

## **SB 7070 – K-12 Education**

**By Senate Education Committee** (*HB 7075 by House Education Committee*)

**AMENDS:** Sections 212.099, 212.1832, 1002.20, 1002.33, 1002.333, 1002.385, 1002.395, 1002.40, 1002.411, 1004.04, 1004.85, 1008.33, 1011.62, 1011.71, 1012.56, 1012.59, 1012.731, 1012.732, 1013.31, 1013.385, 1013.64, F.S.

**CREATES:** Sections 1002.394, 1003.64, F.S.

**EFFECTIVE:** July 1, 2019 except as otherwise expressly provided

*This bill has school board policy implications*

The bill addresses a broad variety of education issues including public and private school choice options, school improvement and accountability, teacher preparation and certification, educator recruitment and retention, facilities funding and flexibility, and other provisions.

### **School Improvement & Accountability** (*Bill Sections 5, 11, 14, 15*)

- Amends s. 1002.333, F.S., relating to persistently low performing schools, to revise the definition of “persistently low performing schools” to mean a school that has earned three grades lower than a “C” in at least 3 of the previous 5 years and has not earned a grade of “B” or higher in the most recent 2 school years (rather than three consecutive grades lower than a “C”), and a school that was closed pursuant to s. 1008.33(4), F.S., within 2 years after the submission of a notice of intent.
- Amends s. 1008.33, F.S., relating to authority to enforce public school improvement, to allow a district-managed turnaround plan to include a proposal for the district to implement an extended school day, a summer program, or a combination of an extended school day and a summer program.
- Amends s. 1011.62, F.S., relating to funds for the operation of schools, to create the Turnaround School Supplemental Services Allocation as follows:
  - The allocation is established to provide district-managed turnaround schools, as identified in s. 1008.33(4)(a), F.S., schools that earn three consecutive grades below a “C,” as identified in s. 1008.33(4)(b)3., F.S., and schools that have improved to a “C” and are no longer in turnaround status, as identified in s. 1008.33(4)(c), F.S., with funds to offer services designed to improve the overall academic and community welfare of the schools’ students and their families.
  - 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.
  - 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.
  - 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. At a minimum, the plan must:
    - Establish comprehensive support services that develop family and community partnerships;
    - Establish clearly defined and measurable high academic and character standards;
    - Increase parental involvement and engagement in the child’s education;
    - Describe how instructional personnel will be identified, recruited, retained, and rewarded;
    - Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards;
    - Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year; and
    - 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.

- Each school district shall submit its approved plans to the commissioner by September 1 of each fiscal year.
  - 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.
  - 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.
- Creates Part VII of Chapter 1003, F.S., titled "Public School Innovation. The Chapter consists of s. 1003.64, F.S., relating to the Community School Grant Program, as follows:
    - Provides that it is the intent of the Legislature to improve student success by supporting parents and community organizations in their efforts to impact student learning and development.
    - Provides that the Community School Grant Program is established to fund and support the planning and implementation of community school programs, subject to legislative appropriation.
    - Provides the following definitions:
      - "Center" means the Center for Community Schools at the University of Central Florida.
      - "Community organization" means a nonprofit organization that has been in existence for at least 3 years and serves individuals within a county in which a public school implementing the community school model is located. The community organization serves as the lead partner in the community school model and facilitates the use of grant funds under this section.
      - "Community school model" means a school service model developed by the center which utilizes a long-term partnership among a school district, a community organization, a college or university, and a health care provider to establish, develop, and sustain a system for addressing student, family, and community needs during and outside of the school day. The model must establish a collaborative governance structure among the community partners for providing services and include standards for effective implementation, reporting, and evaluation at each participating school. The governance structure may include other community leaders such as parent-teacher organizations, community businesses, and faith leaders. The model must provide for family engagement and expanded learning opportunities and support for students. A community school may include, but is not limited to, a community partnership school.
    - Provides that, contingent upon available funds, the center may facilitate the implementation of its community school model in the state through grants that enable community organizations to establish long-term partnerships and secure resources for planning, staffing, and providing services to students and families through the community school model. The center shall:
      - Require a participating public school to establish long-term partnerships through a memorandum of understanding. After receiving a grant award under this section, the center shall condition the award of grant funds in the subsequent years upon the matching funds secured through the long-term partnerships.

- Prioritize awards based on demonstration of the technical and financial ability to sustain the community school model beyond an initial grant award. For planning grant awards, priority must be given to school districts in which the community school model has not been established and which demonstrate the technical and financial ability to sustain the community school model.
- Provides that, beginning with September 1, 2020, and annually thereafter, the center shall publish on its website information on each community organization receiving a grant from the center to implement the community school model. The information must include:
  - The amount of grant funds provided through the center for each participating school and the amount of matching funds provided by the community organization for each year the community organization has received a grant for that school.
  - The long-term partners who have entered into a memorandum of understanding for implementing the community school model.
  - A description of the services and community engagement activities provided through the community school model.
  - The number of students, families, and community members served through the community school model.
  - The academic progress of students enrolled at the public school, including student progression data, attendance, behavior, and student achievement and learning gains on statewide, standardized assessments.

**School Choice Options** (*Bill Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10*)

- Amends s. 212.099, F.S., relating to credit for contributions to eligible nonprofit scholarship-funding organizations, as follows:
  - Revises the use of sales tax credits by maintaining the priority for the Florida Tax Credit scholarships and eliminating the priority for the Gardiner Scholarship Program scholarships which would have been effective for 2019-2020 Fiscal Year.
  - Allows contributions by motor vehicles purchasers to be used for Florida Tax Credit scholarships in addition to Hope Scholarships.
  - Removes 3 percent cap on administrative expenses, but these expenses remain subject to limitations of s. 1002.395(6)(j)1., F.S., that provides that administrative expenses may not exceed 3 percent of the total amount of all scholarships awarded by an eligible scholarship-funding organization.
- Amends s. 1002.20, F.S., relating to K-12 student and parent rights, to provide that parents of public school students may seek private educational choice options under 465 certain programs established under chapter 1002, F.S., and deletes the existing list of scholarship programs.
- Amends s. 1002.33, F.S., relating to charter schools, to provide that a charter may include a provision requiring the charter school be held responsible for all costs associated with, but not limited to, mediation, damages, and attorney fees incurred by the school district in connection with complaints to the Office of Civil Rights or the Equal Employment Opportunity Commission.
- Amends s. 1002.333, F.S., relating to the Schools of Hope Program, as follows:
  - Adds to and revises existing definitions to provide:
    - “Florida Opportunity Zone” is defined as a population census tract that has been designated by the US Department of Treasury as a Qualified Opportunity Zone pursuant to IRS s. 1400z-1(b)(1)(B). This term is incorporated throughout this section of law.
    - “Persistently low-performing school” is defined as a school that has earned three grades lower than a “C” in at least 3 of the previous 5 years and has not earned a grade of “B” or higher in the most recent 2 school years (rather than three consecutive grades lower than a “C”), and a school that was closed pursuant to s. 1008.33(4), F.S., within 2 years after the submission of a notice of intent.
  - Expands the definition of a “School of Hope” to include a charter school operated by a hope operator which serves students who reside in a Florida Opportunity Zone and located in a Florida Opportunity Zone.

- Deletes the requirement that a School of Hope located in a Florida Opportunity Zone must be in proximity to a persistently low-performing school.
- Expands scope of a School of Hope to include location in a Florida Opportunity Zone and expands requirements of district to enter into performance-based agreement with hope operator to open schools to serve students residing in a Florida Opportunity Zone.
- Authorizes a School of Hope to receive funds from the Schools of Hope Program to hire personnel until the school reaches full enrollment in accordance with the performance-based agreement.
- Authorizes a School of Hope to receive funds from the Schools of Hope Program to fund the initial leasing costs of a school facility in the event the department determines that a suitable district-owned facility is unavailable or not leased in a timely manner.
- Provides that, in the event a School of Hope is dissolved or is otherwise terminated, all property, furnishings, and equipment purchased with public funds shall automatically revert to full ownership by the district school board, subject to complete satisfaction of any lawful liens or encumbrances. Any unencumbered public funds from the School of Hope, district school board property and improvements, furnishings, and equipment purchased with public funds, or financial or other records pertaining to the School of Hope, in the possession of any person, entity, or holding company, other than the charter school, shall be held in trust upon the district school board's request, until any appeal status is resolved.
- Deletes provisions authorizing a traditional public school to be eligible to receive up to \$2,000 per FTE in Hope funds and removes the requirement for the SBE to provide awards for up to 25 schools.
- Incorporates references to students residing in Florida Opportunity Zones into provisions relating to the State Board of Education authority and obligations.
- Creates s. 1002.394, F.S., establishing the Family Empowerment Scholarship Program (FESP) as follows:
  - The FESP is established to provide children of families which have limited financial resources with educational options to achieve success in their education.
  - Definitions are provided that are consistent with other state scholarship programs.
  - A student is eligible for the FESP if the student meets the following criteria:
    - The student is on the direct certification list or the student's household income does not exceed 300 percent of the federal poverty level; or
    - The student is currently placed, or during the previous fiscal year was placed, in foster care or in out-of-home care.
  - Priority is given to students whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care.
  - A student who initially receives a scholarship remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student's household income level.
  - A sibling of a student who is participating in the scholarship program is eligible for a scholarship if the student resides in the same household as the sibling.
  - The student is eligible to enroll in kindergarten or has spent the prior school year in attendance at a Florida public school. Prior school year in attendance means that the student was enrolled and reported by a school district for funding during the preceding October and February FEFP surveys in kindergarten through grade 12, which includes time spent in a DJJ commitment program if funded under the FEFP.
  - A dependent child of a member of the US Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent's permanent change of station orders or a foster child is exempt from the prior public school attendance requirement under this paragraph, but must meet the other eligibility requirements specified under this section to participate in the program.
  - The parent must obtain acceptance for admission of the student to a eligible private school and the parent must request a scholarship from FDOE at least 60 days before the date of the first scholarship payment. The request must be communicated directly to FDOE in a manner that

creates a written or electronic record of the request and the date of receipt of the request. The FDOE must notify the school district of the parent's intent upon receipt of the parent's request for a scholarship.

- A scholarship student who enrolls in a public school or public school program is considered to have returned to a public school for the purpose of determining the end of the scholarship's term. However, if a student enters a DJJ detention center for a period of no more than 21 days, the student is not considered to have returned to a public school for that purpose.
- A student is not eligible for a scholarship if enrolled in a public school, enrolled in a DJJ commitment program, receiving any other scholarship, participating in a home education program, participating in a private tutoring program, or participating in a virtual school.
- By July 15<sup>th</sup> 2019, and by April 1<sup>st</sup> each year thereafter, each school district shall inform all free or reduced lunch students of their eligibility to apply to the FESP using a form provided by FDOE. Such notice limited to once per year.
- A school district must notify a student and parent about locations and times to take statewide assessments if the student chooses to participate. Upon request of FDOE, the district must coordinate with FDOE to provide to private school such assessments and related materials.
- School districts are responsible for implementing test administrations at participating private schools, including the:
  - Provision of training for private school staff on test security and administration procedures;
  - Distribution of testing materials to a private school;
  - Retrieval of testing materials from a private school;
  - Provision of the required format for a private school to submit information to the district for test administration and 826 enrollment purposes; and
  - Provision of any required assistance, monitoring, or investigation at a private school.
- The school district must publish information about the FESP Program on the district's website homepage and the information must include specified elements.
- The FDOE must publish information about the FESP on its website and must cross check the list of participating students with public school enrollment lists.
- Participating private schools must comply with standards of the school choice scholarship programs pursuant to s. 1002.421, F.S., and may be sectarian or nonsectarian.
- Participating private schools must annually administer or make provision for students participating in program in grades 3-10 to take a nationally norm-referenced tests or take statewide assessments. The private school may also administer the statewide assessments.
- If a private school fails to meet the requirements of this bill or s. 1002.421, F.S., the commissioner may determine that the private school is ineligible to participate in the program.
- Parents who wish to participate in the program must select the private school and apply for the scholarship at least 60 days before the date of the first scholarship payment.
- Parents must inform the applicable school district when the parent withdraws their child from a public school to attend a participating private school.
- Before enrolling in a private school, a student and his or her parent or guardian must meet with the private school's principal or the principal's designee to review the school's academic programs and policies, customized educational programs, code of student conduct, and attendance policies.
- Parents are responsible for transporting the child to and from testing sites designated by the school district if the parent chooses to have their child undergo the statewide assessment.
- Eligible Scholarship-Funding Organizations (SFO) must verify household income level of students and submit verified list to FDOE. The SFO may use an amount not to exceed 1 percent of the total amount of FESP scholarships awarded for administrative expenses. Such expense amount is considered within the 3 percent limit on the total amount an organization may use to administer scholarships under this chapter.
- The scholarship funding and payment are provided as follows:
  - The scholarship is established for up to 18,000 students annually beginning with the 2019-2020 school year. Beginning in the 2020-2021 school year, the number of students may increase by 0.25 percent of the state's total public school student enrollment.

- The calculated amount for a student to attend an eligible private school shall be based upon the grade level and school district in which the student resides as 95 percent of the funds per UWFTE in the FEFP for a student in the basic program plus a per-FTE share of funds for all categorical programs, except for the ESE Guaranteed Allocation.
  - The school district must report all students attending private school and such students are reported separately from other students reported for FEFP. Following notification of participants, DOE must make quarterly transfers from general revenue funds of only the amount calculated for the scholarship from the district's total funding under the FEFP.
  - Following notification on July 1, September 1, December 1, or February 1 of the number of program participants, FDOE must transfer, from general revenue funds only, the calculated amount to a separate account for the scholarship program for disbursement of each school year in which the scholarship is in 989 force. to parents of participating students.
  - Following notification by FDOE of student documentation, the Chief Financial Officer must make scholarship payments in four equal amounts no later than September 1, November 1, February 1, and April 1. Payments are made by individual warrant made payable to the parent and mailed by DOE to the private school of the parent's choice, and the parent must endorse the warrant to the private school.
- No liability shall arise on the part of the state based on the award or use of a Family Empowerment Scholarship.
- The inclusion of eligible private schools does not expand the regulatory authority of the state or any school district to impose additional regulation of private schools beyond those reasonably necessary to enforce requirements expressly set forth by these provisions.
- The State Board of Education must adopt rules to administer these provisions.
- Notwithstanding the provisions of this section related to notification requirements and eligibility timelines, an implementation schedule is provided for 2019-2020 school year that expires June 30, 2020.
- Amends s. 1002.385, F.S., relating to the Gardiner Scholarship, to remove provisions relating to the amount of the administrative expenses for SFOs.
- Amends s. 1002.395, F.S., relating to the Florida Tax Credit Scholarship Program, as follows:
  - A student who initially received scholarship based on income eligibility before the 2019-2020 school year remains eligible to participate until he or she graduates from high school, attains the age of 21 years, or the student's household income level exceeds 260 percent of the federal poverty level, whichever occurs first.
  - A SFO must provide a scholarship to eligible students for the cost of transportation to a public school in which a student is enrolled that is different from the school to which the student was assigned. Removes requirement that must be outside the district.
  - Administrative expenses for a SFO may not exceed 3 percent of the total amount of all scholarships awarded by an eligible funding organization.
  - No later than September 30 of each year, net eligible contributions remaining on June 30 of each year that are in excess of the 25 percent that may be carried forward must be used to provide scholarships to eligible students or transferred to other eligible SFOs to provide scholarships for eligible students.
  - For student who received scholarship in 2018-2019, the amount shall be the greater amount current calculated amount or a percentage of the UWFTE funding for the 2018-2019 fiscal year.
  - For students initially eligible in the 2019-2020 school year or thereafter, the calculated amount for a student to attend an eligible private school shall be based upon the grade level and school district in which the student resides as 95 percent of the funds per UWFTE in the FEFP for a student in the basic program established plus a per-full-time equivalent share of funds for all categorical programs, except for the ESE Guaranteed Allocation.
  - Scholarship amount awarded to student enrolled in a public school in which a student is enrolled and that is different from the school to which the student was assigned (rather than being located outside the districts) is limited to \$750.
  - The sliding scale that was used to reduce the scholarship amount for students with family incomes above 185 percent of the federal poverty level is removed.

- Amends s. 1002.40, F.S., relating to the Hope Scholarship, to provide as follows:
  - For students initially eligible in the 2019-2020 school year or thereafter, the calculated amount for a student to attend an eligible private school shall be based upon the grade level and school district in which the student resides as 95 percent of the funds per UWFTE in the FEFP for a student in the basic program, plus a per-full-time equivalent share of funds for all categorical programs, except for the ESE Guaranteed Allocation.
  - Notwithstanding s. 1002.395(6)(j)2., F.S., no more than 5 percent of net eligible contributions may be carried forward to the following state fiscal year by an eligible SFO. For audit purposes, all amounts carried forward must be specifically identified for individual students by student name and by the name of the school to which the student is admitted, subject to federal and state statutory and rule requirements. Any amounts carried forward shall be expended for annual scholarships or partial-year scholarships in the following state fiscal year. Net eligible contributions remaining on June 30 of each year which are in excess of the 5 percent that may be carried forward shall be transferred to other eligible SFOs participating in the Hope Scholarship Program to provide scholarships for eligible students. All transferred funds must be deposited by each eligible nonprofit scholarship-funding organization receiving such funds into the scholarship account of eligible students. All transferred amounts received by an eligible nonprofit scholarship-funding organization must be separately disclosed in the annual financial audit requirement under s. 1002.395(6)(m). If no other eligible nonprofit scholarship-funding organization participates in the Hope Scholarship Program, net eligible contributions in excess of the 5 percent may be used to fund scholarships for students eligible under s. 1002.395(3), F.S. (Florida Tax Credit Scholarships).
- Creates an unnumbered section of law to authorize the Department of Revenue to adopt emergency rules for the purpose of administering the provisions relating to the Hope Scholarship Program and Florida Tax Credit Scholarship Program.
- Amends s. 1002.411, F.S., relating to Reading Scholarship Accounts, to provide that the amount of the scholarship shall be provided in the General Appropriations Act.

**Personnel** (Bill Sections 12, 13, 15, 17, 18, 19, 20)

- Amends ss. 1004.04 and 1004.85, F.S., relating to teacher preparation programs, as follows:
  - Requires core curricula to include candidate instruction and assessment in Florida Educator Accomplished Practices across content areas and the use of state-adopted content standards to guide curricula and instruction.
  - Requires strategies to differentiate instruction based on student needs.
  - Requires instruction in use of character-based classroom management.
  - Provides that continued program approval will depend, among existing criteria, the results of the program completers' survey measuring their satisfaction with preparation for the realities of the classroom and the results of employers' survey measuring satisfaction with the program and the program's responsiveness to local school districts.
  - Clarifies provisions related to preservice field experience with regard to ability to manage a classroom, work in challenging environments such as high poverty, urban, and rural schools, and serve low achieving students.
- Amends s. 1012.56, F.S., with regard to Mastery of General Knowledge, as follows:
  - Specifies that demonstration of mastery of general knowledge is required only if the person serves as a classroom teacher pursuant to s. 1012.01(3)(a), F.S.
  - Requires a school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination to provide information regarding the availability of state-level and district-level supports and instruction to assist that individual in achieving a passing score. Such information must include, but is not limited to:
    - State-level test information guides;
    - School district test preparation resources; and
    - Preparation courses offered by state universities and FCS institutions.

- Removes the requirement that a teacher issued a temporary certificate must demonstrate mastery of general knowledge by achieving passing scores on all subtests within one calendar year of the date of employment.
- Removes the prohibition on a school district from continuing employment beyond one year for a teacher with a temporary certificate who has not demonstrated mastery of general knowledge.
- Retains the requirement for a teacher to demonstrate mastery of general knowledge as a condition for issuance of a professional certificate, but extends the time to demonstrate mastery of general knowledge for the validity period of the temporary certificate.
- Authorizes a temporary certificate to be extended for 2 years if the certificate holder is rated highly effective in the immediate prior year's performance evaluation or has completed a 2-year mentorship program.
- Amends s. 1012.59, F.S., relating to certification fees, as follows:
  - Requires DOE to adopt rules that specify an examination fee for the following:
    - Initial registration for first-time test takers.
    - Retake of the full battery of subtests of an examination, if applicable. Retake fee for the full battery of subtests may not exceed the fee for initial registration.
    - Retake for each subtest of an examination. Retake fee for each subtest must be prorated based on the number of subtests within the examination.
- Amends s. 1012.731, F.S., relating to the Florida Best and Brightest Teachers Program, as follows:
  - Revises the Florida Best and Brightest Teacher Program to provide recruitment and retention awards to classroom teachers as defined in s. 1012.01(2)(a), F.S. (classroom teachers, including substitutes), and recognition awards to instructional personnel as defined in s. 1012.01(2), F.S. (all instructional personnel).
  - Provides that these awards will be funded each year as provided in the General Appropriations Act via a new categorical program created in the FEFP (rather than as a non-FEFP line item).
  - Removes timelines for notification to FDOE of eligible award recipients, for FDOE disbursement of award funds to school districts, and for school district disbursement of the awards to award recipients.
  - Removes existing eligibility criteria for a single award based on a teacher's performance on various secondary and post-secondary school assessments and/or class ranking and replaces them with eligibility criteria for three separate Best and Brightest Teacher awards as follows:
    - Recruitment awards for newly hired teachers who are a content expert, based on criteria established by DOE, in mathematics, science, computer science, reading, or civics.
    - Retention awards for teachers who have been rated as "highly effective" or "effective" in the preceding year and teach in a school for 2 consecutive school years, including the current year, which has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years.
    - Recognition awards for instructional personnel (not just teachers) rated as "highly effective" or "effective" and selected by the school principal based on performance criteria and policies adopted by the district school board or charter school governing board. Recognition awards must be provided from funds remaining under the allocation provided in s. 1011.62(18), F.S., after the payment of all teacher recruitment and retention awards and principal awards authorized under the Program and the General Appropriations Act.
- Amends s. 1012.732, F.S., relating to the Florida Best and Brightest Principal Program as follows:
  - Revises the Florida Best and Brightest Principal Program to provide an award to principals, as defined in s. 1012.01(3)(c)1., F.S. (school principals, including career center directors).
  - Removes timelines for FDOE identification of eligible award recipients and for school district disbursement of the awards to award recipients.
  - Removes existing eligibility criteria and provides that the awards are based on a school making noticeable academic improvement. A principal is eligible for an award if they have:
    - Served as school principal for at least 4 consecutive school years, including the current school year, and
    - The school has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years.



- Provides that award amounts for the program will be specified in the General Appropriations Act.
- Amends s. 1011.62, F.S., relating to funds for the operation of schools, as follows:
  - Creates, within the FEFP, the Florida Best and Brightest Teacher and Principal Allocation to recruit, retain, and recognize classroom teachers and instructional personnel who meet the criteria established in s. 1012.731, F.S., and reward principals who meet the criteria established in s. 1012.732, F.S.. Subject to annual appropriation, each school district shall receive an allocation based on the district's proportionate share of FEFP base funding. The Legislature may specify a minimum allocation for all districts in the General Appropriations Act. From the allocation, each district shall provide the following:
    - One-time recruitment award, as provided in s. 1012.731(3)(a), F.S.;
    - A retention award, as provided in s. 1012.731(3)(b), F.S.; and
    - A recognition award from the remaining balance of the appropriation after the payment of all other awards authorized under ss. 1012.731 and 1012.732, F.S.
    - An award to eligible principals, as provided in s. 1012.732(3), F.S.
  - If a district's calculated awards exceed the allocation, the district may prorate the awards.
  - Revises the calculation of the Virtual Education Contribution to add the Best and Brightest Teacher and Principal Allocation along with the other categorical programs used to determine the amount of the Virtual Education Contribution.

***Facilities (Bills Sections 16, 21, 22, 23)***

- Amends s. 1013.31, F.S., relating to the educational plant survey, as follows:
  - Clarifies that an educational plant survey and localized need assessment for capital outlay purposes is not required when a district used local funds including the 1.5 discretionary millage. (s. 1011.71, F.S., relating to the district school tax is also amended to conform.)
  - Provides that, if a survey does not accurately reflect need, the Commissioner may only direct that fixed capital outlay funds provided from general revenue or state trust funds be withheld from districts until such time as the survey accurately projects facility's needs.
- Amends s. 1013.385, F.S., relating to school district construction flexibility, as follows:
  - Provides that a school board, upon a majority vote (rather than a supermajority vote), may adopt a resolution to implement one or more of the exceptions to SREF.
  - Deletes language requiring a cost-benefit analysis and the requirement that specified public workshops be conducted.
- Amends s. 1013.64, F.S., relating to funds for comprehensive educational plant needs and construction cost maximums, as follows:
  - Revises cost per student stations requirements as follows:
    - Requires FDOE, in conjunction with the Office of Economic and Demographic Research (EDR), to review and adjust the cost per student station limits to reflect actual construction costs by January 1, 2020, and annually thereafter. The adjusted cost per student station shall be used by FDOE for computation of the statewide average costs per student station for each instructional level. FDOE shall also collaborate with EDR to select an industry-recognized construction index to replace the Consumer Price Index by January 1, 2020, adjusted annually to reflect changes in the construction index.
    - Requires school districts to continue to maintain accurate documentation related to the costs of all new construction reported to FDOE. The Auditor General must review such documentation and verify compliance. Language requiring DOE to make the final determination on district compliance based on the recommendation of the Auditor General is removed.
    - Retains language prohibiting a school board from using funds from any source for new construction that is more than the current adjusted cost per student station amounts but provides an exception for educational facilities and sites subject to a lease-purchase agreement entered pursuant to s. 1011.71(2)(e), F.S. (Certificates of Participation).
    - Removes the provision that a school district that exceeds the cost per student station shall be subject to specified sanctions (ineligibility for PECO allocations and being subject to

- oversight committee).
- Revises the elements included in the cost per student station to exclude legal and administrative costs and site improvement costs.
- Removes the provision that specified security costs must be below 2 percent of the cost per student station.
- For the Special Facilities Construction Account Program:
  - Adds language to provide that during the 2019-2020 school year, a school district that sustained hurricane damage in the 2018-2019 school year may request funding from the special Facility Construction Account for a new project before the completion of the district's participation requirement for an outstanding project.
  - Modifies that language to require that upon construction, the total cost per student station, including change orders, must not exceed the cost per student station unless approved by the Special Facility Construction Committee. At the discretion of the committee, costs that exceed the cost per student station for special facilities may include legal and administrative fees, the cost of site improvements or related offsite improvements, the cost of complying with public shelter and hurricane hardening requirements, cost overruns created by a disaster as defined in s. 252.34(2), costs of security enhancements approved by the school safety specialist, and unforeseeable circumstances beyond the district's control.
  - Modifies the criteria that must be met by a school district to have their funding request considered by the Special Facility Construction Committee. This allows districts to apply for funding based on the district school board approval of Phase I plans (rather than Phase III plans) as being in compliance with the building and life safety codes. The modification will allow school districts to receive a response to their request for funding prior to further investment in Phase II and Phase III plans.