

CHAPTER 2024-159

Committee Substitute for Senate Bill No. 7002

An act relating to deregulation of public schools; amending s. 200.065, F.S.; requiring a district school board to advertise its intent to adopt a tentative budget on a publicly available website if the district school board does not advertise such intent in a newspaper of general circulation; defining the term “publicly accessible website”; requiring certain information relating to a postponed hearing to be posted on a school district website under certain circumstances; amending s. 252.38, F.S.; revising the requirements for certain district school boards during declared state or local emergencies and at the request of specified entities; amending s. 316.173, F.S.; revising requirements for signage that must be posted on certain school buses; providing an additional use for specified civil penalties; amending s. 1001.372, F.S.; revising the ways due public notice may be met for district school board meetings; amending s. 1001.49, F.S.; revising the general powers of district school superintendents to include establishing a process for the review and approval of certain policies and procedures through the delegated authority of district school boards; amending s. 1002.20, F.S.; revising a requirement relating to how a parent is informed of placement of a student in a specified program; revising a requirement relating to how a parent is informed of a student’s suspension; deleting a requirement that an economic security report of employment and earning outcomes be provided to students; amending s. 1002.55, F.S.; requiring newly hired prekindergarten instructors to complete specified training within a certain timeframe; deleting obsolete language; amending s. 1003.53, F.S.; authorizing district school boards to adopt a policy relating to parental notification methods; providing requirements for such policy; amending s. 1004.85, F.S.; revising the requirements for participants in certain educator preparation programs; amending s. 1004.88, F.S.; authorizing the Florida Institute for Charter School Innovation to develop a professional learning system; repealing s. 1006.025, F.S., relating to guidance services; amending s. 1006.09, F.S.; authorizing district school boards to adopt a policy relating to parental notification methods; providing requirements for such policy; amending s. 1010.02, F.S.; providing financial reporting requirements for certain school districts; amending s. 1010.11, F.S.; providing that school districts are exempt from certain requirements relating to electronic transfer of funds; amending s. 1011.03, F.S.; requiring a district school board to publish its tentative budget on a publicly accessible website; deleting a requirement for a district school board to publish its tentative budget in a newspaper or at a courthouse under certain circumstances; amending s. 1011.68, F.S.; requiring certain school districts to request specified assistance from the Department of Education relating to the purchase of transportation equipment and supplies; authorizing such school districts to purchase such equipment and supplies at specified prices under certain circumstances; amending s. 1011.71, F.S.; revising the amount of funds school

districts may expend from specified revenue and for certain purposes; amending s. 1012.05, F.S.; authorizing, rather than requiring, district school boards to base certain policies on guidelines from the department; revising the frequency with which school districts must submit certain information to the department; amending s. 1012.07, F.S.; requiring the State Board of Education to develop strategies to address critical teacher shortages; amending s. 1012.22, F.S.; authorizing district school boards to use advanced degrees in setting salary schedules for specified personnel; providing that collective bargaining may not preclude a district school board from carrying out specified duties; providing that if a superintendent appears before the State Board of Education for a specified purpose, the president of the school district bargaining unit also must appear; amending s. 1012.56, F.S.; authorizing specified assessments to be used to demonstrate mastery of general knowledge for certain educator certification requirements; providing for the placement of an educator certificate in an inactive status; providing requirements for returning an educator certificate to active status; amending s. 1012.2315, F.S.; revising legislative findings and intent; revising school district prohibitions relating to the assignment of certain teachers; defining the term “inexperienced teacher”; providing that certain prohibitions relating to the provision of school district incentives apply to incentives using federal funds; amending s. 1012.555, F.S.; revising requirements for individuals to participate in the Teacher Apprenticeship Program; amending s. 1012.57, F.S.; revising provisions relating to the validity period of adjunct teaching certificates; amending s. 1012.575, F.S.; providing that certain provisions relating to alternative teacher preparation programs also apply to the Florida Institute for Charter School Innovation; amending s. 1012.59, F.S.; providing examination and certification fee waivers for certain teachers; by a specified date, requiring the Commissioner of Education to make certain recommendations relating to the development and retention of exceptional student education instructional personnel to the Governor and Legislature; repealing s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; repealing s. 1012.86, F.S., relating to the Florida College System institution employment equity accountability program; amending s. 1012.98, F.S.; providing that provisions relating to the development of a professional learning system apply to the Florida Institute for Charter School Innovation; amending s. 1013.15, F.S.; authorizing district school boards to rent or lease specified plants and facilities and sites; providing that the lease-purchase of certain plants and facilities and sites is exempt from certain requirements; amending s. 1013.16, F.S.; revising minimum lease term requirements for land for certain construction projects; amending s. 1013.20, F.S.; deleting a district school board requirement to plan for the use of relocatables; deleting a requirement for the commissioner to provide a progress report to the Legislature; repealing s. 1013.21, F.S., relating to reduction of relocatable facilities in use; amending s. 1013.31, F.S.; requiring each Florida College System institution board of trustees and state university board of trustees to arrange for educational plant surveys; deleting provisions relating to when an educational plant survey recommendation

is not required; requiring Florida College System institution and state university boards, but not district school boards, to participate in specified surveys; deleting a requirement for school districts to submit certain data to the department; revising requirements for what a survey report must include; deleting a requirement that a school district's survey must be submitted as part of the district educational facilities plan; deleting a requirement for the department to perform an analysis of such surveys; revising requirements for a facilities needs survey submitted by a district school board; requiring that the release of funds for a PECO project be subject to certain authorizations; amending s. 1013.385, F.S.; deleting requirements for a resolution relating to educational facilities construction which may be adopted by district school boards; providing that exceptions to requirements for public shelter design criteria remain subject to certain emergency management provisions; providing that a school board may not be required to build more emergency-shelter space than identified as needed; amending s. 1013.45, F.S.; revising the limit for specified day-labor contracts that district school boards and boards of trustees of Florida College System institutions may use; amending s. 1013.48, F.S.; deleting a requirement that school districts monitor and report the impact of certain change orders; amending s. 1013.64, F.S.; revising the requirements for a construction project to be exempt from cost requirements; amending ss. 1001.64, 1001.65, 1003.621, 1011.6202, and 1013.35, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

Section 1. Paragraph (f) of subsection (2) of section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.—

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the taxing authority according to the following procedure:

(f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget on a publicly accessible website pursuant to s. 50.0311 or in a newspaper of general circulation pursuant to subsection (3) within 29 days after of certification of value pursuant to subsection (1). For the purpose of this paragraph, the term “publicly accessible website” includes a district school board’s official website if the school board website satisfies the remaining requirements of s. 50.0311. Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time,

and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website if the district school board uses a different method of advertisement.

2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property appraiser of its recomputed proposed millage rate within 35 days of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

3. Notwithstanding any provisions of paragraph (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (d), except that a newspaper advertisement need not precede the hearing.

Section 2. Paragraph (d) of subsection (1) of section 252.38, Florida Statutes, is amended to read:

252.38 Emergency management powers of political subdivisions.—Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state.

(1) COUNTIES.—

(d) During a declared state or local emergency and upon the request of the director of a local emergency management agency, the district school board or school boards in the affected area shall participate in emergency management by providing facilities and necessary personnel to access staff such facilities or perform other duties related to the facilities as may be required pursuant to the county emergency management plan and program. Each school board providing transportation assistance in an emergency evacuation shall coordinate the use of its vehicles and personnel with the local emergency management agency.

Section 3. Paragraph (a) of subsection (2) and subsection (7) of section 316.173, Florida Statutes, are amended to read:

316.173 School bus infraction detection systems.—

(2)(a) The school district must post ~~high-visibility reflective~~ signage on the rear of each school bus in which a school bus infraction detection system is installed and operational which indicates the use of such system. The signage must be in the form of one or more signs or stickers and must contain the following elements in substantially the following form:

1. The words “STOP WHEN RED LIGHTS FLASH” or “DO NOT PASS WHEN RED LIGHTS FLASH.”
2. The words “CAMERA ENFORCED.”
3. A graphic depiction of a camera.

(7) The civil penalties assessed and collected for a violation of s. 316.172(1)(a) or (b) enforced by a school bus infraction detection system must be remitted to the school district in which the violation occurred. Such civil penalties must be used for the installation or maintenance of school bus infraction detection systems on school buses, for any other technology that increases the safety of the transportation of students, ~~or for the administration and costs associated with the enforcement of violations as described in this section, or to provide financial awards to recruit or retain school bus drivers in the school district in which the civil penalties are assessed and collected.~~

Section 4. Paragraph (c) of subsection (2) of section 1001.372, Florida Statutes, is amended to read:

1001.372 District school board meetings.—

(2) PLACE OF MEETINGS.—

(c) For purpose of this section, due public notice shall consist of, at least 2 days prior to the meeting: continuous publication on a publicly accessible website as provided in s. 50.0311 or the official district school board website; by publication in a newspaper of general circulation in the county or in each county where there is no newspaper of general circulation in the county an announcement over at least one radio station whose signal is generally received in the county, a reasonable number of times daily during the 48 hours immediately preceding the date of such meeting; or by posting a notice at the courthouse door if no newspaper is published in the county, at least 2 days prior to the meeting.

Section 5. Subsection (3) of section 1001.49, Florida Statutes, is amended to read:

1001.49 General powers of district school superintendent.—The district school superintendent shall have the authority, and when necessary for the more efficient and adequate operation of the district school system, the district school superintendent shall exercise the following powers:

(3) APPROVE OPERATIONAL POLICIES THROUGH THE DELEGATED AUTHORITY OF THE DISTRICT SCHOOL BOARD.—Establish a process for the review and approval of districtwide policies and procedures, through the formal delegated authority of the district school board, RECOMMEND POLICIES.—Recommend to the district school board for adoption such policies pertaining to the district school system as the district

school superintendent may consider necessary for its more efficient operation.

Section 6. Subsection (25) of section 1002.20, Florida Statutes, is renumbered as subsection (24), and paragraph (e) of subsection (2), paragraph (a) of subsection (4), and subsection (24) of that section are amended, to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child’s academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(2) ATTENDANCE.—

(e) *Dropout prevention and academic intervention programs.*—The parent of a public school student has the right to receive written notice by certified mail or other method agreed to by the parent before ~~prior to~~ placement of the student in a dropout prevention and academic intervention program and shall be notified in writing and entitled to an administrative review of any action by school personnel relating to the student’s placement, in accordance with ~~the provisions of s. 1003.53(5).~~

(4) DISCIPLINE.—

(a) *Suspension of public school student.*—In accordance with the provisions of s. 1006.09(1)-(4):

1. A student may be suspended only as provided by rule of the district school board. A good faith effort must be made to immediately inform the parent by telephone of the student’s suspension and the reason. Each suspension and the reason must be reported in writing within 24 hours to the parent by United States mail or other method agreed to by the parent. A good faith effort must be made to use parental assistance before suspension unless the situation requires immediate suspension.

2. A student with a disability may only be recommended for suspension or expulsion in accordance with State Board of Education rules.

~~(24) ECONOMIC SECURITY REPORT.—Beginning in the 2014-2015 school year and annually thereafter, each middle school and high school student or the student’s parent prior to registration shall be provided a two-page summary of the Department of Economic Opportunity’s economic security report of employment and earning outcomes prepared pursuant to s. 445.07 and electronic access to the report.~~

Section 7. Paragraph (c) of subsection (3) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

(3) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the following requirements:

(c) The private prekindergarten provider must have, for each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor who meets each of the following requirements:

1. The prekindergarten instructor must hold, at a minimum, one of the following credentials:

a. A child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition; or

b. A credential approved by the Department of Children and Families as being equivalent to or greater than the credential described in sub-subparagraph a.

The Department of Children and Families may adopt rules under ss. 120.536(1) and 120.54 which provide criteria and procedures for approving equivalent credentials under sub-subparagraph b.

2. The prekindergarten instructor must successfully complete three emergent literacy training courses that include developmentally appropriate and experiential learning practices for children and a student performance standards training course approved by the department as meeting or exceeding the minimum standards adopted under s. 1002.59. A newly hired prekindergarten instructor must complete the three emergent literacy training courses within 45 calendar days after being hired if the instructor has not previously completed the courses. The prekindergarten instructor must complete an emergent literacy training course at least once every 5 years after initially completing the three emergent literacy training courses. The courses in this subparagraph must be recognized as part of the informal early learning and career pathway identified by the department under s. 1002.995(1)(b). ~~The requirement for completion of the standards training course shall take effect July 1, 2022.~~ The courses must be made available online or in person.

Section 8. Subsection (5) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(5) Each district school board providing a dropout prevention and academic intervention program pursuant to this section shall maintain for each participating student records documenting the student's eligibility, the length of participation, the type of program to which the student was assigned or the type of academic intervention services provided, and an evaluation of the student's academic and behavioral performance while in

the program. The school principal or his or her designee shall, before ~~prior to~~ placement in a dropout prevention and academic intervention program or the provision of an academic service, provide written notice of placement or services by certified mail, return receipt requested, to the student's parent. The parent of the student shall sign an acknowledgment of the notice of placement or service and return the signed acknowledgment to the principal within 3 days after receipt of the notice. A district school board may adopt a policy that allows a parent to agree to an alternative method of notification. Such agreement may be made before the need for notification arises or at the time the notification becomes required. The parents of a student assigned to such a dropout prevention and academic intervention program shall be notified in writing and entitled to an administrative review of any action by school personnel relating to such placement pursuant to the provisions of chapter 120.

Section 9. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) before participating in field experiences.

2. Demonstrate competency and participate in field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in s. 1012.56(7)(a)3.,

achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

Section 10. Subsections (3) and (4) of section 1004.88, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a new subsection (3) is added to that section, to read:

1004.88 Florida Institute for Charter School Innovation.—

(3) The institute may develop a professional learning system pursuant to s. 1012.98(7).

Section 11. Section 1006.025, Florida Statutes, is repealed.

Section 12. Paragraph (b) of subsection (1) of section 1006.09, Florida Statutes, is amended to read:

1006.09 Duties of school principal relating to student discipline and school safety.—

(1)

(b) The principal or the principal's designee may suspend a student only in accordance with the rules of the district school board. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension. Each suspension and the reasons for the suspension shall be reported in writing within 24 hours to the student's parent by United States mail. The district school board may adopt a policy that allows a parent to agree to an alternative method of notification. Such agreement may be made before the need for notification arises or at the time the notification becomes required. Each suspension and the reasons for the suspension shall also be reported in writing within 24 hours to the district school superintendent. A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures before ~~prior to~~ suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined by rules of the district school board. Such rules shall require oral and written notice to the student of the charges and an explanation of the evidence against him or her before ~~prior to~~ the suspension. Each student shall be given an opportunity to present his or her side of the story. No student shall be suspended for unexcused tardiness, lateness, absence, or truancy. The principal or the principal's designee may suspend any student transported to or from school at public expense from the privilege of riding on a school bus for violation of district school board transportation policies, which shall include a policy regarding behavior at school bus stops, and the principal or the principal's designee shall give notice in writing to the student's parent and to the district school superintendent within 24 hours.

School personnel shall not be held legally responsible for suspensions of students made in good faith.

Section 13. Subsection (1) of section 1010.02, Florida Statutes, is amended to read:

1010.02 Financial accounting and expenditures.—

(1) All funds accruing to a school district or a Florida College System institution must be received, accounted for, and expended in accordance with law and rules of the State Board of Education.

(a) A school district may be subject to varying reporting frequencies based on its financial status, as determined in State Board of Education rule and as follows:

1. A school district identified as having a financial concern may be required to submit monthly financial reports.

2. A school district not identified as having a financial concern may not be required to submit financial reports more than once every quarter.

(b) The State Board of Education shall adopt rules to establish criteria for determining the financial status of school districts for the purpose of financial reporting.

Section 14. Section 1010.11, Florida Statutes, is amended to read:

1010.11 Electronic transfer of funds.—Pursuant to the provisions of s. 215.85, each district school board, Florida College System institution board of trustees, and university board of trustees shall adopt written policies prescribing the accounting and control procedures under which any funds under their control are allowed to be moved by electronic transaction for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment. Electronic transactions shall comply with the provisions of chapter 668. However, a district school board is exempt from the requirements of s. 668.50(18)(b).

Section 15. Subsections (1) and (3) of section 1011.03, Florida Statutes, are amended to read:

1011.03 Public hearings; budget to be submitted to Department of Education.—

(1) Each district school board shall cause a summary of its tentative budget, including the proposed millage levies as provided for by law, to be posted on the district's official website or on a publicly accessible website as provided in s. 50.0311 ~~and advertised once in a newspaper of general circulation published in the district or to be posted at the courthouse if there be no such newspaper.~~

(3) The board shall hold public hearings to adopt tentative and final budgets pursuant to s. 200.065. The hearings shall be primarily for the purpose of hearing requests and complaints from the public regarding the budgets and the proposed tax levies and for explaining the budget and proposed or adopted amendments thereto, if any. The tentative budget must be posted on the district's official website at least 2 days before the budget hearing held pursuant to s. 200.065 or other law. The final adopted budget must be posted on the district's official website within 30 days after adoption. The board shall require the superintendent to transmit ~~two copies~~ of the adopted budget to the Department of Education as prescribed by law and rules of the State Board of Education.

Section 16. Subsection (4) of section 1011.68, Florida Statutes, is amended to read:

1011.68 Funds for student transportation.—The annual allocation to each district for transportation to public school programs, including charter schools as provided in s. 1002.33(17)(b), of students in membership in kindergarten through grade 12 and in migrant and exceptional student programs below kindergarten shall be determined as follows:

(4) No district shall use funds to purchase transportation equipment and supplies at prices which exceed those determined by the department to be the lowest which can be obtained, as prescribed in s. 1006.27(1). A school district that is unable to purchase at such prices shall request from the department assistance with purchasing at such prices. The school district may exceed such prices if the department is unable to assist the school district with its purchase.

Section 17. Subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) A school district may expend, subject to s. 200.065, up to ~~\$200~~ \$175 per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)(d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this

subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 18. Subsection (3) of section 1012.05, Florida Statutes, is amended to read:

1012.05 Teacher recruitment and retention.—

(3)(a) Each school board shall adopt policies relating to mentors and support for first-time teachers, which may include the based upon guidelines issued by the Department of Education.

(b) By September 15 ~~and February 15~~ each school year, each school district shall electronically submit accurate public school e-mail addresses for all instructional and administrative personnel, as identified in s. 1012.01(2) and (3), to the Department of Education.

Section 19. Section 1012.07, Florida Statutes, is amended to read:

1012.07 Identification of critical teacher shortage areas.—The term “critical teacher shortage area” means high-need content areas and high-priority location areas identified by the State Board of Education. The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to annually identify critical teacher shortage areas. The state board must consider current and emerging educational requirements and workforce demands in determining critical teacher shortage areas. School grade levels may also be designated critical teacher shortage areas. Individual district school boards may identify and submit other critical teacher shortage areas. Such submissions must be aligned to current and emerging educational requirements and workforce demands in order to be approved by the State Board of Education. High-priority location areas must ~~shall~~ be in high-density, low-economic urban schools; low-density, low-economic rural schools; and schools that earned a grade of “F” or three consecutive grades of “D” pursuant to s. 1008.34. The State Board of Education shall develop strategies to address critical teacher shortage areas.

Section 20. Paragraph (c) of subsection (1) of section 1012.22, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

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

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

(c) *Compensation and salary schedules.*—

1. Definitions.—As used in this paragraph:

a. “Adjustment” means an addition to the base salary schedule that is not a bonus and becomes part of the employee’s permanent base salary and shall be considered compensation under s. 121.021(22).

b. “Grandfathered salary schedule” means the salary schedule or schedules adopted by a district school board before July 1, 2014, pursuant to subparagraph 4.

c. “Instructional personnel” means instructional personnel as defined in s. 1012.01(2)(a)-(d), excluding substitute teachers.

d. “Performance salary schedule” means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

e. “Salary schedule” means the schedule or schedules used to provide the base salary for district school board personnel.

f. “School administrator” means a school administrator as defined in s. 1012.01(3)(c).

g. “Supplement” means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee’s continuing base salary but shall be considered compensation under s. 121.021(22).

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

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

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

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

4. Grandfathered salary schedule.—

a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph 5. Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the

performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.

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

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

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

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule.

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

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

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

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

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

(I) Assignment to a Title I eligible school.

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

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

(IV) Assignment of additional academic responsibilities.

If budget constraints in any given year limit a district school board’s ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the district. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by sub-subparagraph b.

(3)(a) Collective bargaining.—Notwithstanding provisions of chapter 447 related to district school board collective bargaining, collective bargaining may not preclude a district school board from carrying out its constitutional and statutory duties related to the following:

1. Providing incentives to effective and highly effective teachers.

2. Implementing intervention and support strategies under s. 1008.33 to address the causes of low student performance and improve student academic performance and attendance.

3. Implementing student discipline provisions required by law, including a review of a student’s abilities, past performance, behavior, and needs.

4. Implementing school safety plans and requirements.

5. Implementing staff and student recognition programs.

6. Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.

7. Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.

8. The school district's calendar.

(b) Appearances before the board.—If a district school superintendent appears before the state board to provide an update under s. 1011.62(14)(e), the state board must require that the president of the collective bargaining unit that represents the school district also must appear.

Section 21. Paragraph (e) of subsection (3) of section 1012.56, Florida Statutes, is amended, and paragraph (g) is added to subsection (7) of that section, to read:

1012.56 Educator certification requirements.—

(3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of demonstrating mastery of general knowledge are:

(e) Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination and the SAT, ACT, and Classic Learning Test. Passing scores identified in state board rule must be at approximately the same level of rigor as is required to pass the general knowledge examinations; or

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. Such information must include, but need not be limited to, state-level test information guides, school district test preparation resources, and preparation courses offered by state universities and Florida College System institutions. The requirement of mastery of general knowledge shall be waived for an individual who has been provided 3 years of supports and instruction and who has been rated effective or highly effective under s. 1012.34 for each of the last 3 years.

(7) TYPES AND TERMS OF CERTIFICATION.—

(g) A certificateholder may request that her or his certificate be placed in an inactive status. A certificate that has been inactive may be reactivated upon application to the department. The department shall prescribe, by rule, professional learning requirements as a condition of reactivating a certificate that has been inactive for more than 1 year.

At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the individual of the date on which

his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed.

Section 22. Subsections (1) and (2) and paragraph (a) of subsection (4) of section 1012.2315, Florida Statutes, are amended to read:

1012.2315 Assignment of teachers.—

(1) **LEGISLATIVE FINDINGS AND INTENT.**—The Legislature finds disparities between teachers assigned to teach in a majority of schools that do not need improvement and schools that do need improvement pursuant to s. 1008.33. The disparities may be found in the assignment of inexperienced temporarily-certified teachers, teachers in need of improvement, and out-of-field teachers and in the performance of the students. It is the intent of the Legislature that district school boards have flexibility through the collective bargaining process to assign teachers more equitably across the schools in the district.

(2) **ASSIGNMENT TO SCHOOLS GRADED “D” OR “F”.**—

(a) A school district may not assign a higher percentage than the school district average of inexperienced temporarily-certified teachers, teachers in need of improvement, or out-of-field teachers to schools graded “D” or “F” pursuant to s. 1008.34. As used in this section, the term “inexperienced teacher” means a teacher who has been teaching for 3 years or less.

(b)1. A school district may assign an individual newly hired as instructional personnel to a school that has earned a grade of “F” in the previous year or any combination of three consecutive grades of “D” or “F” in the previous 3 years pursuant to s. 1008.34 if the individual:

a. Has received an effective rating or highly effective rating in the immediate prior year’s performance evaluation pursuant to s. 1012.34;

b. Has successfully completed or is enrolled in a teacher preparation program pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule, is provided with high quality mentoring during the first 2 years of employment, holds a certificate issued pursuant to s. 1012.56, and holds a probationary contract pursuant to s. 1012.335(2)(a); or

c. Holds a probationary contract pursuant to s. 1012.335(2)(a), holds a certificate issued pursuant to s. 1012.56, and has successful teaching experience, and if, in the judgment of the school principal, students would benefit from the placement of that individual.

2. As used in this paragraph, the term “mentoring” includes the use of student achievement data combined with at least monthly observations to improve the educator’s effectiveness in improving student outcomes. Mentoring may be provided by a school district, a teacher preparation

program approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule.

Each school district shall annually certify to the Commissioner of Education that the requirements in this subsection have been met. If the commissioner determines that a school district is not in compliance with this subsection, the State Board of Education must shall be notified and must shall take action pursuant to s. 1008.32 in the next regularly scheduled meeting to require compliance.

(4) COLLECTIVE BARGAINING.—

(a) Notwithstanding provisions of chapter 447 relating to district school board collective bargaining, collective bargaining provisions may not preclude a school district from providing incentives, including from federal funds, to high-quality teachers and assigning such teachers to low-performing schools.

Section 23. Paragraphs (a), (b), and (c) of subsection (2) and paragraph (a) of subsection (3) of section 1012.555, Florida Statutes, are amended to read:

1012.555 Teacher Apprenticeship Program.—

(2)(a) An individual must meet the following minimum eligibility requirements to participate in the apprenticeship program:

1. Have received an associate degree from an accredited postsecondary institution.

2. Have earned a cumulative grade point average of 2.5 ~~3.0~~ in that degree program.

3. Have successfully passed a background screening as provided in s. 1012.32.

4. Have received a temporary apprenticeship certificate as provided in s. 1012.56(7)(d).

(b) As a condition of participating in the program, an apprentice teacher must commit to spending at least the first 2 years in the classroom of a mentor teacher using team teaching strategies identified in s. 1003.03(5)(b) and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.

(c) An apprentice teacher must do both of the following:

1. Complete at least 2 years in an apprenticeship before being eligible to apply for a professional certificate established in s. 1012.56(7)(a). Completion of the Teacher Apprenticeship Program does not exempt an apprentice teacher from the requirements of s. 1012.56(2)(c).

2. Receive related instruction as provided in s. 446.051.

(3) A teacher who serves as a mentor in the apprenticeship program shall mentor his or her apprentice teacher using team teaching strategies and must, at a minimum, meet all of the following requirements:

(a) Have at least 5 7 years of teaching experience in this state.

Section 24. Subsection (4) of section 1012.57, Florida Statutes, is amended to read:

1012.57 Certification of adjunct educators.—

~~(4) Each adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district or charter school. An additional annual certification and an additional annual contract may be awarded by the district or charter school at the district's or charter school's discretion but only if the applicant is rated effective or highly effective under s. 1012.34 during each year of teaching under adjunct teaching certification. A school district and charter school may issue an adjunct teaching certificate for a part-time or full-time teaching position; however, an adjunct teaching certificate issued for a full-time teaching position is valid for no more than 5 years and is nonrenewable.~~

Section 25. Section 1012.575, Florida Statutes, is amended to read:

1012.575 Alternative preparation programs for certified teachers to add additional coverage.—A district school board, ~~or~~ an organization of private schools, ~~or~~ a consortium of charter schools with an approved professional learning system as described in s. 1012.98(7), or the Florida Institute for Charter School Innovation may design alternative teacher preparation programs to enable persons already certificated to add an additional coverage to their certificates. Each alternative teacher preparation program shall be reviewed and approved by the Department of Education to ensure ~~assure~~ that persons who complete the program are competent in the necessary areas of subject matter specialization. Two or more school districts may jointly participate in an alternative preparation program for teachers.

Section 26. Subsection (4) is added to section 1012.59, Florida Statutes, to read:

1012.59 Certification fees.—

(4) The State Board of Education shall waive initial subject area examination fees and certification fees for a teacher who holds a temporary or professional certificate in:

(a) Exceptional Student Education K-12 and who applies to add a subject coverage in Elementary Education K-6.

(b) Elementary Education K–6 and who applies to add a subject coverage in Exceptional Student Education K–12.

Section 27. No later than December 1, 2024, the Commissioner of Education shall make recommendations to the Governor and the Legislature on policy and funding changes to enhance the development and retention of exceptional student education instructional personnel. In developing the recommendations, the commissioner shall consider, but is not limited to, all of the following:

(1) Alternative certification in place of the Elementary Education K-6 certificate as an add-on for personnel certified in exceptional student education.

(2) Financial incentives, including stipends for teacher education students, loan forgiveness, and instructional personnel salary adjustments and supplements.

(3) Strategies to encourage high school students to consider exceptional student education, including through preapprenticeships and dual enrollment.

(4) Funding under the Florida Education Finance Program to support school district exceptional student education personnel and programs.

(5) Innovative staffing, including teacher mentoring and supports for certified personnel responsibilities for case management and for instruction.

Section 28. Section 1012.72, Florida Statutes, is repealed.

Section 29. Section 1012.86, Florida Statutes, is repealed.

Section 30. Paragraph (b) of subsection (5) and subsection (7) of section 1012.98, Florida Statutes, are amended to read:

1012.98 School Community Professional Learning Act.—

(5) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional learning system as specified in subsection (4). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning system must:

1. Be reviewed and approved by the department for compliance with s. 1003.42(3) and this section. Effective March 1, 2024, the department shall establish a calendar for the review and approval of all professional learning

systems. A professional learning system must be reviewed and approved every 5 years. Any substantial revisions to the system must ~~shall~~ be submitted to the department for review and approval. The department shall establish a format for the review and approval of a professional learning system.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional learning system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional learning certification and education competency program under s. 1012.56(8)(a).

5. Include a professional learning catalog for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog must ~~shall~~ be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog must be aligned to and support the school-based inservice catalog and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards shall ~~must~~ submit verification of their approval to the Commissioner of Education no

later than October 1, annually. Each school principal may establish and maintain an individual professional learning plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning plan.

6. Include inservice activities for school administrative personnel, aligned to the state's educational leadership standards, which ~~that~~ address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional learning programs.

8. Provide for delivery of professional learning by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all grades, emphasize:

- a. Interdisciplinary planning, collaboration, and instruction.
- b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.
- c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 ~~shall~~ must include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all

students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills must shall be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(f).

(7) An organization of private schools or a consortium of charter schools that has at least ~~which has no fewer than~~ 10 member schools in this state, that ~~which~~ publishes and files with the Department of Education copies of its standards, and the member schools of which comply with the provisions of part II of chapter 1003, relating to compulsory school attendance; ~~or a public or private college or university with a teacher preparation program approved pursuant to s. 1004.04; or the Florida Institute for Charter School Innovation;~~ may also develop a professional learning system that includes a professional learning catalog for inservice activities. The system and inservice catalog must be submitted to the commissioner for approval pursuant to state board rules.

Section 31. Section 1013.15, Florida Statutes, is amended to read:

1013.15 Lease, rental, and lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites.—

(1) A board may lease any land, facilities, or educational plants owned by it to any person or entity for such term, for such rent, and upon such terms and conditions as the board determines to be in its best interests; any such lease may provide for the optional or binding purchase of the land, facilities, or educational plants by the lessee upon such terms and conditions as the board determines are in its best interests. A determination that any such land, facility, or educational plant so leased is unnecessary for educational purposes is not a prerequisite to the leasing or lease-purchase of such land, facility, or educational plant. ~~Before~~ ~~Prior to~~ entering into or executing any such lease, a board shall consider approval of the lease or lease-purchase agreement at a public meeting, at which a copy of the proposed agreement in its final form shall be available for inspection and review by the public, after due notice as required by law.

(2)(a) A district school board may rent or lease educational plants, ancillary plants, and auxiliary facilities and sites as defined in s. 1013.01. Educational plants, ancillary plants, and auxiliary facilities and sites rented or leased for 1 year or less shall be funded through the operations budget or funds derived from millage proceeds pursuant to s. 1011.71(2). A lease contract for 1 year or less, when extended or renewed beyond a year, becomes a multiple-year lease. Operational funds or funds derived from millage proceeds pursuant to s. 1011.71(2) may be authorized to be expended for multiple-year leases. All leased educational plants, ancillary plants, and auxiliary facilities and sites must be inspected before ~~prior to~~ occupancy by the authority having jurisdiction.

1. All newly leased spaces must be inspected and brought into compliance with the Florida Building Code pursuant to chapter 553 and the life safety codes pursuant to chapter 633, before ~~prior to~~ occupancy, using the board's operations budget or funds derived from millage proceeds pursuant to s. 1011.71(2).

2. Plans for renovation or remodeling of leased space shall conform to the Florida Building Code and the Florida Fire Prevention Code for educational occupancies or other occupancies, as appropriate and as required in chapters 553 and 633, before ~~prior to~~ occupancy.

3. All leased facilities must be inspected annually for firesafety deficiencies in accordance with the applicable code and have corrections made in accordance with s. 1013.12. Operational funds or funds derived from millage proceeds pursuant to s. 1011.71(2) may be used to correct deficiencies in leased space.

4. When the board declares that a public emergency exists, it may take up to 30 days to bring the leased facility into compliance with the requirements of State Board of Education rules.

(b) A board is authorized to lease-purchase educational plants, ancillary plants, and auxiliary facilities and sites as defined in s. 1013.01, and a district school board is authorized to lease-purchase educational plants, ancillary plants, and auxiliary facilities and sites. The lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites must, where applicable, comply with ~~shall be as required by~~ s. 1013.37, subject to the authorization in s. 1013.385 to exempt certain facilities from the requirements of that section; must shall be advertised for and receive competitive proposals and be awarded to the best proposer; and must shall be funded using current or other funds specifically authorized by law to be used for such purpose.

1. A district school board, by itself, or through a direct-support organization formed pursuant to s. 1001.453 or nonprofit educational organization or a consortium of district school boards, may, in developing a lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites provide for separately advertising for and receiving

competitive bids or proposals on the construction of facilities and the selection of financing to provide the lowest cost funding available, so long as the board determines that such process would best serve the public interest and the available pledged revenues are limited to those authorized in s. 1011.71(2) ~~s. 1011.71(2)(e)~~.

2. All activities and information, including lists of individual participants, associated with agreements made pursuant to this section shall be subject to the provisions of chapter 119 and s. 286.011.

(c)1. The term of any lease-purchase agreement, including the initial term and any subsequent renewals, shall not exceed the useful life of the educational facilities and sites for which the agreement is made, or 30 years, whichever is less.

2. The initial term or any renewal term of any lease-purchase agreement shall expire on June 30 of each fiscal year, but may be automatically renewed annually, subject to a board making sufficient annual appropriations therefor. Under no circumstances shall the failure of a board to renew a lease-purchase agreement constitute a default or require payment of any penalty or in any way limit the right of a board to purchase or utilize educational plants, ancillary plants, and auxiliary facilities and sites similar in function to the educational plants, ancillary plants, and auxiliary facilities and sites that are the subject of the said lease-purchase agreement. Educational plants, ancillary plants, and auxiliary facilities and sites being acquired pursuant to a lease-purchase agreement shall be exempt from ad valorem taxation.

3. No lease-purchase agreement entered into pursuant to this subsection shall constitute a debt, liability, or obligation of the state or a board or shall be a pledge of the faith and credit of the state or a board.

4. Any lease-purchase agreement entered into pursuant to this subsection shall stipulate an annual rate which may consist of a principal component and an interest component, provided that the maximum interest rate of any interest component payable under any such lease-purchase agreement, or any participation or certificated portion thereof, shall be calculated in accordance with and be governed by the provisions of s. 215.84.

(3) Lease or lease-purchase agreements entered into by university boards of trustees shall comply with the provisions of ss. 1013.171 and 1010.62.

(4)(a) A board may rent or lease existing buildings, or space within existing buildings, originally constructed or used for purposes other than education, for conversion to use as educational facilities. Such buildings rented or leased for 1 year or less shall be funded through the operations budget or funds derived from millage pursuant to s. 1011.71(2). A rental agreement or lease contract for 1 year or less, when extended or renewed beyond a year, becomes a multiple-year rental or lease. Operational funds or

funds derived from millage proceeds pursuant to s. 1011.71(2) may be authorized to be expended for multiple-year rentals or leases. Notwithstanding any other provisions of this section, if a building was constructed in conformance with all applicable building and life safety codes, it shall be deemed to meet the requirements for use and occupancy as an educational facility subject only to the provisions of this subsection.

(b) ~~Before~~ Prior to occupying a rented or a leased existing building, or space within an existing building, pursuant to this subsection, a school board shall, in a public meeting, adopt a resolution certifying that the following circumstances apply to the building proposed for occupancy:

1. Growth among the school-age population in the school district has created a need for new educational facilities in a neighborhood where there is little or no vacant land.

2. There exists a supply of vacant space in existing buildings that meet state minimum building and life safety codes.

3. Acquisition and conversion to use as educational facilities of an existing building or buildings is a cost-saving means of providing the needed classroom space as determined by the difference between the cost of new construction, including land acquisition and preparation and, if applicable, demolition of existing structures, and the cost of acquisition through rental or lease and conversion of an existing building or buildings.

4. The building has been examined for suitability, safety, and conformance with state minimum building and life safety codes. The building examination shall consist, at a minimum, of a review of existing documents, building site reconnaissance, and analysis of the building conducted by, or under the responsible charge of, a licensed structural engineer.

5. A certificate of evaluation has been issued by an appropriately licensed design professional which states that, based on available documents, building site reconnaissance, current knowledge, and design judgment in the professional's opinion, the building meets the requirements of state minimum building and life safety codes, provides safe egress of occupants from the building, provides adequate firesafety, and does not pose a substantial threat to life to persons who would occupy the building for classroom use.

6. The plans for conversion of the building were prepared by an appropriate design professional licensed in this state and the work of conversion was performed by contractors licensed in this state.

7. The conversion of the building was observed by an appropriate design professional licensed in this state.

8. The building has been reviewed, inspected, and granted a certificate of occupancy by the local building department.

9. All ceilings, light fixtures, ducts, and registers within the area to be occupied for classroom purposes were constructed or have been reconstructed to meet state minimum requirements.

Section 32. Subsection (1) of section 1013.16, Florida Statutes, is amended to read:

1013.16 Construction of facilities on leased property; conditions.—

(1) A board may construct or place educational facilities and ancillary facilities on land that is owned by any person after the board has acquired from the owner of the land a long-term lease for the use of this land for a period of not less than 40 years or the life expectancy of the permanent facilities constructed thereon, ~~whichever is longer.~~

Section 33. Subsection (1) of section 1013.20, Florida Statutes, is amended to read:

1013.20 Standards for relocatables used as classroom space; inspections.

(1) The State Board of Education shall adopt rules establishing standards for relocatables intended for long-term use as classroom space at a public elementary school, middle school, or high school. “Long-term use” means the use of relocatables at the same educational plant for a period of 4 years or more. Each relocatable acquired by a district school board after the effective date of the rules and intended for long-term use must comply with the standards. ~~District school boards shall submit a plan for the use of existing relocatables within the 5-year work program to be reviewed and approved by the commissioner by January 1, 2003. A progress report shall be provided by the commissioner to the Speaker of the House of Representatives and the President of the Senate each January thereafter.~~ Relocatables that fail to meet the standards after completion of the approved plan may not be used as classrooms. The standards shall protect the health, safety, and welfare of occupants by requiring compliance with the Florida Building Code or the State Requirements for Educational Facilities for existing relocatables, as applicable, to ensure the safety and stability of construction and onsite installation; fire and moisture protection; air quality and ventilation; appropriate wind resistance; and compliance with the requirements of the Americans with Disabilities Act of 1990. If appropriate and where relocatables are not scheduled for replacement, the standards must also require relocatables to provide access to the same technologies available to similar classrooms within the main school facility and, if appropriate, and where relocatables are not scheduled for replacement, to be accessible by adequate covered walkways. A relocatable that is subject to this section and does not meet the standards shall not be reported as providing satisfactory student stations in the Florida Inventory of School Houses.

Section 34. Section 1013.21, Florida Statutes, is repealed.

Section 35. Section 1013.31, Florida Statutes, is amended to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each Florida College System institution and state university board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or Florida College System institution that delivers career or adult education programs. Information used by the Department of Education to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the ~~school district or~~ Florida College System institution.

~~(a) Educational plant survey and localized need assessment for capital outlay purposes.—A survey recommendation is not required when a district uses funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes:~~

~~1. The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;~~

~~2. A taxpayer-approved bond referendum, to fund construction of an educational, auxiliary, or ancillary plant facility;~~

~~3. One-half cent sales surtax revenue;~~

~~4. One-cent local governmental surtax revenue;~~

~~5. Impact fees;~~

~~6. Private gifts or donations; and~~

~~7. The district school tax levied pursuant to s. 1011.71(2).~~

~~(a)(b)~~ Survey preparation and required data.—Each survey must shall be conducted by the Florida College System institution or state university board or an agency employed by the board. Surveys must shall be reviewed and approved by the board, and a file copy must shall be submitted to the Department of Education or the Chancellor of the State University System, as appropriate. The survey report must shall include at least an inventory of existing educational and ancillary plants, including safe access facilities; recommendations for existing educational and ancillary plants; recommendations for new educational or ancillary plants, including the general location of each in coordination with the land use plan and safe access facilities; campus master plan update and detail for Florida College System institutions; the utilization of school plants based on an extended school day or

year-round operation; and such other information as may be required by the Department of Education. This report may be amended, if conditions warrant, at the request of the department or commissioner.

~~(b)(e)~~ *Required need assessment criteria for district, Florida College System institution, state university, and Florida School for the Deaf and the Blind plant surveys.*—Educational plant surveys must use uniform data sources and criteria specified in this paragraph. Each revised educational plant survey and each new educational plant survey supersedes previous surveys.

~~1.~~ The school district's survey must be submitted as a part of the district educational facilities plan defined in s. 1013.35. To ensure that the data reported to the Department of Education as required by this section is correct, the department shall annually conduct an onsite review of 5 percent of the facilities reported for each school district completing a new survey that year. If the department's review finds the data reported by a district is less than 95 percent accurate, within 1 year from the time of notification by the department the district must submit revised reports correcting its data. If a district fails to correct its reports, the commissioner may direct that future fixed capital outlay funds be withheld until such time as the district has corrected its reports so that they are not less than 95 percent accurate.

~~1.2.~~ Each survey of a special facility, joint-use facility, or cooperative career education facility must be based on capital outlay full-time equivalent student enrollment data prepared by the department for school districts and Florida College System institutions and by the Chancellor of the State University System for universities. A survey of space needs of a joint-use facility shall be based upon the respective space needs of the school districts, Florida College System institutions, and universities, as appropriate. Projections of a school district's facility space needs may not exceed the norm space and occupant design criteria established by the State Requirements for Educational Facilities.

~~2.3.~~ Each Florida College System institution's survey must reflect the capacity of existing facilities as specified in the inventory maintained by the Department of Education. Projections of facility space needs must comply with standards for determining space needs as specified by rule of the State Board of Education. The 5-year projection of capital outlay student enrollment must be consistent with the annual report of capital outlay full-time student enrollment prepared by the Department of Education.

~~3.4.~~ Each state university's survey must reflect the capacity of existing facilities as specified in the inventory maintained and validated by the Chancellor of the State University System. Projections of facility space needs must be consistent with standards for determining space needs as specified by regulation of the Board of Governors. The projected capital outlay full-time equivalent student enrollment must be consistent with the 5-year planned enrollment cycle for the State University System approved by the Board of Governors.

~~4.5.~~ The district educational facilities plan of a school district and the educational plant survey of a Florida College System institution, state university, or the Florida School for the Deaf and the Blind may include space needs that deviate from approved standards for determining space needs if the deviation is justified by the district or institution and approved by the department or the Board of Governors, as appropriate, as necessary for the delivery of an approved educational program.

~~(c)(d)~~ *Review and validation.*—The Department of Education shall review and validate the surveys of school districts and Florida College System institutions, and the Chancellor of the State University System shall review and validate the surveys of universities, and any amendments thereto for compliance with the requirements of this chapter and shall recommend those in compliance for approval by the State Board of Education or the Board of Governors, as appropriate. Annually, the department shall perform an in-depth analysis of a representative sample of each survey of recommended needs for five districts selected by the commissioner from among districts with the largest need-to-revenue ratio. For the purpose of this subsection, the need-to-revenue ratio is determined by dividing the total 5-year cost of projects listed on the district survey by the total 5-year fixed capital outlay revenue projections from state and local sources as determined by the department. The commissioner may condition the receipt of direct fixed capital outlay funds provided from general revenue or from state trust funds by district school boards to be withheld from districts until such time as the district school board submits a survey that accurately projects facilities needs as indicated by the Florida Inventory of School Houses, as compared with the district's capital outlay full-time equivalent enrollment, as determined by the department.

~~(d)(e)~~ *Periodic update of Florida Inventory of School Houses.*—School districts shall periodically update their inventory of educational facilities as new capacity becomes available and as unsatisfactory space is eliminated. The State Board of Education shall adopt rules to determine the timeframe in which districts must provide a periodic update.

(2) Only the district school superintendent, Florida College System institution president, or the university president shall certify to the Department of Education a project's compliance with the requirements for expenditure of PECO funds prior to release of funds.

(a) Upon request for release of PECO funds for planning purposes, certification must be made to the Department of Education that the need for and location of the facility are in compliance with the board-approved survey recommendations, that the project meets the definition of a PECO project and the limiting criteria for expenditures of PECO funding, and that the plan is consistent with the local government comprehensive plan.

(b) Upon request for release of construction funds, certification must be made to the Department of Education that the need and location of the facility are in compliance with the board-approved survey recommendations,

that the project meets the definition of a PECO project and the limiting criteria for expenditures of PECO funding, and that the construction documents meet the requirements of the Florida Building Code for educational facilities construction, subject to the authorization in s. 1013.385 to exempt certain facilities from the requirements of s. 1013.37, or other applicable codes as authorized in this chapter.

Section 36. Section 1013.385, Florida Statutes, is amended to read:

1013.385 School district construction flexibility.—

(1) A district school board may, with a majority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more ~~of the exceptions to the educational facilities construction requirements to provide a school with~~ provided in this section.

(2) ~~A resolution adopted under this section may propose implementation of exceptions to requirements of the uniform statewide building code for the planning and construction of public educational and ancillary plants adopted pursuant to ss. 553.73 and 1013.37 relating to:~~

(a) ~~Interior non-load-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load-bearing wall assemblies that will not be exposed to water or located in wet areas.~~

(b) ~~Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.~~

(c) ~~Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.~~

(d) ~~Site lighting, by approving construction specifications regarding site lighting that:~~

1. ~~Do not provide for lighting of gravel or grassed auxiliary or student parking areas.~~

2. ~~Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.~~

3. ~~Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot-candle.~~

~~(e) —Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18). When a hurricane evacuation shelter deficit, as determined by the Division of Emergency Management, in the regional planning council region in which the county is located makes public shelter design criteria applicable, any exceptions to the public shelter design criteria remain subject to the concurrence of the applicable local emergency management agency or the Division of Emergency Management. A district school board may not be required to build more emergency-shelter space than identified as needed in the statewide emergency shelter plan so long as the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.~~

Section 37. Paragraph (e) of subsection (1) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques for school districts and Florida College System institutions.—

(1) District school boards and boards of trustees of Florida College System institutions may employ procedures to contract for construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities, which include, but are not limited to:

(e) Day-labor contracts not exceeding \$600,000 ~~\$280,000~~ for construction, renovation, remodeling, or maintenance of existing facilities. This amount shall be adjusted annually based upon changes in the Consumer Price Index.

Section 38. Section 1013.48, Florida Statutes, is amended to read:

1013.48 Changes in construction requirements after award of contract. The board may, at its option and by written policy duly adopted and entered in its official minutes, authorize the superintendent or president or other designated individual to approve change orders in the name of the board for preestablished amounts. Approvals must shall be for the purpose of expediting the work in progress and must shall be reported to the board and entered in its official minutes. ~~For accountability, the school district shall monitor and report the impact of change orders on its district educational facilities plan pursuant to s. 1013.35.~~

Section 39. Paragraph (e) of subsection (6) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(6)

(e) Notwithstanding the requirements of this subsection, an unfinished construction project for new construction of educational plant space that was started on or before July 1, 2028 2026, is exempt from the total cost per student station requirements established in paragraph (b).

Section 40. Subsection (19) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(19) Each board of trustees shall appoint, suspend, or remove the president of the Florida College System institution. The board of trustees may appoint a search committee. The board of trustees shall conduct annual evaluations of the president in accordance with rules of the State Board of Education and submit such evaluations to the State Board of Education for review. The evaluation must address the achievement of the performance goals established by the accountability process implemented pursuant to s. 1008.45 ~~and the performance of the president in achieving the annual and long-term goals and objectives established in the Florida College System institution's employment accountability program implemented pursuant to s. 1012.86.~~

Section 41. Subsection (22) of section 1001.65, Florida Statutes, is amended to read:

1001.65 Florida College System institution presidents; powers and duties.—The president is the chief executive officer of the Florida College System institution, shall be corporate secretary of the Florida College System institution board of trustees, and is responsible for the operation and administration of the Florida College System institution. Each Florida College System institution president shall:

(22) Submit an annual employment accountability plan to the Department of Education ~~pursuant to the provisions of s. 1012.86.~~

Section 42. Paragraph (i) of subsection (2) of section 1003.621, Florida Statutes, is amended to read:

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

(2) COMPLIANCE WITH STATUTES AND RULES.—Each academically high-performing school district shall comply with all of the provisions in chapters 1000-1013, and rules of the State Board of Education which implement these provisions, pertaining to the following:

(i) Those statutes pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for portables, and ~~s. 1013.21, relating to the use of relocatable facilities that exceed 20 years of age,~~ are eligible for exemption.

Section 43. Paragraph (b) of subsection (3) of section 1011.6202, Florida Statutes, is amended to read:

1011.6202 Principal Autonomy Program Initiative.—The Principal Autonomy Program Initiative is created within the Department of Education. The purpose of the program is to provide a highly effective principal of a participating school with increased autonomy and authority to operate his or her school, as well as other schools, in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with the district school board for participation in the program.

(3) EXEMPTION FROM LAWS.—

(b) A participating school or a school operated by a principal pursuant to subsection (5) shall comply with the provisions of chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:

1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.

2. Those laws relating to the student assessment program and school grading system, including chapter 1008.

3. Those laws relating to the provision of services to students with disabilities.

4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.

5. Those laws relating to student health, safety, and welfare.

6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.

7. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level for a participating school.

8. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.

9. Section 1012.33(5), relating to workforce reductions for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

10. Section 1012.335, relating to annual contracts for instructional personnel hired on or after July 1, 2011. This subparagraph does not apply to at-will employees.

11. Section 1012.34, relating to personnel evaluation procedures and criteria.

12. Those laws pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for relocatables, is and s. 1013.21, relating to the use of relocatable facilities ~~exceeding 20 years of age, are eligible for exemption.~~

13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).

Section 44. Paragraph (b) of subsection (1) of section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

(1) DEFINITIONS.—As used in this section, the term:

(b) “District facilities work program” means the 5-year listing of capital outlay projects adopted by the district school board as provided in subparagraph (2)(a)2. and paragraph (2)(b) as part of the district educational facilities plan, which is required in order to:

1. Properly maintain the educational plant and ancillary facilities of the district.

2. Provide an adequate number of satisfactory student stations for the projected student enrollment of the district in K-12 programs ~~in accordance with the goal in s. 1013.21.~~

Section 45. This act shall take effect July 1, 2024.

Approved by the Governor May 9, 2024.

Filed in Office Secretary of State May 9, 2024.