

CHAPTER 2024-160

Committee Substitute for Senate Bill No. 7004

An act relating to education; amending s. 1001.02, F.S.; deleting a requirement that the State Board of Education establish the cost of certain tuition and fees; amending s. 1001.03, F.S.; deleting a requirement that the state board identify certain metrics and develop a specified plan relating to the Florida College System; amending s. 1002.3105, F.S.; deleting a requirement that a performance contract be completed if a student participates in an Academically Challenging Curriculum to Enhance Learning option; providing that a performance contract may be used at the discretion of the principal; repealing s. 1002.311, F.S., relating to single-gender programs; amending s. 1002.34, F.S.; deleting a requirement for the Commissioner of Education to provide for an annual comparative evaluation of charter technical career centers and public technical centers; amending s. 1002.45, F.S.; deleting a requirement that school districts provide certain virtual instruction options to students; deleting a requirement that virtual instruction program providers be nonsectarian; authorizing school districts to provide certain students with the equipment and access necessary for participation in virtual instruction programs; amending s. 1002.61, F.S.; authorizing school districts to satisfy specified requirements for such program by contracting with certain providers; amending s. 1002.82, F.S.; requiring the Department of Education to review school readiness program plans every 3 years, rather than every 2 years; amending s. 1002.85, F.S.; requiring early learning coalitions to submit school readiness program plans to the department every 3 years, rather than every 2 years; amending s. 1003.435, F.S.; revising the eligibility requirements for students to take the high school equivalency examination; amending s. 1003.4935, F.S.; deleting a requirement that the department collect and report certain data relating to a middle school career and professional academy or a career-themed course; repealing s. 1003.4995, F.S., relating to the fine arts report prepared by the Commissioner of Education; repealing s. 1003.4996, F.S., relating to the Competency-Based Education Pilot Program; amending s. 1003.49965, F.S.; authorizing, rather than requiring, a school district to hold an Art in the Capitol Competition; amending s. 1003.51, F.S.; deleting a requirement regarding assessment procedures for Department of Juvenile Justice education programs; revising requirements for which assessment results must be included in a student's discharge packet; deleting requirements for specified sanctions against district school boards for unsatisfactory performance in their Department of Juvenile Justice education programs; amending s. 1003.621, F.S.; deleting a requirement for academically high-performing school districts to submit an annual report to the state board; repealing s. 1004.925, F.S., relating to automotive service technology education programs and certification; amending s. 1006.28, F.S.; revising the definition of the term "adequate instructional materials"; requiring certain information published and

regularly updated by the Department of Education to be sorted by grade level; deleting a timeframe requirement for each district school superintendent to notify the department about instructional materials; deleting a requirement for such notification; authorizing, rather than requiring, a school principal to collect the purchase price of instructional materials lost, destroyed, or unnecessarily damaged by a student; amending s. 1006.283, F.S.; deleting a timeframe requirement for a district school superintendent to certify to the department that certain instructional materials meet applicable state standards; amending s. 1006.33, F.S.; beginning with a specified adoption cycle, requiring the department to publish an instructional materials adoption timeline; providing requirements for such timeline and adoption cycle; providing requirements for the 2025-2026 instructional materials adoption cycle; providing an expiration date for such requirements; deleting certain timelines relating to the adoption of instructional materials; amending s. 1007.33, F.S.; deleting a provision authorizing the Board of Trustees of St. Petersburg College to establish certain degree programs; amending s. 1008.25, F.S.; revising the requirements for comprehensive plans for student progression; revising the students who receive priority for allocation of remedial and supplemental instruction resources; requiring individualized progress monitoring plans to be developed within a specified timeframe; providing requirements for students in the Voluntary Prekindergarten Education Program who exhibit a substantial deficiency in early literacy skills and early mathematics skills; providing that substantial deficiencies in early literacy skills and early mathematics skills for such students are determined by specified results of the coordinated screening and progress monitoring; requiring the State Board of Education to identify specified guidelines in rule; requiring teachers and school administrators to meet with specified parents upon the request of such parents; authorizing such parents to request specified actions; revising requirements for the administration of the coordinated screening and progress monitoring system; providing requirements for the administration of such system for students in the summer prekindergarten program; amending s. 1008.31, F.S.; revising a provision relating to the No Child Left Behind Act of 2001 to relate to the Every Student Succeeds Act of 2015; amending s. 1008.33, F.S.; authorizing the state board to allow certain schools additional time to implement a community school model; amending s. 1008.332, F.S.; revising a provision relating to the No Child Left Behind Act of 2001 to relate to the Every Student Succeeds Act of 2015; deleting a requirement for certain committee members to annually report to specified entities; amending s. 1008.34, F.S.; conforming a cross-reference; amending s. 1008.345, F.S.; deleting a requirement for the department to develop an annual feedback report; deleting a requirement for the Commissioner of Education to review specified feedback reports and submit findings to the state board; deleting certain requirements for a report the commissioner produces annually for the state board and the Legislature; revising what information certain community assessment team recommendations are based on; amending s. 1008.45, F.S.; deleting a requirement that the state board provide a specified annual evaluation; amending ss. 1000.05,

1002.31, 1002.321, 1002.33, 1002.455, 1008.22, 1008.37, and 1013.841, F.S.; conforming provisions and 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. Subsection (5) of section 1001.02, Florida Statutes, is amended to read:

1001.02 General powers of State Board of Education.—

(5) The State Board of Education is responsible for reviewing and administering the state program of support for the Florida College System institutions and, subject to existing law, shall establish the tuition and out-of-state fees for developmental education and for credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree.

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

1001.03 Specific powers of State Board of Education.—

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

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

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

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

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

(4) ACCEL REQUIREMENTS.—

(c) If a student participates in an ACCEL option pursuant to the parental request under subparagraph (b)1., a performance contract is not required but may be used at the discretion of the principal must be executed by the

student, the parent, and the principal. At a minimum, the performance contract must require compliance with:

- ~~1. Minimum student attendance requirements.~~
- ~~2. Minimum student conduct requirements.~~

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

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

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

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

1002.34 Charter technical career centers.—

~~(19) EVALUATION; REPORT.—The Commissioner of Education shall provide for an annual comparative evaluation of charter technical career centers and public technical centers. The evaluation may be conducted in cooperation with the sponsor, through private contracts, or by department staff. At a minimum, the comparative evaluation must address the demographic and socioeconomic characteristics of the students served, the types and costs of services provided, and the outcomes achieved. By December 30 of each year, the Commissioner of Education shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Senate and House committees that have responsibility for secondary and postsecondary career and technical education a report of the comparative evaluation completed for the previous school year.~~

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

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

~~(b)1.—Each school district shall provide at least one option for part-time and full-time virtual instruction for students residing within the school district. All school districts must provide parents with timely written notification of at least one open enrollment period for full-time students of~~

90 days or more which ends 30 days before the first day of the school year. A school district virtual instruction program shall consist of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) PROVIDER QUALIFICATIONS.—

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

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

2. Complies with the antidiscrimination provisions of s. 1000.05;

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

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

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

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

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

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

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

4.5. Possesses prior, successful experience offering virtual instruction courses to elementary, middle, or high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instructional program option. However, for a virtual instruction program provider without sufficient prior, successful experience offering online courses, the State Board of Education may conditionally approve the virtual instruction program provider to offer courses measured pursuant to subparagraph (7)(a)2. Conditional approval shall be valid for 1 school year only and, based on the virtual instruction program provider's experience in offering the courses, the State Board of Education may grant approval to offer a virtual instruction program;

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

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

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

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

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

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

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

b. School policies and procedures.

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

d. Hours and times of availability of instructional personnel.

- e. Student-teacher ratios.
- f. Student completion and promotion rates.
- g. Student, educator, and school performance accountability outcomes;

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

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

(b) An approved virtual instruction program provider that maintains compliance with all requirements of this section shall retain its approved status for a period of 3 school years after the date of approval by the State Board of Education.

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

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

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

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

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

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

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

(b) Take statewide assessments pursuant to s. 1008.22 and participate in the coordinated screening and progress monitoring system under s. 1008.25(9). Statewide assessments and progress monitoring may be administered within the school district in which such student resides, or as specified in the contract in accordance with s. 1008.24(3). If requested by the approved virtual instruction program provider or virtual charter school, the district of residence must provide the student with access to the district's testing facilities.

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

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

Section 7. Paragraph (a) of subsection (1) of section 1002.61, Florida Statutes, is amended to read:

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

(1)(a) Each school district shall administer the Voluntary Prekindergarten Education Program at the district level for students enrolled under s. 1002.53(3)(b) in a summer prekindergarten program delivered by a public school. A school district may satisfy this requirement by contracting with private prekindergarten providers.

Section 8. Paragraph (e) of subsection (2) of section 1002.82, Florida Statutes, is amended to read:

1002.82 Department of Education; powers and duties.—

(2) The department shall:

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

Section 9. Subsection (2) of section 1002.85, Florida Statutes, is amended to read:

1002.85 Early learning coalition plans.—

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

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

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

1. Single point of entry.
2. Uniform waiting list.
3. Eligibility and enrollment processes and local eligibility priorities for children pursuant to s. 1002.87.
4. Parent access and choice.
5. Sliding fee scale and policies on applying the waiver or reduction of fees in accordance with s. 1002.84(9).
6. Use of preassessments and postassessments, as applicable.
7. Use of contracted slots, as applicable, based on the results of the assessment required under paragraph (i).

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

1. Resource and referral and school-age child care.
2. Infant and toddler early learning.
3. Inclusive early learning programs.
4. Quality improvement strategies that strengthen teaching practices and increase child outcomes.

(d) A detailed budget that outlines estimated expenditures for state, federal, and local matching funds at the lowest level of detail available by

other-cost-accumulator code number; all estimated sources of revenue with identifiable descriptions; a listing of full-time equivalent positions; contracted subcontractor costs with related annual compensation amount or hourly rate of compensation; and a capital improvements plan outlining existing fixed capital outlay projects and proposed capital outlay projects that will begin during the budget year.

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

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

(g) A description of the procedures for monitoring school readiness program providers, including in response to a parental complaint, to determine that the standards prescribed in ss. 1002.82 and 1002.88 are met using a standard monitoring tool adopted by the department. Providers determined to be high risk by the coalition as demonstrated by substantial findings of violations of law shall be monitored more frequently.

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

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

Section 10. Paragraph (a) of subsection (4) of section 1003.435, Florida Statutes, is amended to read:

1003.435 High school equivalency diploma program.—

(4)(a) A candidate who has filed a formal declaration of intent to terminate school enrollment pursuant to s. 1003.21(1)(c) may take for a high school equivalency diploma shall be at least 18 years of age on the date of the examination, except that in extraordinary circumstances, as provided for in rules of the district school board of the district in which the candidate resides or attends school, a candidate may take the examination after reaching the age of 16.

Section 11. Subsection (3) of section 1003.4935, Florida Statutes, is amended to read:

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

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

Section 12. Section 1003.4995, Florida Statutes, is repealed.

Section 13. Section 1003.4996, Florida Statutes, is repealed.

Section 14. Subsection (2) of section 1003.49965, Florida Statutes, is amended to read:

1003.49965 Art in the Capitol Competition.—

(2) A Each school district may ~~shall~~ annually hold an Art in the Capitol Competition for all public, private, and home education students in grades 6 through 8. Submissions shall be judged by a selection committee consisting of art teachers whose students have not submitted artwork for consideration.

Section 15. Paragraphs (s) and (t) of subsection (2) of section 1003.51, Florida Statutes, are redesignated as paragraphs (r) and (s), respectively, and present paragraphs (g) and (r) of that subsection are amended to read:

1003.51 Other public educational services.—

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

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

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

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

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

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

Section 16. Subsection (4) 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.

~~(4) REPORTS.—The academically high-performing school district shall submit to the State Board of Education and the Legislature an annual report on December 1 which delineates the performance of the school district relative to the academic performance of students at each grade level in reading, writing, mathematics, science, and any other subject that is included as a part of the statewide assessment program in s. 1008.22. The annual report shall be submitted in a format prescribed by the Department of Education and shall include:~~

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

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

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

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

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

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

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

Section 17. Section 1004.925, Florida Statutes, is repealed.

Section 18. Paragraph (a) of subsection (1), paragraph (e) of subsection (2), paragraph (b) of subsection (3), and paragraph (b) of subsection (4) of section 1006.28, Florida Statutes, are amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DEFINITIONS.—

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

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

2. “Instructional materials” has the same meaning as in s. 1006.29(2).

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

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

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

1. Provide access to all materials, excluding teacher editions, in accordance with s. 1006.283(2)(b)8.a. before the district school board takes any official action on such materials. This process must include reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

2. Select, approve, adopt, or purchase all materials as a separate line item on the agenda and provide a reasonable opportunity for public

comment. The use of materials described in this paragraph may not be selected, approved, or adopted as part of a consent agenda.

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

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

b. Each material that was removed or discontinued.

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

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

(3) DISTRICT SCHOOL SUPERINTENDENT.—

(b) Each district school superintendent shall annually notify the department ~~by April 1 of each year~~ the state-adopted instructional materials that will be requisitioned for use in his or her school district. ~~The notification shall include a district school board plan for instructional materials use to assist in determining if adequate instructional materials have been requisitioned.~~

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

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

Section 19. Subsection (1) of section 1006.283, Florida Statutes, is amended to read:

1006.283 District school board instructional materials review process.

(1) A district school board or consortium of school districts may implement an instructional materials program that includes the review,

recommendation, adoption, and purchase of instructional materials. The district school superintendent shall annually certify to the department by ~~March 31~~ of each year that all instructional materials for core courses used by the district are aligned with applicable state standards. A list of the core instructional materials that will be used or purchased for use by the school district shall be included in the certification.

Section 20. Paragraph (a) of subsection (1) of section 1006.33, Florida Statutes, is amended to read:

1006.33 Bids or proposals; advertisement and its contents.—

(1)(a)1. Beginning with the 2026-2027 instructional materials adoption cycle and thereafter, the department shall publish an instructional materials adoption timeline which must include, but is not limited to, publishing bid specifications, advertising in the Florida Administrative Register, and deadlines for the submission of bids. The adoption cycle must include at least 6 months between the release of the bid specifications and the deadline for the submission of bids, and publication of an initial list of state-adopted instructional materials no later than July 31 in the year preceding the adoption.

~~2. For the 2025-2026 instructional materials adoption cycle, the department shall publish an instructional materials adoption timeline which must include, but is not limited to, publishing bid specifications, advertising in the Florida Administrative Register, and deadlines for the submission of bids. The adoption cycle must include at least 6 months between the release of the bid specifications and the deadline for the submission of bids. The adoption cycle must specify that the Commissioner of Education shall publish an initial list of state-adopted instructional materials no later than December 1, 2025. This subparagraph shall expire July 1, 2026. Beginning on or before May 15 of any year in which an instructional materials adoption is to be initiated, the department shall advertise in the Florida Administrative Register 4 weeks preceding the date on which the bids shall be received, that at a certain designated time, not later than June 15, sealed bids or proposals to be deposited with the department will be received from publishers or manufacturers for the furnishing of instructional materials proposed to be adopted as listed in the advertisement beginning April 1 following the adoption.~~

Section 21. Subsection (4) of section 1007.33, Florida Statutes, is amended to read:

1007.33 Site-determined baccalaureate degree access.—

(4) A Florida College System institution may:

(a) Offer specified baccalaureate degree programs through formal agreements between the Florida College System institution and other

regionally accredited postsecondary educational institutions pursuant to s. 1007.22.

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

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

~~The Board of Trustees of St. Petersburg College is authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the Department of Education. For each program selected, St. Petersburg College must offer a related associate in science or associate in applied science degree program, and the baccalaureate degree level program must be designed to articulate fully with at least one associate in science degree program. The college is encouraged to develop articulation agreements for enrollment of graduates of related associate in applied science degree programs. The Board of Trustees of St. Petersburg College is authorized to establish additional baccalaureate degree programs if it determines a program is warranted and feasible based on each of the factors in paragraph (5)(d). Prior to developing or proposing a new baccalaureate degree program, St. Petersburg College shall engage in need, demand, and impact discussions with the state university in its service district and other local and regional, accredited postsecondary providers in its region. Documentation, data, and other information from inter-institutional discussions regarding program need, demand, and impact shall be provided to the college's board of trustees to inform the program approval process. Employment at St. Petersburg College is governed by the same laws that govern Florida College System institutions, except that upper-division faculty are eligible for continuing contracts upon the completion of the fifth year of teaching. Employee records for all personnel shall be maintained as required by s. 1012.81.~~

Section 22. Paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (3), paragraph (c) of subsection (4), paragraphs (a), (b), and (d) of subsection (5), paragraphs (a), (b), and (c) of subsection (6), paragraph (b) of subsection (7), and paragraph (b) of subsection (9) of section 1008.25, Florida Statutes, are amended, and paragraph (h) is added to subsection (2) of that section, to read:

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

(2) STUDENT PROGRESSION PLAN.—Each district school board shall establish a comprehensive plan for student progression which must provide for a student's progression from one grade to another based on the student's mastery of the standards in s. 1003.41, specifically English Language Arts, mathematics, science, and social studies standards. The plan must:

(a) Include criteria that emphasize student reading proficiency in kindergarten through grade 3 and provide targeted instructional support for students with identified deficiencies in English Language Arts, mathematics, science, and social studies, including students who have been referred to the school district from the Voluntary Prekindergarten Education Program pursuant to paragraph (5)(b). High schools shall use all available assessment results, including the results of statewide, standardized English Language Arts assessments and end-of-course assessments for Algebra I and Geometry, to advise students of any identified deficiencies and to provide appropriate postsecondary preparatory instruction before high school graduation. The results of evaluations used to monitor a student's progress in grades K-12 must be provided to the student's teacher in a timely manner and as otherwise required by law. Thereafter, evaluation results must be provided to the student's parent in a timely manner. When available, instructional personnel must be provided with information on student achievement of standards and benchmarks in order to improve instruction.

(h) Specify retention requirements for students in kindergarten through grade 2 based upon each student's performance in English Language Arts and mathematics. For students who are retained in kindergarten through grade 2, the plan must incorporate the parental notification requirements provided in subsections (5) and (6), include an opportunity for parental input on the retention decision, and include information on the importance of students mastering early literacy and communication skills in order to be reading at or above grade level by the end of grade 3.

(3) ALLOCATION OF RESOURCES.—District school boards shall allocate remedial and supplemental instruction resources to students in the following priority:

(a) Students in the Voluntary Prekindergarten Education Program who have a substantial deficiency in early literacy skills and students in kindergarten through grade 3 who have a substantial deficiency in reading or the characteristics of dyslexia as determined in paragraph (5)(a).

(b) Students in the Voluntary Prekindergarten Education Program who have a substantial deficiency in early mathematics skills and students in kindergarten through grade 4 who have a substantial deficiency in mathematics or the characteristics of dyscalculia as determined in paragraph (6)(a).

(4) ASSESSMENT AND SUPPORT.—

(c) A student who has a substantial reading deficiency as determined in paragraph (5)(a) or a substantial mathematics deficiency as determined in paragraph (6)(a) must be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary. The individualized progress monitoring plan must be developed within 45 days after the results of the coordinated

screening and progress monitoring system become available. The plan must shall include, at a minimum, include:

1. The student's specific, identified reading or mathematics skill deficiency.
2. Goals and benchmarks for student growth in reading or mathematics.
3. A description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress.
4. For a substantial reading deficiency, the specific evidence-based literacy instruction grounded in the science of reading which the student will receive.
5. Strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress.
6. Any additional services the student's teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in a Voluntary Prekindergarten Education Program provided by a public school who exhibits a substantial deficiency in early literacy skills and any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading or the characteristics of dyslexia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency or the characteristics of dyslexia to address his or her specific deficiency or dyslexia. For the purposes of this subsection, a Voluntary Prekindergarten Education Program student is deemed to exhibit a substantial deficiency in early literacy skills based upon the results of the midyear or final administration of the coordinated screening and progress monitoring under subsection (9).

1. The department shall provide a list of state examined and approved comprehensive reading and intervention programs. The intervention programs shall be provided in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia-specific interventions, as defined by rule of the State Board of Education, shall be provided to students who have the characteristics of dyslexia. The reading intervention programs must do all of the following:

- a. Provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable.

b. Provide daily targeted small group reading interventions based on student need in phonological awareness, phonics, including decoding and encoding, sight words, vocabulary, or comprehension.

c. Be implemented during regular school hours.

2. A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under paragraph (4)(b) is developed to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyslexia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

3. A student's reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on the statewide, standardized English Language Arts assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in a Voluntary Prekindergarten Education Program has a deficiency in early literacy skills or a student in kindergarten through grade 3 has a substantial deficiency in reading.

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early literacy skills based upon the results of the administration of the midyear or final coordinated screening and progress monitoring under subsection (9) shall be referred to the local school district and may be eligible to receive instruction in early literacy skills before participating in kindergarten. A student with an individual education plan who has been retained pursuant to paragraph (2)(g) and has demonstrated a substantial deficiency in early literacy skills must receive instruction in early literacy skills.

(d) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be immediately notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

4. The student progression requirements under paragraph (2)(h) and that if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.

5. Strategies, including multisensory strategies and programming, through a read-at-home plan the parent can use in helping his or her child succeed in reading. The read-at-home plan must provide access to the resources identified in paragraph (e) (f).

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (7)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A school must immediately begin collecting evidence for a portfolio when a student in grade 3 is identified as being at risk of retention or upon the request of the parent, whichever occurs first.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

9. Information about the student's eligibility for the New Worlds Reading Initiative under s. 1003.485 and the New Worlds Scholarship Accounts under s. 1002.411 and information on parent training modules and other reading engagement resources available through the initiative.

After initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement. Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification.

(6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in a Voluntary Prekindergarten Education Program provided by a public school who exhibits a substantial deficiency in early mathematics skills and any student in kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must:

1. Immediately following the identification of the mathematics deficiency, be provided systematic and explicit mathematics instruction to address his or her specific deficiencies through either:

a. Daily targeted small group mathematics intervention based on student need; or

b. Supplemental, evidence-based mathematics interventions before or after school, or both, delivered by a highly qualified teacher of mathematics or a trained tutor.

2. The performance of a student receiving mathematics instruction under subparagraph 1. must be monitored, and instruction must be adjusted based on the student's need.

3. The department shall provide a list of state examined and approved mathematics intervention programs, curricula, and high-quality supplemental materials that may be used to improve a student's mathematics deficiencies. In addition, the department shall work, at a minimum, with the Florida Center for Mathematics and Science Education Research established in s. 1004.86 to disseminate information to school districts and teachers on effective evidence-based explicit mathematics instructional practices, strategies, and interventions.

4. A school may not wait for a student to receive a failing grade at the end of a grading period or wait until a plan under paragraph (4)(b) is developed to identify the student as having a substantial mathematics deficiency and initiate intensive mathematics interventions. In addition, a school may not wait until an evaluation conducted pursuant to s. 1003.57 is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a professional licensed under chapter 490 which demonstrates that the student has been diagnosed with dyscalculia. Such interventions must be initiated upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

5. The mathematics proficiency of a student receiving additional mathematics supports must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the district, which may include achieving a Level 3 on

the statewide, standardized Mathematics assessment. The State Board of Education shall identify by rule guidelines for determining whether a student in a Voluntary Prekindergarten Education Program has a deficiency in early mathematics skills or a student in kindergarten through grade 4 has a substantial deficiency in mathematics.

For the purposes of this subsection, a Voluntary Prekindergarten Education Program student is deemed to exhibit a substantial deficiency in mathematics skills based upon the results of the midyear or final administration of the coordinated screening and progress monitoring under subsection (9).

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early math skills based upon the results of the administration of the midyear or final coordinated screening and progress monitoring under subsection (8) shall be referred to the local school district and may be eligible to receive intensive mathematics interventions before participating in kindergarten.

(c) The parent of a student who exhibits a substantial deficiency in mathematics, as described in paragraph (a), must be immediately notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics.
2. A description of the current services that are provided to the child.
3. A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency.
4. Strategies, including multisensory strategies and programming, through a home-based plan the parent can use in helping his or her child succeed in mathematics. The home-based plan must provide access to the resources identified in paragraph (d) (e).

After the initial notification, the school shall apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement. Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification.

(7) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(c), for good cause. A student ~~who is~~ promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification. Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

(9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

(b) Beginning with the 2022-2023 school year, private Voluntary Pre-kindergarten Education Program providers and public schools must

participate in the coordinated screening and progress monitoring system pursuant to this paragraph.

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

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

3.2. For grades 3 through 10 English Language Arts and grades 3 through 8 Mathematics, the coordinated screening and progress monitoring system must be administered at the beginning, middle, and end of the school year pursuant to state board rule. The end-of-year administration of the coordinated screening and progress monitoring system must be a comprehensive progress monitoring assessment administered in accordance with the scheduling requirements under s. 1008.22(7)(c).

Section 23. Paragraph (c) of subsection (1) of section 1008.31, Florida Statutes, is amended to read:

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

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:

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

Section 24. Paragraph (a) of subsection (4) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—

(4)(a) The state board shall apply intensive intervention and support strategies tailored to the needs of schools earning two consecutive grades of “D” or a grade of “F.” In the first full school year after a school initially earns a grade of “D,” the school district must immediately implement intervention and support strategies prescribed in rule under paragraph (3)(c). For a school that initially earns a grade of “F” or a second consecutive grade of “D,” the school district must either continue implementing or immediately begin implementing intervention and support strategies prescribed in rule under paragraph (3)(c) and provide the department, by September 1, with the memorandum of understanding negotiated pursuant to s. 1001.42(21) and, by October 1, a district-managed turnaround plan for approval by the state board. The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, a combination of an extended school day and a summer program, or any other option authorized under paragraph (b) for state board approval. A school district is not required to wait until a school earns a second consecutive grade of “D” to submit a turnaround plan for approval by the state board under this paragraph. Upon approval by the state board, the school district must implement the plan for the remainder of the school year and continue the plan for 1 full school year. The state board may allow a school an additional year of implementation before the school must implement a turnaround option required under paragraph (b) if it determines that the school is likely to improve to a grade of “C” or higher after the first full school year of implementation. The state board may also allow a school that has received a grant pursuant to s. 1003.64 additional time to implement a community school model.

Section 25. Section 1008.332, Florida Statutes, is amended to read:

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

Section 26. Subsection (5) of section 1008.34, Florida Statutes, is amended to read:

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

(5) DISTRICT GRADE.—Beginning with the 2014-2015 school year, a school district’s grade shall include a district-level calculation of the components under paragraph (3)(b). This calculation methodology captures each eligible student in the district who may have transferred among schools within the district or is enrolled in a school that does not receive a grade. The department shall develop a district report card that includes the district

grade; the information required under s. 1008.345(3) ~~s. 1008.345(5)~~; measures of the district's progress in closing the achievement gap between higher-performing student subgroups and lower-performing student subgroups; measures of the district's progress in demonstrating Learning Gains of its highest-performing students; measures of the district's success in improving student attendance; the district's grade-level promotion of students scoring achievement levels 1 and 2 on statewide, standardized English Language Arts and Mathematics assessments; and measures of the district's performance in preparing students for the transition from elementary to middle school, middle to high school, and high school to postsecondary institutions and careers.

Section 27. Subsections (5) through (7) of section 1008.345, Florida Statutes, are renumbered as subsections (3) through (5), respectively, and present subsections (3), (4), and (5) and paragraph (d) of present subsection (6) of that section are amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

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

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

~~(3)(5)~~ The commissioner shall annually report to the State Board of Education and the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report must ~~shall~~ include:

(a) for each school district:

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

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

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

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

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

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

School reports must shall be distributed pursuant to this subsection and s. 1001.42(18)(c) and according to rules adopted by the State Board of Education.

~~(4)(6)~~

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

Section 28. Subsection (3) of section 1008.45, Florida Statutes, is amended to read:

1008.45 Florida College System institution accountability process.—

~~(3) The State Board of Education shall address within the annual evaluation of the performance of the executive director, and the Florida College System institution boards of trustees shall address within the annual evaluation of the presidents, the achievement of the performance goals established by the accountability process.~~

Section 29. Paragraph (d) of subsection (2) of section 1000.05, Florida Statutes, is amended to read:

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

(2)

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

Section 30. Paragraph (b) of subsection (2) of section 1002.31, Florida Statutes, is amended to read:

1002.31 Controlled open enrollment; public school parental choice.—

(2)

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

Section 31. Subsection (3) of section 1002.321, Florida Statutes, is amended to read:

1002.321 Digital learning.—

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

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

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

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

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

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

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

Section 32. Subsection (1), paragraph (a) of subsection (6), and paragraph (a) of subsection (10) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

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

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

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

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

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

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

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. Reading instructional strategies for foundational skills shall include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such strategies may include visual information and strategies that 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. A sponsor shall deny an application if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

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

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

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

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

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

(10) ELIGIBLE STUDENTS.—

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

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

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

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

Section 33. Subsections (1), (2), and (5) of section 1002.455, Florida Statutes, are amended to read:

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

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

(2) Part-time or full-time virtual charter school instruction authorized pursuant to s. 1002.45(1)(b)5. ~~s. 1002.45(1)(e)5.~~ to students within the school district or to students in other school districts throughout the state pursuant to s. 1002.31; however, the school district enrolling the full-time equivalent virtual student shall comply with the enrollment requirements established under s. 1002.45(1)(d)4. ~~s. 1002.45(1)(e)4.~~

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

Section 34. Paragraph (a) of subsection (3) and paragraph (e) of subsection (7) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the state academic standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the state academic standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

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

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

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

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(e) A school district may not schedule more than 5 percent of a student's total school hours in a school year to administer statewide, standardized assessments; the coordinated screening and progress monitoring system under s. 1008.25(9)(b)3. ~~s. 1008.25(9)(b)2.~~; and district-required local assessments. The district must secure written consent from a student's parent before administering district-required local assessments that, after applicable statewide, standardized assessments and coordinated screening and progress monitoring are scheduled, exceed the 5 percent test administration limit for that student under this paragraph. The 5 percent test administration limit for a student under this paragraph may be exceeded as

needed to provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in a program operated in accordance with an approved English language learner district plan pursuant to s. 1003.56. Notwithstanding this paragraph, a student may choose within a school year to take an examination or assessment adopted by State Board of Education rule pursuant to this section and ss. 1007.27, 1008.30, and 1008.44.

Section 35. Subsection (4) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.—

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

Section 36. Paragraph (a) of subsection (4) of section 1013.841, Florida Statutes, is amended to read:

1013.841 End of year balance of Florida College System institution funds.—

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

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

Section 37. This act shall take effect July 1, 2024.

Approved by the Governor May 9, 2024.

Filed in Office Secretary of State May 9, 2024.