

1 A bill to be entitled
2 An act relating to educational choice; amending s.
3 1001.42, F.S.; providing additional duties of an
4 internal auditor employed by a school district;
5 amending s. 1002.20, F.S.; including specific
6 certifications and programs in the public educational
7 choice options available to students; authorizing
8 parents to use the Florida Personal Learning
9 Scholarship Accounts Program as a private educational
10 choice option; providing that parents of public school
11 students have the right to certain information;
12 providing requirements for the school financial report
13 to be provided to parents; amending s. 1002.31, F.S.;
14 requiring school districts to establish a controlled
15 open enrollment process; authorizing a parent to seek
16 enrollment of his or her child in, and transport his
17 or her child to, any public school in the state that
18 has not reached capacity; authorizing a school
19 district to provide transportation to certain
20 students; revising the controlled open enrollment
21 application process; providing that a student may not
22 be displaced from his or her zoned school under
23 certain circumstances; authorizing a student to attend
24 a school of choice until he or she completes the
25 school's highest grade; requiring a school district to
26 annually report specified information; requiring a

27 parent to provide certain notification to the school
 28 district of residence by a specified date; requiring
 29 district school boards to establish a process for a
 30 parent to request that his or her child be transferred
 31 to another classroom teacher; amending s. 1003.4295,
 32 F.S.; revising the courses in which a student may earn
 33 high school credit through the Credit Acceleration
 34 Program; revising the assessments used in such
 35 program; requiring the Department of Education to
 36 contract with the Center for Applied Economic Research
 37 at Florida Polytechnic University for certain
 38 purposes; requiring the department to provide research
 39 results and recommendations to the Legislature by a
 40 specified date; providing an effective date.

41

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

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44 Section 1. Paragraph (1) of subsection (12) of section
 45 1001.42, Florida Statutes, is amended to read:

46 1001.42 Powers and duties of district school board.—The
 47 district school board, acting as a board, shall exercise all
 48 powers and perform all duties listed below:

49 (12) FINANCE.—Take steps to assure students adequate
 50 educational facilities through the financial procedure
 51 authorized in chapters 1010 and 1011 and as prescribed below:

52 (1) Internal auditor.—May employ an internal auditor to

53 perform ongoing financial verification of the financial records
 54 of the school district and such other audits and reviews as
 55 directed by the district school board to determine:

56 1. The adequacy of internal controls designed to prevent
 57 and detect fraud, waste, and abuse.

58 2. Compliance with applicable laws, rules, contracts,
 59 grant agreements, district school board-approved policies, and
 60 best practices.

61 3. The efficiency of operations.

62 4. The reliability of financial records and reports.

63 5. The safeguard of assets.

64

65 The internal auditor shall report directly to the district
 66 school board or its designee.

67 Section 2. Paragraphs (a) and (b) of subsection (6) and
 68 subsection (16) of section 1002.20, Florida Statutes, are
 69 amended to read:

70 1002.20 K-12 student and parent rights.—Parents of public
 71 school students must receive accurate and timely information
 72 regarding their child's academic progress and must be informed
 73 of ways they can help their child to succeed in school. K-12
 74 students and their parents are afforded numerous statutory
 75 rights including, but not limited to, the following:

76 (6) EDUCATIONAL CHOICE.—

77 (a) Public educational ~~school~~ choices.—Parents of public
 78 school students may seek whatever public educational ~~school~~

79 choice options that are applicable and available to students
 80 throughout the state ~~in their school districts~~. These options
 81 may include controlled open enrollment, single-gender programs,
 82 lab schools, virtual instruction programs, charter schools,
 83 charter technical career centers, magnet schools, alternative
 84 schools, special programs, auditory-oral education programs,
 85 career and professional education (CAPE) digital tool
 86 certificates, CAPE industry certifications, collegiate high
 87 school programs, advanced placement, dual enrollment,
 88 International Baccalaureate, International General Certificate
 89 of Secondary Education (pre-AICE), Advanced International
 90 Certificate of Education, early admissions, credit by
 91 examination or demonstration of competency, the New World School
 92 of the Arts, the Florida School for the Deaf and the Blind, and
 93 the Florida Virtual School. These options may also include the
 94 public educational ~~school~~ choice options of the Opportunity
 95 Scholarship Program and the McKay Scholarships for Students with
 96 Disabilities Program.

97 (b) Private educational ~~school~~ choices.—Parents of public
 98 school students may seek private educational ~~school~~ choice
 99 options under certain programs.

100 1. Under the McKay Scholarships for Students with
 101 Disabilities Program, the parent of a public school student with
 102 a disability may request and receive a McKay Scholarship for the
 103 student to attend a private school in accordance with s.
 104 1002.39.

105 2. Under the Florida Tax Credit Scholarship Program, the
 106 parent of a student who qualifies for free or reduced-price
 107 school lunch or who is currently placed, or during the previous
 108 state fiscal year was placed, in foster care as defined in s.
 109 39.01 may seek a scholarship from an eligible nonprofit
 110 scholarship-funding organization in accordance with s. 1002.395.

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

115 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
 116 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
 117 have the right ~~are entitled~~ to an easy-to-read report card about
 118 the school's grade designation or, if applicable under s.
 119 1008.341, the school's improvement rating, and the school's
 120 accountability report, including the school financial report as
 121 required under s. 1010.215. The school financial report provided
 122 by the Department of Education must be provided to the parents
 123 and indicate the average amount of money expended per student in
 124 the school.

125 Section 3. Section 1002.31, Florida Statutes, is amended
 126 to read:

127 1002.31 Controlled open enrollment; public school parental
 128 choice.—

129 (1) As used in this section, "controlled open enrollment"
 130 means a public education delivery system that allows school

131 districts to make student school assignments using parents'
132 indicated preferential educational ~~school~~ choice as a
133 significant factor.

134 (2) In addition to the existing choice programs provided
135 in s. 1002.20(6)(a), each district school board shall allow a
136 parent to seek enrollment of his or her child in, and transport
137 his or her child to, any public school that has not reached
138 capacity in the district by filing an application pursuant to
139 subsection (3). However, a school district may provide
140 transportation to students at the school district's discretion
141 ~~may offer controlled open enrollment within the public schools~~
142 ~~which is in addition to the existing choice programs such as~~
143 ~~virtual instruction programs, magnet schools, alternative~~
144 ~~schools, special programs, advanced placement, and dual~~
145 ~~enrollment.~~

146 (3) Each district school board ~~offering controlled open~~
147 ~~enrollment~~ shall annually by January 1 adopt by rule and post on
148 its website the application process required to participate in
149 controlled open enrollment. The process a controlled open
150 ~~enrollment plan which~~ must:

151 (a) Adhere to federal desegregation requirements.

152 (b) Allow ~~Include an application process required to~~
153 ~~participate in controlled open enrollment that allows~~ parents to
154 declare school preferences, ~~including placement of siblings~~
155 ~~within the same school.~~

156 (c) Provide a lottery procedure to determine student

157 assignment and establish an appeals process for hardship cases.

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

160 (e) Maintain socioeconomic, demographic, and racial
161 balance.

162 (f) Address the availability of transportation.

163 (g) Identify schools that have not reached capacity, as
164 determined by the school district. In making its determination
165 of capacity, each school district shall consider the
166 specifications, plans, elements, and commitments contained in
167 the school district educational facilities plan and the long-
168 term work programs required under s. 1013.35.

169 (h) Provide priority preference for the placement of
170 siblings in the same school and students residing in the
171 district. However, students residing in the district must not be
172 displaced by a student from another district seeking enrollment
173 under the controlled open enrollment process.

174 (i) Provide preference for the placement of military
175 students, in addition to the preferences required under s.
176 1003.05.

177 (j) Allow a student to remain at his or her chosen school
178 until he or she completes the highest grade offered by the
179 school in accordance with district plan priorities. However,
180 students residing in the district must not be displaced by a
181 student from another district.

182 (4) In accordance with the reporting requirements of s.

183 1011.62, each district school board shall annually report the
184 number of students exercising public educational choice, by type
185 of choice, in accordance with ~~attending the various types of~~
186 ~~public schools of choice in the district, including schools such~~
187 ~~as virtual instruction programs, magnet schools, and public~~
188 ~~charter schools, according to~~ rules adopted by the State Board
189 of Education.

190 (5) (a) Beginning in the 2017-2018 school year, or earlier
191 if authorized by the school district, a parent may seek
192 enrollment of his or her child in, and transport his or her
193 child to, any public school that has not reached capacity in any
194 school district in the state by filing an application pursuant
195 to subsection (3). The school district shall enroll an eligible
196 student pursuant to the preferences provided in subsection (3)
197 and report the student for purposes of the school district's
198 funding under the Florida Education Finance Program.

199 (b) A parent shall notify the school district of residence
200 upon filing an application pursuant to subsection (3) or by
201 February 15 of the preceding school year, whichever occurs later
202 ~~For a school or program that is a public school of choice under~~
203 ~~this section, the calculation for compliance with maximum class~~
204 ~~size pursuant to s. 1003.03 is the average number of students at~~
205 ~~the school level.~~

206 (6) Each district school board shall establish a transfer
207 process for a parent to request that his or her child be
208 transferred to another classroom teacher. This subsection does

209 not give a parent the right to choose a specific classroom
210 teacher. A school must grant or deny the transfer within 2 weeks
211 after receiving the request. If a request for transfer is
212 denied, the school shall notify the parent and specify the
213 reasons for the denial. An explanation of the transfer process
214 must be made available in the parent guide or similar
215 publication.

216 Section 4. Subsection (3) of section 1003.4295, Florida
217 Statutes, is amended to read:

218 1003.4295 Acceleration options.—

219 (3) The Credit Acceleration Program (CAP) is created for
220 the purpose of allowing a student to earn high school credit in
221 courses required for high school graduation through the passage
222 of an end-of-course Algebra I, Algebra II, geometry, United
223 States history, or biology if the student passes the statewide,
224 standardized assessment administered under s. 1008.22 or an
225 Advanced Placement Examination. Notwithstanding s. 1003.436, a
226 school district shall award course credit to a student who is
227 not enrolled in the course, or who has not completed the course,
228 if the student attains a passing score on the corresponding end-
229 of-course assessment or Advanced Placement Examination
230 statewide, standardized assessment. The school district shall
231 permit a public school or home education student who is not
232 enrolled in the course, or who has not completed the course, to
233 take the assessment or examination during the regular
234 administration of the assessment or examination.

235 Section 5. The Department of Education shall contract with
236 the Center for Applied Economic Research at Florida Polytechnic
237 University to determine the portability of the local portion of
238 Florida Education Finance Program funds. The center shall
239 research the feasibility of and recommend options for
240 transferring local funds together with a student who enrolls in
241 a public school in a school district other than his or her
242 school district of residence. The department shall provide
243 research results and recommendations to the Legislature by
244 November 1, 2017.

245 Section 6. This act shall take effect July 1, 2016.