

1 A bill to be entitled
2 An act relating to education; amending s. 1002.31,
3 F.S.; deleting obsolete language; revising the
4 requirements for school district and charter school
5 capacity determinations; providing requirements for
6 the determination of capacity for certain virtual
7 schools; revising requirements for a certain district
8 school board process required for controlled open
9 enrollment; amending s. 1002.33, F.S.; providing for a
10 standard virtual charter contract and standard virtual
11 charter renewal contract; revising charter
12 requirements; requiring virtual charter schools to
13 comply with specified provisions; amending s. 1002.37,
14 F.S.; deleting the requirement for the board of
15 trustees of the Florida Virtual School to establish
16 criteria defining the elements of an approved
17 franchise; deleting requirements for how school
18 districts with an approved franchise report students
19 for funding; amending s. 1002.394, F.S.; revising
20 Department of Education duties under the Family
21 Empowerment Scholarship Program; revising requirements
22 for a specified calculation; revising the scholarship
23 amount for students enrolled in certain public schools
24 or lab schools; revising terminology; amending s.
25 1002.395, F.S.; revising duties of the department

26 | under the Florida Tax Credit Scholarship Program;
27 | authorizing administrative expenses to include certain
28 | contracts and strategies relating to the
29 | transportation of students; revising the scholarship
30 | amount for students enrolled in certain public schools
31 | or lab schools; amending s. 1002.40, F.S.; revising
32 | Department of Education duties under the Hope
33 | Scholarship Program; amending s. 1002.411, F.S.;;
34 | revising student eligibility requirements for reading
35 | scholarship accounts; providing that a school district
36 | may not prohibit instructional personnel from
37 | providing services during specified time periods;
38 | amending s. 1002.45, F.S.; revising and providing
39 | definitions; authorizing students who reside in the
40 | school district, rather than students enrolled in the
41 | school district, to participate in school district
42 | virtual instruction programs; deleting the purpose of
43 | specified programs; requiring each virtual instruction
44 | program, rather than full-time programs, to operate
45 | under its own Master School Identification Number;
46 | authorizing certain service organizations to execute
47 | specified contractual arrangements; revising school
48 | district responsibilities; requiring the State Board
49 | of Education to approve certain virtual instruction
50 | program providers; revising the requirements for

51 approval of a virtual instruction program provider;
52 providing additional requirements for school district
53 contracts with approved virtual instruction program
54 providers; revising the requirements for calculating
55 student funding for students enrolled in certain
56 virtual education programs; requiring approved virtual
57 instruction program providers to receive a district
58 grade; providing requirements for such grade; revising
59 requirements for the automatic termination of an
60 approve virtual instruction provider's contract;
61 requiring the State Board of Education to adopt rules
62 for a specified standard contract; amending s.
63 1002.455, F.S.; revising the virtual instruction
64 options available to certain students; requiring
65 school districts enrolling certain students in virtual
66 education programs to comply with specified enrollment
67 requirements; amending s. 1003.485, F.S.; requiring
68 the administrator of the New Worlds Reading Initiative
69 to provide specified professional development and
70 resources to teachers; requiring students be provided
71 with specified options upon enrollment; amending s.
72 1003.498, F.S.; providing requirements for funding for
73 certain virtual courses; amending s. 1003.52, F.S.;
74 revising requirements for the funding of certain
75 students in juvenile justice education programs;

76 | amending s. 1006.12, F.S.; conforming cross-
77 | references; amending s. 1006.22, F.S.; revising the
78 | requirements for the use of motor vehicles other than
79 | school buses for the transportation of students;
80 | amending s. 1006.27, F.S.; requiring the department to
81 | develop a grant program for specified purposes
82 | relating to the transportation of students; providing
83 | requirements for the program; requiring the department
84 | to publish on its website an interim and final report
85 | by specified dates; providing requirements for such
86 | reports; amending s. 1010.20, F.S.; revising the
87 | percentage of certain funds school districts must
88 | spend on juvenile justice programs; amending s.
89 | 1011.62, F.S.; revising the calculation for the basic
90 | amount for current operation for kindergarten through
91 | grade 12; authorizing certain funds to be used to
92 | purchase certain computers and device hardware;
93 | deleting the Florida digital classrooms allocation;
94 | deleting the funding compression and hold harmless
95 | allocation; amending s. 1011.68, F.S.; revising the
96 | requirements for specified student transportation
97 | funds to be used to pay for transportation in
98 | specified vehicles; amending ss. 1011.71, 1012.22, and
99 | 1012.584, F.S.; conforming cross-references; providing
100 | an effective date.

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

Section 1. Paragraphs (a) and (b) of subsection (2) and paragraph (f) of subsection (3) of section 1002.31, Florida Statutes, are amended, and paragraphs (j) and (k) are added to subsection (3) of that section, to read:

1002.31 Controlled open enrollment; Public school parental choice.—

(2) (a) ~~Beginning by the 2017-2018 school year,~~ As part of a school district's or charter school's controlled open enrollment process, and in addition to the existing public school choice programs provided in s. 1002.20 (6) (a), each district school board or charter school shall allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size pursuant to s. 1003.03 and s. 1, Art. IX of the State Constitution. The school district or charter school shall accept the student, pursuant to that school district's or charter school's controlled open enrollment process, and report the student for purposes of the school district's or charter school's funding pursuant to the Florida Education Finance Program. A school district or charter

126 school may provide transportation to students described under
 127 this section.

128 (b) Each school district and charter school capacity
 129 determinations for its schools, by grade level, must be updated
 130 every 12 weeks ~~current~~ and ~~must~~ be identified on the school
 131 district and charter school's websites. In determining the
 132 capacity of each district school, the district school board
 133 shall incorporate the specifications, plans, elements, and
 134 commitments contained in the school district educational
 135 facilities plan and the long-term work programs required under
 136 s. 1013.35. Each charter school governing board shall determine
 137 capacity based upon its charter school contract. Each virtual
 138 charter school and each school district with a contract with an
 139 approved virtual instruction program provider shall determine
 140 capacity based upon the enrollment requirements established
 141 under s. 1002.45(1)(e) 4.

142 (3) Each district school board shall adopt by rule and
 143 post on its website the process required to participate in
 144 controlled open enrollment. The process must:

145 (f) Require school districts to provide information on
 146 ~~Address the availability of~~ transportation options, such as:

147 1. The responsibility of school districts to provide
 148 transportation to another public school pursuant to ss. 1002.38,
 149 1002.39, and 1002.394.

150 2. The availability of funds for transportation under ss.

151 | 1002.394, 1002.395, and 1011.68.

152 | 3. Any other transportation the school district may
 153 | provide.

154 | 4. Any transportation options available in the community.

155 | (j) Require school districts to maintain a wait list of
 156 | students who are denied access due to capacity and notify
 157 | parents when space becomes available.

158 | (k) Require schools to accept students throughout the
 159 | school year as capacity becomes available.

160 | Section 2. Subsections (1) and (7), paragraph (a) of
 161 | subsection (10), paragraphs (b) and (f) of subsection (17), and
 162 | paragraph (a) of subsection (21) of section 1002.33, Florida
 163 | Statutes, are amended to read:

164 | 1002.33 Charter schools.—

165 | (1) AUTHORIZATION.—All charter schools in Florida are
 166 | public schools and shall be part of the state's program of
 167 | public education. A charter school may be formed by creating a
 168 | new school or converting an existing public school to charter
 169 | status. A charter school may operate a virtual charter school
 170 | pursuant to s. 1002.45(1)(d) to provide online instruction to
 171 | students, pursuant to s. 1002.455, in kindergarten through grade
 172 | 12. The school district in which the student enrolls in the
 173 | virtual charter school shall report the student for funding
 174 | pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school
 175 | district shall not report the student for funding. An existing

176 charter school that is seeking to become a virtual charter
177 school must amend its charter or submit a new application
178 pursuant to subsection (6) to become a virtual charter school. A
179 virtual charter school is subject to the requirements of this
180 section; however, a virtual charter school is exempt from
181 subparagraph (7)(a)13., subsections (18) and (19), paragraph
182 (20)(c), and s. 1003.03. A public school may not use the term
183 charter in its name unless it has been approved under this
184 section.

185 (7) CHARTER.—The terms and conditions for the operation of
186 a charter school, including a virtual charter school, shall be
187 set forth by the sponsor and the applicant in a written
188 contractual agreement, called a charter. The sponsor and the
189 governing board of the charter school or virtual charter school
190 shall use the standard charter contract or standard virtual
191 charter contract, respectively, pursuant to subsection (21),
192 which shall incorporate the approved application and any addenda
193 approved with the application. Any term or condition of a
194 proposed charter contract or proposed virtual charter contract
195 that differs from the standard charter or virtual charter
196 contract adopted by rule of the State Board of Education shall
197 be presumed a limitation on charter school flexibility. The
198 sponsor may not impose unreasonable rules or regulations that
199 violate the intent of giving charter schools greater flexibility
200 to meet educational goals. The charter shall be signed by the

201 governing board of the charter school and the sponsor, following
202 a public hearing to ensure community input.

203 (a) The charter shall address and criteria for approval of
204 the charter shall be based on:

205 1. The school's mission, the types of students to be
206 served, and, for a virtual charter school, the types of students
207 the school intends to serve who reside outside of the sponsoring
208 school district, and the ages and grades to be included.

209 2. The focus of the curriculum, the instructional methods
210 to be used, any distinctive instructional techniques to be
211 employed, and identification and acquisition of appropriate
212 technologies needed to improve educational and administrative
213 performance which include a means for promoting safe, ethical,
214 and appropriate uses of technology which comply with legal and
215 professional standards.

216 a. The charter shall ensure that reading is a primary
217 focus of the curriculum and that resources are provided to
218 identify and provide specialized instruction for students who
219 are reading below grade level. The curriculum and instructional
220 strategies for reading must be consistent with the Next
221 Generation Sunshine State Standards and grounded in
222 scientifically based reading research.

223 b. In order to provide students with access to diverse
224 instructional delivery models, to facilitate the integration of
225 technology within traditional classroom instruction, and to

226 provide students with the skills they need to compete in the
227 21st century economy, the Legislature encourages instructional
228 methods for blended learning courses consisting of both
229 traditional classroom and online instructional techniques.
230 Charter schools may implement blended learning courses which
231 combine traditional classroom instruction and virtual
232 instruction. Students in a blended learning course must be full-
233 time students of the charter school pursuant to s.
234 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
235 1012.55 who provide virtual instruction for blended learning
236 courses may be employees of the charter school or may be under
237 contract to provide instructional services to charter school
238 students. At a minimum, such instructional personnel must hold
239 an active state or school district adjunct certification under
240 s. 1012.57 for the subject area of the blended learning course.
241 The funding and performance accountability requirements for
242 blended learning courses are the same as those for traditional
243 courses.

244 3. The current incoming baseline standard of student
245 academic achievement, the outcomes to be achieved, and the
246 method of measurement that will be used. The criteria listed in
247 this subparagraph shall include a detailed description of:

- 248 a. How the baseline student academic achievement levels
249 and prior rates of academic progress will be established.
- 250 b. How these baseline rates will be compared to rates of

251 academic progress achieved by these same students while
252 attending the charter school.

253 c. To the extent possible, how these rates of progress
254 will be evaluated and compared with rates of progress of other
255 closely comparable student populations.

256
257 A district school board is required to provide academic student
258 performance data to charter schools for each of their students
259 coming from the district school system, as well as rates of
260 academic progress of comparable student populations in the
261 district school system.

262 4. The methods used to identify the educational strengths
263 and needs of students and how well educational goals and
264 performance standards are met by students attending the charter
265 school. The methods shall provide a means for the charter school
266 to ensure accountability to its constituents by analyzing
267 student performance data and by evaluating the effectiveness and
268 efficiency of its major educational programs. Students in
269 charter schools shall, at a minimum, participate in the
270 statewide assessment program created under s. 1008.22.

271 5. In secondary charter schools, a method for determining
272 that a student has satisfied the requirements for graduation in
273 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

274 6. A method for resolving conflicts between the governing
275 board of the charter school and the sponsor.

276 7. The admissions procedures and dismissal procedures,
277 including the school's code of student conduct. Admission or
278 dismissal must not be based on a student's academic performance.

279 8. The ways by which the school will achieve a
280 racial/ethnic balance reflective of the community it serves or
281 within the racial/ethnic range of other nearby public schools or
282 school districts.

283 9. The financial and administrative management of the
284 school, including a reasonable demonstration of the professional
285 experience or competence of those individuals or organizations
286 applying to operate the charter school or those hired or
287 retained to perform such professional services and the
288 description of clearly delineated responsibilities and the
289 policies and practices needed to effectively manage the charter
290 school. A description of internal audit procedures and
291 establishment of controls to ensure that financial resources are
292 properly managed must be included. Both public sector and
293 private sector professional experience shall be equally valid in
294 such a consideration.

295 10. The asset and liability projections required in the
296 application which are incorporated into the charter and shall be
297 compared with information provided in the annual report of the
298 charter school.

299 11. A description of procedures that identify various
300 risks and provide for a comprehensive approach to reduce the

301 impact of losses; plans to ensure the safety and security of
302 students and staff; plans to identify, minimize, and protect
303 others from violent or disruptive student behavior; and the
304 manner in which the school will be insured, including whether or
305 not the school will be required to have liability insurance,
306 and, if so, the terms and conditions thereof and the amounts of
307 coverage.

308 12. The term of the charter which shall provide for
309 cancellation of the charter if insufficient progress has been
310 made in attaining the student achievement objectives of the
311 charter and if it is not likely that such objectives can be
312 achieved before expiration of the charter. The initial term of a
313 charter shall be for 5 years, excluding 2 planning years. In
314 order to facilitate access to long-term financial resources for
315 charter school construction, charter schools that are operated
316 by a municipality or other public entity as provided by law are
317 eligible for up to a 15-year charter, subject to approval by the
318 sponsor. A charter lab school is eligible for a charter for a
319 term of up to 15 years. In addition, to facilitate access to
320 long-term financial resources for charter school construction,
321 charter schools that are operated by a private, not-for-profit,
322 s. 501(c) (3) status corporation are eligible for up to a 15-year
323 charter, subject to approval by the sponsor. Such long-term
324 charters remain subject to annual review and may be terminated
325 during the term of the charter, but only according to the

326 provisions set forth in subsection (8).

327 13. The facilities to be used and their location. The
328 sponsor may not require a charter school to have a certificate
329 of occupancy or a temporary certificate of occupancy for such a
330 facility earlier than 15 calendar days before the first day of
331 school.

332 14. The qualifications to be required of the teachers and
333 the potential strategies used to recruit, hire, train, and
334 retain qualified staff to achieve best value.

335 15. The governance structure of the school, including the
336 status of the charter school as a public or private employer as
337 required in paragraph (12)(i).

338 16. A timetable for implementing the charter which
339 addresses the implementation of each element thereof and the
340 date by which the charter shall be awarded in order to meet this
341 timetable.

342 17. In the case of an existing public school that is being
343 converted to charter status, alternative arrangements for
344 current students who choose not to attend the charter school and
345 for current teachers who choose not to teach in the charter
346 school after conversion in accordance with the existing
347 collective bargaining agreement or district school board rule in
348 the absence of a collective bargaining agreement. However,
349 alternative arrangements shall not be required for current
350 teachers who choose not to teach in a charter lab school, except

351 as authorized by the employment policies of the state university
352 which grants the charter to the lab school.

353 18. Full disclosure of the identity of all relatives
354 employed by the charter school who are related to the charter
355 school owner, president, chairperson of the governing board of
356 directors, superintendent, governing board member, principal,
357 assistant principal, or any other person employed by the charter
358 school who has equivalent decisionmaking authority. For the
359 purpose of this subparagraph, the term "relative" means father,
360 mother, son, daughter, brother, sister, uncle, aunt, first
361 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
362 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
363 stepfather, stepmother, stepson, stepdaughter, stepbrother,
364 stepsister, half brother, or half sister.

365 19. Implementation of the activities authorized under s.
366 1002.331 by the charter school when it satisfies the eligibility
367 requirements for a high-performing charter school. A high-
368 performing charter school shall notify its sponsor in writing by
369 March 1 if it intends to increase enrollment or expand grade
370 levels the following school year. The written notice shall
371 specify the amount of the enrollment increase and the grade
372 levels that will be added, as applicable.

373 (b) The sponsor has 30 days after approval of the
374 application to provide an initial proposed charter contract to
375 the charter school. The applicant and the sponsor have 40 days

376 thereafter to negotiate and notice the charter contract for
377 final approval by the sponsor unless both parties agree to an
378 extension. The proposed charter contract shall be provided to
379 the charter school at least 7 calendar days before the date of
380 the meeting at which the charter is scheduled to be voted upon
381 by the sponsor. The Department of Education shall provide
382 mediation services for any dispute regarding this section
383 subsequent to the approval of a charter application and for any
384 dispute relating to the approved charter, except a dispute
385 regarding a charter school application denial. If either the
386 charter school or the sponsor indicates in writing that the
387 party does not desire to settle any dispute arising under this
388 section through mediation procedures offered by the Department
389 of Education, a charter school may immediately appeal any formal
390 or informal decision by the sponsor to an administrative law
391 judge appointed by the Division of Administrative Hearings. If
392 the Commissioner of Education determines that the dispute cannot
393 be settled through mediation, the dispute may also be appealed
394 to an administrative law judge appointed by the Division of
395 Administrative Hearings. The administrative law judge has final
396 order authority to rule on issues of equitable treatment of the
397 charter school as a public school, whether proposed provisions
398 of the charter violate the intended flexibility granted charter
399 schools by statute, or any other matter regarding this section,
400 except a dispute regarding charter school application denial, a

401 charter termination, or a charter nonrenewal. The administrative
402 law judge shall award the prevailing party reasonable attorney
403 fees and costs incurred during the mediation process,
404 administrative proceeding, and any appeals, to be paid by the
405 party against whom the administrative law judge rules.

406 (c)1. A charter may be renewed provided that a program
407 review demonstrates that the criteria in paragraph (a) have been
408 successfully accomplished and that none of the grounds for
409 nonrenewal established by paragraph (8)(a) has been documented.
410 In order to facilitate long-term financing for charter school
411 construction, charter schools operating for a minimum of 3 years
412 and demonstrating exemplary academic programming and fiscal
413 management are eligible for a 15-year charter renewal. Such
414 long-term charter is subject to annual review and may be
415 terminated during the term of the charter.

416 2. The 15-year charter renewal that may be granted
417 pursuant to subparagraph 1. shall be granted to a charter school
418 that has received a school grade of "A" or "B" pursuant to s.
419 1008.34 in 3 of the past 4 years and is not in a state of
420 financial emergency or deficit position as defined by this
421 section. Such long-term charter is subject to annual review and
422 may be terminated during the term of the charter pursuant to
423 subsection (8).

424 (d) A charter may be modified during its initial term or
425 any renewal term upon the recommendation of the sponsor or the

426 charter school's governing board and the approval of both
427 parties to the agreement. Changes to curriculum which are
428 consistent with state standards shall be deemed approved unless
429 the sponsor and the Department of Education determine in writing
430 that the curriculum is inconsistent with state standards.
431 Modification during any term may include, but is not limited to,
432 consolidation of multiple charters into a single charter if the
433 charters are operated under the same governing board, regardless
434 of the renewal cycle. A charter school that is not subject to a
435 school improvement plan and that closes as part of a
436 consolidation shall be reported by the sponsor as a
437 consolidation.

438 (e) A charter may be terminated by a charter school's
439 governing board through voluntary closure. The decision to cease
440 operations must be determined at a public meeting. The governing
441 board shall notify the parents and sponsor of the public meeting
442 in writing before the public meeting. The governing board must
443 notify the sponsor, parents of enrolled students, and the
444 department in writing within 24 hours after the public meeting
445 of its determination. The notice shall state the charter
446 school's intent to continue operations or the reason for the
447 closure and acknowledge that the governing board agrees to
448 follow the procedures for dissolution and reversion of public
449 funds pursuant to paragraphs (8) (d) - (f) and (9) (o).

450 (f) A charter may include a provision requiring the

451 charter school to be held responsible for all costs associated
 452 with, but not limited to, mediation, damages, and attorney fees
 453 incurred by the district in connection with complaints to the
 454 Office of Civil Rights or the Equal Employment Opportunity
 455 Commission.

456 (10) ELIGIBLE STUDENTS.—

457 (a)1. A charter school may be exempt from the requirements
 458 of s. 1002.31 if the school is open to any student covered in an
 459 interdistrict agreement and any student residing in the school
 460 district in which the charter school is located.

461 2. A virtual charter school when enrolling students shall
 462 comply with the applicable requirements of s. 1002.31 and with
 463 the enrollment requirements established under s. 1002.45(1)(e)4.

464 3. A ~~However, in the case of a charter lab school, the~~
 465 charter lab school shall be open to any student eligible to
 466 attend the lab school as provided in s. 1002.32 or who resides
 467 in the school district in which the charter lab school is
 468 located.

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

473 (17) FUNDING.—Students enrolled in a charter school,
 474 regardless of the sponsorship, shall be funded as if they are in
 475 a basic program or a special program, the same as students

476 enrolled in other public schools in a school district. Funding
477 for a charter lab school shall be as provided in s. 1002.32.

478 (b)1. The basis for the agreement for funding students
479 enrolled in a charter school shall be the sum of the school
480 district's operating funds from the Florida Education Finance
481 Program as provided in s. 1011.62 and the General Appropriations
482 Act, including gross state and local funds, discretionary
483 lottery funds, and funds from the school district's current
484 operating discretionary millage levy; divided by total funded
485 weighted full-time equivalent students in the school district;
486 and multiplied by the weighted full-time equivalent students for
487 the charter school. Charter schools whose students or programs
488 meet the eligibility criteria in law are entitled to their
489 proportionate share of categorical program funds included in the
490 total funds available in the Florida Education Finance Program
491 by the Legislature, including transportation, and the evidence-
492 based reading allocation, ~~and the Florida digital classrooms~~
493 ~~allocation~~. Total funding for each charter school shall be
494 recalculated during the year to reflect the revised calculations
495 under the Florida Education Finance Program by the state and the
496 actual weighted full-time equivalent students reported by the
497 charter school during the full-time equivalent student survey
498 periods designated by the Commissioner of Education. For charter
499 schools operated by a not-for-profit or municipal entity, any
500 unrestricted current and capital assets identified in the

501 charter school's annual financial audit may be used for other
502 charter schools operated by the not-for-profit or municipal
503 entity within the school district. Unrestricted current assets
504 shall be used in accordance with s. 1011.62, and any
505 unrestricted capital assets shall be used in accordance with s.
506 1013.62(2).

507 2.a. Students enrolled in a charter school sponsored by a
508 state university or Florida College System institution pursuant
509 to paragraph (5)(a) shall be funded as if they are in a basic
510 program or a special program in the school district. The basis
511 for funding these students is the sum of the total operating
512 funds from the Florida Education Finance Program for the school
513 district in which the school is located as provided in s.
514 1011.62 and the General Appropriations Act, including gross
515 state and local funds, discretionary lottery funds, and funds
516 from each school district's current operating discretionary
517 millage levy, divided by total funded weighted full-time
518 equivalent students in the district, and multiplied by the full-
519 time equivalent membership of the charter school. The Department
520 of Education shall develop a tool that each state university or
521 Florida College System institution sponsoring a charter school
522 shall use for purposes of calculating the funding amount for
523 each eligible charter school student. The total amount obtained
524 from the calculation must be appropriated from state funds in
525 the General Appropriations Act to the charter school.

526 b. Capital outlay funding for a charter school sponsored
 527 by a state university or Florida College System institution
 528 pursuant to paragraph (5) (a) is determined pursuant to s.
 529 1013.62 and the General Appropriations Act.

530 (f) Funding for a virtual charter school shall be as
 531 provided in s. 1002.45(6) ~~s. 1002.45(7)~~.

532 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

533 (a) The Department of Education shall provide information
 534 to the public, directly and through sponsors, on how to form and
 535 operate a charter school and how to enroll in a charter school
 536 once it is created. This information shall include the standard
 537 application form, standard charter and virtual charter contracts
 538 ~~contract~~, standard evaluation instrument, and standard charter
 539 and virtual charter renewal contracts ~~contract~~, which shall
 540 include the information specified in subsection (7) and shall be
 541 developed by consulting and negotiating with both sponsors and
 542 charter schools before implementation. The charter and virtual
 543 charter contracts and charter renewal and virtual charter
 544 contracts shall be used by charter school sponsors.

545 Section 3. Paragraph (i) of subsection (2) and subsection
 546 (4) of section 1002.37, Florida Statutes, are amended to read:

547 1002.37 The Florida Virtual School.—

548 (2) The Florida Virtual School shall be governed by a
 549 board of trustees comprised of seven members appointed by the
 550 Governor to 4-year staggered terms. The board of trustees shall

551 | be a public agency entitled to sovereign immunity pursuant to s.
 552 | 768.28, and board members shall be public officers who shall
 553 | bear fiduciary responsibility for the Florida Virtual School.
 554 | The board of trustees shall have the following powers and
 555 | duties:

556 | ~~(i) The board of trustees shall establish criteria~~
 557 | ~~defining the elements of an approved franchise. The board of~~
 558 | ~~trustees may enter into franchise agreements with Florida~~
 559 | ~~district school boards and may establish the terms and~~
 560 | ~~conditions governing such agreements. The board of trustees~~
 561 | ~~shall establish the performance and accountability measures and~~
 562 | ~~report the performance of each school district franchise to the~~
 563 | ~~Commissioner of Education.~~

564 |
 565 | The Governor shall designate the initial chair of the board of
 566 | trustees to serve a term of 4 years. Members of the board of
 567 | trustees shall serve without compensation, but may be reimbursed
 568 | for per diem and travel expenses pursuant to s. 112.061. The
 569 | board of trustees shall be a body corporate with all the powers
 570 | of a body corporate and such authority as is needed for the
 571 | proper operation and improvement of the Florida Virtual School.
 572 | The board of trustees is specifically authorized to adopt rules,
 573 | policies, and procedures, consistent with law and rules of the
 574 | State Board of Education related to governance, personnel,
 575 | budget and finance, administration, programs, curriculum and

576 instruction, travel and purchasing, technology, students,
 577 contracts and grants, and property as necessary for optimal,
 578 efficient operation of the Florida Virtual School. Tangible
 579 personal property owned by the board of trustees shall be
 580 subject to the provisions of chapter 273.

581 ~~(4) School districts operating a virtual school that is an~~
 582 ~~approved franchise of the Florida Virtual School may count full-~~
 583 ~~time equivalent students, as provided in paragraph (3)(a), if~~
 584 ~~such school has been certified as an approved franchise by the~~
 585 ~~Commissioner of Education based on criteria established by the~~
 586 ~~board of trustees pursuant to paragraph (2)(i).~~

587 Section 4. Paragraph (a) of subsection (8) and subsection
 588 (12) of section 1002.394, Florida Statutes, are amended to read:

589 1002.394 The Family Empowerment Scholarship Program.—

590 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

591 (a) The department shall:

592 1. Publish and update, as necessary, information on the
 593 department website about the Family Empowerment Scholarship
 594 Program, including, but not limited to, student eligibility
 595 criteria, parental responsibilities, and relevant data.

596 2. Cross-check ~~before each distribution of funds~~ the list
 597 of participating scholarship students with the public school
 598 enrollment lists ~~before each scholarship payment~~ to avoid
 599 duplication.

600 3. Maintain and publish a list of nationally norm-

601 referenced tests identified for purposes of satisfying the
602 testing requirement in subparagraph (9)(c)1. The tests must meet
603 industry standards of quality in accordance with state board
604 rule.

605 4. Notify eligible nonprofit scholarship-funding
606 organizations of the deadlines for submitting the verified list
607 of students determined to be eligible for a scholarship.

608 5. Notify each school district of a parent's participation
609 in the scholarship program for purposes of paragraph (7)(f).

610 6. Deny or terminate program participation upon a parent's
611 failure to comply with subsection (10).

612 7. Notify the parent and the organization when a
613 scholarship account is closed and program funds revert to the
614 state.

615 8. Notify an eligible nonprofit scholarship-funding
616 organization of any of the organization's or other
617 organization's identified students who are receiving
618 scholarships under this chapter.

619 9. Maintain on its website a list of approved providers as
620 required by s. 1002.66, eligible postsecondary educational
621 institutions, eligible private schools, and eligible
622 organizations and may identify or provide links to lists of
623 other approved providers.

624 10. Require each organization to verify eligible
625 expenditures before the distribution of funds for any

626 expenditures made pursuant to subparagraphs (4) (b) 1. and 2.
627 Review of expenditures made for services specified in
628 subparagraphs (4) (b) 3.-15. may be completed after the purchase
629 is made.

630 11. Investigate any written complaint of a violation of
631 this section by a parent, a student, a private school, a public
632 school, a school district, an organization, a provider, or
633 another appropriate party in accordance with the process
634 established under s. 1002.421.

635 12. Require quarterly reports by an organization, which
636 must include, at a minimum, the number of students participating
637 in the program; the demographics of program participants; the
638 disability category of program participants; the matrix level of
639 services, if known; the program award amount per student; the
640 total expenditures for the purposes specified in paragraph
641 (4) (b); the types of providers of services to students; and any
642 other information deemed necessary by the department.

643 13. Notify eligible nonprofit scholarship funding
644 organizations that scholarships may not be awarded in a school
645 district in which the award will exceed 99 percent of the school
646 district's share of state funding through the Florida Education
647 Finance Program as calculated by the department.

648 14. Adjust payments to eligible nonprofit scholarship-
649 funding organizations and, when the Florida Education Finance
650 Program is recalculated, adjust the amount of state funds

651 allocated to school districts through the Florida Education
652 Finance Program based upon the results of the cross-check
653 completed pursuant to subparagraph 2.

654 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

655 (a)1. Scholarships for students determined eligible
656 pursuant to paragraph (3) (a) are established for up to 18,000
657 students annually beginning in the 2019-2020 school year.
658 Beginning in the 2020-2021 school year, the maximum number of
659 students participating in the scholarship program under this
660 section shall annually increase by 1.0 percent of the state's
661 total full-time equivalent student membership ~~public school~~
662 ~~student enrollment~~. An eligible student who meets any of the
663 following requirements shall be excluded from the maximum number
664 of students if the student:

665 ~~a. Received a scholarship pursuant to s. 1002.395 during~~
666 ~~the previous school year but did not receive a renewal~~
667 ~~scholarship based solely on the eligible nonprofit scholarship-~~
668 ~~funding organization's lack of available funds after the~~
669 ~~organization fully exhausted its efforts to use funds available~~
670 ~~for awards under ss. 1002.395 and 1002.40(11) (i). Eligible~~
671 ~~nonprofit scholarship-funding organizations with students who~~
672 ~~meet the criterion in this subparagraph must annually notify the~~
673 ~~department in a format and by a date established by the~~
674 ~~department. The maximum number of scholarships awarded pursuant~~
675 ~~to this subparagraph shall not exceed 15,000 per school year;~~

676 ~~a.b.~~ Is a dependent child of a member of the United States
 677 Armed Forces, a foster child, or an adopted child; or

678 ~~b.e.~~ Is determined eligible pursuant to subparagraph
 679 (3)(a)1. or subparagraph (3)(a)2. and either spent the prior
 680 school year in attendance at a Florida public school or,
 681 beginning in the 2022-2023 school year, is eligible to enroll in
 682 kindergarten. For purposes of this subparagraph, the term "prior
 683 school year in attendance" means that the student was enrolled
 684 and reported by a school district for funding during either the
 685 preceding October or February full-time equivalent student
 686 membership ~~Florida Education Finance Program~~ surveys in
 687 kindergarten through grade 12, which includes time spent in a
 688 Department of Juvenile Justice commitment program if funded
 689 under the Florida Education Finance Program.

690 2. The scholarship amount provided to a student for any
 691 single school year shall be for tuition and fees for an eligible
 692 private school, not to exceed annual limits, which shall be
 693 determined in accordance with this subparagraph. The calculated
 694 scholarship amount for a participating student shall be based
 695 upon the grade level and school district in which the student
 696 was assigned as 100 percent of the funds per unweighted full-
 697 time equivalent in the Florida Education Finance Program for a
 698 student in the basic program established pursuant to s.
 699 1011.62(1)(c)1., plus a per-full-time equivalent share of funds
 700 for all categorical programs, except for the exceptional student

701 education guaranteed allocation established pursuant to s.
702 1011.62(1)(e).

703 3. The amount of the scholarship shall be the calculated
704 amount or the amount of the private school's tuition and fees,
705 whichever is less. The amount of any assessment fee required by
706 the participating private school and any costs to provide a
707 digital device, including Internet access, if necessary, to the
708 student may be paid from the total amount of the scholarship.

709 4. A scholarship of \$750 or an amount equal to the school
710 district expenditure per student riding a school bus, whichever
711 is greater, may be awarded to a student who is determined
712 eligible pursuant to subparagraph (3)(a)1. or subparagraph
713 (3)(a)2. and enrolled in a Florida public school that is
714 different from the school to which the student was assigned or
715 in a lab school as defined in s. 1002.32 if the school district
716 does not provide the student with transportation to the school.

717 ~~5. Upon notification from the organization on July 1,~~
718 ~~September 1, December 1, and February 1 that an application has~~
719 ~~been approved for the program, the department shall verify that~~
720 ~~the student is not prohibited from receiving a scholarship~~
721 ~~pursuant to subsection (6).~~ The organization must provide the
722 department with the documentation necessary to verify the
723 student's participation. Upon receiving the documentation
724 ~~verification,~~ the department shall transfer, from state funds
725 only, the amount calculated pursuant to subparagraph 2. to the

726 organization for quarterly disbursement to parents of
727 participating students each school year in which the scholarship
728 is in force. For a student exiting a Department of Juvenile
729 Justice commitment program who chooses to participate in the
730 scholarship program, the amount of the Family Empowerment
731 Scholarship calculated pursuant to subparagraph 2. must be
732 transferred from the school district in which the student last
733 attended a public school before commitment to the Department of
734 Juvenile Justice. When a student enters the scholarship program,
735 the organization must receive all documentation required for the
736 student's participation, including the private school's and the
737 student's fee schedules, at least 30 days before the first
738 quarterly scholarship payment is made for the student.

739 6. The initial payment shall be made after the
740 organization's verification of admission acceptance, and
741 subsequent payments shall be made upon verification of continued
742 enrollment and attendance at the private school. Payment must be
743 by individual warrant made payable to the student's parent or by
744 funds transfer or any other means of payment that the department
745 deems to be commercially viable or cost-effective. If the
746 payment is made by warrant, the warrant must be delivered by the
747 organization to the private school of the parent's choice, and
748 the parent shall restrictively endorse the warrant to the
749 private school. An organization shall ensure that the parent to
750 whom the warrant is made has restrictively endorsed the warrant

751 to the private school for deposit into the account of the
 752 private school or that the parent has approved a funds transfer
 753 before any scholarship funds are deposited.

754 (b)1. Scholarships for students determined eligible
 755 pursuant to paragraph (3) (b) are established for up to 20,000
 756 students annually beginning in the 2021-2022 school year.
 757 Beginning in the 2022-2023 school year, the maximum number of
 758 students participating in the scholarship program under this
 759 section shall annually increase by 1.0 percent of the state's
 760 total exceptional student education full-time equivalent student
 761 membership enrollment, not including gifted students. An
 762 eligible student who meets any of the following requirements
 763 shall be excluded from the maximum number of students if the
 764 student:

765 a. Received specialized instructional services under the
 766 Voluntary Prekindergarten Education Program pursuant to s.
 767 1002.66 during the previous school year and the student has a
 768 current IEP developed by the district local school board in
 769 accordance with rules of the State Board of Education;

770 b. Is a dependent child of a member of the United States
 771 Armed Forces, a foster child, or an adopted child;

772 c. Spent the prior school year in attendance at a Florida
 773 public school or the Florida School for the Deaf and the Blind.
 774 For purposes of this subparagraph, the term "prior school year
 775 in attendance" means that the student was enrolled and reported

CS/HB 5101

2022

776 by:

777 (I) A school district for funding during either the
778 preceding October or February full-time equivalent student
779 membership ~~Florida Education Finance Program~~ surveys in
780 kindergarten through grade 12, which includes time spent in a
781 Department of Juvenile Justice commitment program if funded
782 under the Florida Education Finance Program;

783 (II) The Florida School for the Deaf and the Blind during
784 the preceding October or February full-time equivalent student
785 membership surveys in kindergarten through grade 12;

786 (III) A school district for funding during the preceding
787 October or February full-time equivalent student membership
788 ~~Florida Education Finance Program~~ surveys, was at least 4 years
789 of age when enrolled and reported, and was eligible for services
790 under s. 1003.21(1)(e); or

791 (IV) Received a John M. McKay Scholarship for Students
792 with Disabilities in the 2021-2022 school year.

793 2. For a student who has a Level I to Level III matrix of
794 services or a diagnosis by a physician or psychologist, the
795 calculated scholarship amount for a student participating in the
796 program must be based upon the grade level and school district
797 in which the student would have been enrolled as the total funds
798 per unweighted full-time equivalent in the Florida Education
799 Finance Program for a student in the basic exceptional student
800 education program pursuant to s. 1011.62(1)(c)1. and (e)1.c.,

801 plus a per full-time equivalent share of funds for all
802 categorical programs, as funded in the General Appropriations
803 Act, except that for the exceptional student education
804 guaranteed allocation, as provided in s. 1011.62(1)(e)1.c. and
805 2., the funds must be allocated based on the school district's
806 average exceptional student education guaranteed allocation
807 funds per exceptional student education full-time equivalent
808 student.

809 3. For a student with a Level IV or Level V matrix of
810 services, the calculated scholarship amount must be based upon
811 the school district to which the student would have been
812 assigned as the total funds per full-time equivalent for the
813 Level IV or Level V exceptional student education program
814 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
815 equivalent share of funds for all categorical programs, as
816 funded in the General Appropriations Act.

817 4. For a student who received a Gardiner Scholarship
818 pursuant to s. 1002.385 in the 2020-2021 school year, the amount
819 shall be the greater of the amount calculated pursuant to
820 subparagraph 2. or the amount the student received for the 2020-
821 2021 school year.

822 5. For a student who received a John M. McKay Scholarship
823 pursuant to s. 1002.39 in the 2020-2021 school year, the amount
824 shall be the greater of the amount calculated pursuant to
825 subparagraph 2. or the amount the student received for the 2020-

826 2021 school year.

827 ~~6. Upon notification from an organization on July 1,~~
828 ~~September 1, December 1, and February 1 that an application has~~
829 ~~been approved for the program, the department shall verify that~~
830 ~~the student is not prohibited from receiving a scholarship~~
831 ~~pursuant to subsection (6).~~ The organization must provide the
832 department with the documentation necessary to verify the
833 student's participation.

834 7. Upon receiving the documentation verification, the
835 department shall release, from state funds only, the student's
836 scholarship funds to the organization, to be deposited into the
837 student's account in four equal amounts no later than September
838 1, November 1, February 1, and April 1 of each school year in
839 which the scholarship is in force.

840 8. Accrued interest in the student's account is in
841 addition to, and not part of, the awarded funds. Program funds
842 include both the awarded funds and accrued interest.

843 9. The organization may develop a system for payment of
844 benefits by funds transfer, including, but not limited to, debit
845 cards, electronic payment cards, or any other means of payment
846 which the department deems to be commercially viable or cost-
847 effective. A student's scholarship award may not be reduced for
848 debit card or electronic payment fees. Commodities or services
849 related to the development of such a system must be procured by
850 competitive solicitation unless they are purchased from a state

851 term contract pursuant to s. 287.056.

852 10. Moneys received pursuant to this section do not
853 constitute taxable income to the qualified student or the parent
854 of the qualified student.

855 Section 5. Paragraph (j) of subsection (6), paragraph (d)
856 of subsection (9), and paragraph (a) of subsection (11) of
857 section 1002.395, Florida Statutes, are amended to read:

858 1002.395 Florida Tax Credit Scholarship Program.—

859 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
860 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
861 organization:

862 (j)1. May use eligible contributions received pursuant to
863 this section and ss. 212.099, 212.1832, and 1002.40 during the
864 state fiscal year in which such contributions are collected for
865 administrative expenses if the organization has operated as an
866 eligible nonprofit scholarship-funding organization for at least
867 the preceding 3 fiscal years and did not have any findings of
868 material weakness or material noncompliance in its most recent
869 audit under paragraph (m). Administrative expenses from eligible
870 contributions may not exceed 3 percent of the total amount of
871 all scholarships funded by an eligible scholarship-funding
872 organization under this chapter. Such administrative expenses
873 must be reasonable and necessary for the organization's
874 management and distribution of scholarships funded under this
875 chapter. Administrative expenses may include developing or

876 contracting with rideshare programs or facilitating carpool
877 strategies for recipients of a transportation scholarship. No
878 funds authorized under this subparagraph shall be used for
879 lobbying or political activity or expenses related to lobbying
880 or political activity. Up to one-third of the funds authorized
881 for administrative expenses under this subparagraph may be used
882 for expenses related to the recruitment of contributions from
883 taxpayers. An eligible nonprofit scholarship-funding
884 organization may not charge an application fee.

885 2. Must expend for annual or partial-year scholarships an
886 amount equal to or greater than 75 percent of the net eligible
887 contributions remaining after administrative expenses during the
888 state fiscal year in which such contributions are collected. No
889 more than 25 percent of such net eligible contributions may be
890 carried forward to the following state fiscal year. All amounts
891 carried forward, for audit purposes, must be specifically
892 identified for particular students, by student name and the name
893 of the school to which the student is admitted, subject to the
894 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,
895 and the applicable rules and regulations issued pursuant
896 thereto. Any amounts carried forward shall be expended for
897 annual or partial-year scholarships in the following state
898 fiscal year. No later than September 30 of each year, net
899 eligible contributions remaining on June 30 of each year that
900 are in excess of the 25 percent that may be carried forward

901 shall be used to provide scholarships to eligible students or
902 transferred to other eligible nonprofit scholarship-funding
903 organizations to provide scholarships for eligible students. All
904 transferred funds must be deposited by each eligible nonprofit
905 scholarship-funding organization receiving such funds into its
906 scholarship account. All transferred amounts received by any
907 eligible nonprofit scholarship-funding organization must be
908 separately disclosed in the annual financial audit required
909 under paragraph (m).

910 3. Must, before granting a scholarship for an academic
911 year, document each scholarship student's eligibility for that
912 academic year. A scholarship-funding organization may not grant
913 multiyear scholarships in one approval process.

914
915 Information and documentation provided to the Department of
916 Education and the Auditor General relating to the identity of a
917 taxpayer that provides an eligible contribution under this
918 section shall remain confidential at all times in accordance
919 with s. 213.053.

920 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
921 Education shall:

922 (d) Cross-check the list of participating scholarship
923 students with the public school enrollment lists to avoid
924 duplication and, when the Florida Education Finance Program is
925 recalculated, adjust the amount of state funds allocated to

926 school districts through the Florida Education Finance Program
927 based upon the results of the cross-check.

928 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

929 (a) The scholarship amount provided to any student for any
930 single school year by an eligible nonprofit scholarship-funding
931 organization from eligible contributions shall be for total
932 costs authorized under paragraph (6)(d), not to exceed annual
933 limits, which shall be determined as follows:

934 1. For a student who received a scholarship in the 2018-
935 2019 school year, who remains eligible, and who is enrolled in
936 an eligible private school, the amount shall be the greater
937 amount calculated pursuant to subparagraph 2. or a percentage of
938 the unweighted FTE funding amount for the 2018-2019 state fiscal
939 year and thereafter as follows:

940 a. Eighty-eight percent for a student enrolled in
941 kindergarten through grade 5.

942 b. Ninety-two percent for a student enrolled in grade 6
943 through grade 8.

944 c. Ninety-six percent for a student enrolled in grade 9
945 through grade 12.

946 2. For students initially eligible in the 2019-2020 school
947 year or thereafter, the calculated amount for a student to
948 attend an eligible private school shall be calculated in
949 accordance with s. 1002.394(12)(a).

950 3. The scholarship amount awarded to a student enrolled in

951 a Florida public school ~~in which a student is enrolled and that~~
 952 is different from the school to which the student was assigned
 953 or in a lab school as defined in s. 1002.32, must be an amount
 954 equal to the school district expenditure per student riding a
 955 school bus or is limited to \$750, whichever is greater.

956 Section 6. Paragraph (a) of subsection (8) of section
 957 1002.40, Florida Statutes, is amended to read:

958 1002.40 The Hope Scholarship Program.—

959 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
 960 shall:

961 (a) Cross-check the list of participating scholarship
 962 students with the public school enrollment lists to avoid
 963 duplication and, when the Florida Education Finance Program is
 964 recalculated, adjust the amount of state funds allocated to
 965 school districts through the Florida Education Finance Program
 966 based upon the results of the cross-check.

967 Section 7. Subsections (2) and (6) of section 1002.411,
 968 Florida Statutes, are amended to read:

969 1002.411 Reading scholarship accounts.—

970 (2) ELIGIBILITY.—Contingent upon available funds, and on a
 971 first-come, first-served basis, each student ~~in grades 3 through~~
 972 ~~5~~ who is enrolled in a Florida public school in kindergarten
 973 through grade 5 is eligible for a reading scholarship account if
 974 the student has a substantial reading deficiency identified
 975 under s. 1008.25(5)(a) or scored below a Level 3 on the ~~grade 3~~

976 ~~or grade 4~~ statewide, standardized English Language Arts (ELA)
977 assessment in the prior school year. An eligible student who is
978 classified as an English Language Learner and is enrolled in a
979 program or receiving services that are specifically designed to
980 meet the instructional needs of English Language Learner
981 students shall receive priority.

982 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

983 (a) By September 30, the school district shall notify the
984 parent of each student in kindergarten ~~grades 3~~ through grade 5
985 who has a substantial reading deficiency identified under s.
986 1008.25(5) (a) or scored below a level 3 on the statewide,
987 standardized ELA assessment in the prior school year of the
988 process to request and receive a reading scholarship, subject to
989 available funds.

990 (b) A school district may not prohibit instructional
991 personnel from providing services pursuant to this section on
992 the instructional personnel's school campus outside regular work
993 hours.

994 Section 8. Subsections (6) through (11) of section
995 1002.45, Florida Statutes, are renumbered as subsections (5)
996 through (10), respectively, and subsections (1) and (2),
997 paragraphs (b), (c), and (d) of subsection (3), subsections (4)
998 and (5), and present subsections (6), (7), (8), and (11) of
999 section 1002.45, Florida Statutes, are amended, to read:

1000 1002.45 Virtual instruction programs.—

1001 (1) PROGRAM.—

1002 (a) For purposes of this section, the term:

1003 1. "Approved virtual instruction program provider" means a

1004 provider that is approved by the State Board ~~Department~~ of

1005 Education under subsection (2), the Florida Virtual School, a

1006 ~~franchise of the Florida Virtual School,~~ or a Florida College

1007 System institution.

1008 2. "Department" means the Department of Education.

1009 ~~3.2.~~ "Virtual instruction program" means a program of

1010 instruction provided in an interactive learning environment

1011 created through technology in which students are separated from

1012 their teachers by time or space, or both.

1013 (b)1. Each school district shall provide at least one

1014 option for part-time and full-time virtual instruction for

1015 students residing within the school district. All school

1016 districts must provide parents with timely written notification

1017 of at least one open enrollment period for full-time students of

1018 90 days or more which ends 30 days before the first day of the

1019 school year. ~~The purpose of the program is to make quality~~

1020 ~~virtual instruction available to students using online and~~

1021 ~~distance learning technology in the nontraditional classroom.~~ A

1022 school district virtual instruction program shall consist of the

1023 following:

1024 ~~a.1.~~ Full-time and part-time virtual instruction for

1025 students enrolled in kindergarten through grade 12.

1026 ~~b.2.~~ Full-time or part-time virtual instruction for
1027 students enrolled in dropout prevention and academic
1028 intervention programs under s. 1003.53, Department of Juvenile
1029 Justice education programs under s. 1003.52, core-curricula
1030 courses to meet class size requirements under s. 1003.03, or
1031 Florida College System institutions under this section.

1032 2. Each virtual instruction program established under
1033 paragraph (c) by a school district either directly or through a
1034 contract with an approved virtual instruction program provider
1035 shall operate under its own Master School Identification Number
1036 as prescribed by the department.

1037 (c) To provide students residing within the school
1038 district ~~with~~ the option of participating in virtual instruction
1039 programs as required by paragraph (b), a school district may:

1040 1. ~~Contract with the Florida Virtual School or establish a~~
1041 ~~franchise of the Florida Virtual School for the provision of a~~
1042 ~~program under paragraph (b). Using this option is subject to the~~
1043 ~~requirements of this section and s. 1011.61(1)(c)1.b.(III) and~~
1044 ~~(IV) and (4). A district may report full-time equivalent student~~
1045 ~~membership for credit earned by a student who is enrolled in a~~
1046 ~~virtual education course provided by the district which was~~
1047 ~~completed after the end of the regular school year if the FTE is~~
1048 ~~reported no later than the deadline for amending the final~~
1049 ~~student membership report for that year.~~

1050 2. Contract with an approved virtual instruction program

CS/HB 5101

2022

1051 provider under subsection (2) for the provision of a full-time
1052 or part-time program under paragraph (b).

1053 3. Enter into an agreement with other school districts to
1054 allow the participation of its students in an approved virtual
1055 instruction program provided by the other school district. The
1056 agreement must indicate a process for the transfer of funds
1057 required by paragraph (6) (b) ~~(7) (a)~~.

1058 4. Establish school district operated part-time or full-
1059 time kindergarten through grade 12 virtual instruction programs
1060 ~~under paragraph (b) for students enrolled in the school~~
1061 ~~district. A full-time program shall operate under its own Master~~
1062 ~~School Identification Number.~~

1063 5. Enter into an agreement with a virtual charter school
1064 authorized by the school district under s. 1002.33.

1065
1066 Contracts under subparagraph 1. or subparagraph 2. may include
1067 multidistrict contractual arrangements ~~that may be~~ executed by a
1068 regional consortium service organization established pursuant to
1069 s. 1001.451 for its member districts. A multidistrict
1070 contractual arrangement or an agreement under subparagraph 3. is
1071 not subject to s. 1001.42(4)(d) and does not require the
1072 participating school districts to be contiguous. These
1073 arrangements may be used to fulfill the requirements of
1074 paragraph (b).

1075 (d) A virtual charter school may provide full-time or

1076 part-time virtual instruction for students in kindergarten
 1077 through grade 12 residing within the school district sponsoring
 1078 the virtual charter school if the virtual charter school has a
 1079 charter approved pursuant to s. 1002.33. A virtual charter
 1080 school may:

- 1081 1. Contract with the Florida Virtual School.
- 1082 2. Contract with an approved virtual instruction program
 1083 provider under subsection (2).
- 1084 3. Enter into an agreement with a school district to allow
 1085 the participation of the virtual charter school's students in
 1086 the school district's virtual instruction program. The agreement
 1087 must indicate a process for reporting of student enrollment and
 1088 the transfer of funds required by paragraph (6) (b) ~~(7) (a)~~.

1089 (e) Each school district shall:

- 1090 1. Provide to the department by each October 1, a copy of
 1091 each contract and the amount ~~amounts~~ paid per unweighted full-
 1092 time equivalent virtual student for services procured pursuant
 1093 to subparagraphs (c)1. and 2.

- 1094 2. Expend any ~~the~~ difference in the amount of funds per
 1095 unweighted full-time equivalent virtual student allocated to
 1096 ~~provided for a student participating in~~ the school district
 1097 ~~virtual instruction program~~ pursuant to subsection (6) (b) ~~(7)~~ and
 1098 the amount ~~price~~ paid per unweighted full-time equivalent
 1099 virtual student by the school district for a contract executed
 1100 pursuant to subparagraph (c)1. or subparagraph (c)2. on ~~for~~

CS/HB 5101

2022

1101 acquiring computer and device hardware and associated operating
1102 system software that comply with the requirements of s.
1103 1001.20 (4) (a) 1.b.

1104 3. Provide to the department ~~and~~ by September 1 of each
1105 year ~~report to the department~~ an itemized list of items acquired
1106 in subparagraph 2 ~~with these funds.~~

1107 ~~4.3.~~ Limit the enrollment of ~~virtual~~ full-time equivalent
1108 virtual students residing outside of the school district
1109 providing the virtual instruction pursuant to paragraph (c) to
1110 no more than 50 percent of the total enrolled ~~virtual~~ full-time
1111 equivalent virtual students residing inside the school district
1112 providing the virtual instruction. This subparagraph applies to
1113 any virtual instruction contract or agreement that is entered
1114 into for the first time after June 30, 2021. However, a school
1115 district may not enroll more ~~virtual~~ full-time equivalent
1116 virtual students residing outside of the school district than
1117 the total number of reported full-time equivalent students
1118 residing inside the school district.

1119 (2) PROVIDER QUALIFICATIONS.—

1120 (a) The department shall annually publish on its website
1121 ~~online~~ a list of providers approved by the State Board of
1122 Education to offer virtual instruction programs. To be approved
1123 ~~by the department~~, a virtual instruction program provider must
1124 document that it:

1125 1. Is nonsectarian in its programs, admission policies,

CS/HB 5101

2022

1126 employment practices, and operations;

1127 2. Complies with the antidiscrimination provisions of s.

1128 1000.05;

1129 3. Locates an administrative office or offices in this

1130 state, requires its administrative staff to be state residents,

1131 requires all instructional staff to be Florida-certified

1132 teachers under chapter 1012 and conducts background screenings

1133 for all employees or contracted personnel, as required by s.

1134 1012.32, using state and national criminal history records;

1135 4. Electronically provides to parents and students

1136 specific information ~~posted and accessible online~~ that includes,

1137 but is not limited to, the following teacher-parent and teacher-

1138 student contact information for each course:

1139 a. How to contact the instructor via phone, e-mail, or

1140 online messaging tools.

1141 b. How to contact technical support via phone, e-mail, or

1142 online messaging tools.

1143 c. How to contact the administration office via phone, e-

1144 mail, or online messaging tools.

1145 d. Any requirement for regular contact with the instructor

1146 for the course and clear expectations for meeting the

1147 requirement.

1148 e. The requirement that the instructor in each course

1149 must, at a minimum, conduct one contact with the parent and the

1150 student each month;

Page 46 of 90

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb5101-01-c1

1151 5. Possesses prior, successful experience offering virtual
1152 instruction ~~online~~ courses to elementary, middle, or high school
1153 students as demonstrated by quantified student learning gains in
1154 each subject area and grade level provided for consideration as
1155 an instructional program option. However, for a virtual
1156 instruction program provider without sufficient prior,
1157 successful experience offering online courses, the State Board
1158 of Education ~~department~~ may conditionally approve the virtual
1159 instruction program provider to offer courses measured pursuant
1160 to subparagraph (7)(a)2. ~~(8)(a)2.~~ Conditional approval shall be
1161 valid for 1 school year only and, based on the virtual
1162 instruction program provider's experience in offering the
1163 courses, the State Board of Education may ~~department shall~~
1164 ~~determine whether to~~ grant approval to offer a virtual
1165 instruction program;

1166 6. Is accredited by a regional accrediting association as
1167 defined by State Board of Education rule;

1168 7. Ensures instructional and curricular quality through a
1169 detailed curriculum and student performance accountability plan
1170 that addresses every subject and grade level it intends to
1171 provide through contract with the school district, including:

1172 a. Courses and programs that meet the standards of the
1173 International Association for K-12 Online Learning and the
1174 Southern Regional Education Board.

1175 b. Instructional content and services that align with, and

1176 | measure student attainment of, student proficiency in the Next
 1177 | Generation Sunshine State Standards.

1178 | c. Mechanisms that determine and ensure that a student has
 1179 | satisfied requirements for grade level promotion and high school
 1180 | graduation with a standard diploma, as appropriate;

1181 | 8. Publishes ~~for the general public~~, in accordance with
 1182 | disclosure requirements adopted in rule by the State Board of
 1183 | Education, as part of its application as an approved virtual
 1184 | instruction program a provider and in all contracts negotiated
 1185 | pursuant to this section:

1186 | a. Information and data about the curriculum of each full-
 1187 | time and part-time virtual instruction program.

1188 | b. School policies and procedures.

1189 | c. Certification status and physical location of all
 1190 | administrative and instructional personnel.

1191 | d. Hours and times of availability of instructional
 1192 | personnel.

1193 | e. Student-teacher ratios.

1194 | f. Student completion and promotion rates.

1195 | g. Student, educator, and school performance
 1196 | accountability outcomes;

1197 | 9. If the approved virtual instruction program provider is
 1198 | a Florida College System institution, employs instructors who
 1199 | meet the certification requirements for instructional staff
 1200 | under chapter 1012; and

1201 10. Performs an annual financial audit of its accounts and
 1202 records conducted by an independent auditor who is a certified
 1203 public accountant licensed under chapter 473. The independent
 1204 auditor shall conduct the audit ~~which is~~ in accordance with
 1205 rules adopted by the Auditor General pursuant to s. 11.45 and,
 1206 upon completion of the audit, shall prepare an audit report in
 1207 accordance with such rules. The audit report must include a
 1208 written statement by the approved virtual instruction program
 1209 provider describing any corrective action to be taken in
 1210 response to each of the independent auditor's recommendations
 1211 included in the audit report. The independent auditor shall
 1212 submit the audit report to the State Board of Education and the
 1213 Auditor General no later than 9 months after the end of the
 1214 preceding fiscal year, ~~is conducted in compliance with generally~~
 1215 ~~accepted auditing standards, and includes a report on financial-~~
 1216 ~~statements presented in accordance with generally accepted~~
 1217 ~~accounting principles.~~

1218 (b) An approved virtual instruction program provider that
 1219 maintains compliance with all requirements of this section shall
 1220 retain its approved status for a period of ~~during the~~ 3 school
 1221 years after the date of ~~the department's~~ approval by the State
 1222 Board of Education ~~under paragraph (a) as long as the provider~~
 1223 ~~continues to comply with all requirements of this section.~~
 1224 ~~However, each provider approved by the department for the 2011-~~
 1225 ~~2012 school year must reapply for approval to provide a part-~~

CS/HB 5101

2022

1226 ~~time program for students in grades 9 through 12.~~

1227 (3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual
1228 instruction program under this section must:

1229 (b) Offer instruction that is designed to enable a student
1230 to gain proficiency in each virtual instruction ~~virtually~~
1231 ~~delivered~~ course of study.

1232 (c) Provide each student enrolled in the virtual
1233 instruction program with all the necessary instructional
1234 materials.

1235 (d) Provide each full-time student enrolled in the virtual
1236 instruction program who qualifies for free or reduced-price
1237 school lunches under the National School Lunch Act, or who is on
1238 the direct certification list, and who does not have a computer
1239 or Internet access in his or her home with:

1240 1. All equipment necessary for participants in the virtual
1241 instruction program, including, but not limited to, a computer,
1242 computer monitor, and printer, if a printer is necessary to
1243 participate in the virtual instruction program; and

1244 2. Access to or reimbursement for all Internet services
1245 necessary for online delivery of instruction.

1246 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
1247 virtual instruction program provider must, at minimum:

1248 (a) Set forth a detailed curriculum plan that illustrates
1249 how students will be provided services and be measured for
1250 attainment of proficiency in the Next Generation Sunshine State

1251 Standards for each grade level and subject.

1252 (b) Provide a method for determining that a student has
1253 satisfied the requirements for graduation in s. 1002.3105(5), s.
1254 1003.4281, or s. 1003.4282 if the contract is for the provision
1255 of a full-time virtual instruction program to students in grades
1256 9 through 12.

1257 (c) Specify a method for resolving conflicts among the
1258 parties.

1259 (d) Specify authorized reasons for termination of the
1260 contract.

1261 (e) Require the approved virtual instruction program
1262 provider to be responsible for all debts of the virtual
1263 instruction program if the contract is not renewed or is
1264 terminated.

1265 (f) Require the approved virtual instruction program
1266 provider to comply with all requirements of this section.

1267 (g) Require the approved virtual instruction program
1268 provider to submit a concise, uniform, monthly financial
1269 statement summary sheet in a form prescribed by the department.

1270 (h) Provide the current incoming baseline standard of
1271 student academic achievement, the outcomes to be achieved, the
1272 method of measurement that will be used, and a detailed
1273 description of:

1274 1. How the baseline student academic achievement levels
1275 and prior rates of academic progress will be established.

1276 2. How these baseline rates will be compared to rates of
1277 academic progress achieved by the same students while enrolled
1278 in the virtual instruction program.

1279 3. To the extent possible, how the rates of progress will
1280 be evaluated and compared with rates of progress of other
1281 closely comparable student populations.

1282 (i) Require the approved virtual instruction program
1283 provider to annually submit an accountability report that
1284 contains demographic information and student achievement
1285 performance data, that links baseline student data to the
1286 provider performance projections identified in the contract.

1287 ~~(5) STUDENT ELIGIBILITY.—A student may enroll in a virtual~~
1288 ~~instruction program provided by the school district or by a~~
1289 ~~virtual charter school pursuant to s. 1002.455.~~

1290 ~~(5)-(6) STUDENT PARTICIPATION REQUIREMENTS.—Each student~~
1291 ~~enrolled in the school district's a virtual instruction program~~
1292 ~~authorized pursuant to paragraph (1)(c) or virtual charter~~
1293 ~~school must:~~

1294 (a) Comply with the compulsory attendance requirements of
1295 s. 1003.21. Student attendance must be verified by the school
1296 district.

1297 (b) Take statewide assessments pursuant to s. 1008.22.
1298 Statewide assessments may be administered within the school
1299 district in which such student resides, or as specified in the
1300 contract in accordance with s. 1008.24(3). If requested by the

CS/HB 5101

2022

1301 approved virtual instruction program provider or virtual charter
1302 school, the district of residence must provide the student with
1303 access to the district's testing facilities.

1304 ~~(6)-(7)~~ VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER
1305 SCHOOL FUNDING.—

1306 (a) All virtual instruction programs established pursuant
1307 to paragraph (1)(c) are subject to the requirements of s.
1308 1011.61(1)(c)1.b.(III), (IV), (VI) and (4) and the school
1309 district providing the virtual instruction program shall report
1310 the full-time equivalent students, in a manner prescribed by the
1311 department. A school district may report a full-time equivalent
1312 student for credit earned by a student who is enrolled in a
1313 virtual instruction course provided by the district which was
1314 completed after the end of the regular school year if the full-
1315 time equivalent student is reported no later than the deadline
1316 for amending the final full-time equivalent student membership
1317 report for that year ~~Students enrolled in a virtual instruction~~
1318 ~~program or a virtual charter school shall be funded through the~~
1319 ~~Florida Education Finance Program as provided in the General~~
1320 ~~Appropriations Act. However, such funds may not be provided for~~
1321 ~~the purpose of fulfilling the class size requirements in ss.~~
1322 ~~1003.03 and 1011.685. The school district providing the virtual~~
1323 ~~instruction shall report the full-time equivalent students for a~~
1324 ~~virtual instruction program or a virtual charter school to the~~
1325 ~~department in a manner prescribed by the department.~~

CS/HB 5101

2022

1326 (b) Students enrolled in a virtual instruction program
1327 shall be funded in the Florida Education Finance Program as
1328 provided in the General Appropriations Act. The calculation to
1329 determine the amount of funds for each student through Florida
1330 Education Finance Program shall include the sum of the base
1331 Florida Education Finance Program pursuant to s. 1011.62(1)(s)
1332 and all categorical programs except for the categorical programs
1333 established pursuant to ss. 1011.62(1)(f), 1011.62(7),
1334 1011.62(13), 1011.685, and 1012.71. Students residing outside of
1335 the school district reporting the full-time equivalent virtual
1336 student shall be funded from state funds only.

1337 ~~(b) For purposes of a virtual instruction program or a~~
1338 ~~virtual charter school, "full-time equivalent student" has the~~
1339 ~~same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).~~

1340 ~~(c) For a student enrolled in a kindergarten through grade~~
1341 ~~12 virtual instruction program, a "full-time equivalent student"~~
1342 ~~has the same meaning as provided in s. 1011.61(1)(c)1.b.(III)~~
1343 ~~and (IV).~~

1344 ~~(d) The full-time equivalent student membership calculated~~
1345 ~~under this subsection is subject to the requirements in s.~~
1346 ~~1011.61(4).~~

1347 (c)(e) A Florida College System institution provider may
1348 not report students who are served in a virtual instruction
1349 program for funding under the Florida College System Program
1350 Fund.

1351 (7)-(8) ASSESSMENT AND ACCOUNTABILITY.—

1352 (a) Each approved virtual instruction program provider
1353 contracted pursuant to ~~under~~ this section must:

1354 1. Participate in the statewide assessment program under
1355 s. 1008.22 and in the state's education performance
1356 accountability system under s. 1008.31.

1357 2. Receive a school grade under s. 1008.34 or a school
1358 improvement rating under s. 1008.341, as applicable. The ~~school~~
1359 ~~grade or~~ school improvement rating received by each approved
1360 virtual instruction program provider shall be based upon the
1361 aggregated assessment scores of all students served by the
1362 provider statewide. Each approved virtual instruction program
1363 provider shall receive a district grade pursuant to s. 1008.34
1364 based upon the aggregated assessment scores of all students
1365 served by the provider statewide and a separate school grade for
1366 each school district with which it contracts based upon the
1367 assessment scores of all students served within the school
1368 district. The department shall publish the school grade or
1369 school improvement rating received by each approved virtual
1370 instruction program provider on its Internet website. The
1371 department shall develop an evaluation method for providers of
1372 part-time programs which includes the percentage of students
1373 making learning gains, the percentage of students successfully
1374 passing any required end-of-course assessment, the percentage of
1375 students taking Advanced Placement examinations, and the

1376 percentage of students scoring 3 or higher on an Advanced
 1377 Placement examination.

1378 (b) The performance of part-time students in grades 9
 1379 through 12 shall not be included for purposes of school grades
 1380 or school improvement ratings under subparagraph (a)2.; however,
 1381 their performance shall be included for school grading or school
 1382 improvement rating purposes by the district nonvirtual school
 1383 providing the student's primary instruction.

1384 (c) An approved virtual instruction program provider that
 1385 receives a school grade of "D" or "F" pursuant to ~~under~~ s.
 1386 1008.34 or a school improvement rating of "Unsatisfactory"
 1387 pursuant to ~~under~~ s. 1008.341 must file a school improvement
 1388 plan with the department for consultation to determine the
 1389 causes for low performance and corrective actions necessary to
 1390 improve performance ~~to develop a plan for correction and~~
 1391 ~~improvement.~~

1392 (d) An approved virtual instruction program provider's
 1393 contract is automatically ~~must be~~ terminated if the provider
 1394 earns two consecutive ~~receives a~~ school grades ~~grade~~ of "~~D~~" or
 1395 "~~F~~" pursuant to ~~under~~ s. 1008.34 after all school grade appeals
 1396 are final or earns two consecutive a school improvement ratings
 1397 rating of "Unsatisfactory" pursuant to ~~under~~ s. 1008.341 ~~for 2~~
 1398 ~~years during any consecutive 4-year period~~ or has violated any
 1399 qualification requirement pursuant to subsection (2). An
 1400 approved virtual instruction program A provider that has a

CS/HB 5101

2022

1401 contract terminated under this paragraph may not be considered
1402 an approved virtual instruction program provider for ~~a period of~~
1403 at least 1 year after the date upon which the contract was
1404 terminated and until the State Board of Education ~~department~~
1405 determines that the virtual instruction program provider is in
1406 compliance with subsection (2) and has corrected each cause of
1407 the provider's low performance.

1408 (10) ~~(11)~~ RULES.—The State Board of Education shall adopt
1409 rules necessary to administer this section, including rules that
1410 prescribe disclosure requirements under subsection (2), a
1411 standard contract that meets the requirements under subsection
1412 (4), and school district reporting requirements under subsection
1413 (6) ~~(7)~~.

1414 Section 9. Section 1002.455, Florida Statutes, is amended
1415 to read:

1416 1002.455 Student eligibility for K-12 virtual
1417 instruction.—All students, including home education and private
1418 school students, are eligible to participate in any of the
1419 following virtual instruction options:

1420 (1) School district operated part-time or full-time
1421 kindergarten through grade 12 virtual instruction programs
1422 pursuant to s. 1002.45(1)(c)4. to students within the school
1423 district ~~under s. 1002.45(1)(b)~~.

1424 (2) Part-time or full-time virtual charter school
1425 instruction authorized pursuant to s. 1002.45(1)(c)5. ~~under s.~~

1426 ~~1002.33~~ to students within the school district or to students in
 1427 other school districts throughout the state pursuant to s.
 1428 1002.31; however, the school district enrolling the full-time
 1429 equivalent virtual student shall comply with the enrollment
 1430 requirements established under to s. 1002.45(1)(e)4.

1431 (3) Virtual courses offered in the course code directory
 1432 to students within the school district or to students in other
 1433 school districts throughout the state pursuant to s. 1003.498.

1434 (4) Florida Virtual School instructional services
 1435 authorized pursuant to ~~under~~ s. 1002.37.

1436 (5) Virtual instruction provided by a school district
 1437 through a contract with an approved virtual instruction program
 1438 provider pursuant to s. 1002.45(1)(c)2. to students within the
 1439 school district or to students in other school districts
 1440 throughout the state pursuant to s. 1002.31; however the school
 1441 district enrolling the full-time equivalent virtual student
 1442 shall comply with the enrollment requirements established under
 1443 s. 1002.45(1)(e)4.

1444 Section 10. Paragraph (b) of subsection (2) and paragraph
 1445 (d) of subsection (4) of section 1003.485, Florida Statutes, are
 1446 amended to read:

1447 1003.485 The New Worlds Reading Initiative.—

1448 (2) NEW WORLDS READING INITIATIVE; ADMINISTRATION.—The New
 1449 Worlds Reading Initiative is established under the department to
 1450 improve literacy skills and instill a love of reading by

1451 providing high-quality, free books to students in kindergarten
 1452 through grade 5 who are reading below grade level.

1453 (b) The administrator shall:

1454 1. Develop, in consultation with the Just Read, Florida!
 1455 Office under s. 1001.215, a selection of high-quality books
 1456 encompassing diverse subjects and genres for each grade level to
 1457 be mailed to students in the initiative.

1458 2. Distribute books at no cost to students as provided in
 1459 paragraph (4)(c) either directly or through an agreement with a
 1460 book distribution company.

1461 3. Assist local implementation of the initiative by
 1462 providing marketing materials to school districts and any
 1463 partnering nonprofit organizations to assist with public
 1464 awareness campaigns and other activities designed to increase
 1465 family engagement and instill a love of reading in students.

1466 4. Maintain a clearinghouse for information on national,
 1467 state, and local nonprofit organizations that support efforts to
 1468 improve literacy and provide books to children.

1469 5. Develop training materials for parents of students in
 1470 the initiative, including brief video training modules, which
 1471 engage families in reading and assist with improving student
 1472 literacy skills. The administrator shall periodically send, via
 1473 text message and e-mail, tips for facilitating reading at home
 1474 and hyperlinks to the video training modules.

1475 6. Provide to teachers professional development and

1476 resources that correlate with the books provided through the
1477 initiative.

1478 ~~7.6.~~ Annually submit to the department an annual financial
1479 report that includes, at a minimum, the amount of eligible
1480 contributions received by the administrator; the amount spent on
1481 each activity required by this paragraph, including
1482 administrative expenses; and the number of students and
1483 households served under the initiative.

1484 ~~8.7.~~ Maintain separate accounts for operating funds and
1485 funds for the purchase and delivery of books.

1486 ~~9.8.~~ Expend eligible contributions received only for the
1487 purchase and delivery of books and to implement the requirements
1488 of this section, as well as for administrative expenses not to
1489 exceed 2 percent of total eligible contributions.

1490 Notwithstanding s. 1002.395(6)(j)2., the administrator may carry
1491 forward up to 25 percent of eligible contributions to the
1492 following state fiscal year for purposes authorized by this
1493 subsection. Any eligible contributions in excess of the 25
1494 percent carry forward not used to provide additional books
1495 throughout the year to eligible students shall revert to the
1496 state treasury.

1497 ~~10.9.~~ Upon receipt of a contribution, provide the taxpayer
1498 that made the contribution with a certificate of contribution. A
1499 certificate of contribution must include the taxpayer's name
1500 and, if available, its federal employer identification number;

1501 the amount contributed; the date of contribution; and the name
 1502 of the administrator.

1503 (4) ELIGIBILITY; NOTIFICATION; SCHOOL DISTRICT
 1504 OBLIGATIONS.—

1505 (d) Upon enrollment and at the beginning of each school
 1506 year, students must be provided options for specific book topics
 1507 or genres in order to maximize student interest in reading.

1508 Section 11. Paragraph (b) of subsection (2) of section
 1509 1003.498, Florida Statutes, is amended to read:

1510 1003.498 School district virtual course offerings.—

1511 (2) School districts may offer virtual courses for
 1512 students enrolled in the school district. These courses must be
 1513 identified in the course code directory. Students may
 1514 participate in these virtual course offerings pursuant to s.
 1515 1002.455.

1516 (b)1. Any student who is enrolled in a school district may
 1517 register and enroll in an online course offered by any other
 1518 school district in the state. The school district in which the
 1519 student completes the course shall report the student's
 1520 completion of that course for funding pursuant to s.
 1521 1011.61(1)(c)1.b.(VI), and the home school district shall not
 1522 report the student for funding for that course.

1523 2. The full-time equivalent student membership calculated
 1524 under this subsection is subject to the requirements in s.
 1525 1011.61(4). The Department of Education shall establish

1526 | procedures to enable interdistrict coordination for the delivery
 1527 | and funding of this online option.

1528 | 3. Funding for virtual courses shall be as provided in s.
 1529 | 1002.45 (6) .

1530 | Section 12. Paragraph (a) of subsection (13) of section
 1531 | 1003.52, Florida Statutes, is amended to read:

1532 | 1003.52 Educational services in Department of Juvenile
 1533 | Justice programs.—

1534 | (13) (a) Funding for eligible students enrolled in juvenile
 1535 | justice education programs shall be the same as traditional
 1536 | students funded in ~~provided through~~ the Florida Education
 1537 | Finance Program and as specified ~~provided~~ in ~~s. 1011.62~~ and the
 1538 | General Appropriations Act. ~~Funding shall include, at a minimum:~~

1539 | ~~1. Weighted program funding or the basic amount for~~
 1540 | ~~current operation multiplied by the district cost differential~~
 1541 | ~~as provided in s. 1011.62(2);~~

1542 | ~~2. The supplemental allocation for juvenile justice~~
 1543 | ~~education as provided in s. 1011.62(9);~~

1544 | ~~3. A proportionate share of the district's exceptional~~
 1545 | ~~student education guaranteed allocation, the supplemental~~
 1546 | ~~academic instruction allocation, and the instructional materials~~
 1547 | ~~allocation;~~

1548 | ~~4. An amount equivalent to the proportionate share of the~~
 1549 | ~~state average potential discretionary local effort for~~
 1550 | ~~operations, which shall be determined as follows:~~

1551 ~~a. If the district levies the maximum discretionary local~~
1552 ~~effort and the district's discretionary local effort per FTE is~~
1553 ~~less than the state average potential discretionary local effort~~
1554 ~~per FTE, the proportionate share shall include both the~~
1555 ~~discretionary local effort and the compression supplement per~~
1556 ~~FTE. If the district's discretionary local effort per FTE is~~
1557 ~~greater than the state average per FTE, the proportionate share~~
1558 ~~shall be equal to the state average; or~~

1559 ~~b. If the district does not levy the maximum discretionary~~
1560 ~~local effort and the district's actual discretionary local~~
1561 ~~effort per FTE is less than the state average potential~~
1562 ~~discretionary local effort per FTE, the proportionate share~~
1563 ~~shall be equal to the district's actual discretionary local~~
1564 ~~effort per FTE. If the district's actual discretionary local~~
1565 ~~effort per FTE is greater than the state average per FTE, the~~
1566 ~~proportionate share shall be equal to the state average~~
1567 ~~potential local effort per FTE; and~~

1568 ~~5. A proportionate share of the district's proration to~~
1569 ~~funds available, if necessary.~~

1570 Section 13. Section 1006.12, Florida Statutes, is amended
1571 to read:

1572 1006.12 Safe-school officers at each public school.—For
1573 the protection and safety of school personnel, property,
1574 students, and visitors, each district school board and school
1575 district superintendent shall partner with law enforcement

1576 agencies or security agencies to establish or assign one or more
1577 safe-school officers at each school facility within the
1578 district, including charter schools. A district school board
1579 must collaborate with charter school governing boards to
1580 facilitate charter school access to all safe-school officer
1581 options available under this section. The school district may
1582 implement any combination of the options in subsections (1)-(4)
1583 to best meet the needs of the school district and charter
1584 schools.

1585 (1) SCHOOL RESOURCE OFFICER.—A school district may
1586 establish school resource officer programs through a cooperative
1587 agreement with law enforcement agencies.

1588 (a) School resource officers shall undergo criminal
1589 background checks, drug testing, and a psychological evaluation
1590 and be certified law enforcement officers, as defined in s.
1591 943.10(1), who are employed by a law enforcement agency as
1592 defined in s. 943.10(4). The powers and duties of a law
1593 enforcement officer shall continue throughout the employee's
1594 tenure as a school resource officer.

1595 (b) School resource officers shall abide by district
1596 school board policies and shall consult with and coordinate
1597 activities through the school principal, but shall be
1598 responsible to the law enforcement agency in all matters
1599 relating to employment, subject to agreements between a district
1600 school board and a law enforcement agency. Activities conducted

1601 by the school resource officer which are part of the regular
1602 instructional program of the school shall be under the direction
1603 of the school principal.

1604 (c) Complete mental health crisis intervention training
1605 using a curriculum developed by a national organization with
1606 expertise in mental health crisis intervention. The training
1607 shall improve officers' knowledge and skills as first responders
1608 to incidents involving students with emotional disturbance or
1609 mental illness, including de-escalation skills to ensure student
1610 and officer safety.

1611 (2) SCHOOL SAFETY OFFICER.—A school district may
1612 commission one or more school safety officers for the protection
1613 and safety of school personnel, property, and students within
1614 the school district. The district school superintendent may
1615 recommend, and the district school board may appoint, one or
1616 more school safety officers.

1617 (a) School safety officers shall undergo criminal
1618 background checks, drug testing, and a psychological evaluation
1619 and be law enforcement officers, as defined in s. 943.10(1),
1620 certified under the provisions of chapter 943 and employed by
1621 either a law enforcement agency or by the district school board.
1622 If the officer is employed by the district school board, the
1623 district school board is the employing agency for purposes of
1624 chapter 943, and must comply with the provisions of that
1625 chapter.

1626 (b) A school safety officer has and shall exercise the
1627 power to make arrests for violations of law on district school
1628 board property and to arrest persons, whether on or off such
1629 property, who violate any law on such property under the same
1630 conditions that deputy sheriffs are authorized to make arrests.
1631 A school safety officer has the authority to carry weapons when
1632 performing his or her official duties.

1633 (c) School safety officers must complete mental health
1634 crisis intervention training using a curriculum developed by a
1635 national organization with expertise in mental health crisis
1636 intervention. The training shall improve officers' knowledge and
1637 skills as first responders to incidents involving students with
1638 emotional disturbance or mental illness, including de-escalation
1639 skills to ensure student and officer safety.

1640 (d) A district school board may enter into mutual aid
1641 agreements with one or more law enforcement agencies as provided
1642 in chapter 23. A school safety officer's salary may be paid
1643 jointly by the district school board and the law enforcement
1644 agency, as mutually agreed to.

1645 (3) SCHOOL GUARDIAN.—At the school district's or the
1646 charter school governing board's discretion, as applicable,
1647 pursuant to s. 30.15, a school district or charter school
1648 governing board may participate in the Coach Aaron Feis Guardian
1649 Program to meet the requirement of establishing a safe-school
1650 officer. The following individuals may serve as a school

1651 guardian, in support of school-sanctioned activities for
1652 purposes of s. 790.115, upon satisfactory completion of the
1653 requirements under s. 30.15(1)(k) and certification by a
1654 sheriff:

1655 (a) A school district employee or personnel, as defined
1656 under s. 1012.01, or a charter school employee, as provided
1657 under s. 1002.33(12)(a), who volunteers to serve as a school
1658 guardian in addition to his or her official job duties; or

1659 (b) An employee of a school district or a charter school
1660 who is hired for the specific purpose of serving as a school
1661 guardian.

1662 (4) SCHOOL SECURITY GUARD.—A school district or charter
1663 school governing board may contract with a security agency as
1664 defined in s. 493.6101(18) to employ as a school security guard
1665 an individual who holds a Class "D" and Class "G" license
1666 pursuant to chapter 493, provided the following training and
1667 contractual conditions are met:

1668 (a) An individual who serves as a school security guard,
1669 for purposes of satisfying the requirements of this section,
1670 must:

1671 1. Demonstrate completion of 144 hours of required
1672 training pursuant to s. 30.15(1)(k)2.

1673 2. Pass a psychological evaluation administered by a
1674 psychologist licensed under chapter 490 and designated by the
1675 Department of Law Enforcement and submit the results of the

1676 evaluation to the sheriff's office, school district, or charter
1677 school governing board, as applicable. The Department of Law
1678 Enforcement is authorized to provide the sheriff's office,
1679 school district, or charter school governing board with mental
1680 health and substance abuse data for compliance with this
1681 paragraph.

1682 3. Submit to and pass an initial drug test and subsequent
1683 random drug tests in accordance with the requirements of s.
1684 112.0455 and the sheriff's office, school district, or charter
1685 school governing board, as applicable.

1686 4. Successfully complete ongoing training, weapon
1687 inspection, and firearm qualification on at least an annual
1688 basis and provide documentation to the sheriff's office, school
1689 district, or charter school governing board, as applicable.

1690 (b) The contract between a security agency and a school
1691 district or a charter school governing board regarding
1692 requirements applicable to school security guards serving in the
1693 capacity of a safe-school officer for purposes of satisfying the
1694 requirements of this section shall define the entity or entities
1695 responsible for training and the responsibilities for
1696 maintaining records relating to training, inspection, and
1697 firearm qualification.

1698 (c) School security guards serving in the capacity of a
1699 safe-school officer pursuant to this subsection are in support
1700 of school-sanctioned activities for purposes of s. 790.115, and

CS/HB 5101

2022

1701 must aid in the prevention or abatement of active assailant
1702 incidents on school premises.

1703 (5) NOTIFICATION.—The school district shall notify the
1704 county sheriff and the Office of Safe Schools immediately after,
1705 but no later than 72 hours after:

1706 (a) A safe-school officer is dismissed for misconduct or
1707 is otherwise disciplined.

1708 (b) A safe-school officer discharges his or her firearm in
1709 the exercise of the safe-school officer's duties, other than for
1710 training purposes.

1711 (6) EXEMPTION.—Any information that would identify whether
1712 a particular individual has been appointed as a safe-school
1713 officer pursuant to this section held by a law enforcement
1714 agency, school district, or charter school is exempt from s.
1715 119.07(1) and s. 24(a), Art. I of the State Constitution. This
1716 subsection is subject to the Open Government Sunset Review Act
1717 in accordance with s. 119.15 and shall stand repealed on October
1718 2, 2023, unless reviewed and saved from repeal through
1719 reenactment by the Legislature.

1720
1721 If a district school board, through its adopted policies,
1722 procedures, or actions, denies a charter school access to any
1723 safe-school officer options pursuant to this section, the school
1724 district must assign a school resource officer or school safety
1725 officer to the charter school. Under such circumstances, the

1726 charter school's share of the costs of the school resource
 1727 officer or school safety officer may not exceed the safe school
 1728 allocation funds provided to the charter school pursuant to s.
 1729 1011.62(12) ~~s. 1011.62(13)~~ and shall be retained by the school
 1730 district.

1731 Section 14. Subsection (1) of section 1006.22, Florida
 1732 Statutes, is amended to read:

1733 1006.22 Safety and health of students being transported.—
 1734 Maximum regard for safety and adequate protection of health are
 1735 primary requirements that must be observed by district school
 1736 boards in routing buses, appointing drivers, and providing and
 1737 operating equipment, in accordance with all requirements of law
 1738 and rules of the State Board of Education in providing
 1739 transportation pursuant to s. 1006.21:

1740 (1)(a) District school boards shall use school buses, as
 1741 defined in s. 1006.25, for all regular transportation. Regular
 1742 transportation or regular use means transportation of students
 1743 to and from school or school-related activities that are part of
 1744 a scheduled series or sequence of events to the same location.
 1745 "Students" means, for the purposes of this section, students
 1746 enrolled in the public schools in prekindergarten disability
 1747 programs and in kindergarten through grade 12. District school
 1748 boards may regularly use motor vehicles other than school buses
 1749 only under the following conditions:

1750 1. When the transportation is for physically handicapped

1751 or isolated students and the district school board has elected
1752 to provide for the transportation of the student through written
1753 or oral contracts or agreements.

1754 2. When the transportation is a part of a comprehensive
1755 contract for a specialized educational program between a
1756 district school board and a service provider who provides
1757 instruction, transportation, and other services.

1758 3. When the transportation is provided through a public
1759 transit system.

1760 4. When the transportation is for trips to and from school
1761 sites or agricultural education sites or for trips to and from
1762 agricultural education-related events or competitions, but is
1763 not for customary transportation between a student's residence
1764 and such sites.

1765 5. When the transportation is for trips to and from school
1766 sites to allow students to participate in controlled open
1767 enrollment ~~a career education program that is not offered at the~~
1768 ~~high school in which such students are enrolled~~ but is not for
1769 customary transportation between a student's residence and such
1770 sites.

1771 (b) When the transportation of students is provided, as
1772 authorized in this subsection, in a vehicle other than a school
1773 bus that is owned, operated, rented, contracted, or leased by a
1774 school district or charter school, the following provisions
1775 shall apply:

1776 1. The vehicle must be a passenger car or multipurpose
 1777 passenger vehicle or truck, as defined in 49 C.F.R. part 571,
 1778 designed to transport no more ~~fewer~~ than 10 students. Students
 1779 must be transported in designated seating positions and must use
 1780 the occupant crash protection system provided by the
 1781 manufacturer unless the student's physical condition prohibits
 1782 such use.

1783 2. An authorized vehicle may not be driven by a student on
 1784 a public right-of-way. An authorized vehicle may be driven by a
 1785 student on school or private property as part of the student's
 1786 educational curriculum if no other student is in the vehicle.

1787 3. The driver of an authorized vehicle transporting
 1788 students must maintain a valid driver license and must comply
 1789 with the requirements of the school district's locally adopted
 1790 safe driver plan, which includes review of driving records for
 1791 disqualifying violations.

1792 4. The district school board or charter school must adopt
 1793 a policy that addresses procedures and liability for trips under
 1794 this paragraph, including a provision that school buses are to
 1795 be used whenever practical and specifying consequences for
 1796 violation of the policy.

1797 Section 15. Subsection (3) is added to section 1006.27,
 1798 Florida Statutes, to read:

1799 1006.27 Pooling of school buses and related purchases by
 1800 district school boards; transportation services contracts.—

1801 (3) The department shall develop a grant program to
 1802 improve access to reliable and safe transportation for students
 1803 who attend school through controlled open enrollment and to
 1804 support innovative solutions that increase the efficiency of
 1805 public school transportation.

1806 (a) Grant proposals may include:

1807 1. Transportation resource planning and sharing among
 1808 school districts and local governments.

1809 2. Developing or contracting with rideshare programs or
 1810 developing carpool strategies.

1811 3. Developing options to reduce costs and increase
 1812 efficiencies while improving access to transportation options
 1813 for families.

1814 4. Developing options to address personnel challenges.

1815 5. Expanding the use of transportation funds under ss.
 1816 1002.394, 1002.395, and 1011.68 to help cover the cost of
 1817 transporting students to and from school.

1818 (b) The department shall publish on its website, by
 1819 December 31, 2023, an interim report and by December 31, 2024, a
 1820 final report that includes:

1821 1. The best practices used by grant recipients to increase
 1822 transportation options for students, including any
 1823 transportation barriers addressed by grant recipients.

1824 2. The number of students served by grant recipients
 1825 including the number of students transported to a school that is

1826 | different from the school to which the student is assigned.
 1827 | Section 16. Paragraph (a) of subsection (3) of section
 1828 | 1010.20, Florida Statutes, is amended to read:
 1829 | 1010.20 Cost accounting and reporting for school
 1830 | districts.—
 1831 | (3) PROGRAM EXPENDITURE REQUIREMENTS.—
 1832 | (a) Each district shall expend at least the percent of the
 1833 | funds generated by each of the programs listed in this section
 1834 | on the aggregate total school costs for such programs:
 1835 | 1. Kindergarten and grades 1, 2, and 3, 90 percent.
 1836 | 2. Grades 4, 5, 6, 7, and 8, 80 percent.
 1837 | 3. Grades 9, 10, 11, and 12, 80 percent.
 1838 | 4. Programs for exceptional students, on an aggregate
 1839 | program basis, 90 percent.
 1840 | 5. Grades 7 through 12 career education programs, on an
 1841 | aggregate program basis, 80 percent.
 1842 | 6. Students-at-risk programs, on an aggregate program
 1843 | basis, 80 percent.
 1844 | 7. Juvenile justice programs, on an aggregate program
 1845 | basis, 95 ~~90~~ percent.
 1846 | 8. Any new program established and funded under s.
 1847 | 1011.62(1)(c), that is not included under subparagraphs 1.-7.,
 1848 | on an aggregate basis as appropriate, 80 percent.
 1849 | Section 17. Subsections (11) through (14) of section
 1850 | 1011.62, Florida Statutes, are renumbered as (10) through (13),

1851 respectively, subsections (16) through (19) are renumbered as
 1852 subsections (14) through (17), respectively, and paragraph (s)
 1853 of subsection (1), paragraph (a) of subsection (4), paragraph
 1854 (b) of subsection (6), subsection (10), and present subsections
 1855 (12) and (15) of that section are amended, to read:

1856 1011.62 Funds for operation of schools.—If the annual
 1857 allocation from the Florida Education Finance Program to each
 1858 district for operation of schools is not determined in the
 1859 annual appropriations act or the substantive bill implementing
 1860 the annual appropriations act, it shall be determined as
 1861 follows:

1862 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 1863 OPERATION.—The following procedure shall be followed in
 1864 determining the annual allocation to each district for
 1865 operation:

1866 (s) Determination of the basic amount for current
 1867 operation.—The basic amount for current operation to be included
 1868 in the Florida Education Finance Program for kindergarten
 1869 through grade 12 for each district shall be the product of the
 1870 following:

- 1871 1. The full-time equivalent student membership in each
 1872 program, multiplied by
- 1873 2. The cost factor for each program, adjusted for the
 1874 maximum as provided by paragraph (c), multiplied by
- 1875 3. The district cost differential, multiplied by

1876 | ~~4.3.~~ The base student allocation.

1877 | (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
 1878 | Legislature shall prescribe the aggregate required local effort
 1879 | for all school districts collectively as an item in the General
 1880 | Appropriations Act for each fiscal year. The amount that each
 1881 | district shall provide annually toward the cost of the Florida
 1882 | Education Finance Program for kindergarten through grade 12
 1883 | programs shall be calculated as follows:

1884 | (a) Estimated taxable value calculations.—

1885 | 1.a. Not later than 2 working days before July 19, the
 1886 | Department of Revenue shall certify to the Commissioner of
 1887 | Education its most recent estimate of the taxable value for
 1888 | school purposes in each school district and the total for all
 1889 | school districts in the state for the current calendar year
 1890 | based on the latest available data obtained from the local
 1891 | property appraisers. The value certified shall be the taxable
 1892 | value for school purposes for that year, and no further
 1893 | adjustments shall be made, except those made pursuant to
 1894 | paragraphs (c) and (d), or an assessment roll change required by
 1895 | final judicial decisions as specified in paragraph (15) (b)
 1896 | ~~(17) (b)~~. Not later than July 19, the Commissioner of Education
 1897 | shall compute a millage rate, rounded to the next highest one
 1898 | one-thousandth of a mill, which, when applied to 96 percent of
 1899 | the estimated state total taxable value for school purposes,
 1900 | would generate the prescribed aggregate required local effort

1901 for that year for all districts. The Commissioner of Education
 1902 shall certify to each district school board the millage rate,
 1903 computed as prescribed in this subparagraph, as the minimum
 1904 millage rate necessary to provide the district required local
 1905 effort for that year.

1906 b. The General Appropriations Act shall direct the
 1907 computation of the statewide adjusted aggregate amount for
 1908 required local effort for all school districts collectively from
 1909 ad valorem taxes to ensure that no school district's revenue
 1910 from required local effort millage will produce more than 90
 1911 percent of the district's total Florida Education Finance
 1912 Program calculation as calculated and adopted by the
 1913 Legislature, and the adjustment of the required local effort
 1914 millage rate of each district that produces more than 90 percent
 1915 of its total Florida Education Finance Program entitlement to a
 1916 level that will produce only 90 percent of its total Florida
 1917 Education Finance Program entitlement in the July calculation.

1918 2. On the same date as the certification in sub-
 1919 subparagraph 1.a., the Department of Revenue shall certify to
 1920 the Commissioner of Education for each district:

1921 a. Each year for which the property appraiser has
 1922 certified the taxable value pursuant to s. 193.122(2) or (3), if
 1923 applicable, since the prior certification under sub-subparagraph
 1924 1.a.

1925 b. For each year identified in sub-subparagraph a., the

1926 taxable value certified by the appraiser pursuant to s.
 1927 193.122(2) or (3), if applicable, since the prior certification
 1928 under sub-subparagraph 1.a. This is the certification that
 1929 reflects all final administrative actions of the value
 1930 adjustment board.

1931 (6) CATEGORICAL FUNDS.—

1932 (b) If a district school board finds and declares in a
 1933 resolution adopted at a regular meeting of the school board that
 1934 the funds received for any of the following categorical
 1935 appropriations are urgently needed to maintain school board
 1936 specified academic classroom instruction or improve school
 1937 safety, the school board may consider and approve an amendment
 1938 to the school district operating budget transferring the
 1939 identified amount of the categorical funds to the appropriate
 1940 account for expenditure:

1941 1. Funds for student transportation.

1942 2. Funds for evidence-based reading instruction if the
 1943 required additional hour of instruction beyond the normal school
 1944 day for each day of the entire school year has been provided for
 1945 the students in each low-performing elementary school in the
 1946 district pursuant to paragraph (8)(a).

1947 3. Funds for instructional materials if all instructional
 1948 material purchases necessary to provide updated materials that
 1949 are aligned with applicable state standards and course
 1950 descriptions and that meet statutory requirements of content and

1951 learning have been completed for that fiscal year, but no sooner
 1952 than March 1. Funds available after March 1 may be used to
 1953 purchase computers and device hardware for student instruction
 1954 that comply with the requirements of s. 1001.20 (4) (a)1.b.

1955 4. Funds for the guaranteed allocation as provided in
 1956 subparagraph (1)(e)2.

1957 5. Funds for the supplemental academic instruction
 1958 allocation as provided in paragraph (1)(f).

1959 ~~6. Funds for the Florida digital classrooms allocation as~~
 1960 ~~provided in subsection (10).~~

1961 6.7. Funds for the federally connected student supplement
 1962 as provided in subsection (10) ~~(11)~~.

1963 ~~7.8.~~ Funds for class size reduction as provided in s.
 1964 1011.685.

1965 ~~(10) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—~~

1966 ~~(a) The Florida digital classrooms allocation is created~~
 1967 ~~to support the efforts of school districts and schools,~~
 1968 ~~including charter schools, to integrate technology in classroom~~
 1969 ~~teaching and learning to ensure students have access to high-~~
 1970 ~~quality electronic and digital instructional materials and~~
 1971 ~~resources, and empower classroom teachers to help their students~~
 1972 ~~succeed. Each school district shall receive a minimum digital~~
 1973 ~~classrooms allocation in the amount provided in the General~~
 1974 ~~Appropriations Act. The remaining balance of the digital~~
 1975 ~~classrooms allocation shall be allocated based on each school~~

1976 | ~~district's proportionate share of the state's total unweighted~~
 1977 | ~~full-time equivalent student enrollment.~~

1978 | ~~(b) Funds allocated under this subsection must be used for~~
 1979 | ~~costs associated with:~~

1980 | ~~1. Acquiring and maintaining the items on the eligible~~
 1981 | ~~services list authorized by the Universal Service Administrative~~
 1982 | ~~Company for the Schools and Libraries Program, more commonly~~
 1983 | ~~referred to as the federal E-rate program.~~

1984 | ~~2. Acquiring computer and device hardware and associated~~
 1985 | ~~operating system software that comply with the requirements of~~
 1986 | ~~s. 1001.20(4)(a)1.b.~~

1987 | ~~3. Providing professional development, including in-state~~
 1988 | ~~conference attendance or online coursework, to enhance the use~~
 1989 | ~~of technology for digital instructional strategies.~~

1990 | ~~(11)-(12)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
 1991 | annually in the General Appropriations Act determine a
 1992 | percentage increase in funds per K-12 unweighted FTE as a
 1993 | minimum guarantee to each school district. The guarantee shall
 1994 | be calculated from prior year base funding per unweighted FTE
 1995 | student which shall include the adjusted FTE dollars as provided
 1996 | in subsection (15) ~~(17)~~, quality guarantee funds, and actual
 1997 | nonvoted discretionary local effort from taxes. From the base
 1998 | funding per unweighted FTE, the increase shall be calculated for
 1999 | the current year. The current year funds from which the
 2000 | guarantee shall be determined shall include the adjusted FTE

2001 dollars as provided in subsection (15) ~~(17)~~ and potential
 2002 nonvoted discretionary local effort from taxes. A comparison of
 2003 current year funds per unweighted FTE to prior year funds per
 2004 unweighted FTE shall be computed. For those school districts
 2005 which have less than the legislatively assigned percentage
 2006 increase, funds shall be provided to guarantee the assigned
 2007 percentage increase in funds per unweighted FTE student. Should
 2008 appropriated funds be less than the sum of this calculated
 2009 amount for all districts, the commissioner shall prorate each
 2010 district's allocation. This provision shall be implemented to
 2011 the extent specifically funded.

2012 ~~(15) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION. The~~
 2013 ~~Legislature may provide an annual funding compression and hold~~
 2014 ~~harmless allocation in the General Appropriations Act. The~~
 2015 ~~allocation is created to provide additional funding to school~~
 2016 ~~districts if the school district's total funds per FTE in the~~
 2017 ~~prior year were less than the statewide average or if the school~~
 2018 ~~district's district cost differential in the current year is~~
 2019 ~~less than the prior year. The total allocation shall be~~
 2020 ~~distributed to eligible school districts as follows:~~

2021 ~~(a) Using the most recent prior year FEFP calculation for~~
 2022 ~~each eligible school district, subtract the total school~~
 2023 ~~district funds per FTE from the state average funds per FTE, not~~
 2024 ~~including any adjustments made pursuant to paragraph (17) (b).~~
 2025 ~~The resulting funds per FTE difference, or a portion thereof, as~~

2026 ~~designated in the General Appropriations Act, shall then be~~
 2027 ~~multiplied by the school district's total unweighted FTE.~~

2028 ~~(b) Multiply the absolute value of the difference between~~
 2029 ~~the eligible school district's current year district cost~~
 2030 ~~differential and the prior year district cost differential by a~~
 2031 ~~hold harmless factor as designated in the General Appropriations~~
 2032 ~~Act. The result is the district cost differential hold harmless~~
 2033 ~~index. Multiply the index by the eligible school district's~~
 2034 ~~weighted FTE and by the base student allocation as designated in~~
 2035 ~~the General Appropriations Act.~~

2036 ~~(c) For each district, select the greater of the amounts~~
 2037 ~~calculated in paragraphs (a) and (b) and upon summation, if the~~
 2038 ~~total amount is greater than the amount included in the General~~
 2039 ~~Appropriations Act, the allocation shall be prorated to the~~
 2040 ~~appropriation amount based on each participating school~~
 2041 ~~district's share.~~

2042
 2043 ~~This subsection expires July 1, 2022.~~

2044 Section 18. Subsection (5) of section 1011.68, Florida
 2045 Statutes, is amended to read:

2046 1011.68 Funds for student transportation.—The annual
 2047 allocation to each district for transportation to public school
 2048 programs, including charter schools as provided in s.
 2049 1002.33(17)(b), of students in membership in kindergarten
 2050 through grade 12 and in migrant and exceptional student programs

2051 below kindergarten shall be determined as follows:

2052 (5) Funds allocated or apportioned for the payment of
 2053 student transportation services may be used to pay for
 2054 transportation of students to and from school on local general
 2055 purpose transportation systems. Student transportation funds may
 2056 also be used to pay for transportation of students to and from
 2057 school in private passenger cars and boats when ~~the~~
 2058 transportation on a school bus is impractical or when the
 2059 transportation is for isolated students, or students with
 2060 disabilities, or to support parents or carpools, as defined by
 2061 rule. Subject to the rules of the State Board of Education, each
 2062 school district shall determine and report the number of
 2063 assigned students using general purpose transportation private
 2064 passenger cars and boats. The allocation per student must be
 2065 equal to the allocation per student riding a school bus.

2066 Section 19. Subsection (1) of section 1011.71, Florida
 2067 Statutes, is amended to read:

2068 1011.71 District school tax.—

2069 (1) If the district school tax is not provided in the
 2070 General Appropriations Act or the substantive bill implementing
 2071 the General Appropriations Act, each district school board
 2072 desiring to participate in the state allocation of funds for
 2073 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(17)~~
 2074 shall levy on the taxable value for school purposes of the
 2075 district, exclusive of millage voted under s. 9(b) or s. 12,

2076 Art. VII of the State Constitution, a millage rate not to exceed
 2077 the amount certified by the commissioner as the minimum millage
 2078 rate necessary to provide the district required local effort for
 2079 the current year, pursuant to s. 1011.62(4)(a)1. In addition to
 2080 the required local effort millage levy, each district school
 2081 board may levy a nonvoted current operating discretionary
 2082 millage. The Legislature shall prescribe annually in the
 2083 appropriations act the maximum amount of millage a district may
 2084 levy.

2085 Section 20. Paragraph (c) of subsection (1) of section
 2086 1012.22, Florida Statutes, is amended to read:

2087 1012.22 Public school personnel; powers and duties of the
 2088 district school board.—The district school board shall:

2089 (1) Designate positions to be filled, prescribe
 2090 qualifications for those positions, and provide for the
 2091 appointment, compensation, promotion, suspension, and dismissal
 2092 of employees as follows, subject to the requirements of this
 2093 chapter:

2094 (c) Compensation and salary schedules.—

2095 1. Definitions.—As used in this paragraph:

2096 a. "Adjustment" means an addition to the base salary
 2097 schedule that is not a bonus and becomes part of the employee's
 2098 permanent base salary and shall be considered compensation under
 2099 s. 121.021(22).

2100 b. "Grandfathered salary schedule" means the salary

2101 schedule or schedules adopted by a district school board before
 2102 July 1, 2014, pursuant to subparagraph 4.

2103 c. "Instructional personnel" means instructional personnel
 2104 as defined in s. 1012.01(2)(a)-(d), excluding substitute
 2105 teachers.

2106 d. "Performance salary schedule" means the salary schedule
 2107 or schedules adopted by a district school board pursuant to
 2108 subparagraph 5.

2109 e. "Salary schedule" means the schedule or schedules used
 2110 to provide the base salary for district school board personnel.

2111 f. "School administrator" means a school administrator as
 2112 defined in s. 1012.01(3)(c).

2113 g. "Supplement" means an annual addition to the base
 2114 salary for the term of the negotiated supplement as long as the
 2115 employee continues his or her employment for the purpose of the
 2116 supplement. A supplement does not become part of the employee's
 2117 continuing base salary but shall be considered compensation
 2118 under s. 121.021(22).

2119 2. Cost-of-living adjustment.—A district school board may
 2120 provide a cost-of-living salary adjustment if the adjustment:

2121 a. Does not discriminate among comparable classes of
 2122 employees based upon the salary schedule under which they are
 2123 compensated.

2124 b. Does not exceed 50 percent of the annual adjustment
 2125 provided to instructional personnel rated as effective.

CS/HB 5101

2022

2126 3. Advanced degrees.—A district school board may not use
2127 advanced degrees in setting a salary schedule for instructional
2128 personnel or school administrators hired on or after July 1,
2129 2011, unless the advanced degree is held in the individual's
2130 area of certification and is only a salary supplement.

2131 4. Grandfathered salary schedule.—

2132 a. The district school board shall adopt a salary schedule
2133 or salary schedules to be used as the basis for paying all
2134 school employees hired before July 1, 2014. Instructional
2135 personnel on annual contract as of July 1, 2014, shall be placed
2136 on the performance salary schedule adopted under subparagraph 5.
2137 Instructional personnel on continuing contract or professional
2138 service contract may opt into the performance salary schedule if
2139 the employee relinquishes such contract and agrees to be
2140 employed on an annual contract under s. 1012.335. Such an
2141 employee shall be placed on the performance salary schedule and
2142 may not return to continuing contract or professional service
2143 contract status. Any employee who opts into the performance
2144 salary schedule may not return to the grandfathered salary
2145 schedule.

2146 b. In determining the grandfathered salary schedule for
2147 instructional personnel, a district school board must base a
2148 portion of each employee's compensation upon performance
2149 demonstrated under s. 1012.34 and shall provide differentiated
2150 pay for both instructional personnel and school administrators

2151 based upon district-determined factors, including, but not
2152 limited to, additional responsibilities, school demographics,
2153 critical shortage areas, and level of job performance
2154 difficulties.

2155 5. Performance salary schedule.—By July 1, 2014, the
2156 district school board shall adopt a performance salary schedule
2157 that provides annual salary adjustments for instructional
2158 personnel and school administrators based upon performance
2159 determined under s. 1012.34. Employees hired on or after July 1,
2160 2014, or employees who choose to move from the grandfathered
2161 salary schedule to the performance salary schedule shall be
2162 compensated pursuant to the performance salary schedule once
2163 they have received the appropriate performance evaluation for
2164 this purpose.

2165 a. Base salary.—The base salary shall be established as
2166 follows:

2167 (I) The base salary for instructional personnel or school
2168 administrators who opt into the performance salary schedule
2169 shall be the salary paid in the prior year, including
2170 adjustments only.

2171 (II) Instructional personnel or school administrators new
2172 to the district, returning to the district after a break in
2173 service without an authorized leave of absence, or appointed for
2174 the first time to a position in the district in the capacity of
2175 instructional personnel or school administrator shall be placed

2176 on the performance salary schedule. Beginning July 1, 2021, and
2177 until such time as the minimum base salary as defined in s.
2178 1011.62(14) ~~s. 1011.62(16)~~ equals or exceeds \$47,500, the annual
2179 increase to the minimum base salary shall not be less than 150
2180 percent of the largest adjustment made to the salary of an
2181 employee on the grandfathered salary schedule. Thereafter, the
2182 annual increase to the minimum base salary shall not be less
2183 than 75 percent of the largest adjustment for an employee on the
2184 grandfathered salary schedule.

2185 b. Salary adjustments.—Salary adjustments for highly
2186 effective or effective performance shall be established as
2187 follows:

2188 (I) The annual salary adjustment under the performance
2189 salary schedule for an employee rated as highly effective must
2190 be at least 25 percent greater than the highest annual salary
2191 adjustment available to an employee of the same classification
2192 through any other salary schedule adopted by the district.

2193 (II) The annual salary adjustment under the performance
2194 salary schedule for an employee rated as effective must be equal
2195 to at least 50 percent and no more than 75 percent of the annual
2196 adjustment provided for a highly effective employee of the same
2197 classification.

2198 (III) A salary schedule shall not provide an annual salary
2199 adjustment for an employee who receives a rating other than
2200 highly effective or effective for the year.

2201 c. Salary supplements.—In addition to the salary
 2202 adjustments, each district school board shall provide for salary
 2203 supplements for activities that must include, but are not
 2204 limited to:

2205 (I) Assignment to a Title I eligible school.

2206 (II) Assignment to a school that earned a grade of "F" or
 2207 three consecutive grades of "D" pursuant to s. 1008.34 such that
 2208 the supplement remains in force for at least 1 year following
 2209 improved performance in that school.

2210 (III) Certification and teaching in critical teacher
 2211 shortage areas. Statewide critical teacher shortage areas shall
 2212 be identified by the State Board of Education under s. 1012.07.
 2213 However, the district school board may identify other areas of
 2214 critical shortage within the school district for purposes of
 2215 this sub-sub-subparagraph and may remove areas identified by the
 2216 state board which do not apply within the school district.

2217 (IV) Assignment of additional academic responsibilities.

2218
 2219 If budget constraints in any given year limit a district school
 2220 board's ability to fully fund all adopted salary schedules, the
 2221 performance salary schedule shall not be reduced on the basis of
 2222 total cost or the value of individual awards in a manner that is
 2223 proportionally greater than reductions to any other salary
 2224 schedules adopted by the district.

2225 Section 21. Subsection (4) of section 1012.584, Florida

CS/HB 5101

2022

2226 Statutes, is amended to read:

2227 1012.584 Continuing education and inservice training for
 2228 youth mental health awareness and assistance.—

2229 (4) Each school district shall notify all school personnel
 2230 who have received training pursuant to this section of mental
 2231 health services that are available in the school district, and
 2232 the individual to contact if a student needs services. The term
 2233 "mental health services" includes, but is not limited to,
 2234 community mental health services, health care providers, and
 2235 services provided under ss. 1006.04 and 1011.62(13) ~~1011.62(14)~~.

2236 Section 22. This act shall take effect July 1, 2022.