

1 A bill to be entitled
2 An act relating to educational choice; amending s.
3 1002.20, F.S.; including specific certifications and
4 programs in the public educational choice options
5 available to students; authorizing parents to use the
6 Florida Personal Learning Scholarship Accounts Program
7 as a private educational choice option; providing that
8 parents of public school students have the right to
9 certain information relating to school district
10 finances; providing notification requirements;
11 amending s. 1002.31, F.S.; requiring school districts
12 to establish a controlled open enrollment process;
13 authorizing a parent to enroll his or her child in any
14 public school in the state that has not reached
15 capacity; providing that a student may not be
16 displaced from his or her zoned school under certain
17 circumstances; authorizing a student to continue to
18 attend a chosen school until completion of the
19 school's highest grade; authorizing a school district
20 to provide transportation to certain students;
21 revising the controlled open enrollment application
22 process; requiring a school district to annually
23 report specified information; requiring a parent who
24 chooses to enroll his or her child in a school outside
25 of the school district of residence to notify certain
26 school districts by a specified date; requiring

27 district school boards to establish a process for a
 28 parent to request that his or her child be transferred
 29 to another classroom teacher; amending s. 1003.4295,
 30 F.S.; revising the courses in which a student may earn
 31 high school credit through the Credit Acceleration
 32 Program; revising the assessments used in such
 33 program; providing an effective date.

34

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

36

37 Section 1. Paragraphs (a) and (b) of subsection (6) and
 38 subsection (16) of section 1002.20, Florida Statutes, are
 39 amended to read:

40 1002.20 K-12 student and parent rights.—Parents of public
 41 school students must receive accurate and timely information
 42 regarding their child's academic progress and must be informed
 43 of ways they can help their child to succeed in school. K-12
 44 students and their parents are afforded numerous statutory
 45 rights including, but not limited to, the following:

46 (6) EDUCATIONAL CHOICE.—

47 (a) Public educational ~~school~~ choices.—Parents of public
 48 school students may seek whatever public educational ~~school~~
 49 choice options that are applicable and available to students
 50 throughout the state ~~in their school districts~~. These options
 51 may include controlled open enrollment, single-gender programs,
 52 lab schools, virtual instruction programs, charter schools,

53 charter technical career centers, magnet schools, alternative
54 schools, special programs, auditory-oral education programs,
55 career and professional education (CAPE) digital tool
56 certificates, CAPE industry certifications, collegiate high
57 school programs, advanced placement, dual enrollment,
58 International Baccalaureate, International General Certificate
59 of Secondary Education (pre-AICE), Advanced International
60 Certificate of Education, early admissions, credit by
61 examination or demonstration of competency, the New World School
62 of the Arts, the Florida School for the Deaf and the Blind, and
63 the Florida Virtual School. These options may also include the
64 public educational ~~school~~ choice options of the Opportunity
65 Scholarship Program and the McKay Scholarships for Students with
66 Disabilities Program.

67 (b) Private educational ~~school~~ choices.—Parents of public
68 school students may seek private educational ~~school~~ choice
69 options under certain programs.

70 1. Under the McKay Scholarships for Students with
71 Disabilities Program, the parent of a public school student with
72 a disability may request and receive a McKay Scholarship for the
73 student to attend a private school in accordance with s.
74 1002.39.

75 2. Under the Florida Tax Credit Scholarship Program, the
76 parent of a student who qualifies for free or reduced-price
77 school lunch or who is currently placed, or during the previous
78 state fiscal year was placed, in foster care as defined in s.

79 39.01 may seek a scholarship from an eligible nonprofit
80 scholarship-funding organization in accordance with s. 1002.395.

81 3. Under the Florida Personal Learning Scholarship
82 Accounts Program, the parent of a student with a qualifying
83 disability may apply for a personal learning scholarship to be
84 used for educational purposes pursuant to s. 1002.385.

85 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
86 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
87 have the right ~~are entitled~~ to an easy-to-read report card about
88 the school's grade designation or, if applicable under s.
89 1008.341, the school's improvement rating; ~~and~~ the school's
90 accountability report; and an easy-to-read fiscal transparency
91 notification that includes the estimated amount of funding,
92 based on grade level and support, allocated for a student
93 similar to his or her child and the estimated average amount of
94 funds expended per full-time equivalent student from state,
95 local, and federal funding sources, including operating and
96 capital outlay expenses, ~~including the school financial report~~
97 ~~as required under s. 1010.215.~~

98 Section 2. Section 1002.31, Florida Statutes, is amended
99 to read:

100 1002.31 Controlled open enrollment; public school parental
101 choice.—

102 (1) As used in this section, "controlled open enrollment"
103 means a public education delivery system that allows parents to
104 enroll their child in any public school in the state that has

105 not reached capacity and school districts to make student school
 106 assignments using parents' indicated preferential educational
 107 ~~school~~ choice as a significant factor. A student assigned to a
 108 school according to the school zones established by a school
 109 district may not be displaced by a child enrolling in the school
 110 under the school district's controlled open enrollment process.
 111 For purposes of continuity of educational choice, a student may
 112 continue to attend the chosen school of enrollment until the
 113 student completes the highest grade offered by the school.

114 (2) In addition to the existing choice programs provided
 115 in s. 1002.20(6)(a), each district school board shall allow a
 116 parent to enroll his or her child in and transport his or her
 117 child to any public school that has not reached capacity in the
 118 district. However, a school district may provide transportation
 119 to students at the school district's discretion ~~may offer~~
 120 ~~controlled open enrollment within the public schools which is in~~
 121 ~~addition to the existing choice programs such as virtual~~
 122 ~~instruction programs, magnet schools, alternative schools,~~
 123 ~~special programs, advanced placement, and dual enrollment.~~

124 (3) Each district school board ~~offering controlled open~~
 125 ~~enrollment~~ shall annually by January 1 ~~adopt by rule and post on~~
 126 ~~its website~~ the application process required to participate in
 127 controlled open enrollment. The process ~~a controlled open~~
 128 ~~enrollment plan which must:~~

- 129 (a) Adhere to federal desegregation requirements.
- 130 (b) Allow ~~Include an application process required to~~

131 ~~participate in controlled open enrollment that allows~~ parents to
132 declare school preferences, including placement of siblings
133 within the same school.

134 (c) Provide a lottery procedure to determine student
135 assignment and establish an appeals process for hardship cases.

136 (d) Afford parents of students in multiple session schools
137 preferred access to controlled open enrollment.

138 (e) Maintain socioeconomic, demographic, and racial
139 balance.

140 (f) Address the availability of transportation.

141 (g) Identify schools that have not reached capacity, as
142 determined by the school district. In making its determination
143 of capacity, each school district shall consider the
144 specifications, plans, elements, and commitments contained in
145 the school district educational facilities plan and the long-
146 term work programs required under s. 1013.35.

147 (h) Provide a preference for the placement of military
148 students, in addition to the preferences required under s.
149 1003.05.

150 (i) Provide a preference for the placement of students
151 residing in the district.

152 (4) In accordance with the reporting requirements of s.
153 1011.62, each district school board shall annually report the
154 number of students exercising public educational choice, by type
155 of choice, in accordance with ~~attending the various types of~~
156 ~~public schools of choice in the district, including schools such~~

157 ~~as virtual instruction programs, magnet schools, and public~~
158 ~~charter schools, according to~~ rules adopted by the State Board
159 of Education.

160 (5)(a) Beginning in the 2017-2018 school year, or earlier
161 if authorized by the school district, a parent may enroll his or
162 her child in and transport his or her child to any public school
163 that has not reached capacity in any school district in the
164 state. Consistent with the priorities specified in subsection
165 (3), the school district shall accept the student and report the
166 student for purposes of the school district's funding pursuant
167 to the Florida Education Finance Program.

168 (b) If a parent chooses to enroll his or her child in a
169 school in another school district pursuant to paragraph (a), the
170 parent shall notify the school district of residence and the
171 school district of choice no later than February 15 of each
172 preceding school year ~~For a school or program that is a public~~
173 ~~school of choice under this section, the calculation for~~
174 ~~compliance with maximum class size pursuant to s. 1003.03 is the~~
175 ~~average number of students at the school level.~~

176 (6) Each district school board shall establish a transfer
177 process for a parent to request that his or her child be
178 transferred to another classroom teacher. This subsection does
179 not give a parent the right to choose a specific classroom
180 teacher. A school must grant or deny the transfer within 2 weeks
181 after receiving the request. If a request for transfer is
182 denied, the school shall notify the parent and specify the

183 reasons for the denial. An explanation of the transfer process
184 must be made available in the parent guide or similar
185 publication.

186 Section 3. Subsection (3) of section 1003.4295, Florida
187 Statutes, is amended to read:

188 1003.4295 Acceleration options.—

189 (3) The Credit Acceleration Program (CAP) is created for
190 the purpose of allowing a student to earn high school credit in
191 courses required for high school graduation through the passage
192 of an end-of-course Algebra I, Algebra II, geometry, United
193 States history, or biology if the student passes the statewide,
194 standardized assessment administered under s. 1008.22 or an
195 Advanced Placement Examination. Notwithstanding s. 1003.436, a
196 school district shall award course credit to a student who is
197 not enrolled in the course, or who has not completed the course,
198 if the student attains a passing score on the corresponding end-
199 of-course assessment or Advanced Placement Examination
200 statewide, standardized assessment. The school district shall
201 permit a public school or home education student who is not
202 enrolled in the course, or who has not completed the course, to
203 take the assessment or examination during the regular
204 administration of the assessment or examination.

205 Section 4. This act shall take effect July 1, 2016.