and standards unique to institutions~~
130 ~~depending on institutional core missions, including, but not~~
131 ~~limited to, remediation success, retention, graduation,~~
132 ~~employment, transfer rates, licensure passage, excess hours,~~
133 ~~student loan burden and default rates, job placement, faculty~~
134 ~~awards, and highly respected rankings for institution and~~
135 ~~program achievements.~~

136 ~~(b) Student enrollment and performance data delineated by~~
137 ~~method of instruction, including, but not limited to,~~
138 ~~traditional, online, and distance learning instruction.~~

139 Section 3. Paragraphs (c) and (d) of subsection (4) of
140 section 1002.3105, Florida Statutes, are amended to read:

141 1002.3105 Academically Challenging Curriculum to Enhance
142 Learning (ACCEL) options.—

143 (4) ACCEL REQUIREMENTS.—

144 (c) If a student participates in an ACCEL option pursuant
145 to the parental request under subparagraph (b)1., a performance

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146 contract is not required but may be used at the discretion of
147 the principal ~~must be executed by the student, the parent, and~~
148 ~~the principal. At a minimum, the performance contract must~~
149 ~~require compliance with:~~

150 ~~1. Minimum student attendance requirements.~~

151 ~~2. Minimum student conduct requirements.~~

152 ~~3. ACCEL option requirements established by the principal,~~
153 ~~which may include participation in extracurricular activities,~~
154 ~~educational outings, field trips, interscholastic competitions,~~
155 ~~and other activities related to the ACCEL option selected.~~

156 ~~(d)~~ If a principal initiates a student's participation in
157 an ACCEL option, the student's parent must be notified. A
158 performance contract, ~~pursuant to paragraph (c),~~ is not required
159 when a principal initiates participation but may be used at the
160 discretion of the principal.

161 Section 4. Section 1002.311, Florida Statutes, is repealed.

162 Section 5. Subsection (19) of section 1002.34, Florida
163 Statutes, is amended to read:

164 1002.34 Charter technical career centers.—

165 ~~(19) EVALUATION; REPORT. The Commissioner of Education~~
166 ~~shall provide for an annual comparative evaluation of charter~~
167 ~~technical career centers and public technical centers. The~~
168 ~~evaluation may be conducted in cooperation with the sponsor,~~
169 ~~through private contracts, or by department staff. At a minimum,~~
170 ~~the comparative evaluation must address the demographic and~~
171 ~~socioeconomic characteristics of the students served, the types~~
172 ~~and costs of services provided, and the outcomes achieved. By~~
173 ~~December 30 of each year, the Commissioner of Education shall~~
174 ~~submit to the Governor, the President of the Senate, the Speaker~~

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175 ~~of the House of Representatives, and the Senate and House~~
176 ~~committees that have responsibility for secondary and~~
177 ~~postsecondary career and technical education a report of the~~
178 ~~comparative evaluation completed for the previous school year.~~

179 Section 6. Paragraphs (c) through (e) of subsection (1) of
180 section 1002.45, Florida Statutes, are redesignated as
181 paragraphs (b) through (d), respectively, and present paragraphs
182 (b), (c), and (e) of that subsection, subsection (2), paragraph
183 (d) of subsection (3), subsection (5), and paragraph (a) of
184 subsection (6) are amended, to read:

185 1002.45 Virtual instruction programs.—

186 (1) PROGRAM.—

187 ~~(b)1. Each school district shall provide at least one~~
188 ~~option for part time and full time virtual instruction for~~
189 ~~students residing within the school district. All school~~
190 ~~districts must provide parents with timely written notification~~
191 ~~of at least one open enrollment period for full-time students of~~
192 ~~90 days or more which ends 30 days before the first day of the~~
193 ~~school year. A school district virtual instruction program shall~~
194 ~~consist of the following:~~

195 ~~a. Full-time and part-time virtual instruction for students~~
196 ~~enrolled in kindergarten through grade 12.~~

197 ~~b. Full-time or part-time virtual instruction for students~~
198 ~~enrolled in dropout prevention and academic intervention~~
199 ~~programs under s. 1003.53, Department of Juvenile Justice~~
200 ~~education programs under s. 1003.52, core-curricula courses to~~
201 ~~meet class size requirements under s. 1003.03, or Florida~~
202 ~~College System institutions under this section.~~

203 ~~2. Each virtual instruction program established under~~

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204 ~~paragraph (c) by a school district either directly or through a~~
205 ~~contract with an approved virtual instruction program provider~~
206 ~~shall operate under its own Master School Identification Number~~
207 ~~as prescribed by the department.~~

208 (b) ~~(e)~~ To provide students residing within the school
209 district the option of participating in virtual instruction
210 programs ~~as required by paragraph (b)~~, a school district may:

211 1. Contract with the Florida Virtual School or establish a
212 franchise of the Florida Virtual School pursuant to s.
213 1002.37(2) ~~for the provision of a program under paragraph (b)~~.

214 2. Contract with an approved virtual instruction program
215 provider under subsection (2) ~~for the provision of a full-time~~
216 ~~or part-time program under paragraph (b)~~.

217 3. Enter into an agreement with other school districts to
218 allow the participation of its students in an approved virtual
219 instruction program provided by the other school district. The
220 agreement must indicate a process for the transfer of funds
221 required by paragraph (6) (b).

222 4. Establish school district operated part-time or full-
223 time kindergarten through grade 12 virtual instruction programs.

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

226
227 Contracts under subparagraph 1. or subparagraph 2. may include
228 multidistrict contractual arrangements executed by a regional
229 consortium service organization established pursuant to s.
230 1001.451 for its member districts. A multidistrict contractual
231 arrangement or an agreement under subparagraph 3. is not subject
232 to s. 1001.42(4) (d) and does not require the participating

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233 school districts to be contiguous. ~~These arrangements may be~~
234 ~~used to fulfill the requirements of paragraph (b).~~

235 (d)~~(e)~~ Each school district shall:

236 1. Provide to the department by each October 1~~7~~ a copy of
237 each contract and the amount paid per unweighted full-time
238 equivalent virtual student for services procured pursuant to
239 subparagraphs (b)1. and 2. ~~(e)1.~~ and ~~2.~~

240 2. Expend any difference in the amount of funds per
241 unweighted full-time equivalent virtual student allocated to the
242 school district pursuant to subsection (6) and the amount paid
243 per unweighted full-time equivalent virtual student by the
244 school district for a contract executed pursuant to subparagraph
245 (b)1. ~~(e)1.~~ or subparagraph (b)2. ~~(e)2.~~ on acquiring computer
246 and device hardware and associated operating system software
247 that comply with the requirements of s. 1001.20(4)(a)1.b.

248 3. Provide to the department by September 1 of each year an
249 itemized list of items acquired in subparagraph 2.

250 4. Limit the enrollment of full-time equivalent virtual
251 students residing outside of the school district providing the
252 virtual instruction pursuant to paragraph (b) ~~(e)~~ to no more
253 than those that can be funded from state Florida Education
254 Finance Program funds.

255 (2) PROVIDER QUALIFICATIONS.—

256 (a) The department shall annually publish on its website a
257 list of providers approved by the State Board of Education to
258 offer virtual instruction programs. To be approved, a virtual
259 instruction program provider must document that it:

260 1. ~~Is nonsectarian in its programs, admission policies,~~
261 ~~employment practices, and operations;~~

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262 ~~2.~~ Complies with the antidiscrimination provisions of s.
263 1000.05;

264 2.3. Locates an administrative office or offices in this
265 state, requires its administrative staff to be state residents,
266 requires all instructional staff to be Florida-certified
267 teachers under chapter 1012 and conducts background screenings
268 for all employees or contracted personnel, as required by s.
269 1012.32, using state and national criminal history records;

270 ~~3.4.~~ Electronically provides to parents and students
271 specific information that includes, but is not limited to, the
272 following teacher-parent and teacher-student contact information
273 for each course:

274 a. How to contact the instructor via phone, e-mail, or
275 online messaging tools.

276 b. How to contact technical support via phone, e-mail, or
277 online messaging tools.

278 c. How to contact the administration office via phone, e-
279 mail, or online messaging tools.

280 d. Any requirement for regular contact with the instructor
281 for the course and clear expectations for meeting the
282 requirement.

283 e. The requirement that the instructor in each course must,
284 at a minimum, conduct one contact with the parent and the
285 student each month;

286 4.5. Possesses prior, successful experience offering
287 virtual instruction courses to elementary, middle, or high
288 school students as demonstrated by quantified student learning
289 gains in each subject area and grade level provided for
290 consideration as an instructional program option. However, for a

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291 virtual instruction program provider without sufficient prior,
292 successful experience offering online courses, the State Board
293 of Education may conditionally approve the virtual instruction
294 program provider to offer courses measured pursuant to
295 subparagraph (7) (a)2. Conditional approval shall be valid for 1
296 school year only and, based on the virtual instruction program
297 provider's experience in offering the courses, the State Board
298 of Education may grant approval to offer a virtual instruction
299 program;

300 ~~5.6.~~ Is accredited by a regional accrediting association as
301 defined by State Board of Education rule;

302 ~~6.7.~~ Ensures instructional and curricular quality through a
303 detailed curriculum and student performance accountability plan
304 that addresses every subject and grade level it intends to
305 provide through contract with the school district, including:

306 a. Courses and programs that meet the standards of the
307 International Association for K-12 Online Learning and the
308 Southern Regional Education Board.

309 b. Instructional content and services that align with, and
310 measure student attainment of, student proficiency in the state
311 academic standards.

312 c. Mechanisms that determine and ensure that a student has
313 satisfied requirements for grade level promotion and high school
314 graduation with a standard diploma, as appropriate;

315 ~~7.8.~~ Publishes, in accordance with disclosure requirements
316 adopted in rule by the State Board of Education, as part of its
317 application as an approved virtual instruction program provider
318 and in all contracts negotiated pursuant to this section:

319 a. Information and data about the curriculum of each full-

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320 time and part-time virtual instruction program.

321 b. School policies and procedures.

322 c. Certification status and physical location of all
323 administrative and instructional personnel.

324 d. Hours and times of availability of instructional
325 personnel.

326 e. Student-teacher ratios.

327 f. Student completion and promotion rates.

328 g. Student, educator, and school performance accountability
329 outcomes;

330 ~~8.9.~~ If the approved virtual instruction program provider
331 is a Florida College System institution, employs instructors who
332 meet the certification requirements for instructional staff
333 under chapter 1012; and

334 ~~9.10.~~ Performs an annual financial audit of its accounts
335 and records conducted by an independent auditor who is a
336 certified public accountant licensed under chapter 473. The
337 independent auditor shall conduct the audit in accordance with
338 rules adopted by the Auditor General and in compliance with
339 generally accepted auditing standards, and include a report on
340 financial statements presented in accordance with generally
341 accepted accounting principles. The audit report shall be
342 accompanied by a written statement from the approved virtual
343 instruction program provider in response to any deficiencies
344 identified within the audit report and shall be submitted by the
345 approved virtual instruction program provider to the State Board
346 of Education and the Auditor General no later than 9 months
347 after the end of the preceding fiscal year.

348 (b) An approved virtual instruction program provider that

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349 maintains compliance with all requirements of this section shall
350 retain its approved status for a period of 3 school years after
351 the date of approval by the State Board of Education.

352 (3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual
353 instruction program under this section must:

354 (d) Provide each full-time student enrolled in the virtual
355 instruction program who qualifies for free or reduced-price
356 school lunches under the National School Lunch Act, or who is on
357 the direct certification list, and who does not have a computer
358 or Internet access in his or her home with:

359 1. All equipment necessary for participants in the virtual
360 instruction program, including, but not limited to, a computer,
361 computer monitor, and printer, if a printer is necessary to
362 participate in the virtual instruction program; and

363 2. Access to or reimbursement for all Internet services
364 necessary for online delivery of instruction.

365

366 A school district may provide each full-time student enrolled in
367 the virtual instruction program with the equipment and access
368 necessary for participation in the program.

369 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student
370 enrolled in the school district's virtual instruction program
371 authorized pursuant to paragraph (1) (b) ~~(1) (e)~~ must:

372 (a) Comply with the compulsory attendance requirements of
373 s. 1003.21. Student attendance must be verified by the school
374 district.

375 (b) Take statewide assessments pursuant to s. 1008.22 and
376 participate in the coordinated screening and progress monitoring
377 system under s. 1008.25(9). Statewide assessments and progress

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378 monitoring may be administered within the school district in
379 which such student resides, or as specified in the contract in
380 accordance with s. 1008.24(3). If requested by the approved
381 virtual instruction program provider or virtual charter school,
382 the district of residence must provide the student with access
383 to the district's testing facilities.

384 (6) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL
385 FUNDING.—

386 (a) All virtual instruction programs established pursuant
387 to paragraph (1)(b) ~~(1)(c)~~ are subject to the requirements of s.
388 1011.61(1)(c)1.b.(III), (IV), (VI), and (4), and the school
389 district providing the virtual instruction program shall report
390 the full-time equivalent students in a manner prescribed by the
391 department. A school district may report a full-time equivalent
392 student for credit earned by a student who is enrolled in a
393 virtual instruction course provided by the district which was
394 completed after the end of the regular school year if the full-
395 time equivalent student is reported no later than the deadline
396 for amending the final full-time equivalent student membership
397 report for that year.

398 Section 7. Paragraph (e) of subsection (2) of section
399 1002.82, Florida Statutes, is amended to read:

400 1002.82 Department of Education; powers and duties.—

401 (2) The department shall:

402 (e) Review each early learning coalition's school readiness
403 program plan every 3 ~~2~~ years and provide final approval of the
404 plan and any amendments submitted.

405 Section 8. Subsection (2) of section 1002.85, Florida
406 Statutes, is amended to read:

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407 1002.85 Early learning coalition plans.—

408 (2) Each early learning coalition must ~~biennially~~ submit a
409 school readiness program plan every 3 years to the department
410 before the expenditure of funds. A coalition may not implement
411 its school readiness program plan until it receives approval
412 from the department. A coalition may not implement any revision
413 to its school readiness program plan until the coalition submits
414 the revised plan to and receives approval from the department.
415 If the department rejects a plan or revision, the coalition must
416 continue to operate under its previously approved plan. The plan
417 must include, but is not limited to:

418 (a) The coalition's operations, including its membership
419 and business organization, and the coalition's articles of
420 incorporation and bylaws if the coalition is organized as a
421 corporation. If the coalition is not organized as a corporation
422 or other business entity, the plan must include the contract
423 with a fiscal agent.

424 (b) The coalition's procedures for implementing the
425 requirements of this part, including:

- 426 1. Single point of entry.
- 427 2. Uniform waiting list.
- 428 3. Eligibility and enrollment processes and local
429 eligibility priorities for children pursuant to s. 1002.87.
- 430 4. Parent access and choice.
- 431 5. Sliding fee scale and policies on applying the waiver or
432 reduction of fees in accordance with s. 1002.84(9).
- 433 6. Use of preassessments and postassessments, as
434 applicable.
- 435 7. Use of contracted slots, as applicable, based on the

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436 results of the assessment required under paragraph (i).

437 (c) A detailed description of the coalition's quality
438 activities and services, including, but not limited to:

439 1. Resource and referral and school-age child care.

440 2. Infant and toddler early learning.

441 3. Inclusive early learning programs.

442 4. Quality improvement strategies that strengthen teaching
443 practices and increase child outcomes.

444 (d) A detailed budget that outlines estimated expenditures
445 for state, federal, and local matching funds at the lowest level
446 of detail available by other-cost-accumulator code number; all
447 estimated sources of revenue with identifiable descriptions; a
448 listing of full-time equivalent positions; contracted
449 subcontractor costs with related annual compensation amount or
450 hourly rate of compensation; and a capital improvements plan
451 outlining existing fixed capital outlay projects and proposed
452 capital outlay projects that will begin during the budget year.

453 (e) A detailed accounting, in the format prescribed by the
454 department, of all revenues and expenditures during the 2
455 previous state fiscal years ~~year~~. Revenue sources should be
456 identifiable, and expenditures should be reported by two
457 categories: state and federal funds and local matching funds.

458 (f) Updated policies and procedures, including those
459 governing procurement, maintenance of tangible personal
460 property, maintenance of records, information technology
461 security, and disbursement controls.

462 (g) A description of the procedures for monitoring school
463 readiness program providers, including in response to a parental
464 complaint, to determine that the standards prescribed in ss.

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465 1002.82 and 1002.88 are met using a standard monitoring tool
466 adopted by the department. Providers determined to be high risk
467 by the coalition as demonstrated by substantial findings of
468 violations of law shall be monitored more frequently.

469 (h) Documentation that the coalition has solicited and
470 considered comments regarding the proposed school readiness
471 program plan from the local community.

472 (i) An assessment of local priorities within the county or
473 multicounty region based on the needs of families and provider
474 capacity using available community data.

475 Section 9. Subsection (3) of section 1003.4935, Florida
476 Statutes, is amended to read:

477 1003.4935 Middle grades career and professional academy
478 courses and career-themed courses.—

479 ~~(3) Beginning with the 2012-2013 school year, if a school~~
480 ~~district implements a middle school career and professional~~
481 ~~academy or a career-themed course, the Department of Education~~
482 ~~shall collect and report student achievement data pursuant to~~
483 ~~performance factors identified under s. 1003.492(3) for students~~
484 ~~enrolled in an academy or a career-themed course.~~

485 Section 10. Section 1003.4995, Florida Statutes, is
486 repealed.

487 Section 11. Section 1003.4996, Florida Statutes, is
488 repealed.

489 Section 12. Subsection (2) of section 1003.49965, Florida
490 Statutes, is amended to read:

491 1003.49965 Art in the Capitol Competition.—

492 (2) A ~~Each~~ school district may ~~shall~~ annually hold an Art
493 in the Capitol Competition for all public, private, and home

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494 education students in grades 6 through 8. Submissions shall be
495 judged by a selection committee consisting of art teachers whose
496 students have not submitted artwork for consideration.

497 Section 13. Paragraphs (g) and (r) of subsection (2) of
498 section 1003.51, Florida Statutes, are amended to read:

499 1003.51 Other public educational services.—

500 (2) The State Board of Education shall adopt rules
501 articulating expectations for effective education programs for
502 students in Department of Juvenile Justice programs, including,
503 but not limited to, education programs in juvenile justice
504 prevention, day treatment, residential, and detention programs.
505 The rule shall establish policies and standards for education
506 programs for students in Department of Juvenile Justice programs
507 and shall include the following:

508 (g) Assessment procedures that, ~~which:~~

509 ~~1. For prevention, day treatment, and residential programs,~~
510 ~~include appropriate academic and career assessments administered~~
511 ~~at program entry and exit that are selected by the Department of~~
512 ~~Education in partnership with representatives from the~~
513 ~~Department of Juvenile Justice, district school boards, and~~
514 ~~education providers. Assessments must be completed within the~~
515 ~~first 10 school days after a student's entry into the program.~~

516 ~~2.~~ provide for determination of the areas of academic need
517 and strategies for appropriate intervention and instruction for
518 each student in a detention facility within 5 school days after
519 the student's entry into the program and for the administration
520 of administer a research-based assessment that will assist the
521 student in determining his or her educational and career options
522 and goals within 22 school days after the student's entry into

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523 the program. The results of the ~~these~~ assessments required under
524 this paragraph and s. 1003.52(3)(d), together with a portfolio
525 depicting the student's academic and career accomplishments,
526 must ~~shall~~ be included in the discharge packet assembled for
527 each student.

528 (r) A series of graduated sanctions for district school
529 boards whose educational programs in Department of Juvenile
530 Justice programs are considered to be unsatisfactory and for
531 instances in which district school boards fail to meet standards
532 prescribed by law, rule, or State Board of Education policy.
533 These sanctions must ~~shall~~ include the option of requiring a
534 district school board to contract with a provider or another
535 district school board if the educational program at the
536 Department of Juvenile Justice program is performing below
537 minimum standards ~~and, after 6 months, is still performing below~~
538 ~~minimum standards.~~

539 Section 14. Subsection (4) of section 1003.621, Florida
540 Statutes, is amended to read:

541 1003.621 Academically high-performing school districts.—It
542 is the intent of the Legislature to recognize and reward school
543 districts that demonstrate the ability to consistently maintain
544 or improve their high-performing status. The purpose of this
545 section is to provide high-performing school districts with
546 flexibility in meeting the specific requirements in statute and
547 rules of the State Board of Education.

548 ~~(4) REPORTS. The academically high-performing school~~
549 ~~district shall submit to the State Board of Education and the~~
550 ~~Legislature an annual report on December 1 which delineates the~~
551 ~~performance of the school district relative to the academic~~

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552 ~~performance of students at each grade level in reading, writing,~~
553 ~~mathematics, science, and any other subject that is included as~~
554 ~~a part of the statewide assessment program in s. 1008.22. The~~
555 ~~annual report shall be submitted in a format prescribed by the~~
556 ~~Department of Education and shall include:~~

557 ~~(a) Longitudinal performance of students on statewide,~~
558 ~~standardized assessments taken under s. 1008.22;~~

559 ~~(b) Longitudinal performance of students by grade level and~~
560 ~~subgroup on statewide, standardized assessments taken under s.~~
561 ~~1008.22;~~

562 ~~(c) Longitudinal performance regarding efforts to close the~~
563 ~~achievement gap;~~

564 ~~(d)1. Number and percentage of students who take an~~
565 ~~Advanced Placement Examination; and~~

566 ~~2. Longitudinal performance regarding students who take an~~
567 ~~Advanced Placement Examination by demographic group,~~
568 ~~specifically by age, gender, race, and Hispanic origin, and by~~
569 ~~participation in the National School Lunch Program;~~

570 ~~(e) Evidence of compliance with subsection (1); and~~

571 ~~(f) A description of each waiver and the status of each~~
572 ~~waiver.~~

573 ~~Section 15. Section 1004.925, Florida Statutes, is~~
574 ~~repealed.~~

575 ~~Section 16. Paragraph (a) of subsection (1), paragraphs (a)~~
576 ~~and (e) of subsection (2), paragraph (b) of subsection (3), and~~
577 ~~paragraph (b) of subsection (4) of section 1006.28, Florida~~
578 ~~Statutes, are amended to read:~~

579 ~~1006.28 Duties of district school board, district school~~
580 ~~superintendent; and school principal regarding K-12~~

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581 instructional materials.—

582 (1) DEFINITIONS.—

583 (a) As used in this section, the term:

584 1. "Adequate instructional materials" means a sufficient
585 number of student or site licenses or sets of materials that are
586 available in bound, unbound, kit, or package form and may
587 consist of hardbacked or softbacked textbooks, electronic
588 content, consumables, learning laboratories, manipulatives,
589 electronic media, and computer courseware or software that serve
590 as the basis for instruction ~~for each student~~ in the core
591 subject areas of mathematics, language arts, social studies,
592 science, reading, and literature.

593 2. "Instructional materials" has the same meaning as in s.
594 1006.29(2).

595 3. "Library media center" means any collection of books,
596 ebooks, periodicals, or videos maintained and accessible on the
597 site of a school, including in classrooms.

598 (2) DISTRICT SCHOOL BOARD.—The district school board has
599 the constitutional duty and responsibility to select and provide
600 adequate instructional materials for all students in accordance
601 with the requirements of this part. The district school board
602 also has the following specific duties and responsibilities:

603 (a) *Courses of study; adoption.*—Adopt courses of study,
604 including instructional materials, for use in the schools of the
605 district.

606 1. Each district school board is responsible for the
607 content of all instructional materials and any other materials
608 used in a classroom, made available in a school or classroom
609 library, or included on a reading list, whether adopted and

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610 purchased from the state-adopted instructional materials list,
611 adopted and purchased through a district instructional materials
612 program under s. 1006.283, or otherwise purchased or made
613 available.

614 2. Each district school board must adopt a policy regarding
615 an objection by a parent or a resident of the county to the use
616 of a specific material, which clearly describes a process to
617 handle all objections and provides for resolution. The objection
618 form, as prescribed by State Board of Education rule, and the
619 district school board's process must be easy to read and
620 understand and be easily accessible on the homepage of the
621 school district's website. The objection form must also identify
622 the school district point of contact and contact information for
623 the submission of an objection. The process must provide the
624 parent or resident the opportunity to proffer evidence to the
625 district school board that:

626 a. An instructional material does not meet the criteria of
627 s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in
628 a course or otherwise made available to students in the school
629 district but was not subject to the public notice, review,
630 comment, and hearing procedures under s. 1006.283(2)(b)8., 9.,
631 and 11.

632 b. Any material used in a classroom, made available in a
633 school or classroom library, or included on a reading list
634 contains content which:

635 (I) Is pornographic or prohibited under s. 847.012;

636 (II) Depicts or describes sexual conduct as defined in s.
637 847.001(19), unless such material is for a course required by s.
638 1003.46, s. 1003.42(2)(n)1.g., or s. 1003.42(2)(n)3., or

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639 identified by State Board of Education rule;

640 (III) Is not suited to student needs and their ability to
641 comprehend the material presented; or

642 (IV) Is inappropriate for the grade level and age group for
643 which the material is used.

644

645 A school district may assess a \$100 processing fee for each
646 objection submitted by a parent or resident who does not have a
647 student enrolled in the school where the material is located if
648 the parent or resident has objected to more than five materials
649 during the calendar year. The school district must return to the
650 parent or resident the processing fee for each objection that is
651 upheld. Any material that is subject to an objection on the
652 basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph
653 b.(II) must be removed within 5 school days after ~~of~~ receipt of
654 the objection and remain unavailable to students of that school
655 until the objection is resolved. Parents shall have the right to
656 read passages from any material that is subject to an objection.
657 If the school board denies a parent the right to read passages
658 due to content that meets the requirements under sub-sub-
659 subparagraph b.(I), the school district shall discontinue the
660 use of the material. If the district school board finds that any
661 material meets the requirements under sub-subparagraph a. or
662 that any other material contains prohibited content under sub-
663 sub-subparagraph b.(I), the school district shall discontinue
664 use of the material. If the district school board finds that any
665 other material contains prohibited content under sub-sub-
666 subparagraphs b.(II)-(IV), the school district shall discontinue
667 use of the material for any grade level or age group for which

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668 such use is inappropriate or unsuitable.

669 3. Each district school board must establish a process by
670 which the parent of a public school student or a resident of the
671 county may contest the district school board's adoption of a
672 specific instructional material. The parent or resident must
673 file a petition, on a form provided by the school board, within
674 30 calendar days after the adoption of the instructional
675 material by the school board. The school board must make the
676 form available to the public and publish the form on the school
677 district's website. The form must be signed by the parent or
678 resident, include the required contact information, and state
679 the objection to the instructional material based on the
680 criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days
681 after the 30-day period has expired, the school board must, for
682 all petitions timely received, conduct at least one open public
683 hearing before an unbiased and qualified hearing officer. The
684 hearing officer may not be an employee or agent of the school
685 district. The hearing is not subject to the provisions of
686 chapter 120; however, the hearing must provide sufficient
687 procedural protections to allow each petitioner an adequate and
688 fair opportunity to be heard and present evidence to the hearing
689 officer. The school board's decision after convening a hearing
690 is final and not subject to further petition or review.

691 4. Meetings of committees convened for the purpose of
692 ranking, eliminating, or selecting instructional materials for
693 recommendation to the district school board must be noticed and
694 open to the public in accordance with s. 286.011. Any committees
695 convened for such purposes must include parents of students who
696 will have access to such materials.

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697 5. Meetings of committees convened for the purpose of
698 resolving an objection by a parent or resident to specific
699 materials must be noticed and open to the public in accordance
700 with s. 286.011. Any committees convened for such purposes must
701 include parents of students who will have access to such
702 materials.

703 6. If a parent disagrees with the determination made by the
704 district school board on the objection to the use of a specific
705 material, a parent may request the Commissioner of Education to
706 appoint a special magistrate who is a member of The Florida Bar
707 in good standing and who has at least 5 years' experience in
708 administrative law. The special magistrate shall determine facts
709 relating to the school district's determination, consider
710 information provided by the parent and the school district, and
711 render a recommended decision for resolution to the State Board
712 of Education within 30 days after receipt of the request by the
713 parent. The State Board of Education must approve or reject the
714 recommended decision at its next regularly scheduled meeting
715 that is more than 7 calendar days and no more than 30 days after
716 the date the recommended decision is transmitted. The costs of
717 the special magistrate shall be borne by the school district.
718 The State Board of Education shall adopt rules, including forms,
719 necessary to implement this subparagraph.

720 (e) *Public participation.*—Publish on its website, in a
721 searchable format prescribed by the department, a list of all
722 instructional materials, including those used to provide
723 instruction required by s. 1003.42. Each district school board
724 must:

725 1. Provide access to all materials, excluding teacher

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726 editions, in accordance with s. 1006.283(2)(b)8.a. before the
727 district school board takes any official action on such
728 materials. This process must include reasonable safeguards
729 against the unauthorized use, reproduction, and distribution of
730 instructional materials considered for adoption.

731 2. Select, approve, adopt, or purchase all materials as a
732 separate line item on the agenda and provide a reasonable
733 opportunity for public comment. The use of materials described
734 in this paragraph may not be selected, approved, or adopted as
735 part of a consent agenda.

736 3. Annually, beginning June 30, 2023, submit to the
737 Commissioner of Education a report that identifies:

738 a. Each material for which the school district received an
739 objection pursuant to subparagraph (a)2., including the grade
740 level and course the material was used in, for the school year
741 and the specific objections thereto.

742 b. Each material that was removed or discontinued.

743 c. Each material that was not removed or discontinued and
744 the rationale for not removing or discontinuing the material.

745
746 The department shall publish and regularly update a list of
747 materials that were removed or discontinued, sorted by grade
748 level, as a result of an objection and disseminate the list to
749 school districts for consideration in their selection
750 procedures.

751 (3) DISTRICT SCHOOL SUPERINTENDENT.—

752 (b) Each district school superintendent shall annually
753 notify the department ~~by April 1 of each year~~ the state-adopted
754 instructional materials that will be requisitioned for use in

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755 his or her school district. ~~The notification shall include a~~
756 ~~district school board plan for instructional materials use to~~
757 ~~assist in determining if adequate instructional materials have~~
758 ~~been requisitioned.~~

759 (4) SCHOOL PRINCIPAL.—The school principal has the
760 following duties for the management and care of materials at the
761 school:

762 (b) *Money collected for lost or damaged instructional*
763 *materials; enforcement.*—The school principal may ~~shall~~ collect
764 from each student or the student's parent the purchase price of
765 any instructional material the student has lost, destroyed, or
766 unnecessarily damaged and to report and transmit the money
767 collected to the district school superintendent. A student who
768 fails to pay such sum may be suspended ~~the failure to collect~~
769 ~~such sum upon reasonable effort by the school principal may~~
770 ~~result in the suspension of the student~~ from participation in
771 extracurricular activities. A student may satisfy ~~or~~
772 ~~satisfaction of the debt by the student~~ through community
773 service activities at the school site as determined by the
774 school principal, pursuant to policies adopted by district
775 school board rule.

776 Section 17. Subsection (1) of section 1006.283, Florida
777 Statutes, is amended to read:

778 1006.283 District school board instructional materials
779 review process.—

780 (1) A district school board or consortium of school
781 districts may implement an instructional materials program that
782 includes the review, recommendation, adoption, and purchase of
783 instructional materials. The district school superintendent

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784 shall annually certify to the department ~~by March 31 of each~~
785 ~~year~~ that all instructional materials for core courses used by
786 the district are aligned with applicable state standards. A list
787 of the core instructional materials that will be used or
788 purchased for use by the school district shall be included in
789 the certification.

790 Section 18. Subsection (4) of section 1007.33, Florida
791 Statutes, is amended to read:

792 1007.33 Site-determined baccalaureate degree access.—

793 (4) A Florida College System institution may:

794 (a) Offer specified baccalaureate degree programs through
795 formal agreements between the Florida College System institution
796 and other regionally accredited postsecondary educational
797 institutions pursuant to s. 1007.22.

798 (b) Offer baccalaureate degree programs that were
799 authorized by law before ~~prior to~~ July 1, 2009.

800 (c) Establish a first or subsequent baccalaureate degree
801 program for purposes of meeting district, regional, or statewide
802 workforce needs if approved by the State Board of Education
803 under this section.

804
805 ~~The Board of Trustees of St. Petersburg College is authorized to~~
806 ~~establish one or more bachelor of applied science degree~~
807 ~~programs based on an analysis of workforce needs in Pinellas,~~
808 ~~Pasco, and Hernando Counties and other counties approved by the~~
809 ~~Department of Education. For each program selected, St.~~
810 ~~Petersburg College must offer a related associate in science or~~
811 ~~associate in applied science degree program, and the~~
812 ~~baccalaureate degree level program must be designed to~~

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813 ~~articulate fully with at least one associate in science degree~~
814 ~~program. The college is encouraged to develop articulation~~
815 ~~agreements for enrollment of graduates of related associate in~~
816 ~~applied science degree programs. The Board of Trustees of St.~~
817 ~~Petersburg College is authorized to establish additional~~
818 ~~baccalaureate degree programs if it determines a program is~~
819 ~~warranted and feasible based on each of the factors in paragraph~~
820 ~~(5) (d). Prior to developing or proposing a new baccalaureate~~
821 ~~degree program, St. Petersburg College shall engage in need,~~
822 ~~demand, and impact discussions with the state university in its~~
823 ~~service district and other local and regional, accredited~~
824 ~~postsecondary providers in its region. Documentation, data, and~~
825 ~~other information from inter-institutional discussions regarding~~
826 ~~program need, demand, and impact shall be provided to the~~
827 ~~college's board of trustees to inform the program approval~~
828 ~~process. Employment at St. Petersburg College is governed by the~~
829 ~~same laws that govern Florida College System institutions,~~
830 ~~except that upper-division faculty are eligible for continuing~~
831 ~~contracts upon the completion of the fifth year of teaching.~~
832 ~~Employee records for all personnel shall be maintained as~~
833 ~~required by s. 1012.81.~~

834 Section 19. Paragraph (b) of subsection (9) of section
835 1008.25, Florida Statutes, is amended, to read:

836 1008.25 Public school student progression; student support;
837 coordinated screening and progress monitoring; reporting
838 requirements.—

839 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

840 (b) Beginning with the 2022-2023 school year, private
841 Voluntary Prekindergarten Education Program providers and public

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842 schools must participate in the coordinated screening and
843 progress monitoring system pursuant to this paragraph.

844 1. For students in the school-year Voluntary
845 Prekindergarten Education Program through grade 2, the
846 coordinated screening and progress monitoring system must be
847 administered at least three times within a ~~program year or~~
848 school year, ~~as applicable~~, with the first administration
849 occurring no later than the first 30 instructional days after a
850 student's enrollment or the start of the ~~program year or~~ school
851 year, the second administration occurring midyear, and the third
852 administration occurring within the last 30 days of the ~~program~~
853 ~~or~~ school year pursuant to state board rule. The state board may
854 adopt alternate timeframes to address nontraditional school year
855 calendars ~~or summer programs~~ to ensure the coordinated screening
856 and progress monitoring program is administered a minimum of
857 three times within a year ~~or program~~.

858 2. For students in the summer prekindergarten program, the
859 coordinated screening and progress monitoring system must be
860 administered two times, with the first administration occurring
861 no later than the first 10 instructional days after a student's
862 enrollment or the start of the summer prekindergarten program,
863 and the second administration occurring within the last 10 days
864 of the summer prekindergarten program pursuant to state board
865 rule.

866 ~~3.2.~~ For grades 3 through 10 English Language Arts and
867 grades 3 through 8 Mathematics, the coordinated screening and
868 progress monitoring system must be administered at the
869 beginning, middle, and end of the school year pursuant to state
870 board rule. The end-of-year administration of the coordinated

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871 screening and progress monitoring system must be a comprehensive
872 progress monitoring assessment administered in accordance with
873 the scheduling requirements under s. 1008.22(7)(c).

874 Section 20. Paragraph (c) of subsection (1) of section
875 1008.31, Florida Statutes, is amended to read:

876 1008.31 Florida's Early Learning-20 education performance
877 accountability system; legislative intent; mission, goals, and
878 systemwide measures; data quality improvements.-

879 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
880 that:

881 (c) The Early Learning-20 education performance
882 accountability system comply with the requirements of the "Every
883 Student Succeeds Act of 2015", Pub. L. No. 114-95, ~~"No Child~~
884 ~~Left Behind Act of 2001,"~~ Pub. L. No. 107-110, and the
885 Individuals with Disabilities Education Act (IDEA).

886 Section 21. Section 1008.332, Florida Statutes, is amended
887 to read:

888 1008.332 Committee of practitioners pursuant to federal
889 Every Student Succeeds ~~No Child Left Behind~~ Act.-The Department
890 of Education shall establish a committee of practitioners
891 pursuant to federal requirements of the Every Student Succeeds
892 ~~No Child Left Behind~~ Act of 2015 ~~2001~~. The committee members
893 shall be appointed by the Commissioner of Education ~~and shall~~
894 ~~annually report to the Governor, the President of the Senate,~~
895 ~~and the Speaker of the House of Representatives by January 1.~~
896 The committee shall meet regularly and is authorized to review
897 potential rules and policies that will be considered by the
898 State Board of Education.

899 Section 22. Paragraph (c) of subsection (3) and subsection

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900 (5) of section 1008.34, Florida Statutes, are amended to read:

901 1008.34 School grading system; school report cards;
902 district grade.—

903 (3) DESIGNATION OF SCHOOL GRADES.—

904 (c)1. The calculation of a school grade shall be based on
905 the percentage of points earned from the components listed in
906 subparagraph (b)1. and, if applicable, subparagraph (b)2. The
907 State Board of Education shall adopt in rule a school grading
908 scale that sets the percentage of points needed to earn each of
909 the school grades listed in subsection (2). There shall be at
910 least five percentage points separating the percentage
911 thresholds needed to earn each of the school grades. The state
912 board shall annually review the percentage of school grades of
913 "A" and "B" for the school year to determine whether to adjust
914 the school grading scale upward for the following school year's
915 school grades. The first adjustment would occur no earlier than
916 the 2023-2024 school year. An adjustment must be made if the
917 percentage of schools earning a grade of "A" or "B" in the
918 current year represents 75 percent or more of all graded schools
919 within a particular school type, which consists of elementary,
920 middle, high, and combination. The adjustment must reset the
921 minimum required percentage of points for each grade of "A,"
922 "B," "C," or "D" at the next highest percentage ending in the
923 numeral 5 or 0, whichever is closest to the current percentage.
924 Annual reviews of the percentage of schools earning a grade of
925 "A" or "B" and adjustments to the required points must be
926 suspended when the following grading scale for a specific school
927 type is achieved:

928 a. Ninety percent or more of the points for a grade of "A."

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929 b. Eighty to eighty-nine percent of the points for a grade
930 of "B."

931 c. Seventy to seventy-nine percent of the points for a
932 grade of "C."

933 d. Sixty to sixty-nine percent of the points for a grade of
934 "D."

935

936 When the state board adjusts the grading scale upward, the state
937 board must inform the public of the degree of the adjustment and
938 its anticipated impact on school grades. Any changes made by the
939 state board to components in the school grades model or to the
940 school grading scale shall go into effect in the following
941 school year, at the earliest.

942 2. The calculation of school grades may not include any
943 provision that would raise or lower the school's grade beyond
944 the percentage of points earned. Extra weight may not be added
945 in the calculation of any components.

946 (5) DISTRICT GRADE.—Beginning with the 2014-2015 school
947 year, a school district's grade shall include a district-level
948 calculation of the components under paragraph (3) (b). This
949 calculation methodology captures each eligible student in the
950 district who may have transferred among schools within the
951 district or is enrolled in a school that does not receive a
952 grade. The department shall develop a district report card that
953 includes the district grade; the information required under s.
954 1008.345(3) ~~s. 1008.345(5)~~; measures of the district's progress
955 in closing the achievement gap between higher-performing student
956 subgroups and lower-performing student subgroups; measures of
957 the district's progress in demonstrating Learning Gains of its

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958 highest-performing students; measures of the district's success
959 in improving student attendance; the district's grade-level
960 promotion of students scoring achievement levels 1 and 2 on
961 statewide, standardized English Language Arts and Mathematics
962 assessments; and measures of the district's performance in
963 preparing students for the transition from elementary to middle
964 school, middle to high school, and high school to postsecondary
965 institutions and careers.

966 Section 23. Subsections (5) through (7) of section
967 1008.345, Florida Statutes, are renumbered as subsections (3)
968 through (5), respectively, and present subsections (3), (4), and
969 (5) and paragraph (d) of present subsection (6) of that section
970 are amended, to read:

971 1008.345 Implementation of state system of school
972 improvement and education accountability.-

973 ~~(3) The annual feedback report shall be developed by the~~
974 ~~Department of Education.~~

975 ~~(4) The commissioner shall review each district school~~
976 ~~board's feedback report and submit findings to the State Board~~
977 ~~of Education. If adequate progress is not being made toward~~
978 ~~implementing and maintaining a system of school improvement and~~
979 ~~education accountability, the State Board of Education shall~~
980 ~~direct the commissioner to prepare and implement a corrective~~
981 ~~action plan. The commissioner and State Board of Education shall~~
982 ~~monitor the development and implementation of the corrective~~
983 ~~action plan.~~

984 (3)(5) The commissioner shall annually report to the State
985 Board of Education and the Legislature and recommend changes in
986 state policy necessary to foster school improvement and

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987 education accountability. The report must ~~shall~~ include:

988 ~~(a)~~ for each school district:

989 (a)1. The percentage of students, by school and grade
990 level, demonstrating learning growth in English Language Arts
991 and mathematics.

992 (b)2. The percentage of students, by school and grade
993 level, in both the highest and lowest quartiles demonstrating
994 learning growth in English Language Arts and mathematics.

995 (c)3. The information contained in the school district's
996 annual report required pursuant to s. 1008.25(10).

997 ~~(b) Intervention and support strategies used by school
998 districts whose students in both the highest and lowest
999 quartiles exceed the statewide average learning growth for
1000 students in those quartiles.~~

1001 ~~(c) Intervention and support strategies used by school
1002 districts whose schools provide educational services to youth in
1003 Department of Juvenile Justice programs that demonstrate
1004 learning growth in English Language Arts and mathematics that
1005 exceeds the statewide average learning growth for students in
1006 those subjects.~~

1007 ~~(d) Based upon a review of each school district's reading
1008 instruction plan submitted pursuant to s. 1003.4201,
1009 intervention and support strategies used by school districts
1010 that were effective in improving the reading performance of
1011 students, as indicated by student performance data, who are
1012 identified as having a substantial reading deficiency pursuant
1013 to s. 1008.25(5)(a).~~

1014
1015 School reports must ~~shall~~ be distributed pursuant to this

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1016 subsection and s. 1001.42(18)(c) and according to rules adopted
1017 by the State Board of Education.

1018 (4)~~(6)~~

1019 (d) The commissioner shall assign a community assessment
1020 team to each school district or governing board with a school
1021 that earned a grade of "D" or "F" pursuant to s. 1008.34 to
1022 review the school performance data and determine causes for the
1023 low performance, including the role of school, area, and
1024 district administrative personnel. The community assessment team
1025 shall review a high school's graduation rate calculated without
1026 high school equivalency diploma recipients for the past 3 years,
1027 disaggregated by student ethnicity. The team shall make
1028 recommendations to the school board or the governing board and
1029 to the State Board of Education ~~based on the interventions and~~
1030 ~~support strategies identified pursuant to subsection (5) to~~
1031 address the causes of the school's low performance and to
1032 incorporate the strategies into the school improvement plan. The
1033 assessment team shall include, but not be limited to, a
1034 department representative, parents, business representatives,
1035 educators, representatives of local governments, and community
1036 activists, and shall represent the demographics of the community
1037 from which they are appointed.

1038 Section 24. Subsection (3) of section 1008.45, Florida
1039 Statutes, is amended to read:

1040 1008.45 Florida College System institution accountability
1041 process.—

1042 (3) ~~The State Board of Education shall address within the~~
1043 ~~annual evaluation of the performance of the executive director,~~
1044 ~~and the~~ Florida College System institution boards of trustees

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1045 shall address within the annual evaluation of the presidents,
1046 the achievement of the performance goals established by the
1047 accountability process.

1048 Section 25. Paragraph (d) of subsection (2) of section
1049 1000.05, Florida Statutes, is amended to read:

1050 1000.05 Discrimination against students and employees in
1051 the Florida K-20 public education system prohibited; equality of
1052 access required.—

1053 (2)

1054 (d) Students may be separated by sex for a single-gender
1055 program ~~as provided under s. 1002.311~~, for any portion of a
1056 class that deals with human reproduction, or during
1057 participation in bodily contact sports. For the purpose of this
1058 section, bodily contact sports include wrestling, boxing, rugby,
1059 ice hockey, football, basketball, and other sports in which the
1060 purpose or major activity involves bodily contact.

1061 Section 26. Paragraph (b) of subsection (2) of section
1062 1002.31, Florida Statutes, is amended to read:

1063 1002.31 Controlled open enrollment; public school parental
1064 choice.—

1065 (2)

1066 (b) Each school district and charter school capacity
1067 determinations for its schools, by grade level, must be updated
1068 every 12 weeks and be identified on the school district and
1069 charter school's websites. In determining the capacity of each
1070 district school, the district school board shall incorporate the
1071 specifications, plans, elements, and commitments contained in
1072 the school district educational facilities plan and the long-
1073 term work programs required under s. 1013.35. Each charter

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1074 school governing board shall determine capacity based upon its
1075 charter school contract. Each virtual charter school and each
1076 school district with a contract with an approved virtual
1077 instruction program provider shall determine capacity based upon
1078 the enrollment requirements established under s. 1002.45(1)(d)4.
1079 ~~s. 1002.45(1)(e)4.~~

1080 Section 27. Subsection (3) of section 1002.321, Florida
1081 Statutes, is amended to read:

1082 1002.321 Digital learning.—

1083 (3) CUSTOMIZED AND ACCELERATED LEARNING.—A school district
1084 must establish ~~multiple~~ opportunities for student participation
1085 in part-time and full-time kindergarten through grade 12 virtual
1086 instruction. Options include, but are not limited to:

1087 (a) School district operated part-time or full-time virtual
1088 instruction programs under s. 1002.45 ~~s. 1002.45(1)(b)~~ for
1089 kindergarten through grade 12 students enrolled in the school
1090 district. A full-time program shall operate under its own Master
1091 School Identification Number.

1092 (b) Florida Virtual School instructional services
1093 authorized under s. 1002.37.

1094 (c) Blended learning instruction provided by charter
1095 schools authorized under s. 1002.33.

1096 (d) Virtual charter school instruction authorized under s.
1097 1002.33.

1098 (e) Courses delivered in the traditional school setting by
1099 personnel providing direct instruction through virtual
1100 instruction or through blended learning courses consisting of
1101 both traditional classroom and online instructional techniques
1102 pursuant to s. 1003.498.

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1103 (f) Virtual courses offered in the course code directory to
1104 students within the school district or to students in other
1105 school districts throughout the state pursuant to s. 1003.498.

1106 Section 28. Subsection (1), paragraph (a) of subsection
1107 (6), and paragraph (a) of subsection (10) of section 1002.33,
1108 Florida Statutes, are amended to read:

1109 1002.33 Charter schools.—

1110 (1) AUTHORIZATION.—All charter schools in Florida are
1111 public schools and shall be part of the state's program of
1112 public education. A charter school may be formed by creating a
1113 new school or converting an existing public school to charter
1114 status. A charter school may operate a virtual charter school
1115 pursuant to s. 1002.45(1)(c) ~~s. 1002.45(1)(d)~~ to provide online
1116 instruction to students, pursuant to s. 1002.455, in
1117 kindergarten through grade 12. The school district in which the
1118 student enrolls in the virtual charter school shall report the
1119 student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and
1120 the home school district shall not report the student for
1121 funding. An existing charter school that is seeking to become a
1122 virtual charter school must amend its charter or submit a new
1123 application pursuant to subsection (6) to become a virtual
1124 charter school. A virtual charter school is subject to the
1125 requirements of this section; however, a virtual charter school
1126 is exempt from subparagraph (7)(a)13., subsections (18) and
1127 (19), paragraph (20)(c), and s. 1003.03. A public school may not
1128 use the term charter in its name unless it has been approved
1129 under this section.

1130 (6) APPLICATION PROCESS AND REVIEW.—Charter school
1131 applications are subject to the following requirements:

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1132 (a) A person or entity seeking to open a charter school
1133 shall prepare and submit an application on the standard
1134 application form prepared by the Department of Education which:

1135 1. Demonstrates how the school will use the guiding
1136 principles and meet the statutorily defined purpose of a charter
1137 school.

1138 2. Provides a detailed curriculum plan that illustrates how
1139 students will be provided services to attain the state academic
1140 standards.

1141 3. Contains goals and objectives for improving student
1142 learning and measuring that improvement. These goals and
1143 objectives must indicate how much academic improvement students
1144 are expected to show each year, how success will be evaluated,
1145 and the specific results to be attained through instruction.

1146 4. Describes the reading curriculum and differentiated
1147 strategies that will be used for students reading at grade level
1148 or higher and a separate curriculum and strategies for students
1149 who are reading below grade level. Reading instructional
1150 strategies for foundational skills shall include phonics
1151 instruction for decoding and encoding as the primary
1152 instructional strategy for word reading. Instructional
1153 strategies may not employ the three-cueing system model of
1154 reading or visual memory as a basis for teaching word reading.
1155 Such strategies may include visual information and strategies
1156 that improve background and experiential knowledge, add context,
1157 and increase oral language and vocabulary to support
1158 comprehension, but may not be used to teach word reading. A
1159 sponsor shall deny an application if the school does not propose
1160 a reading curriculum that is consistent with effective teaching

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1161 strategies that are grounded in scientifically based reading
1162 research.

1163 5. Contains an annual financial plan for each year
1164 requested by the charter for operation of the school for up to 5
1165 years. This plan must contain anticipated fund balances based on
1166 revenue projections, a spending plan based on projected revenues
1167 and expenses, and a description of controls that will safeguard
1168 finances and projected enrollment trends.

1169 6. Discloses the name of each applicant, governing board
1170 member, and all proposed education services providers; the name
1171 and sponsor of any charter school operated by each applicant,
1172 each governing board member, and each proposed education
1173 services provider that has closed and the reasons for the
1174 closure; and the academic and financial history of such charter
1175 schools, which the sponsor shall consider in deciding whether to
1176 approve or deny the application.

1177 7. Contains additional information a sponsor may require,
1178 which shall be attached as an addendum to the charter school
1179 application described in this paragraph.

1180 8. For the establishment of a virtual charter school,
1181 documents that the applicant has contracted with a provider of
1182 virtual instruction services pursuant to s. 1002.45(1)(c) ~~s.~~
1183 ~~1002.45(1)(d)~~.

1184 9. Describes the mathematics curriculum and differentiated
1185 strategies that will be used for students performing at grade
1186 level or higher and a separate mathematics curriculum and
1187 strategies for students who are performing below grade level.

1188 (10) ELIGIBLE STUDENTS.—

1189 (a)1. A charter school may be exempt from the requirements

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1190 of s. 1002.31 if the school is open to any student covered in an
1191 interdistrict agreement and any student residing in the school
1192 district in which the charter school is located.

1193 2. A virtual charter school when enrolling students shall
1194 comply with the applicable requirements of s. 1002.31 and with
1195 the enrollment requirements established under s. 1002.45(1)(d)4.
1196 ~~s. 1002.45(1)(e)4.~~

1197 3. A charter lab school shall be open to any student
1198 eligible to attend the lab school as provided in s. 1002.32 or
1199 who resides in the school district in which the charter lab
1200 school is located.

1201 4. Any eligible student shall be allowed interdistrict
1202 transfer to attend a charter school when based on good cause.
1203 Good cause shall include, but is not limited to, geographic
1204 proximity to a charter school in a neighboring school district.

1205 Section 29. Subsections (1), (2), and (5) of section
1206 1002.455, Florida Statutes, are amended to read:

1207 1002.455 Student eligibility for K-12 virtual instruction.—
1208 All students, including home education and private school
1209 students, are eligible to participate in any of the following
1210 virtual instruction options:

1211 (1) School district operated part-time or full-time
1212 kindergarten through grade 12 virtual instruction programs
1213 pursuant to s. 1002.45(1)(b)4. ~~s. 1002.45(1)(e)4.~~ to students
1214 within the school district.

1215 (2) Part-time or full-time virtual charter school
1216 instruction authorized pursuant to s. 1002.45(1)(b)5. ~~s.~~
1217 ~~1002.45(1)(e)5.~~ to students within the school district or to
1218 students in other school districts throughout the state pursuant

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1219 to s. 1002.31; however, the school district enrolling the full-
1220 time equivalent virtual student shall comply with the enrollment
1221 requirements established under s. 1002.45(1)(d)4. ~~s.~~
1222 ~~1002.45(1)(e)4.~~

1223 (5) Virtual instruction provided by a school district
1224 through a contract with an approved virtual instruction program
1225 provider pursuant to s. 1002.45(1)(b)2. ~~s. 1002.45(1)(e)2.~~ to
1226 students within the school district or to students in other
1227 school districts throughout the state pursuant to s. 1002.31;
1228 however the school district enrolling the full-time equivalent
1229 virtual student shall comply with the enrollment requirements
1230 established under s. 1002.45(1)(d)4. ~~s. 1002.45(1)(e)4.~~

1231 Section 30. Paragraph (a) of subsection (3) and paragraph
1232 (e) of subsection (7) of section 1008.22, Florida Statutes, are
1233 amended to read:

1234 1008.22 Student assessment program for public schools.—

1235 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
1236 Commissioner of Education shall design and implement a
1237 statewide, standardized assessment program aligned to the core
1238 curricular content established in the state academic standards.
1239 The commissioner also must develop or select and implement a
1240 common battery of assessment tools that will be used in all
1241 juvenile justice education programs in the state. These tools
1242 must accurately measure the core curricular content established
1243 in the state academic standards. Participation in the assessment
1244 program is mandatory for all school districts and all students
1245 attending public schools, including adult students seeking a
1246 standard high school diploma under s. 1003.4282 and students in
1247 Department of Juvenile Justice education programs, except as

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1248 otherwise provided by law. If a student does not participate in
1249 the assessment program, the school district must notify the
1250 student's parent and provide the parent with information
1251 regarding the implications of such nonparticipation. The
1252 statewide, standardized assessment program shall be designed and
1253 implemented as follows:

1254 (a) *Statewide, standardized comprehensive assessments.*—

1255 1. The statewide, standardized English Language Arts (ELA)
1256 assessments shall be administered to students in grades 3
1257 through 10. Retake opportunities for the grade 10 ELA assessment
1258 must be provided. Reading passages and writing prompts for ELA
1259 assessments shall incorporate grade-level core curricula content
1260 from social studies. The statewide, standardized Mathematics
1261 assessments shall be administered annually in grades 3 through
1262 8. The statewide, standardized Science assessment shall be
1263 administered annually at least once at the elementary and middle
1264 grades levels. In order to earn a standard high school diploma,
1265 a student who has not earned a passing score on the grade 10 ELA
1266 assessment must earn a passing score on the assessment retake or
1267 earn a concordant score as authorized under subsection (9).

1268 2. Beginning with the 2022-2023 school year, the end-of-
1269 year comprehensive progress monitoring assessment administered
1270 pursuant to s. 1008.25(9)(b)3. ~~s. 1008.25(9)(b)2.~~ is the
1271 statewide, standardized ELA assessment for students in grades 3
1272 through 10 and the statewide, standardized Mathematics
1273 assessment for students in grades 3 through 8.

1274 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

1275 (e) A school district may not schedule more than 5 percent
1276 of a student's total school hours in a school year to administer

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1277 statewide, standardized assessments; the coordinated screening
1278 and progress monitoring system under s. 1008.25(9)(b)3. ~~s.~~
1279 ~~1008.25(9)(b)2.~~; and district-required local assessments. The
1280 district must secure written consent from a student's parent
1281 before administering district-required local assessments that,
1282 after applicable statewide, standardized assessments and
1283 coordinated screening and progress monitoring are scheduled,
1284 exceed the 5 percent test administration limit for that student
1285 under this paragraph. The 5 percent test administration limit
1286 for a student under this paragraph may be exceeded as needed to
1287 provide test accommodations that are required by an IEP or are
1288 appropriate for an English language learner who is currently
1289 receiving services in a program operated in accordance with an
1290 approved English language learner district plan pursuant to s.
1291 1003.56. Notwithstanding this paragraph, a student may choose
1292 within a school year to take an examination or assessment
1293 adopted by State Board of Education rule pursuant to this
1294 section and ss. 1007.27, 1008.30, and 1008.44.

1295 Section 31. Subsection (4) of section 1008.37, Florida
1296 Statutes, is amended to read:

1297 1008.37 Postsecondary feedback of information to high
1298 schools.—

1299 (4) As a part of the school improvement plan pursuant to s.
1300 1008.345, the State Board of Education shall ensure that each
1301 school district and high school develops strategies to improve
1302 student readiness for the public postsecondary level ~~based on~~
1303 ~~annual analysis of the feedback report data.~~

1304 Section 32. Paragraph (a) of subsection (4) of section
1305 1013.841, Florida Statutes, is amended to read:

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1306 1013.841 End of year balance of Florida College System
1307 institution funds.-

1308 (4) A Florida College System institution identified in
1309 paragraph (3)(b) must include in its carry forward spending plan
1310 the estimated cost per planned expenditure and a timeline for
1311 completion of the expenditure. Authorized expenditures in a
1312 carry forward spending plan may include:

1313 (a) Commitment of funds to a public education capital
1314 outlay project for which an appropriation was previously
1315 provided, which requires additional funds for completion, and
1316 which is included in the list required by s. 1001.03(18)(d) ~~s.~~
1317 ~~1001.03(19)(d)~~;

1318 Section 33. This act shall take effect July 1, 2024.