

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [HB 1115](#)

**TITLE:** Education

**SPONSOR(S):** Valdés

**COMPANION BILL:** [SB 1702](#) (Burgess)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Education Administration](#) ➤ [Ways & Means](#) ➤ [PreK-12 Budget](#) ➤ [Education & Employment](#)

## SUMMARY

### Effect of the Bill:

The bill allows a local government levying a local government infrastructure surtax to share surtax revenues with a charter school. The bill requires a charter school sponsor to use the standard monitoring tool for reviewing a charter school's progress toward its goals. The bill allows a state university or a state college to sponsor a School of Hope and expands the area in which a School of Hope may be located. The bill also adjusts the disbursement timeline for the Florida Empowerment Scholarship program. Finally, the bill authorizes administrative personnel to receive salary increases from funds annually apportioned by the Legislature to provide salary increases to classroom teachers and other instructional personnel.

### Fiscal or Economic Impact:

There is a potential negative fiscal impact to the Florida Education Finance Program based upon authorizing a state university or state college to sponsor a School of Hope.

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## ANALYSIS

### EFFECT OF THE BILL:

The bill allows a local government levying a [local government infrastructure surtax](#) to share surtax revenues with a charter school, as a public school. Such funds must be used by the charter school for the same general expenditures available to school districts, including instructional technology for use in classrooms. (Section [1](#)).

The bill requires a charter school sponsor to use the Department of Education (DOE)-developed [standard monitoring tool](#) to monitor and review the school in its progress toward the goals established in the charter. (Section [2](#)).

The bill authorizes that in addition to a school district, a state university or state college may sponsor a [School of Hope](#). The bill also expands the area where a School of Hope may be located to include a location within 2 miles of a Florida Opportunity Zone. (Section [3](#)).

The bill adjusts the disbursement timeline for the [Florida Empowerment Scholarship Program \(FES-UA\)](#), requiring the DOE to release funds to the scholarship-funding organization (SFO) for deposit into students' accounts on the same quarterly schedule for both new and renewing scholarship students. (Section [4](#)).

The bill authorizes administrative personnel, including principals, assistant principals, and school and career center directors, to receive funding for salary increases from the funds that are annually apportioned by the Legislature in the Florida Education Finance Program (FEFP) for providing [salary increases](#) to classroom teachers and other instructional personnel. (Section [5](#)).

The effective date of the bill is July 1, 2025. (Section [6](#)).

**STORAGE NAME:** h1115.EAS

**DATE:** 3/25/2025

## RULEMAKING:

Current law requires the State Board of Education to adopt rules regarding the charter school standard monitoring tool, Schools of Hope, and the Family Empowerment Scholarship Program. The bill modifies provisions of law already under the SBE's rulemaking authority, thus allowing the SBE to make rules to implement the bill.

***Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.***

## FISCAL OR ECONOMIC IMPACT:

### STATE GOVERNMENT:

There is a potential negative fiscal impact to the FEFP based upon authorizing a state university or a state college to sponsor a School of Hope. Charter schools sponsored by state universities and colleges, which would include Schools of Hope, are funded in the FEFP and because they can enroll students from multiple counties, these types of charter schools are funded with state FEFP funds only.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Local Government Infrastructure Surtax](#)

##### *Background*

Counties have been granted limited authority to levy discretionary sales surtaxes for specific purposes on all transactions occurring in the county subject to the state sales tax in ch. 212, F.S.<sup>1</sup> A discretionary sales surtax is based on the rate in the county where the taxable goods or services are sold, or delivered into, and is levied in addition to the state sales and use tax of 6 percent. The surtax does not apply to the sales price above \$5,000 on any item of tangible personal property.<sup>2</sup>

There are nine discretionary sales surtaxes that serve as potential revenue sources for county and municipal governments and school districts. They are:<sup>3</sup>

- The charter county and regional transportation system surtax.
- The local government infrastructure surtax.
- The small county surtax.
- The indigent care and trauma center surtax.
- The county public hospital surtax.
- The school capital outlay surtax.
- The voter-approved indigent care surtax.
- The emergency fire rescue services and facilities surtax.
- The pension liability surtax.

Current rates range from 0.5% to 2.0%, and are levied by 65 of the 67 counties.<sup>4</sup> Many of the levies have restrictions on what combination of taxes can be levied by a single county at one time.<sup>5</sup>

#### *The Local Government Infrastructure Surtax*

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<sup>1</sup> The tax rates, duration of the surtax, method of imposition, and proceed uses are individually specified in s. [212.055, F.S.](#) General limitations, administration, and collection procedures are set forth in s. [212.054, F.S.](#)

<sup>2</sup> Section [212.054\(2\)\(b\), F.S.](#)

<sup>3</sup> Section [212.055, F.S.](#)

<sup>4</sup> Discretionary Sales Surtax Information for Calendar Year 2025, Form DR-15DSS, available at [dr15dss.pdf](#) (last visited Mar. 24, 2025).

<sup>5</sup> See, e.g., s. [212.055\(4\)\(a\)6., F.S.](#), s. [212.055\(5\)\(f\), F.S.](#), and s. [212.055\(9\)\(g\), F.S.](#)

A county may levy a discretionary sales surtax of 0.5 percent or 1 percent pursuant to ordinance enacted by a majority of the members of the county and approved by a majority of the electors of the county voting in a referendum on the surtax.<sup>6</sup> Surtax proceeds are distributed to the county and the municipalities within the county according to an interlocal agreement between the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population. The agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities.<sup>7</sup> If there is no interlocal agreement, the proceeds are distributed according to the formula defined in statute.<sup>8</sup>

The proceeds of the surtax and any accrued interest must generally be expended only to:<sup>9</sup>

- Finance, plan, and construct infrastructure.
- Acquire land for public recreation, conservation, or protection of natural resources.
- Provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing the use is approved by referendum.
- Finance the closure of county-owned or municipally owned solid waste landfills that are closed or are required to be closed by order of the Department of Environmental Protection.

The term “infrastructure” includes any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of five or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service.<sup>10</sup>

“Infrastructure” also includes instructional technology used solely in a school district’s classrooms. Instructional technology is defined as an interactive device that assists a teacher in instructing a class or a group of students. The hardware and software necessary to operate the interactive device and a support system in which an interactive device may mount are also included as authorized expenditures.<sup>11</sup>

This surtax is currently levied in 26 of 67 eligible counties.<sup>12</sup>

### [Charter School Standard Monitoring Tool](#)

The DOE is required to provide information to the public, directly and through sponsors, on how to form and operate a charter school and how to enroll in a charter school once it is created. The information must include the standard application form, standard charter and virtual charter contracts, standard evaluation instrument, and standard charter and virtual charter renewal contracts.<sup>13</sup> To fulfill these requirements, the DOE, after consulting with sponsors and charter school directors, must recommend that the SBE adopt rules to implement the forms. The rules must require minimum paperwork and must not limit charter school flexibility authorized by statute. The SBE must adopt rules to implement a standard charter application form, standard application form for the replication of charter schools in a high-performing charter school system, standard evaluation instrument, standard monitoring tool, and standard charter and charter renewal contracts.<sup>14</sup> The requirement for the SBE to adopt rules to implement a standard monitoring tool for conducting annual site review of charter schools was passed by the Legislature in 2023, but the tool has not yet been developed.<sup>15</sup>

### [Schools of Hope](#)

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<sup>6</sup> Section [212.055\(2\)\(a\)1, F.S.](#)

<sup>7</sup> Section [212.055\(2\)\(c\)1, F.S.](#)

<sup>8</sup> Section [212.055\(2\)\(c\)2, F.S.](#); see [s. 218.62, F.S.](#)

<sup>9</sup> Section [212.055\(2\)\(d\), F.S.](#)

<sup>10</sup> Section [212.055\(2\)\(d\)1.a., F.S.](#)

<sup>11</sup> Section [212.055\(2\)\(d\)1.f., F.S.](#)

<sup>12</sup> Levy details available at [2023LDSSrates.pdf](#) (last visited Mar. 24, 2025).

<sup>13</sup> Section [1002.33\(21\)\(a\), F.S.](#)

<sup>14</sup> Section [1002.33\(28\), F.S.](#)

<sup>15</sup> Section [1002.33\(28\), F.S.](#); r. 6A-6.0786, F.A.C.

In 2017, the Legislature established the Schools of Hope Program to provide students in areas of persistently low-performing schools the opportunity to access a high-quality education designed to close the opportunity gap and increase student achievement.<sup>16</sup> A school of hope is defined as a charter school operated by a hope operator to serve students from one or more persistently low-performing schools and students who reside in a Florida Opportunity Zone;<sup>17</sup> is located within a Florida Opportunity Zone or in the attendance zone of a persistently low-performing school or within a five mile radius of the school, whichever is greater; and is a Title I eligible school.<sup>18</sup> A school of hope may also be a turnaround school operated by a hope operator.<sup>19</sup>

A hope operator seeking to open a school of hope must submit a notice of intent to the school district in which a persistently low-performing school has been identified by the SBE or in which a Florida Opportunity Zone is located. A school district shall enter into a performance-based agreement with a hope operator to open schools to serve students from persistently low-performing schools and students residing in a Florida Opportunity Zone.<sup>20</sup>

#### [Florida Empowerment Scholarship Program \(FES\)](#)

The FES was established in 2019 and provides children of families in Florida with educational options to achieve success in their education, including children of families with limited financial resources, children of law enforcement and military families, and children with disabilities.<sup>21</sup> Under the FES, two types of scholarships are available. The FES-EO scholarship is for students to attend private school and the FES-UA scholarship is for students with disabilities.<sup>22</sup> Each scholarship has separate student eligibility requirements.

A student with a disability is eligible for a FES-UA scholarship if the student meets the following criteria:<sup>23</sup>

- The student is a resident of the state;
- The student is 3 or 4 years old during the year in which the parent applies for a scholarship, or be eligible to enroll in kindergarten through grade 12;
- The student has a qualifying disability;<sup>24</sup> and
- The student is the subject of an Individual Educational Plan (IEP) or has received a diagnosis of a disability by a licensed physician or psychologist.

For FES-UA scholarships, priority is given to a student renewing a scholarship from the previous year and then on a first-come, first-served basis for new applicants.<sup>25</sup> An eligible student with a disability may use scholarship funds to cover the cost of tuition and fees to attend an eligible private school, or to cover the costs of a variety of approved items, including: contracted services, curriculum, instructional materials, tutoring, specified education programs, and specialized services such as applied behavior analysis, speech therapy, or occupational therapy.<sup>26</sup>

A SFO must verify a student's eligibility to participate in the FES-UA program at least 30 days before each payment is made by the DOE. For renewing scholarship students, upon receiving the verified list of eligible scholarship students, the DOE must release the calculated amount of state funds to the SFO for deposit into the student's account in quarterly payments no later than August 1, November 1, February 1, and April 1 of each school year in

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<sup>16</sup> Section 43, ch. 2017-116, L.O.F., codified at [s. 1002.333, F.S.](#)

<sup>17</sup> Section [1002.333\(1\)\(a\), F.S.](#) "Florida Opportunity Zone" means a population census tract that has been designated by the United States Department of the Treasury as a Qualified Opportunity Zone pursuant to s. 1400Z-1(b)(1)(B) of the Internal Revenue Code.

<sup>18</sup> Section [1002.333\(1\)\(d\)1., F.S.](#)

<sup>19</sup> Section [1002.333\(1\)\(d\)2., F.S.](#); see [s. 1008.33\(4\)\(b\)3., F.S.](#)

<sup>20</sup> Section [1002.333\(4\), F.S.](#)

<sup>21</sup> Section [1002.394, F.S.](#) See also r. 6A-6.0952, F.A.C.

<sup>22</sup> Section [1002.394\(3\), F.S.](#) The John M. McKay Scholarship for Students with Disabilities Program and the Gardiner Scholarship Program were previously offered as two separate scholarships for students with disabilities before the programs were consolidated under the Family Empowerment Scholarship Program. The Gardiner Scholarship and the McKay Scholarship were repealed effective July 1, 2021, ss. 2 and 3, ch. 2021-27 L.O.F.

<sup>23</sup> Section [1002.394\(3\)\(b\)1.-4., F.S.](#)

<sup>24</sup> Section [1002.394\(2\)\(e\), F.S.](#)

<sup>25</sup> Section [1002.394\(11\)\(b\)3., F.S.](#)

<sup>26</sup> Section

which the scholarship is in force. For new scholarship students, the quarterly payments are due no later than September 1, November 1, February 1, and April 1.<sup>27</sup>

Classroom Teacher and Other Instructional Personnel Salary Increases

In 2020, the Legislature created the Teacher Salary Increase Allocation to assist school districts in the recruitment and retention of classroom teachers and other instructional personnel.<sup>28</sup> In 2023, the Legislature renamed the Teacher Salary Increase Allocation to the Classroom Teacher and Other Instructional Personnel Salary Increase allocation and this allocation was rolled up into the Base Student Allocation in the FEFP. The amount and distribution methodology for the funding is specified in the General Appropriations Act.<sup>29</sup> The funds assist school districts and charter schools in complying with the requirement that the minimum base salary<sup>30</sup> for full-time classroom teachers,<sup>31</sup> not including substitutes, and certified prekindergarten teachers funded in the FEFP is at least \$47,500 or to provide salary increases to instructional personnel<sup>32</sup> in a manner that best meets the needs of the school district or charter school. A school district or charter school must maintain the minimum base salary achieved for classroom teachers provided in the prior fiscal year (FY) and may not reduce the salary increases in any subsequent FY.<sup>33</sup>

Before distributing any additional funds received over the prior FY, each school district and charter school are required to develop a salary distribution plan that clearly delineates the planned distribution of funds in accordance with modified salary schedules, as necessary. Each school district must also provide an annual report to the DOE that includes a detailed summary explaining the school district's prior year's expenditures from the allocation. The report must include the amount of the increase to the minimum base salary for classroom teachers and the school district's salary schedule for the prior FY and the FY in which the base salary is increased. Each charter school governing board must also submit this information to the district school board for inclusion in the school district's report to the DOE.<sup>34</sup>

In 2024, the Legislature allocated \$1.1 billion, or 5.59 percent of the FEFP, to maintain prior year salary increases provided to classroom teachers and other instructional personnel.<sup>35</sup> A growth allocation of \$200 million is also provided to school districts and charter schools to increase salaries for full-time classroom teachers and certified prekindergarten teachers. In addition, each school district and charter school must use 1.07 percent of its base FEFP funding to either:<sup>36</sup>

- Increase the minimum base salary reported on the school district's or charter school's performance salary schedule<sup>37</sup> to at least \$47,500 or to the maximum amount achievable based on the 1.07 percent generated; or
- Provide salary increases to other full-time instructional personnel.

As of December 12, 2024, the districts and lab schools not meeting the minimum base salary include Alachua, Baker, Bradford, Calhoun, Columbia, Franklin, Gulf, Hamilton, Holmes, Jackson, Liberty, Madison, Pasco, Taylor, Wakulla, Washington, and the FAMU Lab School and FSU Lab School in Leon.<sup>38</sup>

The table displays the changes in the average minimum base salary for Florida educators over recent years.

School Year	Average Teacher Minimum Base Salary
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<sup>28</sup> Section 2, ch. 2020-94, L.O.F.; s. [1011.62\(14\), F.S.](#)  
<sup>29</sup> Section [1011.62\(14\), F.S.](#)  
<sup>30</sup> The term “minimum base salary” is defined to mean the lowest annual base salary reported on the salary schedule for a full-time classroom teacher. See s. [1011.62\(14\)\(a\), F.S.](#)  
<sup>31</sup> As defined in s. [1012.01\(2\)\(a\), F.S.](#), classroom teachers are staff members assigned the professional activity of instructing students in courses in classroom situations, including basic instruction, exceptional student education, career education, and adult education, including substitute teachers.  
<sup>32</sup> Section [1012.01\(2\)\(a\)-\(d\), F.S.](#)  
<sup>33</sup> Section [1011.62\(14\)\(a\)-\(b\), F.S.](#)  
<sup>34</sup> Section [1011.62\(14\)\(c\)-\(d\), F.S.](#)  
<sup>35</sup> Specific Appropriations 5 and 84, ss. 1 and 2, ch. 2024-231, L.O.F.  
<sup>36</sup> *Id.*  
<sup>37</sup> Section [1012.22\(1\)\(c\), F.S.](#) Performance salary schedule or schedules adopted by a district school board.  
<sup>38</sup> Email from Steve Koncar, Legislative Affairs Director, DOE, *District Personnel Compensations*.

2019-2020	\$38,822
2020-2021 <sup>39</sup>	\$44,040
2021-2022	\$45,440
2022-2023 <sup>40</sup>	\$47,178

#### RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2023	<a href="#">CS/CS/HB 443</a>	Valdés	Burgess	Took effect on July 1, 2023.
2021	<a href="#">CS/CS/SB 1028</a>	McClain	Diaz	Took effect on July 1, 2021, except as otherwise provided.

#### OTHER RESOURCES:

House Education & Employment Committee Fact Sheet: [Overview of State Scholarship Program Accountability](#)

House Education & Employment Fact Sheet: [School District Personnel Compensation](#)

### BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Education Administration Subcommittee</a>			Sleap	Blalock
<a href="#">Ways &amp; Means Committee</a>				
<a href="#">PreK-12 Budget Subcommittee</a>				
<a href="#">Education &amp; Employment Committee</a>				

<sup>39</sup> National Education Association, *Teacher Salary Benchmarks* (April 2022), *Starting Teacher Salary*, available at [2020-2021 Teacher Salary Benchmark Report v2.2.pdf](#). The report includes starting teacher salary for the 2019-2020 and 2020-2021 school years.

<sup>40</sup> National Education Association, *Teacher Salary Benchmark Report* (April 2024), *Starting Teacher Salary*, available at [2022-2023-teacher-salary-benchmark-report.pdf](#). The report includes starting teacher salary for the 2021-22 and 2022-23 school years.