

## CHAPTER 2023-245

### House Bill No. 5101

An act relating to education; amending 11.45, F.S.; revising the duties of the Auditor General to conform to changes made by the act; amending s. 110.1228, F.S.; conforming a cross-reference; amending s. 216.251, F.S.; providing the manner of setting salaries for positions within the Florida School for Competitive Academics; amending s. 402.22, F.S.; conforming a cross-reference; amending s. 447.203, F.S.; revising the definition of the terms “public employer” or “employer” to include the Florida School for Competitive Academics for purposes of part II of ch. 447, F.S.; making technical changes; amending s. 1000.04, F.S.; revising the components of the delivery of public education within the Florida Early Learning-20 education system to include the Florida School for Competitive Academics; amending s. 1000.071, F.S.; providing applicability relating to the use of personal titles and pronouns in certain K-12 educational institutions; amending s. 1001.20, F.S.; revising the powers of the Department of Education’s Office of Inspector General to conform to changes made by the act; amending s. 1001.215, F.S.; revising duties of the Just Read, Florida! Office; amending s. 1001.26, F.S.; requiring the department to provide funds to certain radio stations; amending s. 1001.42, F.S.; providing an exemption to collective bargaining requirements under specified circumstances; amending s. 1001.43, F.S.; authorizing district school boards to adopt policies for an enrollment fee for specified summer courses; providing fee requirements; amending s. 1002.32, F.S.; revising funding requirements for developmental research schools; conforming provisions to changes made by the act; creating s. 1002.351, F.S.; providing for the establishment of the Florida School for Competitive Academics; providing for the purpose and mission of the school; requiring the school to be included in a certain online portal; requiring the portal to include information for parents on submitting educational records for admission purposes; providing for the appointment of the board of trustees; prescribing the powers and duties of the board of trustees; providing sovereign immunity to the board of trustees; specifying the board’s duties regarding the maintenance of student and employee records; providing requirements regarding background screening of school personnel; specifying duties of the board regarding personnel; requiring the Auditor General to conduct audits of the school; authorizing the department’s Office of Inspector General to conduct investigations, as appropriate; exempting the school from specified requirements in the Florida Early Learning-20 Education Code; providing exceptions; specifying applicability of certain provisions of law; amending s. 1002.37, F.S.; revising funding requirements for the Florida Virtual School; conforming provisions to changes made by the act; amending s. 1002.394, F.S.; revising funding requirements for the Family Empowerment Scholarship Program; conforming provisions to changes made by the act; amending s. 1002.45, F.S.; revising the enrollment limitation on certain students; conforming

provisions to changes made by this act; amending ss. 1002.59, 1002.71, 1002.84, and 1002.89, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1002.995, F.S.; revising eligibility requirements for providing incentives to certain early learning personnel; amending s. 1003.03, F.S.; conforming a provision to changes made by the act; creating s. 1003.4201, F.S.; requiring school districts to implement a system of comprehensive reading instruction for specified students that includes a specified plan; providing plan requirements; providing school district and department requirements; defining the term “evidence-based”; amending ss. 1003.485, 1003.621, and 1004.935, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 1006.041, F.S.; requiring school districts to implement a school-based mental health assistance program for specified students that includes a specified plan; providing plan and school district requirements; amending s. 1006.07, F.S.; conforming provisions to changes made by the act; amending s. 1006.1493, F.S.; requiring school districts to annually report specified information relating to the Florida Safe Schools Assessment Tool to the Office of Safe Schools; amending s. 1006.28, F.S.; defining the term “library media center”; requiring district school superintendents to annually certify specified information to the Commissioner of Education; exempting certain instructional materials from specified procedures; amending s. 1006.40, F.S.; revising requirements for the instructional materials allocation and the purchase of instructional materials; conforming provisions to changes made by the act; amending s. 1007.271, F.S.; requiring school districts to pay for the cost of specified instructional materials; amending ss. 1008.25 and 1008.345, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1008.365, F.S.; revising requirements for the Reading Achievement Initiative for Scholastic Excellence Program; conforming cross-references; amending s. 1010.20, F.S.; conforming cross-references; creating s. 1011.58, F.S.; prescribing procedures for the Florida School for Competitive Academics submission of legislative budget requests; requiring the school to submit an implementation plan to the department; requiring the Commissioner of Education to include the school in the department’s legislative budget request, subject to specified conditions; requiring the school to submit its fixed capital outlay request to the department; creating s. 1011.59, F.S.; prescribing procedures and requirements governing the request and the appropriation of funds for the operation of the Florida School for Competitive Academics; requiring the school’s board of trustees to develop an annual operating budget; requiring the Chief Financial Officer to transfer or reallocate funds, subject to specified conditions; requiring the board to establish authorized positions within funds appropriated to the school; providing for the carryforward of any unexpended funds; amending s. 1011.61, F.S.; conforming cross-references; amending s. 1011.62, F.S.; revising provisions relating to the Florida Education Finance Program; revising the calculation of the cost factor for secondary career education programs, the annual allocation to each school district, and the funding model for exceptional student education programs; creating the calculation of additional full-time

equivalent membership for small school district exceptional student education and the small district factor; providing requirements for such calculation and factor; deleting the supplemental academic instruction allocation; renaming the “district cost differential” as the “comparable wage factor”; revising the calculation of such factor; creating the state-funded discretionary contribution; providing requirements for such contribution; creating the educational enrichment allocation and the exceptional student education guaranteed allocation; providing requirements for such allocations; deleting the categorical funds, determination of sparsity supplement, evidence-based reading instruction allocation, requirements for computation of prior year district required local effort, and turnaround school supplemental services allocation; revising the calculation of the supplemental allocation for juvenile justice education programs; revising requirements for the safe schools allocation and the mental health assistance allocation; renaming the teacher salary increase allocation as the classroom teacher and other instructional personnel salary increase; revising the requirements for such increase; creating the state-funded discretionary supplement, the categorical funds, and the educational enrollment stabilization program; providing requirements for the supplement, funds, and program; deleting the calculations for the computation of prior year district required local effort and the turnaround school supplemental services allocation; conforming provisions and cross-references to changes made by the act; amending s. 1011.622, F.S.; conforming a cross-reference; repealing s. 1011.67, F.S., relating to funds for instructional materials; amending ss. 1011.69, 1011.84, 1012.22, 1012.44, 1012.584, and 1012.586, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 1012.71, F.S.; revising provisions for the calculation of Florida Teachers Classroom Supply Assistance Program funds; deleting provisions relating to the distribution of program funds; requiring the department to administer a competitive procurement through which eligible classroom teachers may purchase classroom materials and supplies; requiring school districts to provide certain information to the department annually by a specified date; deleting a requirement that classroom teachers sign a specified statement; revising requirements for unused funds; creating s. 1012.715, F.S.; requiring the department to provide a one-time sign-on bonus to honorably discharged and retired military veterans and retired first responders who join the teaching profession; providing eligibility criteria; providing for an additional bonus under certain circumstances; providing department and school district responsibilities; authorizing the State Board of Education to adopt rules; providing a directive to the Division of Law Revision; providing for contingent effect of specified provisions; providing effective dates.

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

Section 1. Paragraphs (d) and (f) of subsection (2) of section 11.45, Florida Statutes, are amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(d) Annually conduct financial audits of the accounts and records of all district school boards in counties with populations of fewer than 150,000, according to the most recent federal decennial statewide census, and the Florida School for the Deaf and the Blind, and the Florida School for Competitive Academics.

(f) At least every 3 years, conduct operational audits of the accounts and records of state agencies, state universities, state colleges, district school boards, the Florida Clerks of Court Operations Corporation, water management districts, and the Florida School for the Deaf and the Blind, and the Florida School for Competitive Academics.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 2. Paragraph (a) of subsection (1) of section 110.1228, Florida Statutes, is amended to read:

110.1228 Participation by small counties, small municipalities, and district school boards located in small counties.—

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

(a) "District school board" means a district school board located in a small county or a district school board that receives funding pursuant to s. 1011.62(1)(f) ~~s. 1011.62(7)~~.

Section 3. Paragraph (a) of subsection (2) of section 216.251, Florida Statutes, is amended to read:

216.251 Salary appropriations; limitations.—

(2)(a) The salary for each position not specifically indicated in the appropriations acts shall be as provided in one of the following subparagraphs:

1. Within the classification and pay plans provided for in chapter 110.
2. Within the classification and pay plans established by the Board of Trustees for the Florida School for the Deaf and the Blind of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.

3. Within the classification and pay plan approved and administered by the Board of Governors or the designee of the board for those positions in the State University System.

4. Within the classification and pay plan approved by the President of the Senate and the Speaker of the House of Representatives, as the case may be, for employees of the Legislature.

5. Within the approved classification and pay plan for the judicial branch.

6. Within the classification and pay plans established by the Board of Trustees for the Florida School for Competitive Academics of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.

Section 4. Subsection (6) of section 402.22, Florida Statutes, is amended to read:

402.22 Education program for students who reside in residential care facilities operated by the Department of Children and Families or the Agency for Persons with Disabilities.—

(6) Notwithstanding the provisions of s. 1001.42(4)(m), the educational program at the Marianna Sunland Center in Jackson County shall be operated by the Department of Education, either directly or through grants or contractual agreements with other public educational agencies. The annual state allocation to any such agency shall be computed pursuant to s. 1011.62(1), (2), and ~~(17)~~ ~~(6)~~ and allocated in the amount that would have been provided the local school district in which the residential facility is located.

Section 5. Subsection (2) of section 447.203, Florida Statutes, is amended to read:

447.203 Definitions.—As used in this part:

(2) “Public employer” or “employer” means the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. With respect to all public employees determined by the commission as properly belonging to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees, the Governor is ~~shall be~~ deemed to be the public employer; and the Board of Governors of the State University System, or the board’s designee, is ~~shall be~~ deemed to be the public employer with respect to all public employees of each constituent state university. The board of trustees of a community college is ~~shall be~~ deemed to be the public employer with respect to all employees of the community college. The district school board is ~~shall be~~ deemed to be the public employer with respect to all employees of the school district. The

Board of Trustees of the Florida School for the Deaf and the Blind ~~is shall be~~ deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for the Deaf and the Blind. The Board of Trustees of the Florida School for Competitive Academics is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for Competitive Academics. The Governor ~~is shall be~~ deemed to be the public employer with respect to all employees in the Correctional Education Program of the Department of Corrections established pursuant to s. 944.801.

Section 6. Subsection (6) is added to section 1000.04, Florida Statutes, to read:

1000.04 Components for the delivery of public education within the Florida Early Learning-20 education system.—Florida’s Early Learning-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

(6) THE FLORIDA SCHOOL FOR COMPETITIVE ACADEMICS.—The Florida School for Competitive Academics is a component of the delivery of public education within Florida’s Early Learning-20 education system.

Section 7. Contingent upon HB 1069 or similar legislation in the 2023 Regular Session or an extension thereof becoming a law, subsection (6) is added to section 1000.071, Florida Statutes, as created by HB 1069, 2023 Regular Session, to read:

1000.071 Personal titles and pronouns.—

(6) The limitations of this section only apply to the actions of an employee or contractor acting within the scope of their employment duties with the public K-12 educational institution.

Section 8. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(e) Office of Inspector General.—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind, the Florida School for Competitive Academics, and Florida College System institutions in Florida. If the

Commissioner of Education determines that a district school board, the Board of Trustees for the Florida School for the Deaf and the Blind, the Board of Trustees for the Florida School for Competitive Academics, or a Florida College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district, the Florida School for the Deaf and the Blind, the Florida School for Competitive Academics, or the Florida College System institution, the office must shall conduct, coordinate, or request investigations into such substantiated allegations. The office shall investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

Section 9. Subsections (8) through (12) of section 1001.215, Florida Statutes, are renumbered as subsections (7) through (11), respectively, and subsections (1), (3), (4), and (6) and present subsection (7) of that section are amended to read:

1001.215 Just Read, Florida! Office.—There is created in the Department of Education the Just Read, Florida! Office. The office is fully accountable to the Commissioner of Education and shall:

(1) Provide training to reading coaches and school administrators on the evidence-based strategies identified pursuant to subsection (7) ~~(8)~~ for purposes of implementation, modeling, and classroom observations to support professional growth and inform performance evaluations of instructional personnel.

(3) Work with the Lastinger Center for Learning at the University of Florida to develop training for K-12 teachers, reading coaches, and school administrators on effective content-area-specific reading strategies; the coordinated integration of content-rich curriculum from other core subject areas into reading instruction, with an emphasis on civic literacy; and evidence-based reading strategies identified pursuant to subsection (7) ~~(8)~~ to improve student reading performance. For secondary teachers, emphasis shall be on technical text. These strategies must be developed for all content areas in the K-12 curriculum.

(4) Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills, including student attainment of the Next Generation Sunshine State Standards for social studies, science, and the arts. The office shall, as part of the adoption cycle for English Language Arts instructional materials, assist in evaluating elementary grades instructional materials submitted for adoption consideration in order

to identify those materials that are closely aligned to the content and evidence-based strategies identified pursuant to subsection (7) (8) and incorporate professional development to implement such strategies.

(6) Provide technical assistance to school districts in the development and implementation of district plans required under s. 1003.4201 ~~for use of the evidence-based reading instruction allocation provided in s. 1011.62(8)~~ and annually review and approve such plans.

~~(7) Review, evaluate, and provide technical assistance to school districts' implementation of the comprehensive reading plan required in s. 1011.62(8).~~

Section 10. Notwithstanding the expiration date in section 8 of chapter 2022-157, Laws of Florida, subsection (1) of section 1001.26, Florida Statutes, is amended to read:

1001.26 Public broadcasting program system.—

(1) There is created a public broadcasting program system for the state. The department shall provide funds, as specifically appropriated in the General Appropriations Act, to educational television and radio stations qualified by the Corporation for Public Broadcasting or public colleges and universities that are part of the public broadcasting program system. The program system must include:

(a) Support for existing Corporation for Public Broadcasting qualified program system educational television stations.

(b) Maintenance of quality broadcast capability for educational stations that are part of the program system.

(c) Interconnection of all educational stations that are part of the program system for simultaneous broadcast and of such stations with all universities and other institutions as necessary for sharing of resources and delivery of programming.

(d) Establishment and maintenance of a capability for statewide program distribution with facilities and staff, provided such facilities and staff complement and strengthen existing educational television stations.

(e) Provision of both statewide programming funds and station programming support for educational television to meet statewide priorities. Priorities for station programming need not be the same as priorities for programming to be used statewide. Station programming may include, but shall not be limited to, citizens' participation programs, music and fine arts programs, coverage of public hearings and governmental meetings, equal air time for political candidates, and other public interest programming.

Section 11. Subsection (21) of section 1001.42, Florida Statutes, is amended to read:



1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

~~(21) EDUCATIONAL EMERGENCY.—Negotiate special provisions of its contract with the appropriate bargaining units~~ To free schools with a school grade of “D” or “F” from contract restrictions that limit the school’s ability to implement programs and strategies needed to improve student performance, a district school board may adopt salary incentives or other strategies that address. ~~The negotiations shall result in a memorandum of understanding that addresses~~ the selection, placement, compensation, and expectations of instructional personnel and ~~provide~~ provides principals with the autonomy described in s. 1012.28(8). For purposes of this subsection, an educational emergency exists in a school district if one or more schools in the district have a school grade of “D” or “F.” Notwithstanding chapter 447, relating to collective bargaining, a district school board may:

(a) Provide salary incentives that differentiate based on a teacher’s certification, subject area taught, or grade level taught. Such incentives are not subject to collective bargaining requirements.

(b) Notwithstanding s. 1012.2315, relating to assignment of teachers, adopt strategies to assign high-quality teachers more equitably across schools in the district to low-performing schools as a management right. Such strategies are not subject to collective bargaining requirements.

Section 12. Paragraph (h) is added to subsection (2) of section 1001.43, Florida Statutes, to read:

1001.43 Supplemental powers and duties of district school board.—The district school board may exercise the following supplemental powers and duties as authorized by this code or State Board of Education rule.

(2) FISCAL MANAGEMENT.—The district school board may adopt policies providing for fiscal management of the school district with respect to school purchasing, facilities, nonstate revenue sources, budgeting, fundraising, and other activities relating to the fiscal management of district resources, including, but not limited to, the policies governing:

(h) Assessment of a kindergarten through grade 12 student fee for voluntary, noncredit summer school enrollment in basic program courses. The amount of any student fee shall be based on the ability of the student to pay such fee as determined by district school board policy.

Section 13. Paragraphs (e) through (h) of subsection (9) of section 1002.32, Florida Statutes, are redesignated as paragraphs (d) through (g), respectively, and present paragraphs (a) and (d) of that subsection are amended to read:

1002.32 Developmental research (laboratory) schools.—

(9) FUNDING.—Funding for a lab school, including a charter lab school, shall be provided as follows:

(a) Each lab school shall receive state funds for operating purposes as provided in ~~be allocated its proportional share of operating funds from the Florida Education Finance Program as defined provided in s. 1011.61(5) s. 1011.62~~ based on the county in which the lab school is located and as specified in the General Appropriations Act.

1. The nonvoted required local effort millage established pursuant to s. 1011.71(1) ~~ad valorem millage~~ that would otherwise be required for lab schools shall be allocated from state funds.

2. An equivalent amount of funds for the operating discretionary millage authorized pursuant to s. 1011.71(1) shall be allocated to each lab school through a state-funded discretionary contribution established pursuant to s. 1011.62(6) ~~The required local effort funds calculated pursuant to s. 1011.62 shall be allocated from state funds to the schools as a part of the allocation of operating funds pursuant to s. 1011.62. Each eligible lab school in operation as of September 1, 2013, with a permanent high school center shall also receive a proportional share of the sparsity supplement as calculated pursuant to s. 1011.62. In addition, each lab school shall receive its proportional share of all categorical funds, with the exception of s. 1011.68, and new categorical funds enacted after July 1, 1994, for the purpose of elementary or secondary academic program enhancement. The sum of funds available as provided in this paragraph shall be included annually in the Florida Education Finance Program and appropriate categorical programs funded in the General Appropriations Act.~~

(d) ~~Each lab school shall receive funds for operating purposes in an amount determined as follows: multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the district in which each lab school is located; divide the result by the total full-time equivalent membership of the district; and multiply the result by the full-time equivalent membership of the lab school. The amount thus obtained shall be discretionary operating funds and shall be appropriated from state funds in the General Appropriations Act to the Lab School Trust Fund.~~

Section 14. Section 1002.351, Florida Statutes, is created to read:

1002.351 The Florida School for Competitive Academics.—

(1) ESTABLISHMENT.—There is established the Florida School for Competitive Academics. The school shall be located in Alachua County and is a state-supported public school for Florida residents in grades 6-12. The primary purpose of the school is to provide a rigorous academic curriculum, and the secondary purpose is to prepare students for regional, state, and national academic competitions in all areas of study, including, but not

limited to, science, technology, engineering, and mathematics. The school may admit students in grades 6-12 beginning in the 2024-2025 school year.

(2) MISSION.—

(a) The mission of the Florida School for Competitive Academics is to provide students who meet selective admissions requirements an environment that will foster high academic engagement and advanced understanding of subject areas, develop productive work habits, build resiliency, connect students with industry leaders, and promote civic leadership.

(b) To assist in the recruitment of students, the Florida School for Competitive Academics must be included in the school choice online portal established under s. 1001.10(10). The portal must include information about the opportunity for parents to submit their child's educational records to the Florida School for Competitive Academics for consideration for admission.

(3) BOARD OF TRUSTEES.—

(a)1. The Florida School for Competitive Academics shall be governed by a board of trustees composed of seven members appointed by the Governor to 4-year terms and confirmed by the Senate. For purposes of staggering terms, four members, including the chair as designated by the Governor, shall be appointed to 4-year terms beginning July 1, 2023, and three members shall be appointed to 2-year terms beginning July 1, 2023. After the initial 4-year term, the chair shall be elected by the board.

2. No more than one employee of the school may serve on the board of trustees as a member or as chair.

(b) Members of the board of trustees shall serve without compensation, but may be reimbursed for per diem and travel expenses pursuant to s. 112.061.

(c) The board of trustees is a public agency entitled to sovereign immunity pursuant to s. 768.28, and board members are public officers who bear fiduciary responsibility for the Florida School for Competitive Academics.

(d) The board of trustees is a body corporate with all the powers of a body corporate and with such authority as is needed for the proper operation and improvement of the Florida School for Competitive Academics. Title to any gift, donation, or bequest received by the board of trustees must vest in the board of trustees. Title to all other property and other assets of the Florida School for Competitive Academics must vest in the State Board of Education, but the board of trustees has complete jurisdiction over the management of the school.

(e) The board of trustees has the full power and authority to:

1. Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law relating to operation of the Florida School for Competitive Academics. Such rules must be submitted to the State Board of Education for approval or disapproval. After a rule is approved by the State Board of Education, the rule must be filed immediately with the Department of State. The board of trustees shall act at all times in conjunction with the rules of the State Board of Education.

2. Appoint a principal, administrators, teachers, and other employees.

3. Remove principals, administrators, teachers, and other employees at the board's discretion.

4. Determine eligibility of students and procedures for admission.

5. Provide for the proper keeping of accounts and records and for budgeting of funds.

6. Receive gifts, donations, and bequests of money or property, real or personal, tangible or intangible, from any person, firm, corporation, or other legal entity for the use and benefit of the school.

7. Recommend to the Legislature for the school to become a residential public school.

8. Do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the school at the highest efficiency economically possible.

(f) The board of trustees shall:

1. Prepare and submit legislative budget requests for operations and fixed capital outlay, in accordance with chapter 216 and ss. 1011.56 and 1013.60, to the Department of Education for review and approval. The department must analyze the amount requested for fixed capital outlay to determine if the request is consistent with the school's campus master plan, educational plant survey, and facilities master plan.

2. Approve and administer an annual operating budget in accordance with ss. 1011.56 and 1011.57.

3. Require all purchases to be in accordance with chapter 287 except for purchases made with funds received as gifts, donations, or bequests or funds raised by or belonging to student clubs or student organizations.

4. Administer and maintain personnel programs for all employees of the board of trustees and the Florida School for Competitive Academics, who shall be school employees, including the personnel.

5. Ensure that the Florida School for Competitive Academics complies with s. 1013.351 concerning the coordination of planning between the Florida School for Competitive Academics and local governing bodies.

6. Ensure that the Florida School for Competitive Academics complies with s. 112.061 concerning per diem and travel expenses.

7. Adopt a master plan that specifies the objectives of the Florida School for Competitive Academics. The plan must be for a period of 5 years and must be reviewed for needed modifications every 2 years. The board of trustees shall submit the initial plan and subsequent modifications to the President of the Senate and the Speaker of the House of Representatives.

(4) STUDENT AND EMPLOYEE RECORDS.—The board of trustees shall provide for the content and custody of student and employee personnel records. Student records are subject to s. 1002.22. Employee records are subject to s. 1012.31.

(5) PERSONNEL.—

(a) The Florida School for Competitive Academics Board of Trustees shall require all employees and applicants for employment to undergo background screening as provided in s. 1012.32 as a condition of employment and continued employment. Members of the board of trustees must also undergo background screening in accordance with the relevant provisions of s. 1012.32. An individual may not be employed as an employee or contract personnel of the school or serve as a member of the board of trustees if the individual is on the disqualification list maintained by the department pursuant to s. 1001.10(4)(b).

(b) In accordance with law and rules of the State Board of Education, the board of trustees shall administer and maintain personnel programs for all employees of the board of trustees and the Florida School for Competitive Academics. The board of trustees may adopt rules, policies, and procedures related to the appointment, employment, and removal of personnel.

1. The board of trustees shall determine the compensation, including salaries and fringe benefits, and other conditions of employment for such personnel.

2. Classroom teachers employed by the school must be certified pursuant to chapter 1012.

3. Each person employed by the board of trustees in an academic, administrative, or instructional capacity with the Florida School for Competitive Academics is entitled to a contract as provided by rules of the board of trustees.

4. All employees, except temporary, seasonal, and student employees, may be provided Florida Retirement System benefits from the school through operational costs.

(6) FUNDING.—

(a) The Florida School for Competitive Academics shall receive state funds for operating purposes as provided in the General Appropriations Act.

(b) In addition to the funds provided in the General Appropriations Act, the Florida School for Competitive Academics may receive other funds from grants and donations.

(7) AUDITS.—The Auditor General shall conduct audits of the accounts and records of the Florida School for Competitive Academics as provided in s. 11.45. The Department of Education’s Inspector General is authorized to conduct investigations at the school as provided in s. 1001.20(4)(e).

(8) EXEMPTION FROM STATUTES.—

(a) The Florida School for Competitive Academics is exempt from all statutes in chapters 1000-1013. However, the Florida School for Competitive Academics shall be in compliance with the following statutes in chapters 1000-1013:

1. This section.

2. Those statutes pertaining to the student assessment program and school grading system.

3. Those statutes pertaining to the provision of services to students with disabilities.

4. Those statutes pertaining to civil rights, including, but not limited to, s. 1000.05, relating to discrimination.

5. Those statutes pertaining to student health, safety, and welfare.

(b) Additionally, the Florida School for Competitive Academics shall be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.

2. Chapter 119, relating to public records.

3. Section 1006.12, relating to safe-school officers.

4. Section 1006.07(7), relating to threat assessment teams.

5. Section 1006.07(9), relating to school environmental safety incident reporting.

6. Section 1006.07(10), relating to reporting of involuntary examinations.

7. Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.

8. Section 1006.07(6)(d), relating to adopting active assailant response plans.

9. Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.

10. Section 1012.584, relating to youth mental health awareness and assistance training.

11. Section 1003.4282, relating to requirements for a standard high school diploma.

12. Section 1003.03(1), relating to class size maximums.

13.a. Section 1011.61, relating to instructional hours requirements.

b. Notwithstanding sub-subparagraph a., the school may provide instruction that exceeds the minimum time requirements for the purposes of offering a summer program.

(c) For purposes of this subsection:

1. The duties assigned to a district school superintendent apply to the director of the Florida School for Competitive Academics.

2. The duties assigned to a district school board apply to the board of trustees.

Section 15. Paragraphs (e) and (f) of subsection (3) of section 1002.37, Florida Statutes, are amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(e) The ~~comparable wage factor district cost differential~~ as provided in s. 1011.62(2) shall be established as 1.000.

(f) The Florida Virtual School shall receive state funds for operating purposes as provided in the General Appropriations Act. The calculation to determine the amount of state funds includes: the sum of the basic amount for current operations established in s. 1011.62(1)(s), the discretionary millage compression supplement established in s. 1011.62(5) ~~base Florida Education Finance Program funding~~, the state-funded discretionary contribution established in s. 1011.62(6), and a per-full-time equivalent share of the ~~discretionary millage compression supplement~~, the exceptional student education guaranteed allocation established in s. 1011.62(8), and the mental health assistance allocation established in s. 1011.62(13) ~~the instructional materials allocation, the evidence-based reading instruction allocation, the~~

~~mental health assistance allocation, and the teacher salary increase allocation. For the purpose of calculating the state-funded discretionary contribution, multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the state; divide the result by the total full-time equivalent membership of the state; and multiply the result by the full-time equivalent membership of the school. Funds may not be provided for the purpose of fulfilling the class size requirements in ss. 1003.03 and 1011.685.~~

Section 16. Subsection (12) of section 1002.394, Florida Statutes, as amended by chapter 2023-16, Laws of Florida, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(12) SCHOLARSHIP FUNDING AND PAYMENT.—

(a)1. Scholarships for students determined eligible pursuant to paragraph (3)(a) may be funded once all scholarships have been funded in accordance with s. 1002.395(6)(l)2. The calculated scholarship amount for a participating student determined eligible pursuant to paragraph (3)(a) shall be based upon the grade level and school district in which the student was assigned as 100 percent of the funds per unweighted full-time equivalent in the Florida Education Finance Program for a student in the basic program established pursuant to s. 1011.62(1)(c)1., plus a per-full-time equivalent share of funds for the all categorical programs established in s. 1011.62(5), (7)(a), and (16), as funded in the General Appropriations Act, except for the exceptional student education guaranteed allocation established pursuant to s. 1011.62(1)(e).

2. A scholarship of \$750 or an amount equal to the school district expenditure per student riding a school bus, as determined by the department, whichever is greater, may be awarded to an eligible student who is enrolled in a Florida public school that is different from the school to which the student was assigned or in a lab school as defined in s. 1002.32 if the school district does not provide the student with transportation to the school.

3. The organization must provide the department with the documentation necessary to verify the student's participation. Upon receiving the documentation, the department shall transfer, beginning August 1, from state funds only, the amount calculated pursuant to subparagraph 2. to the organization for quarterly disbursement to parents of participating students each school year in which the scholarship is in force. For a student exiting a Department of Juvenile Justice commitment program who chooses to participate in the scholarship program, the amount of the Family Empowerment Scholarship calculated pursuant to subparagraph 2. must be transferred from the school district in which the student last attended a public school before commitment to the Department of Juvenile Justice. When a student enters the scholarship program, the organization must



receive all documentation required for the student's participation, including the private school's and the student's fee schedules, at least 30 days before the first quarterly scholarship payment is made for the student.

4. The initial payment shall be made after the organization's verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the private school. Payment must be by funds transfer or any other means of payment that the department deems to be commercially viable or cost-effective. An organization shall ensure that the parent has approved a funds transfer before any scholarship funds are deposited.

5. An organization may not transfer any funds to an account of a student determined eligible pursuant to paragraph (3)(a) which has a balance in excess of \$24,000.

(b)1. Scholarships for students determined eligible pursuant to paragraph (3)(b) are established for up to 26,500 students annually beginning in the 2022-2023 school year. Beginning in the 2023-2024 school year, the maximum number of students participating in the scholarship program under this section shall annually increase by 3.0 percent of the state's total exceptional student education full-time equivalent student membership, not including gifted students. An eligible student who meets any of the following requirements shall be excluded from the maximum number of students if the student:

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

b. Is a dependent child of a law enforcement officer or a member of the United States Armed Forces, a foster child, or an adopted child; or

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

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

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

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

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

2. For a student who has a Level I to Level III matrix of services or a diagnosis by a physician or psychologist, the calculated scholarship amount for a student participating in the program must be based upon the grade level and school district in which the student would have been enrolled as the total funds per unweighted full-time equivalent in the Florida Education Finance Program for a student in the basic exceptional student education program pursuant to s. 1011.62(1)(c) and (d) s. 1011.62(1)(e)1. and (e)1.e., plus a per full-time equivalent share of funds for the all categorical programs established in s. 1011.62(5), (7)(a), (8), and (16), as funded in the General Appropriations Act. For the categorical program established, as funded in the General Appropriations Act, except that for the exceptional student education guaranteed allocation, as provided in s. 1011.62(8) s. 1011.62(1)(e) 1.e. and 2., the funds must be allocated based on the school district's average exceptional student education guaranteed allocation funds per exceptional student education full-time equivalent student.

3. For a student with a Level IV or Level V matrix of services, the calculated scholarship amount must be based upon the school district to which the student would have been assigned as the total funds per full-time equivalent for the Level IV or Level V exceptional student education program pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time equivalent share of funds for the all categorical programs established in s. 1011.62(5), (7)(a), and (16), as funded in the General Appropriations Act.

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

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

6. The organization must provide the department with the documentation necessary to verify the student's participation.

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

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

9. The organization may develop a system for payment of benefits by funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of payment which the department deems to be commercially viable or cost-effective. A student's scholarship award may not be reduced for debit card or electronic payment fees. Commodities or services related to the development of such a system must be procured by competitive solicitation unless they are purchased from a state term contract pursuant to s. 287.056.

10. An organization may not transfer any funds to an account of a student determined to be eligible pursuant to paragraph (3)(b) which has a balance in excess of \$50,000.

11. Moneys received pursuant to this section do not constitute taxable income to the qualified student or the parent of the qualified student.

Section 17. Paragraph (e) of subsection (1) and paragraph (b) of subsection (6) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(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 (c)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 (c)1. or subparagraph (c)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 (c) to no more than those that can be funded from state Florida Education Finance Program funds 50 percent of the total enrolled full-time equivalent virtual students residing inside the school district providing the virtual instruction. ~~This subparagraph applies to any virtual instruction contract or agreement that is entered into for the first time after June 30,~~

~~2021. However, a school district may not enroll more full-time equivalent virtual students residing outside of the school district than the total number of reported full-time equivalent students residing inside the school district.~~

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

(b) Students enrolled in a virtual instruction program shall be funded in the Florida Education Finance Program as provided in the General Appropriations Act. The calculation to determine the amount of funds for each student through the Florida Education Finance Program shall include the sum of the basic amount for current operations established in base Florida Education Finance Program pursuant to s. 1011.62(1)(s) and all categorical programs except for the categorical programs established in ss. 1011.62(7), (12), and (16), 1011.68, and 1011.685 pursuant to ss. 1011.62(1)(f), (7), and (13); 1011.68; 1011.685; and 1012.71. Students residing outside of the school district reporting the full-time equivalent virtual student shall be funded from state funds only.

Section 18. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.

(1) The department, in collaboration with the Just Read, Florida! Office, shall adopt minimum standards for courses in emergent literacy for prekindergarten instructors. Each course must comprise 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, and vocabulary and comprehension development, consistent with the evidence-based content and strategies identified pursuant to s. 1001.215(7) s. 1001.215(8). The course standards must be reviewed as part of any review of subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas conducted pursuant to s. 1012.586. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(e)5., 402.313(6), and 402.3131(5).

Section 19. Paragraph (b) of subsection (3) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(3)

(b) Each county’s allocation per full-time equivalent student in the Voluntary Prekindergarten Education Program shall be calculated annually by multiplying the base student allocation provided in the General Appropriations Act by the county’s comparable wage factor district cost differential provided in s. 1011.62(2). Each private prekindergarten provider and public school shall be paid in accordance with the county’s allocation per full-time equivalent student.

Section 20. Paragraph (a) of subsection (17) of section 1002.84, Florida Statutes, is amended to read:

1002.84 Early learning coalitions; school readiness powers and duties. Each early learning coalition shall:

(17)(a) Distribute the school readiness program funds as allocated in the General Appropriations Act to the eligible providers using the following methodology:

1. For each county in the early learning coalition, multiply the cost of care by care level as provided in s. 1002.90 by the county’s comparable wage factor district cost differential provided in s. 1011.62(2).
2. If a county enacted a local ordinance before January 1, 2022, that establishes the county’s staff-to-children ratio for licensed child care facilities below the ratio established in s. 402.305(4), multiply the provider reimbursement rates for that county by the adjustment factor specified in the General Appropriations Act.
3. Apply the weight established pursuant to s. 1002.90 for each provider type to calculate the minimum provider reimbursement rates by care level.
4. Multiply the weighted provider reimbursement rates by 22 percent to determine the amount of the school readiness allocation an early learning coalition is eligible to retain pursuant to s. 1002.89(4).

Each early learning coalition with approved minimum provider reimbursement rates for the infant to age 5 care levels that are higher than the minimum provider reimbursement rates established in this subsection may continue to implement its approved minimum provider reimbursement rates until the rates established in this subsection exceed its approved rates.

Section 21. Paragraph (a) of subsection (1) of section 1002.89, Florida Statutes, is amended to read:

1002.89 School readiness program; funding.—

(1) DETERMINATION OF EARLY LEARNING COALITION SCHOOL READINESS PROGRAM FUNDING.—Funding for the school readiness program shall be used by the early learning coalitions in accordance with this part and the General Appropriations Act.

(a) School readiness program allocation.—If the annual allocation for the school readiness program is not determined in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, it shall be determined as follows:

1. For each county in the early learning coalition, the total school readiness eligible population, as adopted by the Early Learning Programs Estimating Conference pursuant to s. 216.136(8), shall be multiplied by the county's comparable wage factor ~~district cost differential~~ provided in s. 1011.62(2).

2. If a county passed a local ordinance before January 1, 2022, that establishes the county's staff-to-children ratio for licensed child care facilities below the ratio established in s. 402.305(4), multiply the product calculated in subparagraph 1. by the adjustment factor specified in the General Appropriations Act.

3. Each county's school readiness allocation shall be based on the county's proportionate share of the total adjusted eligible school readiness population.

Section 22. Paragraph (c) of subsection (1) of section 1002.995, Florida Statutes, is amended to read:

1002.995 Early learning professional development standards and career pathways.—

(1) The department shall:

(c) Subject to the appropriation of funds by the Legislature, provide incentives to school readiness personnel who meet the requirements of s. 1002.88(1)(e) and prekindergarten instructors who meet the requirements specified in s. 1002.55, s. 1002.61, or s. 1002.63 and who possess a reading certification or endorsement or a literacy micro-credential as specified in s. 1003.485 and teach students in the school readiness program or the voluntary prekindergarten education program or work in a child care or early learning setting.

Section 23. Paragraph (a) of subsection (4) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

(4) ACCOUNTABILITY.—

(a) If the department determines that the number of students assigned to any individual class exceeds the class size maximum, as required in subsection (1), based upon the October student membership survey, the department shall:

1. Identify, for each grade group, the number of classes in which the number of students exceeds the maximum and the total number of students which exceeds the maximum for all classes.
2. Determine the number of FTE students which exceeds the maximum for each grade group.
3. Multiply the total number of FTE students which exceeds the maximum for each grade group by the district's FTE dollar amount of the class size categorical allocation for that year and calculate the total for all three grade groups.
4. Multiply the total number of FTE students which exceeds the maximum for all classes by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for each of the 2010-2011 through 2013-2014 fiscal years and by an amount equal to the base student allocation adjusted by the comparable wage factor district cost differential in the 2014-2015 fiscal year and thereafter.
5. Reduce the district's class size categorical allocation by an amount equal to the sum of the calculations in subparagraphs 3. and 4.

Section 24. Section 1003.4201, Florida Statutes, is created to read:

1003.4201 Comprehensive system of reading instruction.—Each school district must implement a system of comprehensive reading instruction for students enrolled in the prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy.

(1) Each school district must develop, and submit to the district school board for approval, a detailed reading instruction plan that outlines the components of the district's comprehensive system of reading instruction. The plan must include all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district. A charter school plan must comply with all of the provisions of this section and must be approved by the charter school's governing body and provided to the charter school's sponsor.

(2)(a) Components of the reading instruction plan may include the following:

1. Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students, which may be delivered during or outside of the regular school day.

2. Highly qualified reading coaches, who must be endorsed in reading, to specifically support classroom teachers in making instructional decisions based on progress monitoring data collected pursuant to s. 1008.25(8) and improve classroom teacher delivery of effective reading instruction, reading intervention, and reading in the content areas based on student need.

3. Professional development to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.

4. Summer reading camps, using only classroom teachers or other district personnel who possess a micro-credential as specified in s. 1003.485 or are certified or endorsed in reading consistent with s. 1008.25(7)(b)3., for all students in kindergarten through grade 5 exhibiting a reading deficiency as determined by district and state assessments.

5. Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.

6. Tutoring in reading.

(b) Each school district must include in its reading instruction plan the planned school year expenditures for each component of such plan.

(3) Each school district shall submit its approved reading instruction plan, including approved reading instruction plans for each charter school in the district, to the Department of Education by August 1 of each fiscal year.

(4) The department shall evaluate the implementation of each school district reading instruction plan, including conducting site visits and collecting specific data on reading improvement results.

(5) By February 1 of each year, the department shall report its findings to the Legislature and the State Board of Education, including any recommendations for improving implementation of evidence-based intensive reading and intervention strategies in the classroom.

(6) For purposes of this section, the term “evidence-based” means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes as provided in 20 U.S.C. s. 8101(21)(A)(i).

Section 25. Paragraphs (g) and (h) of subsection (4) of section 1003.485, Florida Statutes, are amended to read:

1003.485 The New Worlds Reading Initiative.—

(4) ADMINISTRATOR RESPONSIBILITIES.—The administrator shall:

(g) Develop a micro-credential that requires teachers to demonstrate competency to:



1. Diagnose literacy difficulties and determine the appropriate range of literacy interventions based upon the age and literacy deficiency of the student;

2. Use evidence-based instructional and intervention practices, including strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(7) ~~s. 1001.215(8)~~; and

3. Effectively use progress monitoring and intervention materials.

(h) Administer the early literacy micro-credential program established under this section, which must include components on content, student learning, pedagogy, and professional development and must build on a strong foundation of scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies, as identified by the Just Read, Florida! Office, pursuant to s. 1001.215(7) ~~s. 1001.215(8)~~.

1. At a minimum, the micro-credential curriculum must be designed specifically for instructional personnel in prekindergarten through grade 3 based upon the strategies and techniques identified in s. 1002.59 and address foundational literacy skills of students in grades 4 through 12.

2. The micro-credential must be competency based and designed for eligible instructional personnel to complete the credentialing process in no more than 60 hours, in an online format. The micro-credential may be delivered in an in-person format. Eligible instructional personnel may receive the micro-credential once competency is demonstrated even if it is prior to the completion of 60 hours.

3. The micro-credential must be available by December 31, 2022, at no cost, to instructional personnel as defined in s. 1012.01(2); prekindergarten instructors as specified in ss. 1002.55, 1002.61, and 1002.63; and child care personnel as defined in ss. 402.302(3) and 1002.88(1)(e).

Section 26. Paragraphs (g) and (j) of subsection (2) of section 1003.621, Florida Statutes, are 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:

(g) Those statutes pertaining to planning and budgeting, including chapter 1011, except s. 1003.4201 ~~s. 1011.62(8)(e)~~, relating to the requirement for a comprehensive system of reading instruction plan. ~~A district that is exempt from submitting a comprehensive reading plan shall be deemed approved to receive the evidence-based reading instruction allocation.~~ Each academically high-performing school district may provide up to 2 days of virtual instruction as part of the required 180 actual teaching days or the equivalent on an hourly basis each school year, as specified by rules of the State Board of Education. Virtual instruction that is conducted in accordance with the plan approved by the department, is teacher-developed, and is aligned with the standards for enrolled courses complies with s. 1011.60(2). The day or days must be indicated on the calendar approved by the school board. The district shall submit a plan for each day of virtual instruction to the department for approval, in a format prescribed by the department, with assurances of alignment to statewide student standards as described in s. 1003.41 before the start of each school year.

(j) Those statutes relating to instructional materials, except that s. 1006.37, relating to the requisition of state-adopted materials from the depository under contract with the publisher, and s. 1006.40(3)(b), relating to the purchase ~~use of 50 percent of the instructional materials allocation,~~ shall be eligible for exemption.

Section 27. Subsection (7) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Program.—

(7) Funds for the scholarship shall be provided from the appropriation from the school district's Workforce Development Fund in the General Appropriations Act for students who reside in the Hardee County School District, the DeSoto County School District, the Manatee County School District, or the Sarasota County School District. The scholarship amount granted for an eligible student with a disability shall be equal to the cost per unit of a full-time equivalent adult general education student, multiplied by the adult general education funding factor, and multiplied by the comparable wage factor ~~district cost differential~~ pursuant to the formula required by s. 1011.80(7)(a) for the district in which the student resides.

Section 28. Section 1006.041, Florida Statutes, is created to read:

1006.041 Mental health assistance program.—Each school district must implement a school-based mental health assistance program that includes training classroom teachers and other school staff in detecting and responding to mental health issues and connecting children, youth, and families who may experience behavioral health issues with appropriate services.

(1) Each school district must develop, and submit to the district school board for approval, a detailed plan outlining the components and planned

expenditures of the district's mental health assistance program. The plan must include all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district. A charter school plan must comply with all of the provisions of this section and must be approved by the charter school's governing body and provided to the charter school's sponsor.

(2) A plan required under subsection (1) must be focused on a multitiered system of supports to deliver evidence-based mental health care assessment, diagnosis, intervention, treatment, and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. The provision of these services must be coordinated with a student's primary mental health care provider and with other mental health providers involved in the student's care. At a minimum, the plan must include all of the following components:

(a) Direct employment of school-based mental health services providers to expand and enhance school-based student services and to reduce the ratio of students to staff in order to better align with nationally recommended ratio models. The providers shall include, but are not limited to, certified school counselors, school psychologists, school social workers, and other licensed mental health professionals. The plan must also identify strategies to increase the amount of time that school-based student services personnel spend providing direct services to students, which may include the review and revision of district staffing resource allocations based on school or student mental health assistance needs.

(b) Contracts or interagency agreements with one or more local community behavioral health providers or providers of Community Action Team services to provide a behavioral health staff presence and services at district schools. Services may include, but are not limited to, mental health screenings and assessments, individual counseling, family counseling, group counseling, psychiatric or psychological services, trauma-informed care, mobile crisis services, and behavior modification. These behavioral health services may be provided on or off the school campus and may be supplemented by telehealth as defined in s. 456.47(1).

(c) Policies and procedures, including contracts with service providers, which will ensure that:

1. Students referred to a school-based or community-based mental health service provider for mental health screening for the identification of mental health concerns and students at risk for mental health disorders are assessed within 15 days after referral. School-based mental health services must be initiated within 15 days after identification and assessment, and support by community-based mental health service providers for students who are referred for community-based mental health services must be initiated within 30 days after the school or district makes a referral.

2. Parents of a student receiving services under this subsection are provided information about other behavioral health services available through the student's school or local community-based behavioral health services providers. A school may meet this requirement by providing information about and Internet addresses for web-based directories or guides for local behavioral health services.

3. Individuals living in a household with a student receiving services under this subsection are provided information about behavioral health services available through other delivery systems or payors for which such individuals may qualify, if such services appear to be needed or enhancements in such individuals' behavioral health would contribute to the improved well-being of the student.

(d) Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems, depression, anxiety disorders, suicidal tendencies, or substance use disorders.

(e) Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders, to improve the provision of early intervention services, and to assist students in dealing with trauma and violence.

(f) Procedures to assist a mental health services provider or a behavioral health provider as described in paragraph (a) or paragraph (b), respectively, or a school resource officer or school safety officer who has completed mental health crisis intervention training in attempting to verbally de-escalate a student's crisis situation before initiating an involuntary examination pursuant to s. 394.463. Such procedures must include strategies to de-escalate a crisis situation for a student with a developmental disability as defined in s. 393.063.

(g) Policies of the school district which must require that in a student crisis situation, school or law enforcement personnel must make a reasonable attempt to contact a mental health professional who may initiate an involuntary examination pursuant to s. 394.463, unless the child poses an imminent danger to themselves or others, before initiating an involuntary examination pursuant to s. 394.463. Such contact may be in person or through telehealth. The mental health professional may be available to the school district either by a contract or interagency agreement with the managing entity, one or more local community-based behavioral health providers, or the local mobile response team, or be a direct or contracted school district employee.

(3) Each school district shall submit its approved plan, including approved plans of each charter school in the district, to the Department of Education by August 1 of each fiscal year.

(4) Annually by September 30, each school district shall submit to the Department of Education a report on its program outcomes and

expenditures for the previous fiscal year that, at a minimum, must include the total number of each of the following:

- (a) Students who receive screenings or assessments.
- (b) Students who are referred to school-based or community-based providers for services or assistance.
- (c) Students who receive school-based or community-based interventions, services, or assistance.
- (d) School-based and community-based mental health providers, including licensure type.
- (e) Contract-based or interagency agreement-based collaborative efforts or partnerships with community-based mental health programs, agencies, or providers.

Section 29. Paragraph (b) of subsection (6) of section 1006.07, Florida Statutes, is amended to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(6) SAFETY AND SECURITY BEST PRACTICES.—Each district school superintendent shall establish policies and procedures for the prevention of violence on school grounds, including the assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.

(b) Mental health coordinator.—Each district school board shall identify a mental health coordinator for the district. The mental health coordinator shall serve as the district's primary point of contact regarding the district's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting, including:

1. Coordinating with the Office of Safe Schools, established pursuant to s. 1001.212.

2. Maintaining records and reports regarding student mental health as it relates to the mental health assistance program under s. 1006.041 and school safety and the mental health assistance allocation under s. 1011.62(14).

3. Facilitating the implementation of school district policies relating to the respective duties and responsibilities of the school district, the superintendent, and district school principals.

4. Coordinating with the school safety specialist on the staffing and training of threat assessment teams and facilitating referrals to mental health services, as appropriate, for students and their families.

5. Coordinating with the school safety specialist on the training and resources for students and school district staff relating to youth mental health awareness and assistance.

6. Reviewing annually the school district's policies and procedures related to student mental health for compliance with state law and alignment with current best practices and making recommendations, as needed, for amending such policies and procedures to the superintendent and the district school board.

Section 30. Subsection (3) of section 1006.1493, Florida Statutes, is amended to read:

1006.1493 Florida Safe Schools Assessment Tool.—

(3) The Office of Safe Schools shall make the FSSAT available no later than May 1 of each year.

(a) The office must provide annual training to each district's school safety specialist and other appropriate school district personnel on the assessment of physical site security and completing the FSSAT.

(b) Each school district must annually report to the office by October 15 that all public schools within the school district have completed the FSSAT.

Section 31. Paragraph (a) of subsection (1) of section 1006.28, Florida Statutes, is amended, and paragraph (c) is added to subsection (3) of that section, 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.

(3) DISTRICT SCHOOL SUPERINTENDENT.—

(c) Annually by August 1, each district school superintendent shall certify to the Commissioner of Education that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided, that the materials are being implemented as designed, and that core reading materials and reading intervention materials used in kindergarten through grade 5 meet the requirements of s. 1001.215(8). Such instructional materials, as evaluated and identified pursuant to s. 1001.215(4), may be purchased by school districts without undergoing the adoption procedures in s. 1006.40(4)(b).

Section 32. Section 1006.40, Florida Statutes, is amended to read:

1006.40 Purchase ~~Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—~~

(1) ~~On or before July 1 each year, the commissioner shall certify to each district school superintendent shall certify to the Commissioner of Education the estimated allocation of state funds for instructional materials; computed pursuant to the provisions of s. 1011.67 for the ensuing fiscal year.~~

(2) Each district school board must purchase current instructional materials to provide each student in kindergarten through grade 12 with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. Such purchase must be made within the first 3 years after the effective date of the adoption cycle unless a district school board or a consortium of school districts has implemented an instructional materials program pursuant to s. 1006.283.

(3)(a) ~~Except for a school district or a consortium of school districts that implements an instructional materials program pursuant to s. 1006.283, each district school board shall use the annual allocation only for the purchase of instructional materials that align with state standards and are included on the state-adopted list, except as otherwise authorized in paragraphs (b) and (c).~~

(b) Up to 50 percent of the amount the school district has budgeted for instructional materials annual allocation ~~may be used for:~~

1. The purchase of library and reference books and nonprint materials.
2. The purchase of other materials having intellectual content which assist in the instruction of a subject or course. These materials may be available in bound, unbound, kit, or package form and may consist of

hardbacked or softbacked textbooks, novels, electronic content, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools as prescribed by district school board rule.

3. The repair and renovation of textbooks and library books and replacements for items which were part of previously purchased instructional materials.

~~(e) District school boards may use 100 percent of that portion of the annual allocation designated for the purchase of instructional materials for kindergarten, and 75 percent of that portion of the annual allocation designated for the purchase of instructional materials for first grade, to purchase materials not on the state-adopted list.~~

~~(c)(d)~~ Any materials purchased pursuant to this section must be:

1. Free of pornography and material prohibited under s. 847.012.
2. Suited to student needs and their ability to comprehend the material presented.
3. Appropriate for the grade level and age group for which the materials are used or made available.

(4) Each district school board is responsible for the content of all materials used in a classroom or otherwise made available to students. Each district school board shall adopt rules, and each district school superintendent shall implement procedures, that:

(a) Maximize student use of the district-approved instructional materials.

(b) Provide a process for public review of, public comment on, and the adoption of materials, including those used to provide instruction required by s. 1003.42, which satisfies the requirements of s. 1006.283(2)(b)8., 9., and 11.

~~(5) District school boards may issue purchase orders subsequent to February 1 in an aggregate amount which does not exceed 20 percent of the current year's allocation, and subsequent to April 1 in an aggregate amount which does not exceed 90 percent of the current year's allocation, for the purpose of expediting the delivery of instructional materials which are to be paid for from the ensuing year's allocation. This subsection does not apply to a district school board or a consortium of school districts that implements an instructional materials program pursuant to s. 1006.283.~~

~~(6) In any year in which the total instructional materials allocation for a school district has not been expended or obligated prior to June 30, the district school board shall carry forward the unobligated amount and shall add it to the next year's allocation.~~



(5)(7) A district school board or a consortium of school districts that implements an instructional materials program pursuant to s. 1006.283 may use the ~~annual allocation to~~ purchase instructional materials not on the state-adopted list. However, instructional materials purchased pursuant to this section which are not included on the state-adopted list must meet the criteria of s. 1006.31(2), align with state standards adopted by the State Board of Education pursuant to s. 1003.41, and be consistent with course expectations based on the district's comprehensive plan for student progression and course descriptions adopted in state board rule.

Section 33. Paragraph (n) of subsection (21) of section 1007.271, Florida Statutes, is amended to read:

1007.271 Dual enrollment programs.—

(21) Each district school superintendent and each public postsecondary institution president shall develop a comprehensive dual enrollment articulation agreement for the respective school district and postsecondary institution. The superintendent and president shall establish an articulation committee for the purpose of developing the agreement. Each state university president may designate a university representative to participate in the development of a dual enrollment articulation agreement. A dual enrollment articulation agreement shall be completed and submitted annually by the postsecondary institution to the Department of Education on or before August 1. The agreement must include, but is not limited to:

(n) A funding provision that delineates costs incurred by each entity.

1. School districts shall pay public postsecondary institutions the standard tuition rate per credit hour from funds provided in the Florida Education Finance Program when dual enrollment course instruction takes place on the postsecondary institution's campus and the course is taken during the fall or spring term. When dual enrollment is provided on the high school site by postsecondary institution faculty, the school district shall reimburse the costs associated with the postsecondary institution's proportion of salary and benefits to provide the instruction. When dual enrollment course instruction is provided on the high school site by school district faculty, the school district is not responsible for payment to the postsecondary institution. A postsecondary institution may enter into an agreement with the school district to authorize teachers to teach dual enrollment courses at the high school site or the postsecondary institution. A school district may not deny a student access to dual enrollment unless the student is ineligible to participate in the program subject to provisions specifically outlined in this section.

2. School districts shall pay for the cost of instructional materials for public high school students who are earning credit toward high school graduation under the dual enrollment program.

~~3.2.~~ Subject to annual appropriation in the General Appropriations Act, a public postsecondary institution shall receive an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a student during the summer term.

Section 34. Paragraph (b) of subsection (5) of section 1008.25, Florida Statutes, is amended to read:

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

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(b) A Voluntary Prekindergarten Education Program student who exhibits a substantial deficiency in early literacy skills in accordance with the standards under s. 1002.67(1)(a) and based upon the results of the administration of the final coordinated screening and progress monitoring under subsection (8) shall be referred to the local school district and may be eligible to receive intensive reading interventions before participating in kindergarten. ~~Such intensive reading interventions shall be paid for using funds from the district's evidence-based reading instruction allocation in accordance with s. 1011.62(8).~~

Section 35. Paragraph (d) of subsection (5) of section 1008.345, Florida Statutes, is amended to read:

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

(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 shall include:

(d) Based upon a review of each school district's reading instruction plan submitted pursuant to s. 1003.4201 ~~s. 1011.62(8)~~, 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 shall be distributed pursuant to this subsection and s. 1001.42(18)(c) and according to rules adopted by the State Board of Education.

Section 36. Subsections (2), (3), and (5) of section 1008.365, Florida Statutes, are amended to read:

1008.365 Reading Achievement Initiative for Scholastic Excellence Act.

(2) The Reading Achievement Initiative for Scholastic Excellence (RAISE) Program is established within the Department of Education to provide instructional supports to school districts, school administrators, and instructional personnel in implementing:

(a) Evidence-based reading instruction proven to accelerate progress of students exhibiting a reading deficiency.

(b) Differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students' specific reading needs.

(c) Explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension with more extensive opportunities for guided practice, error correction, and feedback and interventions in order to improve student reading achievement.

(3) The department shall establish at least 20 literacy support regions and regional support teams, at the direction of a regional literacy support director appointed by the Commissioner of Education, to assist schools with improving low reading scores as provided in this section.

(a) A regional literacy support director must successfully demonstrate competence on the evidence-based strategies identified pursuant to s. 1001.215(7) ~~s. 1001.215(8)~~ and have the experience and credentials necessary, as determined by the department, to:

1. Effectively monitor student reading growth and achievement data;
2. Oversee districtwide and schoolwide professional development and planning to establish evidence-based practices among school administrators and instructional personnel;
3. Evaluate implementation of evidence-based practices; and
4. Manage a regional support team.

(b) A regional support team shall report to its regional literacy support director and must consist of individuals who:

1. Successfully demonstrate competence on the evidence-based strategies identified pursuant to s. 1001.215(7) ~~s. 1001.215(8)~~;
2. Have substantial experience in literacy coaching and monitoring student progress data in reading; and
3. Have received training necessary to assist with the delivery of professional development and site-based supports, including modeling evidence-based practices and providing feedback to instructional personnel.

(5) The department shall provide progress monitoring data to regional support teams regarding the implementation of supports. Such supports must include:

(a) Professional development, aligned to evidence-based strategies identified pursuant to s. 1001.215(7) ~~s. 1001.215(8)~~, for appropriate instructional personnel and school administrators identified by the regional support team.

(b) Assistance with implementing:

1. Data-informed instructional decisionmaking using progress monitoring and other appropriate data.

2. Selection and consistent, coordinated use of scientifically researched and evidence-based high-quality instructional materials and supplemental materials as identified by the Just Read, Florida! Office pursuant to s. 1001.215(8).

3. Reading instruction in other core subject area curricula, with an emphasis on civic literacy.

4. A multitiered system of supports in order to provide students effective interventions and identify students who may require an evaluation for special educational services, including identifying characteristics of conditions that affect phonological processing, such as dyslexia.

(c) Evaluating a school's improvement plan for alignment with the school district's K-12 comprehensive reading instruction plan under s. 1003.4201 ~~s. 1011.62(8)(d)~~ and the school district's allocation of resources as required by s. 1008.25(3)(a). If the regional support team determines that the school district's reading instruction plan does not address the school's need to improve student outcomes, the regional literacy support director, the district school superintendent, or his or her designee, and the director of the Just Read, Florida! Office shall convene a meeting to rectify the deficiencies of the reading instruction plan.

Section 37. Paragraph (a) of subsection (2) and paragraph (b) of subsection (3) of section 1010.20, Florida Statutes, are amended to read:

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

(a) Each district shall report on a district-aggregate basis expenditures for inservice training pursuant to s. 1011.62(3) and for categorical programs as provided in s. 1011.62(17) ~~s. 1011.62(6)~~.

(3) PROGRAM EXPENDITURE REQUIREMENTS.—

(b) Funds for inservice training established in s. 1011.62(3) and for categorical programs established in s. 1011.62(17) ~~s. 1011.62(6)~~ shall be expended for the costs of the identified programs as provided by law and in accordance with the rules of the State Board of Education.

Section 38. Section 1011.58, Florida Statutes, is created to read:

1011.58 Procedures for legislative budget requests for the Florida School for Competitive Academics.—

(1)(a) The legislative budget request of the Florida School for Competitive Academics established in s. 1002.351 must be prepared using the same format, procedures, and timelines required for the submission of the legislative budget request of the Department of Education.

(b) The Florida School for Competitive Academics shall submit its legislative budget request to the Department of Education for review and approval. The school must create and submit to the department an implementation plan before the department may approve the budget request.

(c) Subsequent to the Department of Education's approval, the Commissioner of Education shall include the Florida School for Competitive Academics in the department's legislative budget request to the State Board of Education, the Governor, and the Legislature. The legislative budget request and the appropriation for the Florida School for Competitive Academics must be a separate identifiable sum in the public schools budget entity of the Department of Education.

(d) The annual appropriation for the school shall be distributed monthly, without using the Florida Education Finance Program, in payments as nearly equal as possible. Appropriations for textbooks, instructional technology, and school buses may be released and distributed as necessary to serve the instructional program for the students. Transportation of students shall be provided by the school consistent with the requirements of subpart I.E. of chapter 1006 and s. 1012.45.

(2) The school shall submit its fixed capital outlay request to the Department of Education for review and approval in accordance with s. 1002.36(4)(f)1. Subsequent to the department's approval, the school's request must be included within the department's public education capital outlay legislative budget request.

Section 39. Section 1011.59, Florida Statutes, is created to read:

1011.59 Florida School for Competitive Academics; board of trustees; management flexibility.—

(1) Notwithstanding ss. 216.031, 216.181, and 216.262 and pursuant to s. 216.351, but subject to any guidelines imposed in the General Appropriations Act, funds for the operation of the Florida School for Competitive

Academics shall be requested and appropriated within budget entities, program components, program categories, lump sums, or special categories. Funds appropriated to the Florida School for Competitive Academics for each program category, lump sum, or special category may be transferred to traditional categories for expenditure by the board of trustees of the school. The board of trustees shall develop an annual operating budget that allocates funds by program component and traditional expenditure category.

(2) Notwithstanding s. 216.181 and pursuant to s. 216.351, but subject to any requirements imposed in the General Appropriations Act, a lump-sum plan is not required to implement the special categories, program categories, or lump-sum appropriations. Upon release of the special categories, program categories, or lump-sum appropriations to the board of trustees, the Chief Financial Officer shall, upon the request of the board of trustees, transfer or reallocate funds to or among accounts established for disbursement purposes. The board of trustees shall maintain records to account for the original appropriation.

(3) Notwithstanding ss. 216.031, 216.181, 216.251, and 216.262 and pursuant to s. 216.351, but subject to any requirements imposed in the General Appropriations Act, the board of trustees shall establish the authorized positions and may amend such positions within the total funds authorized annually in the General Appropriations Act.

(4) Notwithstanding s. 216.301, all unexpended funds appropriated for the Florida School for Competitive Academics shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

Section 40. Subsection (5) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(5) The “Florida Education Finance Program” includes all programs and costs as provided in ss. 1003.03, 1011.62, 1011.68, and 1011.685 ~~s. 1011.62~~.

Section 41. Paragraph (e) of subsection (1) of section 1011.62, Florida Statutes, is redesignated as paragraph (d), present paragraphs (c) through (f) and (s) of subsection (1) and subsections (2), (3), (5) through (9), and (11) through (17) are amended, and new paragraphs (e) and (f) are added to subsection (1) and new subsections (6) through (8) and (16) through (18) are added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive

bill implementing the annual appropriations act, it shall be determined as follows:

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

(c) Determination of programs.—Cost factors based on desired relative cost differences between the following programs shall be established in the annual General Appropriations Act. The cost factor for secondary career education programs must be greater than the cost factor for ~~and~~ basic programs grade 9 through 12 ~~shall be equal~~. The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional students with the highest levels of need. For these students, the funding support level shall fund the exceptional students’ education program, with the exception of extended school year services for students with disabilities.

- 1. Basic programs.—
  - a. Kindergarten and grades 1, 2, and 3.
  - b. Grades 4, 5, 6, 7, and 8.
  - c. Grades 9, 10, 11, and 12.
- 2. Programs for exceptional students.—
  - a. Support Level IV.
  - b. Support Level V.
- 3. Secondary career education programs.
- 4. English for Speakers of Other Languages.

~~(d) Annual allocation calculation.—~~

~~1.—The Department of Education is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district for the K-12 FEFP.~~

~~2.—Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP. If two or more districts enter into an agreement under the provisions of s. 1001.42(4)(d), after the final enrollment estimate is agreed upon, the amount of FTE specified in the agreement, not to exceed the estimate for the specific program as identified in paragraph (c), may be transferred from the participating districts to the district providing the program.~~

~~3.—As part of its calculation of each district's maximum total weighted full-time equivalent student enrollment, the department shall establish separate enrollment ceilings for each of two program groups. Group 1 shall be composed of basic programs for grades K-3, grades 4-8, and grades 9-12. Group 2 shall be composed of students in exceptional student education programs support levels IV and V, English for Speakers of Other Languages programs, and all career programs in grades 9-12.~~

~~a.—For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.~~

~~b.—The weighted enrollment ceiling for group 2 programs shall be calculated by multiplying the enrollment for each program by the appropriate program weight as provided in the General Appropriations Act. The weighted enrollment ceiling for program group 2 shall be the sum of the weighted enrollment ceilings for each program in the program group, plus the increase in weighted full-time equivalent student membership from the prior year for clients of the Department of Children and Families and the Department of Juvenile Justice.~~

~~c.—If, for any calculation of the FEFP, the weighted enrollment for program group 2, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:~~

~~(I)—The weighted enrollment ceiling for each program in the program group shall be subtracted from the weighted enrollment for that program derived from actual enrollments.~~

~~(II)—If the difference calculated under sub-sub-subparagraph (I) is greater than zero for any program, a reduction proportion shall be computed for the program by dividing the absolute value of the difference by the total amount by which the weighted enrollment for the program group exceeds the weighted enrollment ceiling for the program group.~~

~~(III)—The reduction proportion calculated under sub-sub-subparagraph (II) shall be multiplied by the total amount of the program group's enrollment over the ceiling as calculated under sub-sub-subparagraph (I).~~

~~(IV)—The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be subtracted from the program's weighted enrollment to produce a revised program weighted enrollment.~~

~~(V)—The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be divided by the appropriate program weight, and the result shall be added to the revised program weighted enrollment computed in sub-sub-subparagraph (IV).~~



~~(d)(e)~~ Funding model for exceptional student education programs.—The funding model for exceptional student education programs shall include all of the following:

~~1.1.a.~~ For programs for exceptional students in ~~The funding model uses basic, at-risk, support levels IV and V as established in paragraph (c), the funding model shall include program for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs.~~

~~a.~~ Exceptional education cost factors are determined by using a matrix of services to document the services that each support level IV and support level V exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. ~~The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.~~

~~b.~~ In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

~~c.~~ ~~Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall generate funds on the basis of full-time equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.~~

~~2.~~ For students identified as exceptional in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in subparagraph 1. and for students who are gifted in grades kindergarten K through 8, the funding model shall include the funds generated on the basis of full-time equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for a basic student and additional funds provided by the exceptional student education guaranteed allocation established pursuant to subsection (8).

(e) Calculation of additional full-time equivalent membership for small school district exceptional student education.—An additional value per full-time equivalent student membership is provided to school districts with a full-time equivalent student membership of fewer than 10,000 and fewer

~~than three full-time equivalent students in exceptional student education support levels IV and V. The Department of Education shall set the amount of the additional value based on documented evidence of the difference between the cost of the school district's exceptional student education support levels IV and V services and the applicable Florida Education Finance Program funds appropriated in the General Appropriations Act. The total statewide value may not exceed a value per weighted full-time equivalent student as specified in the General Appropriations Act. The additional value for an eligible school district shall not exceed three full-time equivalent students for each of the exceptional student education support levels IV and V there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(l) and rules of the State Board of Education, which shall be allocated initially to each school district in the amount provided in the General Appropriations Act. These funds shall be supplemental to the funds appropriated for the basic funding level, and the amount allocated for each school district shall be recalculated during the year, based on actual student membership from FTE surveys. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.~~

~~(f) Small district factor.—An additional value per full-time equivalent student membership is provided to each school district with a full-time equivalent student membership of fewer than 20,000 full-time equivalent students which is in a fiscally constrained county as described in s. 218.67(1). The amount of the additional value shall be specified in the General Appropriations Act.~~

~~(f) Supplemental academic instruction allocation.—~~

~~1.—There is created the supplemental academic instruction allocation to provide supplemental academic instruction to students in kindergarten through grade 12.~~

~~2.—The supplemental academic instruction allocation shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds are in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. Beginning with the 2018-2019 fiscal year, each school district that has a school earning a grade of "D" or "F" pursuant to s. 1008.34 must use that school's portion of the supplemental academic instruction allocation to implement intervention and support strategies for school improvement pursuant to s. 1008.33 and for salary incentives pursuant to s.~~

~~1012.2315(3) or salary supplements pursuant to s. 1012.22(1)(c)5.c. that are provided through a memorandum of understanding between the collective bargaining agent and the school board that addresses the selection, placement, and expectations of instructional personnel and school administrators. For all other schools, the school district's use of the supplemental academic instruction allocation may include, but is not limited to, the use of a modified curriculum; reading instruction; after-school instruction; tutoring; mentoring; a reduction in class size; extended school year; intensive skills development in summer school; dropout prevention programs as defined in ss. 1003.52 and 1003.53(1)(a), (b), and (c); and other methods of improving student achievement. Supplemental academic instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.~~

~~3.—The supplemental academic instruction allocation shall consist of a base amount that has a workload adjustment based on changes in unweighted FTE. The supplemental academic instruction allocation shall be recalculated during the fiscal year. Upon recalculation of funding for the supplemental academic instruction allocation, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.~~

~~4.—Funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction allocation and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.~~

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

- ~~1. The full-time equivalent student membership in each program, multiplied by~~
- ~~2. The cost factor for each program, adjusted for the maximum as provided by paragraph (c), multiplied by~~
- ~~3. The comparable wage factor district cost differential, multiplied by~~
- ~~4. The small district factor, and multiplied by~~

5.4. The base student allocation.

(2) DETERMINATION OF COMPARABLE WAGE FACTOR DISTRICT COST DIFFERENTIALS.—

(a) The Commissioner of Education shall annually compute for each district the current year's comparable wage factor district cost differential. The comparable wage factor district cost differential shall be calculated by adding each district's price level index as published in the Florida Price Level Index for the most recent 3 years and dividing the resulting sum by 3. The result for each district shall be multiplied by 0.008 and to the resulting product shall be added 0.200; the sum thus obtained shall be the comparable wage factor cost differential for that district for that year.

(b) The comparable wage factor for each school district is used in the calculation of the basic amount for current operation pursuant to subsection (1) if the comparable wage factor is greater than 1.000.

(c) The limitation authorized in paragraph (b) applies to any categorical funding provided in the Florida Education Finance Program that has a calculation methodology that includes the comparable wage factor.

(3) INSERVICE EDUCATIONAL PERSONNEL TRAINING EXPENDITURE.—Of the amount computed in subsection (1) subsections (1) and (2), a percentage of the basic amount for current operation base student allocation per full-time equivalent student or other funds shall be expended for educational training programs as determined by the district school board as provided in s. 1012.98.

(5) DISCRETIONARY MILLAGE COMPRESSION SUPPLEMENT.—The Legislature shall prescribe in the General Appropriations Act, pursuant to s. 1011.71(1), the rate of nonvoted current operating discretionary millage that shall be used to calculate a discretionary millage compression supplement. If the prescribed millage generates an amount of funds per unweighted full-time equivalent student FTE for the district that is less than the state average, the district shall receive an amount per full-time equivalent student FTE that, when added to the funds per full-time equivalent student FTE generated by the designated levy, shall equal the state average.

(6) STATE-FUNDED DISCRETIONARY CONTRIBUTION.—The state-funded discretionary contribution is created to fund the nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) for developmental research schools (lab schools) established in s. 1002.32 and the Florida Virtual School established in s. 1002.37.

(a) To calculate the state-funded discretionary contribution for lab schools, multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the school district in

which the lab school is located; divide the result by the total full-time equivalent membership of the school district; and multiply the result by the full-time equivalent membership of the lab school. The amount obtained shall be appropriated in the General Appropriations Act to the Lab School Trust Fund established pursuant to s. 1002.32(9).

(b) To calculate the state-funded discretionary contribution for the Florida Virtual School, multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the state; divide the result by the total full-time equivalent membership of the state; and multiply the result by the full-time equivalent membership of the Florida Virtual School.

(7) EDUCATIONAL ENRICHMENT ALLOCATION.—

(a) The educational enrichment allocation is created to assist school districts in providing educational enrichment activities and services that support and increase the academic achievement of students in grades kindergarten through 12. Educational enrichment activities and services may be provided in a manner and at any time during or beyond the regular 180-day term identified by the school district as being the most effective and efficient way to best help the student progress from grade to grade and graduate from high school. For fiscal year 2023-2024, the educational enrichment allocation shall consist of a base amount as specified in the General Appropriations Act. Beginning in fiscal year 2024-2025, the educational enrichment allocation shall consist of the base amount that includes a workload adjustment based on changes in the unweighted full-time equivalent membership.

(b) For district-managed turnaround schools as identified in s. 1008.33(4)(a), schools that earn three consecutive grades below a "C," as identified in s. 1008.33(4)(b)3., and schools that have improved to a "C" and are no longer in turnaround status, as identified in s. 1008.33(4)(c), a supplemental amount shall be added to their educational enrichment allocation for purposes of implementing the intervention and support strategies identified in the turnaround plan submitted pursuant to s. 1008.33.

1. The supplemental amount shall be based on the unweighted full-time equivalent student enrollment at the eligible schools and a per full-time equivalent funding amount of \$500 or as provided in the General Appropriations Act.

2. Services funded by the allocation may include, but are not limited to, tutorial and afterschool programs, student counseling, nutrition education, parental counseling, and an extended school day and school year. In addition, services may include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development.

3. A school district may enter into a formal agreement with a nonprofit organization that has tax-exempt status under s. 501(c)(3) of the Internal Revenue Code to implement an integrated student support service model that provides students and families with access to wrap-around services, including, but not limited to, health services, after-school programs, drug prevention programs, college and career readiness programs, and food and clothing banks.

(c) The educational enrichment allocation, to include the supplemental amount, shall be recalculated during the fiscal year pursuant to paragraph (1)(a). If the recalculated amount is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each school district's proportionate share of the total allocation.

(d) Funding on the basis of full-time equivalent membership beyond the 180-day regular term shall be provided in the Florida Education Finance Program only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs pursuant to s. 985.19. Funding for instruction beyond the regular 180-day school year for all other kindergarten through grade 12 students shall be provided through the educational enrichment allocation and other state, federal, and local funding sources with flexibility for schools to provide educational enrichment activities and services to assist students in grades kindergarten through 12.

(8) EXCEPTIONAL STUDENT EDUCATION GUARANTEED ALLOCATION.—The exceptional student education guaranteed allocation is created to fund the additional costs of programs for exceptional students specified in subparagraph (1)(d)2. and shall be supplemental to the funds appropriated in the Florida Education Finance Program for the basic student funding level.

(a) The amount of each school district's exceptional student education guaranteed allocation shall be the greater of either the school district's prior year exceptional student education guaranteed allocation funds per eligible full-time equivalent student or the exceptional student education guaranteed allocation factor as specified in the General Appropriations Act multiplied by the school district's total number of eligible full-time equivalent students.

(b) The exceptional student education guaranteed allocation shall be recalculated during the fiscal year based on actual full-time equivalent student membership. If the recalculated amount is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each school district's share of the total recalculated allocation amount.

(6) — CATEGORICAL FUNDS. —

~~(a) In addition to the basic amount for current operations for the FEFP as determined in subsection (1), the Legislature may appropriate categorical funding for specified programs, activities, or purposes.~~

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

~~1. Funds for student transportation.~~

~~2. Funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase computers and device hardware for student instruction that comply with the requirements of s. 1001.20(4)(a)1.b.~~

~~3. Funds for the guaranteed allocation as provided in subparagraph (1)(e)2.~~

~~4. Funds for the supplemental academic instruction allocation as provided in paragraph (1)(f).~~

~~5. Funds for the federally connected student supplement as provided in subsection (10).~~

~~6. Funds for class size reduction as provided in s. 1011.685.~~

~~(c) Each district school board shall include in its annual financial report to the Department of Education the amount of funds the school board transferred from each of the categorical funds identified in this subsection and the specific academic classroom instruction or school safety need for which the transferred funds were expended. The Department of Education shall provide instructions and specify the format to be used in submitting this required information as a part of the district annual financial report. The Department of Education shall submit a report to the Legislature that identifies by district and by categorical fund the amount transferred and the specific academic classroom activity or school safety need for which the funds were expended.~~

~~(7) DETERMINATION OF SPARSITY SUPPLEMENT.—~~

~~(a) Annually, in an amount to be determined by the Legislature through the General Appropriations Act, there shall be added to the basic amount for current operation of the FEFP qualified districts a sparsity supplement which shall be computed as follows:~~

$$\text{Sparsity Factor} = \frac{1101.8918}{2700 + \text{district sparsity index}} - 0.1101$$

~~except that districts with a sparsity index of 1,000 or less shall be computed as having a sparsity index of 1,000, and districts having a sparsity index of 7,308 and above shall be computed as having a sparsity factor of zero. A qualified district's full-time equivalent student membership shall equal or be less than that prescribed annually by the Legislature in the appropriations act. The amount prescribed annually by the Legislature shall be no less than 17,000, but no more than 30,000.~~

~~(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. For districts with a full-time equivalent student membership of at least 20,000, but no more than 30,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.~~

~~(c) If the sparsity supplement calculated in paragraphs (a) and (b) for an eligible district is less than \$100 per full-time equivalent student, the district's supplement shall be increased to \$100 per FTE or to the minimum amount per FTE designated in the General Appropriations Act.~~

~~(d) Each district's allocation of sparsity supplement funds shall be adjusted in the following manner:~~

~~1. A maximum discretionary levy per FTE value for each district shall be calculated by dividing the value of each district's maximum discretionary levy by its FTE student count.~~

~~2. A state average discretionary levy value per FTE shall be calculated by dividing the total maximum discretionary levy value for all districts by the state total FTE student count.~~

~~3. A total potential funds per FTE for each district shall be calculated by dividing the total potential funds, not including Florida School Recognition Program funds and the minimum guarantee funds, for each district by its FTE student count.~~

~~4. A state average total potential funds per FTE shall be calculated by dividing the total potential funds, not including Florida School Recognition Program funds and the minimum guarantee funds, for all districts by the state total FTE student count.~~



~~5. For districts that have a levy value per FTE as calculated in subparagraph 1. higher than the state average calculated in subparagraph 2., a sparsity wealth adjustment shall be calculated as the product of the difference between the state average levy value per FTE calculated in subparagraph 2. and the district's levy value per FTE calculated in subparagraph 1. and the district's FTE student count and -1. However, no district shall have a sparsity wealth adjustment that, when applied to the total potential funds calculated in subparagraph 3., would cause the district's total potential funds per FTE to be less than the state average calculated in subparagraph 4.~~

~~6. Each district's sparsity supplement allocation shall be calculated by adding the amount calculated as specified in paragraphs (a) and (b) and the wealth adjustment amount calculated in this paragraph.~~

~~(8) EVIDENCE-BASED READING INSTRUCTION ALLOCATION.—~~

~~(a) The evidence-based reading instruction allocation is created to provide comprehensive reading instruction to students in prekindergarten through grade 12.~~

~~(b) Intensive reading instruction for students who have reading deficiencies must include evidence-based reading instruction proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students' specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the coordinated integration of civic literacy, science, and mathematics-text reading, text discussion, and writing in response to reading.~~

~~(c) Funds for comprehensive, evidence-based reading instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district's proportionate share of K-12 base funding.~~

~~(d) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the prekindergarten-12 programs and certain students who exhibit a substantial deficiency in early literacy, which may include the following:~~

~~1. Additional time per day of evidence-based intensive reading instruction to students, which may be delivered during or outside of the regular school day.~~

~~2. Kindergarten through grade 12 evidence-based intensive reading interventions.~~

~~3.— Highly qualified reading coaches, who must be endorsed in reading, to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.~~

~~4.— Professional development to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.~~

~~5.— Summer reading camps, using only teachers or other district personnel who possess a micro-credential as specified in s. 1003.485 or are certified or endorsed in reading consistent with s. 1008.25(7)(b)3., for all students in kindergarten through grade 5 who demonstrate a reading deficiency as determined by district and state assessments.~~

~~6.— Scientifically researched and evidence-based supplemental instructional materials as identified by the Just Read, Florida! Office pursuant to s. 1001.215(8).~~

~~7.— Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.~~

~~8.— Tutoring in reading.~~

~~(e)1.— Annually, by a date determined by the Department of Education, each school district shall submit a comprehensive reading plan approved by the applicable district school board, charter school governing board, or lab school board of trustees, for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis. The State Regional Literacy Director may assist in the development of the plan. The department shall provide a plan format. A district school board may use the format developed by the department or a format developed by the district school board.~~

~~2.— Intensive reading interventions must be delivered by instructional personnel who possess the micro-credential as provided in s. 1003.485 or are certified or endorsed in reading and must incorporate evidence-based strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). Instructional personnel who possess a micro-credential as specified in s. 1003.485 and are delivering intensive reading interventions must be supervised by an individual certified or endorsed in reading. For the purposes of this subsection, the term “supervision” means the ability to communicate by way of telecommunication with or physical presence of the certified or endorsed personnel for consultation and direction of the actions of the personnel with the micro-credential.~~

~~3.— By July 1 of each year, the department shall release to each school district its allocation of appropriated funds. The department shall evaluate the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature and the State Board of Education, including any recommendations for improving implementation of evidence-based reading and intervention strategies in classrooms.~~

~~For purposes of this subsection, the term “evidence-based” means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes as provided in 20 U.S.C. s. 8101(21)(A)(i).~~

**(9) CALCULATION OF SUPPLEMENTAL ALLOCATION FOR JUVENILE JUSTICE EDUCATION PROGRAMS.—**

(a) The total kindergarten through grade 12 K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the comparable wage factor for the school district established in subsection (2) district’s cost differential. An amount equal to the sum of this calculation shall be allocated in the Florida Education Finance Program FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.

(b) Funds allocated under this subsection shall be used to provide the juvenile justice education programs pursuant to s. 1003.52 and may be used to pay for the high school equivalency examination fees for juvenile justice students who pass the high school equivalency examination in full, or in part, while in a juvenile justice education program, the industry credentialing testing fees for such students, and the costs associated with such juvenile justice students enrolled in career and technical education courses that lead to industry-recognized certifications.

**(11) QUALITY ASSURANCE GUARANTEE.—**The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per kindergarten through grade 12 K-12 unweighted full-time equivalent student FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted full-time equivalent FTE student which shall include the adjusted full-time equivalent FTE dollars as provided in subsection (15), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted full-time equivalent student FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted full-time equivalent FTE dollars as provided in subsection (15) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted full-time equivalent student FTE to prior year funds per unweighted full-time equivalent student FTE shall be computed. For those school districts which have less than the legislatively assigned

percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted full-time equivalent FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(12) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is created to provide funding to assist school districts in their compliance with ss. 1006.07-1006.12, with priority given to safe-school officers pursuant to s. 1006.12. Each school district shall receive a minimum safe schools allocation in an amount provided in the General Appropriations Act. Of the remaining balance of the safe schools allocation, one-third shall be allocated to school districts based on the most recent official Florida Crime Index provided by the Department of Law Enforcement and two-thirds shall be allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment. ~~Each school district must report to the Department of Education by October 15 that all public schools within the school district have completed the school security risk assessment using the Florida Safe Schools Assessment Tool developed pursuant to s. 1006.1493.~~ If a district school board is required by s. 1006.12 to assign a school resource officer or school safety officer to a charter school, the charter school's share of costs for such officer may not exceed the amount of funds allocated to the charter school under this subsection.

(13) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health assistance allocation is created to provide funding to assist school districts in their implementation of their establishing or expanding school-based mental health assistance program pursuant to s. 1006.041 ~~care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services.~~ These funds shall be allocated annually in the General Appropriations Act or other law to each eligible school district. Each school district shall receive a minimum of \$100,000, with the remaining balance allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment. ~~Charter schools that submit a plan separate from the school district are entitled to a proportionate share of district funding. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses. School districts are encouraged to maximize third-party health insurance benefits and Medicaid claiming for services, where appropriate.~~

(a) ~~Before the distribution of the allocation:~~

1. ~~The school district must develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval. This plan must include all district schools, including charter~~

schools, unless a charter school elects to submit a plan independently from the school district pursuant to subparagraph 2.

~~2.— A charter school may develop and submit a detailed plan outlining the local program and planned expenditures to its governing body for approval. After the plan is approved by the governing body, it must be provided to the charter school's sponsor.~~

~~(b)— The plans required under paragraph (a) must be focused on a multitiered system of supports to deliver evidence-based mental health care assessment, diagnosis, intervention, treatment, and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. The provision of these services must be coordinated with a student's primary mental health care provider and with other mental health providers involved in the student's care. At a minimum, the plans must include the following elements:~~

~~1.— Direct employment of school-based mental health services providers to expand and enhance school-based student services and to reduce the ratio of students to staff in order to better align with nationally recommended ratio models. These providers include, but are not limited to, certified school counselors, school psychologists, school social workers, and other licensed mental health professionals. The plan also must identify strategies to increase the amount of time that school-based student services personnel spend providing direct services to students, which may include the review and revision of district staffing resource allocations based on school or student mental health assistance needs.~~

~~2.— Contracts or interagency agreements with one or more local community behavioral health providers or providers of Community Action Team services to provide a behavioral health staff presence and services at district schools. Services may include, but are not limited to, mental health screenings and assessments, individual counseling, family counseling, group counseling, psychiatric or psychological services, trauma-informed care, mobile crisis services, and behavior modification. These behavioral health services may be provided on or off the school campus and may be supplemented by telehealth.~~

~~3.— Policies and procedures, including contracts with service providers, which will ensure that:~~

~~a.— Students referred to a school-based or community-based mental health service provider for mental health screening for the identification of mental health concerns and students at risk for mental health disorders are assessed within 15 days of referral. School-based mental health services must be initiated within 15 days after identification and assessment, and support by community-based mental health service providers for students who are referred for community-based mental health services must be initiated within 30 days after the school or district makes a referral.~~

~~b. Parents of a student receiving services under this subsection are provided information about other behavioral health services available through the student's school or local community-based behavioral health services providers. A school may meet this requirement by providing information about and Internet addresses for web-based directories or guides for local behavioral health services.~~

~~e. Individuals living in a household with a student receiving services under this subsection are provided information about behavioral health services available through other delivery systems or payors for which such individuals may qualify, if such services appear to be needed or enhancements in those individuals' behavioral health would contribute to the improved well-being of the student.~~

~~4. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems, depression, anxiety disorders, suicidal tendencies, or substance use disorders.~~

~~5. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders, to improve the provision of early intervention services, and to assist students in dealing with trauma and violence.~~

~~6. Procedures to assist a mental health services provider or a behavioral health provider as described in subparagraph 1. or subparagraph 2., respectively, or a school resource officer or school safety officer who has completed mental health crisis intervention training in attempting to verbally de-escalate a student's crisis situation before initiating an involuntary examination pursuant to s. 394.463. Such procedures must include strategies to de-escalate a crisis situation for a student with a developmental disability as that term is defined in s. 393.063.~~

~~7. Policies of the school district which must require that in a student crisis situation, school or law enforcement personnel must make a reasonable attempt to contact a mental health professional who may initiate an involuntary examination pursuant to s. 394.463, unless the child poses an imminent danger to themselves or others, before initiating an involuntary examination pursuant to s. 394.463. Such contact may be in person or using telehealth as defined in s. 456.47. The mental health professional may be available to the school district either by contracts or interagency agreements with the managing entity, one or more local community behavioral health providers, or the local mobile response team or be a direct or contracted school district employee.~~

~~(e) School districts shall submit approved plans, including approved plans of each charter school in the district, to the commissioner by August 1 of each fiscal year.~~

~~(d) Beginning September 30, 2019, and annually by September 30 thereafter, each school district shall submit to the Department of Education~~

a report on its program outcomes and expenditures for the previous fiscal year that, at a minimum, must include the number of each of the following:

- ~~1. Students who receive screenings or assessments.~~
- ~~2. Students who are referred to either school-based or community-based providers for services or assistance.~~
- ~~3. Students who receive either school-based or community-based interventions, services, or assistance.~~
- ~~4. School-based and community-based mental health providers, including licensure type, paid for from funds provided through the allocation.~~
- ~~5. Contract-based collaborative efforts or partnerships with community mental health programs, agencies, or providers.~~

~~(14) CLASSROOM TEACHER AND OTHER INSTRUCTIONAL PERSONNEL SALARY INCREASE ALLOCATION.—The Legislature shall may annually apportion an amount of funds provided provide in the Florida Education Finance Program to assist school districts and charter schools in their compliance with the requirement that the minimum base salary for full-time classroom teachers, as defined in s. 1012.01(2)(a), and certified prekindergarten teachers funded in the Florida Education Finance Program is at least \$47,500 or to provide salary increases to instructional personnel, as defined in s. 1012.01(2)(a)-(d), in a manner that best meets the needs of the school district or charter school. This subsection does not apply to substitute teachers a teacher salary increase allocation to assist school districts in their recruitment and retention of classroom teachers and other instructional personnel. The amount and distribution methodology for the funding of the allocation shall be specified in the General Appropriations Act.~~

~~(a) The term “minimum base salary” means the lowest annual base salary reported on the salary schedule for a full-time classroom teacher. A full-time classroom teacher may not receive a salary less than the minimum base salary as adjusted by this subsection.~~

~~(a) Each school district shall receive an allocation based on the school district’s proportionate share of the base FEFP allocation. Each school district shall provide each charter school within its district its proportionate share calculated pursuant to s. 1002.33(17)(b). If a district school board has not received its allocation due to its failure to submit an approved district salary distribution plan, the district school board must still provide each charter school that has submitted a salary distribution plan within its district its proportionate share of the allocation.~~

~~(b) Allocation funds are restricted in use as follows:~~

~~1. Each school district and charter school shall use its share of the allocation to increase the minimum base salary for full-time classroom~~

~~teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, to at least \$47,500, or to the maximum amount achievable based on the allocation and as specified in the General Appropriations Act. The term “minimum base salary” means the lowest annual base salary reported on the salary schedule for a full-time classroom teacher. No full-time classroom teacher shall receive a salary less than the minimum base salary as adjusted by this subparagraph. This subparagraph does not apply to substitute teachers.~~

~~2. In addition, each school district shall use its share of the allocation to provide salary increases, as funding permits, for the following personnel:~~

~~a. Full-time classroom teachers, as defined in s. 1012.01(2)(a), plus certified prekindergarten teachers funded in the Florida Education Finance Program, who did not receive an increase or who received an increase of less than 2 percent under subparagraph 1. or as specified in the General Appropriations Act. This subparagraph does not apply to substitute teachers.~~

~~b. Other full-time instructional personnel as defined in s. 1012.01(2)(b)-(d).~~

~~3. A school district or charter school may use funds available after the requirements of subparagraph 1. are met to provide salary increases pursuant to subparagraph 2.~~

~~(b)4. A school district or charter school shall maintain the minimum base salary achieved for classroom teachers provided in the prior fiscal year under subparagraph 1. and may not reduce the salary increases provided under subparagraph 2. in any subsequent fiscal year, unless specifically authorized in the General Appropriations Act.~~

~~(c) Before distributing any additional allocation funds received over the prior fiscal year pursuant to paragraph (a), each school district and each charter school shall develop a salary distribution plan that clearly delineates the planned distribution of funds pursuant to paragraph (b) in accordance with modified salary schedules, as necessary, for the implementation of this subsection.~~

~~1. Each school district superintendent and each charter school administrator must submit its proposed salary distribution plan to the district school board or the charter school governing body, as appropriate, for approval.~~

~~2. Each school district shall submit the approved district salary distribution plan and the approved salary distribution plan for each charter school in the district to the department by October 1 of each fiscal year.~~

~~(d) Beginning August 1, 2024, and each year thereafter, in a format specified by the department, provide as follows:~~



~~1.— By December 1, each school district shall provide a preliminary report to the department that includes a detailed summary explaining the school district's prior year's expenditures pursuant to this subsection. The report must include planned expenditure of the entire allocation for the district received pursuant to paragraph (a), the amount of the increase to the minimum base salary for classroom teachers pursuant to paragraph (b), and the school district's salary schedule for the prior fiscal year and the fiscal year in which the base salary is increased. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district's preliminary report to the department.~~

~~2.— By February 1, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a statewide report on the planned expenditure of the teacher salary increase allocation, which includes the detailed summary provided by each school district and charter school.~~

~~3.— By August 1, each school district shall provide a final report to the department with the information required in subparagraph 1. for the prior fiscal year. Each charter school governing board shall submit the information required under this subparagraph to the district school board for inclusion in the school district's final report to the department.~~

(e) Although district school boards and charter school governing boards are not precluded from bargaining over wages, the classroom teacher and other instructional personnel teacher salary increase allocation must be used solely to comply with the requirements of this subsection section. A district school board or charter school governing board that is unable to meet the reporting requirements in specified in paragraph (e) or paragraph (d) due to a collective bargaining impasse must provide written notification to the department or the district school board, as applicable, detailing the reasons for the impasse with a proposed timeline and details for a resolution.

(15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the Florida Education Finance Program FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(a) If the funds appropriated for current operation of the Florida Education Finance Program, including funds appropriated pursuant to subsection (18), FEFP are not sufficient to pay the state requirement in full, the department shall prorate the available state funds to each district in the following manner:

1. Determine the percentage of proration by dividing the sum of the total amount for current operation, as provided in this paragraph for all districts collectively, and the total district required local effort into the sum of the

state funds available for current operation and the total district required local effort.

2. Multiply the percentage so determined by the sum of the total amount for current operation as provided in this paragraph and the required local effort for each individual district.

3. From the product of such multiplication, subtract the required local effort of each district; and the remainder shall be the amount of state funds allocated to the district for current operation. However, no calculation subsequent to the appropriation shall result in negative state funds for any district.

(16) STATE-FUNDED DISCRETIONARY SUPPLEMENT.—

(a) The state-funded discretionary supplement is created to fund the nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) for students awarded a Family Empowerment Scholarship in accordance with s. 1002.394. To calculate the state-funded discretionary supplement for inclusion in the amount of the scholarship funding:

1. For fiscal year 2023-2024, multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the school district where the student is reported for purposes of the Florida Education Finance Program as appropriated in the General Appropriations Act; divide the result by the school district's total unweighted full-time equivalent membership as appropriated in the General Appropriations Act; and multiply the result by the total unweighted full-time equivalent membership associated with the number of Family Empowerment Scholarship students included in the school district's total unweighted full-time equivalent membership. A base amount as specified in the General Appropriations Act shall be added to this amount for purposes of calculating the total amount of the supplement.

2. Beginning in fiscal year 2024-2025 and thereafter, multiply the maximum allowable nonvoted discretionary millage for operations pursuant to s. 1011.71(1) and (3) by the value of 96 percent of the current year's taxable value for school purposes for the school district where the student is reported for purposes of the Florida Education Finance Program as appropriated in the General Appropriations Act; divide the result by the school district's total unweighted full-time equivalent membership as appropriated in the General Appropriations Act; and multiply the result by the total unweighted full-time equivalent membership associated with the number of Family Empowerment Scholarship students. The prior year's base amount shall be adjusted based on changes in the eligible number of unweighted full-time equivalent membership associated with the number of Family Empowerment Scholarship students.

(b) The state-funded discretionary supplement shall be recalculated during the fiscal year pursuant to paragraph (1)(a). If the recalculated amount is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each school district's proportionate share of the total allocation.

(17) CATEGORICAL FUNDS.—

(a) If a district school board determines that some or all of the funds received for any of the categorical programs established in this section are needed to maintain or enhance school board-specified academic classroom instruction, maintain or expand career and technical education instruction, or improve school safety, the school district may consider and approve an amendment to the school district's operating budget by transferring the identified amount of the categorical funds to the appropriate account for expenditure.

(b) Each school district shall include in its annual financial report to the Department of Education the amount of funds the school board transferred from each of the categorical funds identified in this subsection and the specific academic classroom instruction, career and technical education instruction, or school safety need for which the transferred funds were expended. The department shall provide instructions and specify the format to be used in submitting this required information as part of the district annual financial report. The department shall annually submit a report to the Legislature that identifies by school district and by categorical fund the amount transferred and the specific academic classroom or career and technical education activity or school safety need for which the funds were expended.

(18) EDUCATIONAL ENROLLMENT STABILIZATION PROGRAM.

(a) The educational enrollment stabilization program is created to provide supplemental state funds as needed to maintain the stability of the operations of public schools in each school district and to protect districts, including charter schools, from financial instability as a result of changes in full-time equivalent student enrollment throughout the school year. This program shall be implemented to the extent funds are available.

(b) The Legislature may annually appropriate funds in the General Appropriations Act to the Department of Education for this program. The Department of Education shall use funds as appropriated to ensure that based on each recalculation of the Florida Education Finance Program pursuant to paragraph (1)(a), a school district's funds per unweighted full-time equivalent student are not less than the greater of either the school district's funds per unweighted full-time equivalent student as appropriated in the General Appropriations Act or the school district's funds per unweighted full-time equivalent student as recalculated based upon the

receipt of the certified taxable value for school purposes pursuant to s. 1011.62(4).

~~(16) COMPUTATION OF PRIOR YEAR DISTRICT REQUIRED LOCAL EFFORT. Calculations required in this section shall be based on 95 percent of the taxable value for school purposes for fiscal years prior to the 2010-2011 fiscal year.~~

~~(17) TURNAROUND SCHOOL SUPPLEMENTAL SERVICES ALLOCATION. The turnaround school supplemental services allocation is created to provide district-managed turnaround schools, as identified in s. 1008.33(4)(a), schools that earn three consecutive grades below a “C,” as identified in s. 1008.33(4)(b)3., and schools that have improved to a “C” and are no longer in turnaround status, as identified in s. 1008.33(4)(c), with funds to offer services designed to improve the overall academic and community welfare of the schools’ students and their families.~~

~~(a)1. Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an extended school day and school year. In addition, services may include models that develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development.~~

~~2. A school district may enter into a formal agreement with a nonprofit organization that has tax-exempt status under s. 501(c)(3) of the Internal Revenue Code to implement an integrated student support service model that provides students and families with access to wrap-around services, including, but not limited to, health services, after-school programs, drug prevention programs, college and career readiness programs, and food and clothing banks.~~

~~(b) Before distribution of the allocation, the school district shall develop and submit a plan for implementation to its school board for approval no later than August 1 of each fiscal year.~~

~~(c) At a minimum, the plan required under paragraph (b) must:~~

~~1. Establish comprehensive support services that develop family and community partnerships;~~

~~2. Establish clearly defined and measurable high academic and character standards;~~

~~3. Increase parental involvement and engagement in the child’s education;~~

~~4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;~~

~~5.— Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards;~~

~~6.— Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year; and~~

~~7.— Include a strategy for continuing to provide services after the school is no longer in turnaround status by virtue of achieving a grade of “C” or higher.~~

~~(d) Each school district shall submit its approved plans to the commissioner by September 1 of each fiscal year.~~

~~(e) Subject to legislative appropriation, each school district’s allocation must be based on the unweighted FTE student enrollment at the eligible schools and a per-FTE funding amount of \$500 or as provided in the General Appropriations Act. The supplement provided in the General Appropriations Act shall be based on the most recent school grades and shall serve as a proxy for the official calculation. Once school grades are available for the school year immediately preceding the fiscal year coinciding with the appropriation, the supplement shall be recalculated for the official participating schools as part of the subsequent FEFP calculation. The commissioner may prepare a preliminary calculation so that districts may proceed with timely planning and use of the funds. If the calculated funds for the statewide allocation exceed the funds appropriated, the allocation of funds to each school district must be prorated based on each school district’s share of the total unweighted FTE student enrollment for the eligible schools.~~

~~(f) Subject to legislative appropriation, each school shall remain eligible for the allocation for a maximum of 4 continuous fiscal years while implementing a turnaround option pursuant to s. 1008.33(4). In addition, a school that improves to a grade of “C” or higher shall remain eligible to receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status.~~

Section 42. Section 1011.622, Florida Statutes, is amended to read:

1011.622 Adjustments for students without a Florida student identification number.—The Florida Education Finance Program funding calculations, including the calculations authorized in ss. 1011.62, ~~1011.67~~, 1011.68, and 1011.685, shall include funding for a student only when all of the student’s records are reported to the Department of Education under a Florida student identification number. The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

Section 43. Section 1011.67, Florida Statutes, is repealed.

Section 44. Subsection (4) of section 1011.69, Florida Statutes, is amended to read:

## 1011.69 Equity in School-Level Funding Act.—

~~(4) The following funds are excluded from the school-level allocation under this section: Funds appropriated in the General Appropriations Act for supplemental academic instruction to be used for the purposes described in s. 1011.62(1)(f).~~

Section 45. Paragraph (b) of subsection (3) of section 1011.84, Florida Statutes, is amended to read:

1011.84 Procedure for determining state financial support and annual apportionment of state funds to each Florida College System institution district.—The procedure for determining state financial support and the annual apportionment to each Florida College System institution district authorized to operate a Florida College System institution under the provisions of s. 1001.61 shall be as follows:

## (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.

(b) The apportionment to each Florida College System institution from the Florida College System Program Fund shall be determined annually in the General Appropriations Act. In determining each college's apportionment, the Legislature shall consider the following components:

1. Base budget, which includes the state appropriation to the Florida College System Program Fund in the current year plus the related student tuition and out-of-state fees assigned in the current General Appropriations Act.

2. The cost-to-continue allocation, which consists of incremental changes to the base budget, including salaries, price levels, and other related costs allocated through a funding model approved by the Legislature which may recognize differing economic factors arising from the individual educational approaches of the various Florida College System institutions, including, but not limited to:

a. Direct Instructional Funding, including class size, faculty productivity factors, average faculty salary, ratio of full-time to part-time faculty, costs of programs, and enrollment factors.

b. Academic Support, including small colleges factor, multicampus factor, and enrollment factor.

c. Student Services Support, including headcount of students as well as FTE count and enrollment factors.

d. Library Support, including volume and other materials/audiovisual requirements.

e. Special Projects.

f. Operations and Maintenance of Plant, including square footage and utilization factors.

g. Comparable wage factor ~~District Cost Differential.~~

3. Students enrolled in a recreation and leisure program and students enrolled in a lifelong learning program who may not be counted as full-time equivalent enrollments for purposes of enrollment workload adjustments.

4. Operating costs of new facilities adjustments, which shall be provided, from funds available, for each new facility that is owned by the college and is recommended in accordance with s. 1013.31.

5. New and improved program enhancements, which shall be determined by the Legislature.

Student fees in the base budget plus student fee revenues generated by increases in fee rates shall be deducted from the sum of the components determined in subparagraphs 1.-5. The amount remaining shall be the net annual state apportionment to each college.

Section 46. Paragraph (c) of subsection (1) of section 1012.22, Florida Statutes, is amended 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 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. ~~Beginning July 1, 2021, and until such time as the minimum base salary as defined in s. 1011.62(14) equals or exceeds \$47,500, the annual increase to the minimum base salary shall not be less than 150 percent of the largest adjustment made to the salary of an employee on the grandfathered salary schedule. Thereafter, the annual increase to the minimum base salary shall not be less than 75 percent of the largest adjustment for an employee on the grandfathered 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.

Section 47. Section 1012.44, Florida Statutes, is amended to read:

1012.44 Qualifications for certain persons providing speech-language services.—The State Board of Education shall adopt rules for speech-language services to school districts that qualify for additional full-time equivalent membership under s. 1011.62(1)(f) ~~the sparsity supplement as described in s. 1011.62(7)~~. These services may be provided by baccalaureate degree level persons for a period of 3 years. The rules shall authorize the delivery of speech-language services by baccalaureate degree level persons under the direction of a certified speech-language pathologist with a master's degree or higher.

Section 48. Subsections (1) and (4) of section 1012.584, Florida Statutes, are amended to read:

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

(1) ~~Beginning with the 2018-2019 school year,~~ The Department of Education shall establish an evidence-based youth mental health awareness and assistance training program to help school personnel identify and understand the signs of emotional disturbance, mental illness, and substance use disorders and provide such personnel with the skills to help a person who is developing or experiencing an emotional disturbance, mental health, or substance use problem.

(4) Each school district shall notify all school personnel who have received training pursuant to this section of mental health services that are available in the school district, and the individual to contact if a student needs services. The term "mental health services" includes, but is not limited to, community mental health services, health care providers, and services provided under ss. 1006.04 and 1006.041 ~~ss. 1006.04 and 1011.62(13)~~.

Section 49. Paragraph (b) of subsection (2) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates; reading endorsement pathways.—

(2)

(b) As part of adopting a pathway pursuant to paragraph (a), the department shall review the competencies for the reading endorsement and subject area examinations for educator certificates identified pursuant to s. 1012.585(3)(f) for alignment with evidence-based instructional and intervention strategies rooted in the science of reading and identified pursuant to s. 1001.215(7) ~~s. 1001.215(8)~~ and recommend changes to the State Board of Education. Recommended changes must address identification of the characteristics of conditions such as dyslexia, implementation of evidence-based classroom instruction and interventions, including evidence-based reading instruction and interventions specifically for students with characteristics of dyslexia, and effective progress monitoring. By July 1, 2023, each school district reading endorsement add-on program must be resubmitted for approval by the department consistent with this paragraph.

Section 50. Section 1012.71, Florida Statutes, is amended to read:

1012.71 The Florida Teachers Classroom Supply Assistance Program.

(1) For purposes of the Florida Teachers Classroom Supply Assistance Program, the term “classroom teacher” means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A “job-share” classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher.

(2) The amount of funds per classroom teacher for the Florida Teachers Classroom Supply Assistance Program shall be specified ~~The Legislature, in the General Appropriations Act, shall determine funding for the Florida Teachers Classroom Supply Assistance Program. Classroom teachers shall use the funds appropriated are for classroom teachers to purchase, on behalf of the school district or charter school, classroom materials and supplies for the public school students assigned to them and may not be used to purchase equipment. The funds appropriated shall be used to supplement the materials and supplies otherwise available to classroom teachers. From the funds appropriated for the Florida Teachers Classroom Supply Assistance Program, the Commissioner of Education shall calculate an amount for each school district based upon each school district’s proportionate share~~

of the state's total unweighted FTE student enrollment and shall disburse the funds to the school districts by July 15.

(3) ~~From the funds allocated to each school district and any funds received from local contributions for the Florida Teachers Classroom Supply Assistance Program, the district school board shall calculate an identical amount for each classroom teacher who is estimated to be employed by the school district or a charter school in the district on September 1 of each year, which is that teacher's proportionate share of the total amount allocated to the district from state funds and funds received from local contributions. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. For a classroom teachers teacher determined eligible on July 1, the district school board and each charter school board shall may provide such classroom teachers the teacher with their amount as specified in the General Appropriations Act his or her total proportionate share by August 1. For classroom teachers based on the estimate of the number of teachers who will be employed on September 1. For a classroom teacher determined eligible after July 1, the district school board and each charter school board shall provide such classroom teachers with their amount as specified in the General Appropriations Act the teacher with his or her total proportionate share by September 30. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher~~ The proportionate share may be provided by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card. If a debit card is used, an identifier must be placed on the front of the debit card which clearly indicates that the card has been issued for the Florida Teachers Classroom Supply Assistance Program. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause.

(4) The Department of Education shall administer a competitive procurement through which eligible classroom teachers may purchase classroom materials and supplies. Annually, by September 1, each school district shall submit to the department:

(a) The name of each eligible classroom teacher.

(b) The proportionate share of the amount as specified in the General Appropriations Act for each eligible job-share classroom teacher.

(c) The name and Master School Identification Number of the school in which the eligible classroom teacher is assigned.

(d) Any other information necessary for the administration of the program as determined by the department.

~~(5)(4) Each classroom teacher must sign a statement acknowledging receipt of the funds, keep receipts for no less than 4 years to show that funds expended meet the requirements of this section, and return any unused funds to the district school board at the end of the regular school year. Any unused funds that are returned to the district school board shall be deposited into the school advisory council account of the school at which the classroom teacher returning the funds was employed when that teacher received the funds were made available to the classroom teacher. If the school does not have a school advisory council, the funds shall be expended for classroom materials and supplies as determined by the school principal or deposited into the Florida Teachers Classroom Supply Assistance Program account of the school district in which a charter school is sponsored, as applicable.~~

~~(5) The statement must be signed and dated by each classroom teacher before receipt of the Florida Teachers Classroom Supply Assistance Program funds and shall include the wording: "I, ... (name of teacher) ..., am employed by the ..... County District School Board or by the ..... Charter School as a full-time classroom teacher. I acknowledge that Florida Teachers Classroom Supply Assistance Program funds are appropriated by the Legislature for the sole purpose of purchasing classroom materials and supplies to be used in the instruction of students assigned to me. In accepting custody of these funds, I agree to keep the receipts for all expenditures for no less than 4 years. I understand that if I do not keep the receipts, it will be my personal responsibility to pay any federal taxes due on these funds. I also agree to return any unexpended funds to the district school board at the end of the regular school year for deposit into the school advisory council account of the school where I was employed at the time I received the funds or for deposit into the Florida Teachers Classroom Supply Assistance Program account of the school district in which the charter school is sponsored, as applicable."~~

~~(6) The Department of Education and district school boards may, and are encouraged to, enter into public-private partnerships in order to increase the total amount of Florida Teachers Classroom Supply Assistance Programs funds available to classroom teachers.~~

Section 51. Section 1012.715, Florida Statutes, is created to read:

1012.715 Heroes in the classroom sign-on bonus.—

(1) PURPOSE.—Subject to legislative appropriation, the Department of Education shall provide a one-time sign-on bonus, as provided in the General Appropriations Act, to honorably discharged or retired military veterans and retired first responders, as defined in s. 112.1815(1), who commit to joining the teaching profession as a full-time classroom teacher. An honorably discharged or retired military veteran or retired first responder may receive an additional bonus for teaching a course in a high-demand teacher need area, as identified by the department pursuant to paragraph (3)(e).

(2) ELIGIBILITY.—To be eligible to receive a sign-on bonus, an applicant must be an honorably discharged or retired military veteran or retired first responder and provide the following to the department:

(a) Documentation of his or her honorable discharge or retirement.

(b) Documentation that he or she was not subject to any disciplinary action during the last 5 years of his or her employment as a servicemember in the United States Armed Forces or as a first responder. The term “disciplinary action” includes suspensions, dismissals, and involuntary demotions that were associated with disciplinary actions.

(c) A copy of his or her professional certificate or temporary certificate issued pursuant to s. 1012.56(7).

(d) Documentation that he or she agrees to maintain employment with the school district or charter school for a minimum of 2 consecutive school years upon receipt of the sign-on bonus. An individual who accepts a sign-on bonus pursuant to this section but fails to maintain his or her employment pursuant to this paragraph must reimburse the department the amount of the sign-on bonus in a manner prescribed by the department.

(3) DEPARTMENT OF EDUCATION RESPONSIBILITIES.—The department shall distribute bonuses pursuant to this section and, at a minimum, must:

(a) Establish a method for determining the estimated number of eligible honorably discharged or retired military veterans and retired first responders to be hired in the applicable fiscal year.

(b) Establish additional minimum criteria necessary for an individual to be eligible for a sign-on bonus.

(c) Establish an estimated cost to the department for developing and administering the bonus program.

(d) Establish a method for an individual to reimburse the department if he or she receives the sign-on bonus but does not maintain employment for the required consecutive 2-year period.

(e) Identify courses that are in high-demand teacher need areas in which honorably discharged or retired military veterans or retired first responders may teach to be eligible for an additional bonus.

(4) SCHOOL DISTRICT RESPONSIBILITIES.—A school district that employs an eligible honorably discharged or retired military veteran or retired first responder must:

(a) Provide any necessary information requested by the department.

(b) In a manner established by the department, notify the eligible honorably discharged or retired military veteran or retired first responder that employment may impact his or her pension from a previous employer.

(5) RULEMAKING.—The State Board of Education may adopt rules to implement this section.

Section 52. The Division of Law Revision is directed to revise the title of subpart D of part I of chapter 1011, Florida Statutes, consisting of ss. 1011.55-1011.59, Florida Statutes, to read “Florida School for the Deaf and the Blind and Florida School for Competitive Academics: Preparation, Adoption, and Implementation of Budgets” to conform to the amendments made by this act.

Section 53. The amendments made by this act to s. 1003.03, Florida Statutes, shall not take effect if HB 633 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Section 54. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2023.

Approved by the Governor June 15, 2023.

Filed in Office Secretary of State June 15, 2023.