

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Mealor offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause, and insert:

Section 1. Subsection (5) of section 17.076, Florida Statutes, is amended to read:

17.076 Direct deposit of funds.--

(5) All direct deposit records made prior to October 1, 1986, are exempt from the provisions of s. 119.07(1). With respect to direct deposit records made on or after October 1, 1986, the names of the authorized financial institutions and the account numbers of the beneficiaries are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art.I of the State Constitution. Notwithstanding this exemption and the provisions of s. 119.07(3)(dd), the department may provide a state university, upon request, with that university's employee or vendor direct deposit authorization information on file with

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28 the department in order to accommodate the transition to the  
29 university accounting system. The state university shall  
30 maintain the confidentiality of all such information provided by  
31 the department.

32 Section 2. Paragraph (a) of subsection (1) of section  
33 20.055, Florida Statutes, is amended to read:

34 20.055 Agency inspectors general.--

35 (1) For the purposes of this section:

36 (a) "State agency" means each department created pursuant  
37 to this chapter, and also includes the Executive Office of the  
38 Governor, the Department of Military Affairs, ~~the Board of~~  
39 ~~Regents~~, the Fish and Wildlife Conservation Commission, the  
40 Public Service Commission, and the state courts system.

41 Section 3. Paragraph (d) of subsection (5) of section  
42 24.121, Florida Statutes, is amended to read:

43 24.121 Allocation of revenues and expenditure of funds for  
44 public education.--

45 (5)

46 (d) No funds shall be released for any purpose from the  
47 Educational Enhancement Trust Fund to any school district in  
48 which one or more schools do not have an approved school  
49 improvement plan pursuant to s. 1001.42(16) or do not comply  
50 with school advisory council membership composition requirements  
51 pursuant to s. 1001.452(1) ~~229.58(1)~~. Effective July 1, 2002,  
52 the Commissioner of Education shall withhold disbursements from  
53 the trust fund to any school district that fails to adopt the  
54 performance-based salary schedule required by s. 1012.22(1).

55 Section 4. Subsection (2) of section 110.161, Florida  
56 Statutes, is amended to read:

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57 110.161 State employees; pretax benefits program.--

58 (2) As used in this section, "employee" means any  
59 individual filling an authorized and established position in the  
60 executive, legislative, or judicial branch of the state,  
61 including the employees of the State Board of Administration and  
62 state universities.

63 Section 5. Subsection (2) of section 112.215, Florida  
64 Statutes, is amended to read:

65 112.215 Government employees; deferred compensation  
66 program.--

67 (2) For the purposes of this section, the term "employee"  
68 means any person, whether appointed, elected, or under contract,  
69 providing services for the state; any state agency or county or  
70 other political subdivision of the state; any municipality; any  
71 state university board of trustees; or any constitutional county  
72 officer under s. 1(d), Art. VIII of the State Constitution for  
73 which compensation or statutory fees are paid.

74 Section 6. Subsection (2) of section 145.19, Florida  
75 Statutes, is amended to read:

76 145.19 Annual percentage increases based on increase for  
77 state career service employees; limitation.--

78 (2) Each fiscal year, the salaries of all officials listed  
79 in this chapter and s. 1001.47 shall be adjusted by the annual  
80 factor. The Department of Management Services shall certify the  
81 annual factor and the cumulative annual factors. The adjusted  
82 salary rate shall be the product, rounded to the nearest dollar,  
83 of the salary rate granted by the appropriate section of this  
84 chapter or s. 1001.47 multiplied first by the initial factor,  
85 then by the cumulative annual factor, and finally by the annual

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86 factor. Any special qualification salary received under this  
87 chapter or annual performance salary incentive available to  
88 elected superintendents under s. 1001.47 shall be added to such  
89 adjusted salary rate, which special qualification salary shall  
90 be \$2,000, but shall not exceed \$2,000.

91 Section 7. Paragraph (b) of subsection (22) of section  
92 159.27, Florida Statutes, is amended to read:

93 159.27 Definitions.--The following words and terms, unless  
94 the context clearly indicates a different meaning, shall have  
95 the following meanings:

96 (22) "Educational facility" means:

97 (b) Property that comprises the buildings and equipment,  
98 structures, and special education use areas that are built,  
99 installed, or established to serve primarily the educational  
100 purposes of operating any nonprofit private preschool,  
101 kindergarten, elementary school, middle school, or high school  
102 that is established under chapter 617 or chapter 623, or that is  
103 owned or operated by an organization described in s. 501(c)(3)  
104 of the United States Internal Revenue Code, or operating any  
105 preschool, kindergarten, elementary school, middle school, or  
106 high school that is owned or operated as part of the state's  
107 system of public education, including, but not limited to, a  
108 charter school or a lab developmental research school operated  
109 under chapter 1002. The requirements of this part for the  
110 financing of projects through local agencies shall also apply to  
111 such schools. Bonds issued under the provisions of this part for  
112 such schools shall not be deemed to constitute a debt,  
113 liability, or obligation of the state or any political  
114 subdivision thereof, or a pledge of the faith and credit of the

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115 state or of any such political subdivision, but shall be payable  
116 solely from the revenues provided therefor.

117 Section 8. Paragraphs (b) and (c) of subsection (6) of  
118 section 212.055, Florida Statutes, are amended to read:

119 212.055 Discretionary sales surtaxes; legislative intent;  
120 authorization and use of proceeds.--It is the legislative intent  
121 that any authorization for imposition of a discretionary sales  
122 surtax shall be published in the Florida Statutes as a  
123 subsection of this section, irrespective of the duration of the  
124 levy. Each enactment shall specify the types of counties  
125 authorized to levy; the rate or rates which may be imposed; the  
126 maximum length of time the surtax may be imposed, if any; the  
127 procedure which must be followed to secure voter approval, if  
128 required; the purpose for which the proceeds may be expended;  
129 and such other requirements as the Legislature may provide.  
130 Taxable transactions and administrative procedures shall be as  
131 provided in s. 212.054.

132 (6) SCHOOL CAPITAL OUTLAY SURTAX.--

133 (b) The resolution shall include a statement that provides  
134 a brief and general description of the school capital outlay  
135 projects to be funded by the surtax. ~~If applicable, the~~  
136 ~~resolution must state that the district school board has been~~  
137 ~~recognized by the State Board of Education as having a Florida~~  
138 ~~Frugal Schools Program.~~ The statement shall conform to the  
139 requirements of s. 101.161 and shall be placed on the ballot by  
140 the governing body of the county. The following question shall  
141 be placed on the ballot:

\_\_\_\_\_ FOR THE \_\_\_\_\_CENTS TAX

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\_\_\_\_\_AGAINST THE \_\_\_\_\_CENTS TAX

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(c) The resolution providing for the imposition of the surtax shall set forth a plan for use of the surtax proceeds for fixed capital expenditures or fixed capital costs associated with the construction, reconstruction, or improvement of school facilities and campuses which have a useful life expectancy of 5 or more years, and any land acquisition, land improvement, design, and engineering costs related thereto. Additionally, the plan shall include the costs of retrofitting and providing for technology implementation, including hardware and software, for the various sites within the school district. Surtax revenues may be used for the purpose of servicing bond indebtedness to finance projects authorized by this subsection, and any interest accrued thereto may be held in trust to finance such projects. Neither the proceeds of the surtax nor any interest accrued thereto shall be used for operational expenses. ~~If the district school board has been recognized by the State Board of Education as having a Florida Frugal Schools Program, the district's plan for use of the surtax proceeds must be consistent with this subsection and with uses assured under the Florida Frugal Schools Program.~~ Section 9. Paragraph (b) of subsection (9) of section 216.136, Florida Statutes, is amended to read:

216.136 Consensus estimating conferences; duties and principals.--

(9) WORKFORCE ESTIMATING CONFERENCE.--

(b) *Principals*--The Commissioner of Education, the Executive Office of the Governor, the director of the Office of Tourism, Trade, and Economic Development, the director of the

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171 Agency for Workforce Innovation, the executive director of the  
172 Commission for Independent Education, ~~the Chancellor of the~~  
173 ~~State University System, the Executive Director of the State~~  
174 ~~Board of Community Colleges, the chair of the State Board of~~  
175 ~~Nonpublic Career Education,~~ the chair of Workforce Florida,  
176 Inc., the coordinator of the Office of Economic and Demographic  
177 Research, or their designees, and professional staff from the  
178 Senate and the House of Representatives who have forecasting and  
179 substantive expertise, are the principals of the Workforce  
180 Estimating Conference. In addition to the designated principals  
181 of the conference, nonprincipal participants of the conference  
182 shall include a representative of the Florida Chamber of  
183 Commerce and other interested parties. The principal  
184 representing the Executive Office of the Governor shall preside  
185 over the sessions of the conference.

186 Section 10. Subsection (7) of section 250.10, Florida  
187 Statutes, is amended to read:

188 250.10 Appointment and duties of the Adjutant General.--

189 (7) The Adjutant General and representatives of the Board  
190 of Governors Regents, ~~the State Board of Community Colleges,~~ and  
191 the State Board of Education shall design and develop a tuition  
192 assistance program for members in good standing of the active  
193 Florida National Guard who enroll in a public institution of  
194 higher learning in the state in accordance with the provisions  
195 of subsection (8).

196 (a) The program shall set forth application requirements  
197 which include, but are not limited to, requirements that the  
198 applicant shall:

199 1. Be 17 years of age or older.

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200 2. Be presently domiciled in the state.

201 3. Be a member in good standing in the active Florida  
202 National Guard at the beginning of and throughout the entire  
203 academic term for which benefits are received.

204 4. Maintain continuous satisfactory participation in the  
205 active Florida National Guard for any school term for which  
206 exemption benefits are received.

207 5. Agree in writing to serve in the active Florida  
208 National Guard for 3 years after completion of the studies for  
209 which an exemption is granted.

210 (b) The program shall include, but not be limited to, the  
211 following penalties:

212 1. When a member of the active Florida National Guard  
213 receives an exemption from tuition and fees for any academic  
214 term and fails to maintain satisfactory participation in the  
215 Florida National Guard during such academic term, the exemption  
216 shall immediately be forfeited and the member shall be required  
217 to pay to the institution all tuition charges and student fees  
218 for the current academic term for which the exemption has been  
219 granted.

220 2. When a member of the active Florida National Guard  
221 leaves the Florida National Guard during the 3-year period such  
222 member had agreed to serve after completing the courses for  
223 which exemptions were granted, the member shall be required to  
224 reimburse the state for all tuition charges and student fees for  
225 which such member received exemptions, unless the Adjutant  
226 General determines there are justifiable extenuating  
227 circumstances.



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228 3. If the service of a member of the active Florida  
229 National Guard is terminated or the member is placed on  
230 scholastic probation while receiving exemption benefits, the  
231 exemption shall be immediately forfeited and the member shall  
232 pay to the institution all tuition charges and student fees for  
233 the current academic term for which the member has received an  
234 exemption.

235 (c) The program shall define those members of the active  
236 Florida National Guard ineligible to participate in the program  
237 and those courses of study not authorized for the program.

238 1. Such members shall include, but not be limited to:

239 a. Any member, commissioned officer or warrant officer or  
240 enlisted person, who has a baccalaureate degree.

241 b. Any member who has 15 years or more of total military  
242 service creditable toward retirement.

243 c. Any member who has not completed basic military  
244 training.

245 2. Courses not authorized include noncredit courses,  
246 courses which do not meet degree requirements, or courses which  
247 do not meet requirements for completion of vocational-technical  
248 training.

249 (d) The Adjutant General, together with the Board of  
250 Governors ~~Regents, the State Board of Community Colleges,~~ and  
251 the State Board of Education, shall promulgate rules for the  
252 overall policy, guidance, administration, implementation, and  
253 proper utilization of the program. Such rules shall include, but  
254 not be limited to, guidelines for certification by the Adjutant  
255 General of a guard member's eligibility, procedures for  
256 notification to an institution of a guard member's termination

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257 of eligibility, and procedures for restitution when a guard  
258 member fails to comply with the penalties described in paragraph  
259 (b).

260 Section 11. Subsections (1) through (6) of section  
261 287.064, Florida Statutes, are amended to read:

262 287.064 Consolidated financing of deferred-payment  
263 purchases.--

264 (1) The Division of Bond Finance of the State Board of  
265 Administration and the Comptroller shall plan and coordinate  
266 deferred-payment purchases made by or on behalf of the state or  
267 its agencies or by or on behalf of state universities or state  
268 community colleges participating under this section pursuant to  
269 s. 1001.74(5) or s. 1001.64(26), respectively. The Division of  
270 Bond Finance shall negotiate and the Comptroller shall execute  
271 agreements and contracts to establish master equipment financing  
272 agreements for consolidated financing of deferred-payment,  
273 installment sale, or lease purchases with a financial  
274 institution or a consortium of financial institutions. As used  
275 in this act, the term "deferred-payment" includes installment  
276 sale and lease-purchase.

277 (a) The period during which equipment may be acquired  
278 under any one master equipment financing agreement shall be  
279 limited to not more than 3 years.

280 (b) Repayment of the whole or a part of the funds drawn  
281 pursuant to the master equipment financing agreement may  
282 continue beyond the period established pursuant to paragraph  
283 (a).

284 (c) The interest rate component of any master equipment  
285 financing agreement shall be deemed to comply with the interest

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286 rate limitation imposed in s. 287.063 so long as the interest  
287 rate component of every interagency, state university, or  
288 community college agreement entered into under such master  
289 equipment financing agreement complies with the interest rate  
290 limitation imposed in s. 287.063. Such interest rate limitation  
291 does not apply when the payment obligation under the master  
292 equipment financing agreement is rated by a nationally  
293 recognized rating service in any one of the three highest  
294 classifications, which rating services and classifications are  
295 determined pursuant to rules adopted by the Comptroller.

296 (2) Unless specifically exempted by the Comptroller, all  
297 deferred-payment purchases, including those made by a state  
298 university or community college that is participating under this  
299 section, shall be acquired by funding through master equipment  
300 financing agreements. The Comptroller is authorized to exempt  
301 any purchases from consolidated financing when, in his or her  
302 judgment, alternative financing would be cost-effective or  
303 otherwise beneficial to the state.

304 (3) The Comptroller may require agencies to enter into  
305 interagency agreements and may require participating state  
306 universities or community colleges to enter into systemwide  
307 agreements for the purpose of carrying out the provisions of  
308 this act.

309 (a) The term of any interagency or systemwide agreement  
310 shall expire on June 30 of each fiscal year but shall  
311 automatically be renewed annually subject to appropriations and  
312 deferred-payment schedules. The period of any interagency or  
313 systemwide agreement shall not exceed the useful life of the

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314 equipment for which the agreement was made as determined by the  
315 Comptroller.

316 (b) The interagency or systemwide agreements may include,  
317 but are not limited to, equipment costs, terms, and a pro rata  
318 share of program and issuance expenses.

319 (4) Each state university or community college may choose  
320 to have its purchasing agreements involving administrative and  
321 instructional materials consolidated under this section.

322 (5) The Comptroller is authorized to automatically debit  
323 each agency's or state university's funds and each community  
324 college's portion of the Community College Program Fund  
325 consistently with the deferred-payment schedules.

326 (6) There is created the Consolidated Payment Trust Fund  
327 in the Comptroller's office for the purpose of implementing the  
328 provisions of this act. All funds debited from each agency,  
329 state university, and ~~each~~ community college may be deposited in  
330 the trust fund and shall be used to meet the financial  
331 obligations incurred pursuant to this act. Any income from the  
332 investment of funds may be used to fund administrative costs  
333 associated with this program.

334 Section 12. Subsection (7) of section 288.7091, Florida  
335 Statutes, is amended to read:

336 288.7091 Duties of the Florida Black Business Investment  
337 Board, Inc.--The Florida Black Business Investment Board, Inc.,  
338 shall:

339 (7) Develop memoranda of understanding with the  
340 Departments of Education, Transportation, Community Affairs, and  
341 Management Services, as well as with Workforce Florida, Inc.,  
342 and the State ~~Florida~~ Board of Education, detailing efforts of

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343 common interest and collaborations to expand black business  
344 development;

345 Section 13. Subsection (3) of section 316.615, Florida  
346 Statutes, is amended to read:

347 316.615 School buses; physical requirements of drivers.--

348 (3) A person may not operate or cause to be operated a  
349 motor vehicle covered by subsection (1) or subsection (2) when  
350 transporting school children unless the operator has met the  
351 physical examination requirements established by law and by rule  
352 ~~of adopted by the~~ State Board ~~Commissioner~~ of Education. The  
353 operator of such a motor vehicle shall pass an annual physical  
354 examination and have posted in the vehicle a certificate to  
355 drive the vehicle.

356 Section 14. Paragraph (b) of subsection (1) and paragraph  
357 (b) of subsection (7) of section 402.305, Florida Statutes, are  
358 amended to read:

359 402.305 Licensing standards; child care facilities.--

360 (1) LICENSING STANDARDS.--The department shall establish  
361 licensing standards that each licensed child care facility must  
362 meet regardless of the origin or source of the fees used to  
363 operate the facility or the type of children served by the  
364 facility.

365 (b) All standards established under ss. 402.301-402.319  
366 must be consistent with the rules adopted by the State Fire  
367 Marshal for child care facilities. However, if the facility is  
368 operated in a public school, the department shall use the public  
369 school fire code, as provided in the rules of the State Board  
370 ~~Department~~ of Education, as the minimum standard for firesafety.

371 (7) SANITATION AND SAFETY.--

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372 (b) In the case of a child care program for school-age  
373 children attending before and after school programs on the  
374 public school site, the department shall use the public school  
375 fire code, as adopted ~~promulgated~~ in the rules of the State  
376 Board ~~Department~~ of Education, as the minimum standard for fire  
377 safety. In the case of a child care program for school-age  
378 children attending before-school and after-school programs on a  
379 site operated by a municipality, the department shall adopt  
380 rules for such site and intended use.

381 Section 15. Paragraph (b) of subsection (5) of section  
382 409.1451, Florida Statutes, is amended to read:

383 409.1451 Independent living transition services.--

384 (5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS  
385 FORMERLY IN FOSTER CARE.--Based on the availability of funds,  
386 the department shall provide or arrange for the following  
387 services to young adults formerly in foster care who meet the  
388 prescribed conditions and are determined eligible by the  
389 department. The categories of services available to assist a  
390 young adult formerly in foster care to achieve independence are:

391 (b) *Road-to-Independence Scholarship Program*.--

392 1. The Road-to-Independence Scholarship Program is  
393 intended to help eligible students who are former foster  
394 children in this state to receive the educational and vocational  
395 training needed to achieve independence. The amount of the award  
396 shall equal the earnings that the student would have been  
397 eligible to earn working a 40-hour-a-week federal minimum wage  
398 job, after considering other grants and scholarships that are in  
399 excess of the educational institutions' fees and costs, and  
400 contingent upon available funds. Students eligible for the Road-

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401 to-Independence Scholarship Program may also be eligible for  
402 educational fee waivers for workforce development postsecondary  
403 programs, community colleges, and universities, pursuant to s.  
404 1009.25(2)(c).

405 2. A young adult 18 to 21 years of age is eligible for the  
406 initial award, and a young adult under 23 years of age is  
407 eligible for renewal awards, if he or she:

408 a. Is a dependent child, pursuant to chapter 39, and is  
409 living in licensed foster care or in subsidized independent  
410 living at the time of his or her 18th birthday;

411 b. Has spent at least 6 months living in foster care  
412 before reaching his or her 18th birthday;

413 c. Is a resident of this state as defined in s. 1009.40;  
414 and

415 d. Meets one of the following qualifications:

416 (I) Has earned a standard high school diploma or its  
417 equivalent as described in ~~s. 1003.425~~ or s. 1003.43 or s.  
418 1003.435, and has been admitted for full-time enrollment in an  
419 eligible postsecondary education institution as defined in s.  
420 1009.533;

421 (II) Is enrolled full time in an accredited high school,  
422 is within 2 years of graduation, and has maintained a grade  
423 point average of at least 2.0 on a scale of 4.0 for the two  
424 semesters preceding the date of his or her 18th birthday; or

425 (III) Is enrolled full time in an accredited adult  
426 education program designed to provide the student with a high  
427 school diploma or its equivalent, is making satisfactory  
428 progress in that program as certified by the program, and is  
429 within 2 years of graduation.

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430           3.a. The department must advertise the availability of the  
431 program and must ensure that the children and young adults  
432 leaving foster care, foster parents, or family services  
433 counselors are informed of the availability of the program and  
434 the application procedures.

435           b. A young adult must apply for the initial award during  
436 the 6 months immediately preceding his or her 18th birthday. A  
437 young adult who fails to make an initial application, but who  
438 otherwise meets the criteria for an initial award, may make one  
439 application for the initial award if such application is made  
440 before the young adult's 21st birthday.

441           c. If funding for the program is available, the department  
442 shall issue awards from the scholarship program for each young  
443 adult who meets all the requirements of the program.

444           d. An award shall be issued at the time the eligible  
445 student reaches 18 years of age.

446           e. If the award recipient transfers from one eligible  
447 institution to another and continues to meet eligibility  
448 requirements, the award must be transferred with the recipient.

449           f. Scholarship funds awarded to any eligible young adult  
450 under this program are in addition to any other services  
451 provided to the young adult by the department through its  
452 independent living transition services.

453           g. The department shall provide information concerning  
454 young adults receiving the Road-to-Independence Scholarship to  
455 the Department of Education for inclusion in the student  
456 financial assistance database, as provided in s. 1009.94.

457           h. Scholarship funds shall be terminated when the young  
458 adult has attained a bachelor of arts or bachelor of science

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459 degree, or equivalent undergraduate degree, or reaches 23 years  
460 of age, whichever occurs earlier.

461 i. The department shall evaluate and renew each award  
462 annually during the 90-day period before the young adult's  
463 birthday. In order to be eligible for a renewal award for the  
464 subsequent year, the young adult must:

465 (I) Complete at least 12 semester hours or the equivalent  
466 in the last academic year in which the young adult earned a  
467 scholarship, except for a young adult who meets the requirements  
468 of s. 1009.41.

469 (II) Maintain the cumulative grade point average required  
470 by the scholarship program, except that, if the young adult's  
471 grades are insufficient to renew the scholarship at any time  
472 during the eligibility period, the young adult may restore  
473 eligibility by improving the grade point average to the required  
474 level.

475 j. Scholarship funds may be terminated during the interim  
476 between an award and the evaluation for a renewal award if the  
477 department determines that the award recipient is no longer  
478 enrolled in an educational institution as defined in sub-  
479 subparagraph 2.d., or is no longer a state resident. The  
480 department shall notify a student who is terminated and inform  
481 the student of his or her right to appeal.

482 k. An award recipient who does not qualify for a renewal  
483 award or who chooses not to renew the award may subsequently  
484 apply for reinstatement. An application for reinstatement must  
485 be made before the young adult reaches 23 years of age, and a  
486 student may not apply for reinstatement more than once. In order  
487 to be eligible for reinstatement, the young adult must meet the

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488 eligibility criteria and the criteria for award renewal for the  
489 scholarship program.

490 1. A young adult receiving continued services of the  
491 foster care program under former s. 409.145(3) must transfer to  
492 the scholarship program by July 1, 2003.

493 Section 16. Subsection (6) of section 440.38, Florida  
494 Statutes, is amended to read:

495 440.38 Security for compensation; insurance carriers and  
496 self-insurers.--

497 (6) The state and its boards, bureaus, departments, and  
498 agencies and all of its political subdivisions which employ  
499 labor, and the state universities, shall be deemed self-insurers  
500 under the terms of this chapter, unless they elect to procure  
501 and maintain insurance to secure the benefits of this chapter to  
502 their employees; and they are hereby authorized to pay the  
503 premiums for such insurance.

504 Section 17. Subsection (5) of section 445.012, Florida  
505 Statutes, is amended to read:

506 445.012 Careers for Florida's Future Incentive Grant  
507 Program.--

508 (5) A recipient who is pursuing a baccalaureate degree  
509 shall receive \$100 for each lower-division credit hour in which  
510 the student is enrolled at an eligible college or university, up  
511 to a maximum of \$1,500 per semester, and \$200 for each upper-  
512 division credit hour in which the student is enrolled at an  
513 eligible college or university, up to a maximum of \$3,000 per  
514 semester. For purposes of this section, a student is pursuing a  
515 baccalaureate degree if he or she is in a program that  
516 articulates into a baccalaureate degree program by agreement of

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517 the State Board of Education ~~Articulation Coordinating~~  
518 ~~Committee~~. A student in an applied technology diploma program, a  
519 certificate career education program, or a degree career  
520 education program that does not articulate into a baccalaureate  
521 degree program shall receive \$2 for each vocational contact  
522 hour, or the equivalent, for certificate programs, or \$60 for  
523 each credit hour, or the equivalent, for degree career education  
524 programs and applied technology programs for which the student  
525 is enrolled at an eligible college, technical center, or  
526 nonpublic career education school.

527 Section 18. Subsection (5) of section 445.0122, Florida  
528 Statutes, is amended to read:

529 445.0122 Student eligibility requirements for renewal  
530 awards.--

531 (5) A student maintains eligibility for an award for 4  
532 years following receipt of the initial award for courses in the  
533 lower division and 4 years following receipt of the initial  
534 award for courses in the upper division. For purposes of this  
535 subsection, lower-division courses include courses in an  
536 eligible applied technology diploma program or a certificate or  
537 degree career education program that does not articulate into a  
538 baccalaureate degree program by agreement of the State Board of  
539 Education ~~Articulation Coordinating Committee~~, as well as  
540 courses in associate in arts and associate in science degree  
541 programs that articulate into a baccalaureate degree program.

542 Section 19. Subsections (4) and (5) of section 445.0123,  
543 Florida Statutes, are amended to read:

544 445.0123 Eligible postsecondary education institutions.--A  
545 student is eligible for an award or the renewal of an award from

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546 the Careers for Florida's Future Incentive Grant Program if the  
547 student meets the requirements for the program as described in  
548 ss. 445.012-445.0125 and is enrolled in a postsecondary  
549 education institution that meets the description of any one of  
550 the following:

551 (4) An independent postsecondary education institution in  
552 this state which is licensed by the Commission for Independent  
553 Education State Board of Independent Colleges and Universities  
554 and which:

555 (a) Shows evidence of sound financial condition; and

556 (b) Has operated in this state for at least 3 years  
557 without having its approval, accreditation, or license placed on  
558 probation.

559 (5) An independent postsecondary education institution in  
560 this state which is licensed by the Commission for Independent  
561 Education State Board of Nonpublic Career Education and which:

562 (a) Has a program-completion and placement rate of at  
563 least the rate required by current state law, the Florida  
564 Administrative Code, or the Department of Education for an  
565 institution at its level;

566 (b) Shows evidence of sound financial condition; and

567 (c)1. Is accredited at the institutional level by an  
568 accrediting agency recognized by the United States Department of  
569 Education and has operated in this state for at least 3 years  
570 during which there has been no complaint for which probable  
571 cause has been found; or

572 2. Has operated in this state for 5 years during which  
573 there has been no complaint for which probable cause has been  
574 found.

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575 Section 20. Subsections (2) and (4) of section 445.0124,  
576 Florida Statutes, are amended to read:

577 445.0124 Eligible programs.--

578 (2) Eligible lower-division programs are those programs  
579 that prepare a student for admission to a degree program that  
580 prepares students for employment in targeted career occupations  
581 listed in subsection (3). These programs include any associate  
582 in science degree program that articulates into a baccalaureate  
583 degree program by agreement of the State Board of Education  
584 ~~Articulation Coordinating Committee~~.

585 (4) Eligible career education programs are those programs  
586 in the following business sectors: information  
587 technology/telecommunications, biomedical technology,  
588 manufacturing-electronics, aviation/transportation, and skilled  
589 building trades. Workforce Florida, Inc., must determine  
590 eligible programs within these sectors annually in cooperation  
591 with the State Board of ~~Community Colleges and the Department of~~  
592 Education.

593 Section 21. Section 455.2125, Florida Statutes, is amended  
594 to read:

595 455.2125 Consultation with postsecondary education boards  
596 prior to adoption of changes to training requirements.--Any  
597 state agency or board that has jurisdiction over the regulation  
598 of a profession or occupation shall consult with the Commission  
599 for Independent Education ~~State Board of Independent Colleges~~  
600 ~~and Universities, the State Board of Nonpublic Career Education,~~  
601 the Board of Governors Regents, and the State Board of Education  
602 ~~Community Colleges~~ prior to adopting any changes to training  
603 requirements relating to entry into the profession or

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604 occupation. This consultation must allow the educational board  
605 to provide advice regarding the impact of the proposed changes  
606 in terms of the length of time necessary to complete the  
607 training program and the fiscal impact of the changes. The  
608 educational board must be consulted only when an institution  
609 offering the training program falls under its jurisdiction.

610 Section 22. Section 456.028, Florida Statutes, is amended  
611 to read:

612 456.028 Consultation with postsecondary education boards  
613 prior to adoption of changes to training requirements.--Any  
614 state agency or board that has jurisdiction over the regulation  
615 of a profession or occupation shall consult with the Commission  
616 for Independent Education State Board of Independent Colleges  
617 and Universities, the State Board of Nonpublic Career Education,  
618 the Board of Governors Regents, and the State Board of Education  
619 Community Colleges prior to adopting any changes to training  
620 requirements relating to entry into the profession or  
621 occupation. This consultation must allow the educational board  
622 to provide advice regarding the impact of the proposed changes  
623 in terms of the length of time necessary to complete the  
624 training program and the fiscal impact of the changes. The  
625 educational board must be consulted only when an institution  
626 offering the training program falls under its jurisdiction.

627 Section 23. Paragraph (c) of subsection (6) of section  
628 458.347, Florida Statutes, is amended to read:

629 458.347 Physician assistants.--

630 (6) PROGRAM APPROVAL.--

631 (c) Any community college with the approval of the State  
632 Board of Education Community Colleges may conduct a physician

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633 assistant program which shall apply for national accreditation  
634 through the American Medical Association's Committee on Allied  
635 Health, Education, and Accreditation, or its successor  
636 organization, and which may admit unlicensed physicians, as  
637 authorized in subsection (7), who are graduates of foreign  
638 medical schools listed with the World Health Organization. The  
639 unlicensed physician must have been a resident of this state for  
640 a minimum of 12 months immediately prior to admission to the  
641 program. An evaluation of knowledge base by examination shall be  
642 required to grant advanced academic credit and to fulfill the  
643 necessary requirements to graduate. A minimum of one 16-week  
644 semester of supervised clinical and didactic education, which  
645 may be completed simultaneously, shall be required before  
646 graduation from the program. All other provisions of this  
647 section shall remain in effect.

648 Section 24. Subsection (8) of section 467.009, Florida  
649 Statutes, is amended to read:

650 467.009 Midwifery programs; education and training  
651 requirements.--

652 (8) Nonpublic educational institutions that conduct  
653 approved midwifery programs shall be accredited by a member of  
654 the Commission on Recognition of Postsecondary Accreditation and  
655 shall be licensed by the Commission for Independent Education  
656 ~~State Board of Nonpublic Career Education.~~

657 Section 25. Section 488.01, Florida Statutes, is amended  
658 to read:

659 488.01 License to engage in business of operating a  
660 driver's school required.--The Department of Highway Safety and  
661 Motor Vehicles shall oversee and license all commercial driver's

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662 schools except truck driving schools. All commercial truck  
663 driving schools shall be required to be licensed pursuant to  
664 chapter 1005, and additionally shall be subject to the  
665 provisions of ss. 488.04 and 488.05. No person, group,  
666 organization, institution, business entity, or corporate entity  
667 may engage in the business of operating a driver's school  
668 without first obtaining a license therefor from the Department  
669 of Highway Safety and Motor Vehicles pursuant to this chapter or  
670 from the Commission for Independent Education ~~State Board of~~  
671 ~~Nonpublic Career Education~~ pursuant to chapter 1005.

672 Section 26. Section 489.125, Florida Statutes, is amended  
673 to read:

674 489.125 Prequalification of certificateholders.--Any  
675 person holding a certificate shall be prequalified to bid by a  
676 district school board pursuant to uniform prequalification of  
677 contractors criteria adopted by rule of the State Board  
678 ~~Commissioner~~ of Education. This section does not supersede any  
679 small, woman-owned or minority-owned business enterprise  
680 preference program adopted by a district school board. A  
681 district school board may not modify or supplement the uniform  
682 prequalification criteria adopted by rule. A person holding a  
683 certificate must apply to each board for prequalification  
684 consideration.

685 Section 27. Section 784.081, Florida Statutes, is amended  
686 to read:

687 784.081 Assault or battery on specified officials or  
688 employees; reclassification of offenses.--Whenever a person is  
689 charged with committing an assault or aggravated assault or a  
690 battery or aggravated battery upon any elected official or

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691 employee of: a school district; a private school; the Florida  
692 School for the Deaf and the Blind; a university lab  
693 ~~developmental-research~~ school; a state university or any other  
694 entity of the state system of public education, as defined in s.  
695 1000.04; an employee or protective investigator of the  
696 Department of Children and Family Services; or an employee of a  
697 lead community-based provider and its direct service contract  
698 providers, when the person committing the offense knows or has  
699 reason to know the identity or position or employment of the  
700 victim, the offense for which the person is charged shall be  
701 reclassified as follows:

702 (1) In the case of aggravated battery, from a felony of  
703 the second degree to a felony of the first degree.

704 (2) In the case of aggravated assault, from a felony of  
705 the third degree to a felony of the second degree.

706 (3) In the case of battery, from a misdemeanor of the  
707 first degree to a felony of the third degree.

708 (4) In the case of assault, from a misdemeanor of the  
709 second degree to a misdemeanor of the first degree.

710 Section 28. Section 817.566, Florida Statutes, is amended  
711 to read:

712 817.566 Misrepresentation of association with, or academic  
713 standing at, postsecondary educational institution.--Any person  
714 who, with intent to defraud, misrepresents his or her  
715 association with, or academic standing or other progress at, any  
716 postsecondary educational institution by falsely making,  
717 altering, simulating, or forging a document, degree,  
718 certificate, diploma, award, record, letter, transcript, form,  
719 or other paper; or any person who causes or procures such a

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720 misrepresentation; or any person who utters and publishes or  
721 otherwise represents such a document, degree, certificate,  
722 diploma, award, record, letter, transcript, form, or other paper  
723 as true, knowing it to be false, is guilty of a misdemeanor of  
724 the first degree, punishable as provided in s. 775.082 or s.  
725 775.083. Individuals who present a religious academic degree  
726 from any college, university, seminary, or institution which is  
727 not licensed by the Commission for Independent Education ~~State~~  
728 ~~Board of Independent Colleges and Universities~~ or which is not  
729 exempt pursuant to the provisions of s. 1005.06(1)(e) ~~246.085~~  
730 shall disclose the religious nature of the degree upon  
731 presentation.

732 Section 29. Paragraph (d) of subsection (1) of section  
733 817.567, Florida Statutes, is amended to read:

734 817.567 Making false claims of academic degree or title.--

735 (1) No person in the state may claim, either orally or in  
736 writing, to possess an academic degree, as defined in s.  
737 1005.02, or the title associated with said degree, unless the  
738 person has, in fact, been awarded said degree from an  
739 institution that is:

740 (d) Licensed by the Commission for Independent Education  
741 ~~State Board of Independent Colleges and Universities~~ pursuant to  
742 ss. 1005.01-1005.38 or exempt from licensure pursuant to chapter  
743 1005 ~~s. 246.085~~; or

744 Section 30. Subsection (4) of section 943.17, Florida  
745 Statutes, is amended to read:

746 943.17 Basic recruit, advanced, and career development  
747 training programs; participation; cost; evaluation.--The  
748 commission shall, by rule, design, implement, maintain,

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749 evaluate, and revise entry requirements and job-related  
750 curricula and performance standards for basic recruit, advanced,  
751 and career development training programs and courses. The rules  
752 shall include, but are not limited to, a methodology to assess  
753 relevance of the subject matter to the job, student performance,  
754 and instructor competency.

755 (4) The commission may, by rule, establish a sponsorship  
756 program for prospective officers. The rule shall specify the  
757 provisions of s. 943.13 that must be satisfied prior to the  
758 prospective officer's enrollment in a basic recruit training  
759 course. However, the rule shall not conflict with any laws or  
760 rules of the State Board ~~Department~~ of Education relating to  
761 student enrollment.

762 Section 31. Paragraph (a) of subsection (1) of section  
763 943.22, Florida Statutes, is amended to read:

764 943.22 Salary incentive program for full-time officers.--

765 (1) For the purpose of this section, the term:

766 (a) "Accredited college, university, or community college"  
767 means a college, university, or community college which has been  
768 accredited by the Southern Association of Colleges and Schools,  
769 another regional accrediting agency, or the Accrediting Council  
770 ~~Commission~~ for Independent Colleges and Schools.

771 Section 32. Subsection (1) of section 1000.04, Florida  
772 Statutes, is amended to read:

773 1000.04 Components for the delivery of public education  
774 within the Florida K-20 education system.--Florida's K-20  
775 education system provides for the delivery of public education  
776 through publicly supported and controlled K-12 schools,  
777 community colleges, state universities and other postsecondary

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778 educational institutions, other educational institutions, and  
779 other educational services as provided or authorized by the  
780 Constitution and laws of the state.

781 (1) PUBLIC K-12 SCHOOLS.--The public K-12 schools include  
782 charter schools and consist of kindergarten classes; elementary,  
783 middle, and high school grades and special classes; workforce  
784 development education; ~~area~~ technical centers; adult, part-time,  
785 career and technical, and evening schools, courses, or classes,  
786 as authorized by law to be operated under the control of  
787 district school boards; and lab schools operated under the  
788 control of state universities.

789 Section 33. Paragraph (a) of subsection (2) of section  
790 1001.26, Florida Statutes, is amended to read:

791 1001.26 Public broadcasting program system.--

792 (2)(a) The Department of Education is responsible for  
793 implementing the provisions of this section pursuant to s.  
794 282.102 ~~part III of chapter 287~~ and may employ personnel,  
795 acquire equipment and facilities, and perform all duties  
796 necessary for carrying out the purposes and objectives of this  
797 section.

798 Section 34. Subsection (1) of section 1001.32, Florida  
799 Statutes, is amended to read:

800 1001.32 Management, control, operation, administration,  
801 and supervision.--The district school system must be managed,  
802 controlled, operated, administered, and supervised as follows:

803 (1) DISTRICT SYSTEM.--The district school system shall be  
804 considered as a part of the state system of public education.  
805 All actions of district school officials shall be consistent and  
806 in harmony with state laws and with rules and minimum standards

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807 of the state board ~~and the commissioner~~. District school  
808 officials, however, shall have the authority to provide  
809 additional educational opportunities, as desired, which are  
810 authorized, but not required, by law or by the district school  
811 board.

812 Section 35. Subsection (3) of section 1001.372, Florida  
813 Statutes, is amended to read:

814 1001.372 District school board meetings.--

815 (3) REMOVAL OF PERSONS INTERFERING WITH MEETINGS.--The  
816 presiding officer of any district school board may order the  
817 removal, from a public meeting held by the district school  
818 board, of any person interfering with the expeditious or orderly  
819 process of such meeting, provided such officer has first issued  
820 a warning that continued interference with the orderly processes  
821 of the meeting will result in removal. Any law enforcement  
822 authority or a sergeant-at-arms designated by the officer shall  
823 remove any person ordered removed pursuant to this subsection  
824 ~~section~~.

825 Section 36. Section 1001.395, Florida Statutes, is amended  
826 to read:

827 1001.395 District school board members; compensation.--

828 (1) Each district school board shall annually determine  
829 the salary of its members at any ~~the first~~ regular meeting  
830 following the organizational meeting held pursuant to s.  
831 1001.371 and prior to July 1 of the following year. The proposed  
832 salary to be adopted shall be noticed at the time of the meeting  
833 notice and shall not be increased during that same ~~the~~ meeting  
834 or any subsequent meeting held prior to the beginning of the  
835 district's next fiscal year. The salary adopted by the district

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836 school board shall be in effect during the next fiscal year  
837 ~~succeeding 12 months.~~

838 (2) The salary adopted by the district school board shall  
839 apply to each district school board member ~~This section shall~~  
840 ~~apply to any district school board member elected or reelected~~  
841 ~~at the November 2002 general election or any subsequent general~~  
842 ~~election and to any person appointed to fill a vacancy in the~~  
843 office of any such member.

844 Section 37. Paragraph (m) of subsection (4) of section  
845 1001.42, Florida Statutes, is amended to read:

846 1001.42 Powers and duties of district school board.--The  
847 district school board, acting as a board, shall exercise all  
848 powers and perform all duties listed below:

849 (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF  
850 SCHOOLS.--Adopt and provide for the execution of plans for the  
851 establishment, organization, and operation of the schools of the  
852 district, including, but not limited to, the following:

853 (m) *Alternative education programs for students in*  
854 *residential care facilities.*--Provide, in accordance with the  
855 provisions of s. 1003.58 ~~chapter 1006~~, educational programs  
856 according to rules of the State Board of Education to students  
857 who reside in residential care facilities operated by the  
858 Department of Children and Family Services.

859 Section 38. Subsection (2) of section 1001.47, Florida  
860 Statutes, is amended, subsections (3), (4), and (5) are  
861 renumbered as subsections (4), (5), and (6), respectively, and a  
862 new subsection (3) is added to said section, to read:

863 1001.47 District school superintendent; salary.--

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864           (2) Each elected district school superintendent shall  
865 receive a base salary, the amounts indicated below, based on the  
866 population of the county the elected superintendent serves. In  
867 addition, compensation shall be made for population increments  
868 over the minimum for each population group, which shall be  
869 determined by multiplying the population in excess of the  
870 minimum for the group times the group rate. The product of such  
871 calculation shall be added to the base salary to determine the  
872 adjusted base salary. Laws that increase the base salary  
873 provided in this subsection shall contain provisions on no other  
874 subject.

875

<u>Pop. Group</u>	<u>County Pop. Range</u>		<u>Base Salary</u>	<u>Group Rate</u>
	<u>Minimum</u>	<u>Maximum</u>		
<u>I</u>	<u>-0-</u>	<u>49,999</u>	<u>\$21,250</u>	<u>\$0.07875</u>
<u>II</u>	<u>50,000</u>	<u>99,999</u>	<u>24,400</u>	<u>0.06300</u>
<u>III</u>	<u>100,000</u>	<u>199,999</u>	<u>27,550</u>	<u>0.02625</u>
<u>IV</u>	<u>200,000</u>	<u>399,999</u>	<u>30,175</u>	<u>0.01575</u>
<u>V</u>	<u>400,000</u>	<u>999,999</u>	<u>33,325</u>	<u>0.00525</u>
<u>VI</u>	<u>1,000,000</u>		<u>36,475</u>	<u>0.00400</u>

884

885 ~~Notwithstanding the provisions of chapter 145 to the contrary,~~  
886 ~~the annual salaries of elected district school superintendents~~

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887 ~~for 1993 and each year thereafter shall be established at the~~  
888 ~~same amounts as the district school superintendents were paid~~  
889 ~~for fiscal year 1991-1992, adjusted by each annual increase~~  
890 ~~provided for in chapter 145.~~

891 (3) The adjusted base salaries of elected district school  
892 superintendents shall be increased annually as provided for in  
893 s. 145.19. Any salary previously paid to elected  
894 superintendents, including the salary calculated for fiscal year  
895 2002-2003, which was consistent with chapter 145 and s. 230.303,  
896 Florida Statutes 2001, is hereby ratified and validated.

897 Section 39. Paragraph (f) of subsection (3) of section  
898 1001.50, Florida Statutes, is amended to read:

899 1001.50 Superintendents employed under Art. IX of the  
900 State Constitution.--

901 (3) The district school board of each such district shall  
902 pay to the district school superintendent a reasonable annual  
903 salary. In determining the amount of compensation to be paid,  
904 the board shall take into account such factors as:

905 (f) The educational qualifications, and professional  
906 experience, ~~and age~~ of the candidate for the position of  
907 district school superintendent.

908 Section 40. Subsection (16) of section 1001.51, Florida  
909 Statutes, is amended to read:

910 1001.51 Duties and responsibilities of district school  
911 superintendent.--The district school superintendent shall  
912 exercise all powers and perform all duties listed below and  
913 elsewhere in the law, provided that, in so doing, he or she  
914 shall advise and counsel with the district school board. The  
915 district school superintendent shall perform all tasks necessary

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916 to make sound recommendations, nominations, proposals, and  
917 reports required by law to be acted upon by the district school  
918 board. All such recommendations, nominations, proposals, and  
919 reports by the district school superintendent shall be either  
920 recorded in the minutes or shall be made in writing, noted in  
921 the minutes, and filed in the public records of the district  
922 school board. It shall be presumed that, in the absence of the  
923 record required in this section, the recommendations,  
924 nominations, and proposals required of the district school  
925 superintendent were not contrary to the action taken by the  
926 district school board in such matters.

927 (16) VISITATION OF SCHOOLS.--Visit the schools; observe  
928 the management and instruction; give suggestions for  
929 improvement; and advise supervisors, principals, teachers,  
930 ~~patrons~~, and other citizens with the view of promoting interest  
931 in education and improving the school conditions of the  
932 district.

933 Section 41. Subsection (19) of section 1001.74, Florida  
934 Statutes, is amended to read:

935 1001.74 Powers and duties of university boards of  
936 trustees.--

937 (19) Each board of trustees shall establish the personnel  
938 program for all employees of the university, including the  
939 president, pursuant to the provisions of chapter 1012 and, in  
940 accordance with rules and guidelines of the State Board of  
941 Education, including: compensation and other conditions of  
942 employment, recruitment and selection, nonreappointment,  
943 standards for performance and conduct, evaluation, benefits and  
944 hours of work, leave policies, recognition and awards,

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945 inventions and works, travel, learning opportunities, exchange  
946 programs, academic freedom and responsibility, promotion,  
947 assignment, demotion, transfer, tenure and permanent status,  
948 ethical obligations and conflicts of interest, restrictive  
949 covenants, disciplinary actions, complaints, appeals and  
950 grievance procedures, and separation and termination from  
951 employment. The Department of Management Services shall retain  
952 authority over state university employees for programs  
953 established in ss. 110.123, 110.1232, 110.1234, ~~and~~ 110.1238,  
954 and 110.161 and in chapters 121, 122, and 238.

955 Section 42. Subsection (2) of section 1002.01, Florida  
956 Statutes, is amended to read:

957 1002.01 Definitions.--

958 (2) A "private school" is a nonpublic school defined as an  
959 individual, association, copartnership, or corporation, or  
960 department, division, or section of such organizations, that  
961 designates itself as an educational center that includes  
962 kindergarten or a higher grade or as an elementary, secondary,  
963 business, technical, or trade school below college level or any  
964 organization that provides instructional services that meet the  
965 intent of s. 1003.01(13) ~~1003.01(14)~~ or that gives preemployment  
966 or supplementary training in technology or in fields of trade or  
967 industry or that offers academic, literary, or career and  
968 technical training below college level, or any combination of  
969 the above, including an institution that performs the functions  
970 of the above schools through correspondence or extension, except  
971 those licensed under the provisions of chapter 1005. A private  
972 school may be a parochial, religious, denominational, for-

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973 profit, or nonprofit school. This definition does not include  
974 home education programs conducted in accordance with s. 1002.41.

975 Section 43. Paragraph (b) of subsection (2) of section  
976 1002.20, Florida Statutes, is amended to read:

977 1002.20 K-12 student and parent rights.--K-12 students and  
978 their parents are afforded numerous statutory rights including,  
979 but not limited to, the following:

980 (2) ATTENDANCE.--

981 (b) *Regular school attendance*.--Parents of students who  
982 have attained the age of 6 years by February 1 of any school  
983 year but who have not attained the age of 16 years must comply  
984 with the compulsory school attendance laws. Parents have the  
985 option to comply with the school attendance laws by attendance  
986 of the student in a public school; a parochial, religious, or  
987 denominational school; a private school; a home education  
988 program; or a private tutoring program, in accordance with the  
989 provisions of s. 1003.01(13) ~~1003.01(14)~~.

990 Section 44. Paragraph (a) of subsection (3) and paragraph  
991 (a) of subsection (11) of section 1002.32, Florida Statutes, are  
992 amended to read:

993 1002.32 Developmental research (laboratory) schools.--

994 (3) MISSION.--The mission of a lab school shall be the  
995 provision of a vehicle for the conduct of research,  
996 demonstration, and evaluation regarding management, teaching,  
997 and learning. Programs to achieve the mission of a lab school  
998 shall embody the goals and standards established pursuant to ss.  
999 1000.03(5) and 1001.23(2) and shall ensure an appropriate  
1000 education for its students.

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1001 (a) Each lab school shall emphasize mathematics, science,  
1002 computer science, and foreign languages. The primary goal of a  
1003 lab school is to enhance instruction and research in such  
1004 specialized subjects by using the resources available on a state  
1005 university campus, while also providing an education in  
1006 nonspecialized subjects. Each lab school shall provide  
1007 sequential elementary and secondary instruction where  
1008 appropriate. A lab school may not provide instruction at grade  
1009 levels higher than grade 12 without authorization from the State  
1010 Board of Education. Each lab ~~developmental-research~~ school shall  
1011 develop and implement a school improvement plan pursuant to s.  
1012 1003.02(3).

1013 (11) EXCEPTIONS TO LAW.--To encourage innovative practices  
1014 and facilitate the mission of the lab schools, in addition to  
1015 the exceptions to law specified in s. 1001.23(2), the following  
1016 exceptions shall be permitted for lab schools:

1017 (a) The methods and requirements of the following statutes  
1018 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;  
1019 1001.32; 1001.33; 1001.34; 1001.35; 1001.36; 1001.361; 1001.362;  
1020 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;  
1021 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;  
1022 1001.461; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;  
1023 1001.49; 1001.50; 1001.51; 1006.12(1); 1006.21(3), (4); 1006.23;  
1024 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;  
1025 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;  
1026 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)-(3), (5);  
1027 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;  
1028 1011.73; and 1011.74; ~~and 1013.77.~~

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1029 Section 45. Paragraph (c) of subsection (18), paragraphs  
1030 (c), (d), and (e) of subsection (19), paragraph (c) of  
1031 subsection (21), and subsections (25) and (26) of section  
1032 1002.33, Florida Statutes, are amended to read:

1033 1002.33 Charter schools.--

1034 (18) FUNDING.--Students enrolled in a charter school,  
1035 regardless of the sponsorship, shall be funded as if they are in  
1036 a basic program or a special program, the same as students  
1037 enrolled in other public schools in the school district. Funding  
1038 for a charter lab school shall be as provided in s. 1002.32.

1039 (c) If the district school board is providing programs or  
1040 services to students funded by federal funds, any eligible  
1041 students enrolled in charter schools in the school district  
1042 shall be provided federal funds for the same level of service  
1043 provided students in the schools operated by the district school  
1044 board. Pursuant to provisions of 20 U.S.C. ss. 8061-8066 ~~20~~  
1045 ~~U.S.C. 8061 s. 10306~~, all charter schools shall receive all  
1046 federal funding for which the school is otherwise eligible,  
1047 including Title I funding, not later than 5 months after the  
1048 charter school first opens and within 5 months after any  
1049 subsequent expansion of enrollment.

1050 (19) FACILITIES.--

1051 ~~(c) Charter school facilities shall utilize facilities~~  
1052 ~~which comply with the Florida Building Code, pursuant to chapter~~  
1053 ~~553, and the Florida Fire Prevention Code, pursuant to chapter~~  
1054 ~~633.~~

1055 (c)~~(d)~~ Charter school facilities are exempt from  
1056 assessments of fees for building permits, except as provided in

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1057 s. 553.80, and from assessments of impact fees or service  
1058 availability fees.

1059 ~~(d)(e)~~ If a district school board facility or property is  
1060 available because it is surplus, marked for disposal, or  
1061 otherwise unused, it shall be provided for a charter school's  
1062 use on the same basis as it is made available to other public  
1063 schools in the district. A charter school receiving property  
1064 from the school district may not sell or dispose of such  
1065 property without written permission of the school district.  
1066 Similarly, for an existing public school converting to charter  
1067 status, no rental or leasing fee for the existing facility or  
1068 for the property normally inventoried to the conversion school  
1069 may be charged by the district school board to the parents and  
1070 teachers organizing the charter school. The charter organizers  
1071 shall agree to reasonable maintenance provisions in order to  
1072 maintain the facility in a manner similar to district school  
1073 board standards. The Public Education Capital Outlay maintenance  
1074 funds or any other maintenance funds generated by the facility  
1075 operated as a conversion school shall remain with the conversion  
1076 school.

1077 (21) SERVICES.--

1078 (c) Transportation of charter school students shall be  
1079 provided by the charter school consistent with the requirements  
1080 of subpart I.e. of chapter 1006 and s. 1012.45. The governing  
1081 body of the charter school may provide transportation through an  
1082 agreement or contract with the district school board, a private  
1083 provider, or parents. The charter school and the sponsor shall  
1084 cooperate in making arrangements that ensure that transportation  
1085 is not a barrier to equal access for all students residing

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1086 within a reasonable distance of the charter school as determined  
1087 in its charter.

1088 ~~(25) CONVERSION CHARTER SCHOOL PILOT PROGRAM.~~

1089 ~~(a) The conversion charter school pilot program is hereby~~  
1090 ~~established with the intent to provide incentives for local~~  
1091 ~~school districts to approve conversion charter schools.~~

1092 ~~(b) The conversion charter school pilot program shall be a~~  
1093 ~~statewide pilot program in which 10 schools shall be selected~~  
1094 ~~based on a competitive application process in accordance with~~  
1095 ~~this section.~~

1096 ~~(c) The purpose of the pilot program is to produce~~  
1097 ~~significant improvements in student achievement and school~~  
1098 ~~management, to encourage and measure the use of innovative~~  
1099 ~~learning methods, and to make the school the unit for~~  
1100 ~~improvement.~~

1101 ~~(d) Each school principal or a majority of the parents of~~  
1102 ~~students attending the school, a majority of the school's~~  
1103 ~~teachers, or a majority of the members of the school advisory~~  
1104 ~~council may apply to the school district to participate in this~~  
1105 ~~pilot program on forms which shall be provided by the Department~~  
1106 ~~of Education. The forms shall include acknowledgment by the~~  
1107 ~~school principal of applicable provisions of this section and s.~~  
1108 ~~1013.62. For purposes of this paragraph, "a majority of the~~  
1109 ~~parents of students attending the school" means more than 50~~  
1110 ~~percent of the parents voting whose children are enrolled at the~~  
1111 ~~school, provided that a majority of the parents eligible to vote~~  
1112 ~~participate in the ballot process; and "a majority of the~~  
1113 ~~school's teachers" means more than 50 percent of the teachers~~  
1114 ~~employed at the school, according to procedures established by~~

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1115 ~~rule of the State Board of Education pursuant to subsections (3)~~  
1116 ~~and (4).~~

1117 ~~(e) A person or group who has applied to participate in~~  
1118 ~~the pilot program created by this section, pursuant to paragraph~~  
1119 ~~(d), shall not be subject to an unlawful reprisal, as defined by~~  
1120 ~~paragraph (4)(a), as a consequence of such application. The~~  
1121 ~~procedures established by subsections (3) and (4) shall apply to~~  
1122 ~~any alleged unlawful reprisal which occurs as a consequence of~~  
1123 ~~such application.~~

1124 ~~(f) A district school board shall receive and review all~~  
1125 ~~applications by school principals, parents, teachers, or school~~  
1126 ~~advisory council members to participate in the pilot project;~~  
1127 ~~shall select the best applications; and shall submit these~~  
1128 ~~applications, together with the district school board's letter~~  
1129 ~~of endorsement and commitment of support and cooperation toward~~  
1130 ~~the success of program implementation, for review by the~~  
1131 ~~statewide selection panel established pursuant to paragraph (g).~~

1132 ~~(g) A conversion charter school pilot program statewide~~  
1133 ~~selection panel is established. The panel shall be comprised of~~  
1134 ~~the following nine members who are not elected public officials:~~

1135 ~~1. Three members shall be appointed by the Governor.~~

1136 ~~2. Two members shall be appointed by the Commissioner of~~  
1137 ~~Education.~~

1138 ~~3. Two members shall be appointed by the President of the~~  
1139 ~~Senate.~~

1140 ~~4. Two members shall be appointed by the Speaker of the~~  
1141 ~~House of Representatives.~~

1142



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1143 ~~The panel shall review the conversion charter school pilot~~  
1144 ~~program applications submitted by the district school boards and~~  
1145 ~~shall select the 10 applications which the panel deems best~~  
1146 ~~comply with the purpose of the program pursuant to paragraph~~  
1147 ~~(c).~~

1148 ~~(h) Each district school board in which there is a school~~  
1149 ~~selected by the statewide panel for participation in the pilot~~  
1150 ~~program shall receive a grant as provided in the General~~  
1151 ~~Appropriations Act:~~

1152 ~~1. One hundred thousand dollars for planning and~~  
1153 ~~development for each conversion charter school selected; and~~

1154 ~~2.a. Eighty thousand dollars for each conversion charter~~  
1155 ~~school selected with 500 or fewer students;~~

1156 ~~b. One hundred thousand dollars for each conversion~~  
1157 ~~charter school selected with more than 500 but fewer than 1,001~~  
1158 ~~students; or~~

1159 ~~e. One hundred twenty thousand dollars for each conversion~~  
1160 ~~charter school selected with more than 1,000 students.~~

1161  
1162 ~~The Commissioner of Education may reduce the district's FEFP~~  
1163 ~~funding entitlement by the amount of the grant awarded under~~  
1164 ~~this subsection if he or she determines that the district has~~  
1165 ~~failed to comply with its letter of endorsement and commitment~~  
1166 ~~of support and cooperation submitted under paragraph (f).~~

1167 ~~(i) Each conversion charter school selected for~~  
1168 ~~participation in the pilot program shall make annual progress~~  
1169 ~~reports to the district school board and the Commissioner of~~  
1170 ~~Education detailing the school's progress in achieving the~~  
1171 ~~purpose of the program as described in paragraph (c).~~

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1172        ~~(25)~~(26) RULEMAKING.--The Department of Education, after  
1173 consultation with school districts and charter school directors,  
1174 shall recommend that the State Board of Education adopt rules to  
1175 implement specific subsections of this section. Such rules shall  
1176 require minimum paperwork and shall not limit charter school  
1177 flexibility authorized by statute.

1178        Section 46. Subsections (7) and (14) of section 1002.42,  
1179 Florida Statutes, are amended to read:

1180        1002.42 Private schools.--

1181        (7) ATTENDANCE REQUIREMENTS.--Attendance of a student at a  
1182 private, parochial, religious, or denominational school  
1183 satisfies the attendance requirements of ss. 1003.01(13)  
1184 ~~1003.01(14)~~ and 1003.21(1).

1185        (14) BUS DRIVER TRAINING.--Private school bus drivers may  
1186 participate in a district school board's bus driver training  
1187 program, if the district school board makes the program  
1188 available pursuant to s. 1012.45(4) ~~1006.26~~.

1189        Section 47. Subsection (1) of section 1002.43, Florida  
1190 Statutes, is amended to read:

1191        1002.43 Private tutoring programs.--

1192        (1) Regular school attendance as defined in s. 1003.01(13)  
1193 ~~1003.01(14)~~ may be achieved by attendance in a private tutoring  
1194 program if the person tutoring the student meets the following  
1195 requirements:

1196        (a) Holds a valid Florida certificate to teach the  
1197 subjects or grades in which instruction is given.

1198        (b) Keeps all records and makes all reports required by  
1199 the state and district school board and makes regular reports on

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1200 the attendance of students in accordance with the provisions of  
1201 s. 1003.23(2).

1202 (c) Requires students to be in actual attendance for the  
1203 minimum length of time prescribed by s. 1011.60(2).

1204 Section 48. Subsection (4) of section 1003.22, Florida  
1205 Statutes, is amended to read:

1206 1003.22 School-entry health examinations; immunization  
1207 against communicable diseases; exemptions; duties of Department  
1208 of Health.--

1209 (4) Each district school board and the governing authority  
1210 of each private school shall establish and enforce as policy  
1211 that, prior to admittance to or attendance in a public or  
1212 private school, grades prekindergarten ~~kindergarten~~ through 12,  
1213 each child present or have on file with the school a  
1214 certification of immunization for the prevention of those  
1215 communicable diseases for which immunization is required by the  
1216 Department of Health and further shall provide for appropriate  
1217 screening of its students for scoliosis at the proper age. Such  
1218 certification shall be made on forms approved and provided by  
1219 the Department of Health and shall become a part of each  
1220 student's permanent record, to be transferred when the student  
1221 transfers, is promoted, or changes schools. The transfer of such  
1222 immunization certification by Florida public schools shall be  
1223 accomplished using the Florida Automated System for Transferring  
1224 Education Records and shall be deemed to meet the requirements  
1225 of this section.

1226 Section 49. Paragraph (c) of subsection (1) and subsection  
1227 (12) of section 1003.43, Florida Statutes, are amended to read:

1228 1003.43 General requirements for high school graduation.--

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1229 (1) Graduation requires successful completion of either a  
1230 minimum of 24 academic credits in grades 9 through 12 or an  
1231 International Baccalaureate curriculum. The 24 credits shall be  
1232 distributed as follows:

1233 (c) Three credits in science, two of which must have a  
1234 laboratory component. ~~The State Board of Education may grant an~~  
1235 ~~annual waiver of the laboratory requirement to a district school~~  
1236 ~~board that certifies that its laboratory facilities are~~  
1237 ~~inadequate, provided the district school board submits a capital~~  
1238 ~~outlay plan to provide adequate facilities and makes the funding~~  
1239 ~~of this plan a priority of the district school board.~~

1240 Agriscience Foundations I, the core course in secondary  
1241 Agriscience and Natural Resources programs, counts as one of the  
1242 science credits.

1243  
1244 District school boards may award a maximum of one-half credit in  
1245 social studies and one-half elective credit for student  
1246 completion of nonpaid voluntary community or school service  
1247 work. Students choosing this option must complete a minimum of  
1248 75 hours of service in order to earn the one-half credit in  
1249 either category of instruction. Credit may not be earned for  
1250 service provided as a result of court action. District school  
1251 boards that approve the award of credit for student volunteer  
1252 service shall develop guidelines regarding the award of the  
1253 credit, and school principals are responsible for approving  
1254 specific volunteer activities. A course designated in the Course  
1255 Code Directory as grade 9 through grade 12 that is taken below  
1256 the 9th grade may be used to satisfy high school graduation  
1257 requirements or Florida Academic Scholars award requirements as

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1258 specified in a district school board's student progression plan.  
1259 A student shall be granted credit toward meeting the  
1260 requirements of this subsection for equivalent courses, as  
1261 identified pursuant to s. 1007.271(6), taken through dual  
1262 enrollment.

1263 (12) The Commissioner of Education may award a standard  
1264 high school diploma to honorably discharged veterans who started  
1265 high school between 1946 and 1955 ~~1950~~ and were scheduled to  
1266 graduate between 1950 and 1954, but were inducted into the  
1267 United States Armed Forces between June 27, 1950 and January 31,  
1268 1954, and served during the Korean Conflict ~~War~~ prior to  
1269 completing the  
1270 necessary high school graduation requirements. Upon the  
1271 recommendation of the commissioner, the State Board of Education  
1272 may develop criteria and guidelines for awarding such diplomas.

1273 Section 50. Subsection (4) of section 1003.52, Florida  
1274 Statutes, is amended to read:

1275 1003.52 Educational services in Department of Juvenile  
1276 Justice programs.--

1277 (4) Educational services shall be provided at times of the  
1278 day most appropriate for the juvenile justice program. School  
1279 programming in juvenile justice detention, commitment, and  
1280 rehabilitation programs shall be made available by the local  
1281 school district during the juvenile justice school year, as  
1282 defined in s. 1003.01(11) ~~1003.01(12)~~.

1283 Section 51. Paragraph (a) of subsection (7) of section  
1284 1003.63, Florida Statutes, is amended to read:

1285 1003.63 Deregulated public schools pilot program.--

1286 (7) EXEMPTION FROM STATUTES.--

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1287 (a) A deregulated public school shall operate in  
1288 accordance with its proposal and shall be exempt from all  
1289 statutes of the Florida K-20 Education Code, except those  
1290 pertaining to civil rights and student health, safety, and  
1291 welfare, or as otherwise required by this section. A deregulated  
1292 public school shall not be exempt from the following statutes:  
1293 chapter 119, relating to public records, ~~and s. 286.011,~~  
1294 relating to public meetings and records, public inspection, and  
1295 penalties, ~~and chapters 1010 and 1011 if exemption. The school~~  
1296 ~~district, upon request of a deregulated public school, may apply~~  
1297 ~~to the State Board of Education for a waiver of provisions of~~  
1298 ~~law applicable to deregulated public schools under this section,~~  
1299 ~~except that the provisions of chapter 1010 or chapter 1011 shall~~  
1300 ~~not be eligible for waiver if the waiver would affect funding~~  
1301 ~~allocations or create inequity in public school funding. The~~  
1302 ~~State Board of Education may grant the waiver if necessary to~~  
1303 ~~implement the school program.~~

1304 Section 52. Subsection (5) of section 1004.24, Florida  
1305 Statutes, is amended to read:

1306 1004.24 State Board of Education authorized to secure  
1307 liability insurance.--

1308 (5) Each self-insurance program council shall make  
1309 provision for an annual financial audit pursuant to s. 11.45  
1310 ~~postaudit~~ of its ~~financial~~ accounts to be conducted by an  
1311 independent certified public accountant. The annual audit report  
1312 must include a management letter and shall be submitted to the  
1313 State Board of Education for review. The State Board of  
1314 Education shall have the authority to require and receive from  
1315 the self-insurance program council or from its independent

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1316 auditor any detail or supplemental data relative to the  
1317 operation of the self-insurance program.

1318 Section 53. Subsections (1) and (5) of section 1004.26,  
1319 Florida Statutes, are amended to read:

1320 1004.26 University student governments.--

1321 (1) A student government is created on the main campus of  
1322 each state university. In addition, each university board of  
1323 trustees may establish a student government on any branch campus  
1324 or center. Each student government is a part of the university  
1325 at which it is established.

1326 ~~(5) Each student government is a part of the university at~~  
1327 ~~which it is established. If an internal procedure of the~~  
1328 ~~university student government is disapproved by the university~~  
1329 ~~president under s. 229.0082(15), a member of the university~~  
1330 ~~board of trustees may request a review of the disapproved~~  
1331 ~~procedure at the next meeting of the board of trustees.~~

1332 Section 54. Paragraph (d) of subsection (3) of section  
1333 1004.445, Florida Statutes, is amended to read:

1334 1004.445 Florida Alzheimer's Center and Research  
1335 Institute.--

1336 (3) The State Board of Education shall provide in the  
1337 agreement with the not-for-profit corporation for the following:

1338 (d) Preparation of an annual financial audit pursuant to  
1339 s. 11.45 ~~postaudit~~ of the not-for-profit corporation's ~~financial~~  
1340 accounts and the ~~financial~~ accounts of any subsidiaries to be  
1341 conducted by an independent certified public accountant. The  
1342 annual audit report shall include management letters and shall  
1343 be submitted to the Auditor General and the State Board of  
1344 Education for review. The State Board of Education, the Auditor

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1345 General, and the Office of Program Policy Analysis and  
1346 Government Accountability shall have the authority to require  
1347 and receive from the not-for-profit corporation and any  
1348 subsidiaries, or from their independent auditor, any detail or  
1349 supplemental data relative to the operation of the not-for-  
1350 profit corporation or subsidiary.

1351 Section 55. Paragraph (a) of subsection (1) of section  
1352 1005.04, Florida Statutes, is amended to read:

1353 1005.04 Fair consumer practices.--

1354 (1) Every institution that is under the jurisdiction of  
1355 the commission or is exempt from the jurisdiction or purview of  
1356 the commission pursuant to s. 1005.06(1)(c) or (f) and that  
1357 either directly or indirectly solicits for enrollment any  
1358 student shall:

1359 (a) Disclose to each prospective student a statement of  
1360 the purpose of such institution, its educational programs and  
1361 curricula, a description of its physical facilities, its status  
1362 regarding licensure, its fee schedule and policies regarding  
1363 retaining student fees if a student withdraws, and a statement  
1364 regarding the transferability of credits to and from other  
1365 institutions. The institution shall make the required  
1366 disclosures in writing at least 1 week prior to enrollment or  
1367 collection of any tuition from the prospective student. The  
1368 required disclosures may be made in the institution's current  
1369 catalog;--

1370 Section 56. Subsection (1) of section 1006.06, Florida  
1371 Statutes, is amended to read:

1372 1006.06 School food service programs.--



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1373 (1) In recognition of the demonstrated relationship  
1374 between good nutrition and the capacity of students to develop  
1375 and learn, it is the policy of the state to provide standards  
1376 for school food service and to require district school boards to  
1377 establish and maintain an appropriate nonprofit ~~private~~ school  
1378 food service program consistent with the nutritional needs of  
1379 students.

1380 Section 57. Subsection (5) of section 1006.14, Florida  
1381 Statutes, is amended to read:

1382 1006.14 Secret societies prohibited in public K-12  
1383 schools.--

1384 (5) It is unlawful for any student enrolled in any public  
1385 K-12 school to be a member of, to join or to become a member of  
1386 or to pledge himself or herself to become a member of any secret  
1387 fraternity, sorority, or group wholly or partly formed from the  
1388 membership of students attending public K-12 schools or to take  
1389 part in the organization or formation of any such fraternity,  
1390 sorority, or secret society; provided that this does not prevent  
1391 any student from belonging to any organization fostered and  
1392 promoted by the school authorities, + or approved and accepted by  
1393 the school authorities and whose membership is selected on the  
1394 basis of good character, good scholarship, leadership ability,  
1395 and achievement.

1396 Section 58. Section 1006.18, Florida Statutes, is amended  
1397 to read:

1398 1006.18 Cheerleader safety standards.--The Florida High  
1399 School Athletic Activities Association or successor organization  
1400 shall adopt statewide uniform safety standards for student  
1401 cheerleaders and spirit groups that participate in any school

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1402 activity or extracurricular student activity. The Florida High  
1403 School Athletic Activities Association or successor organization  
1404 shall adopt the "Official High School Spirit Rules," published  
1405 by the National Federation of State High School Associations, as  
1406 the statewide uniform safety standards.

1407 Section 59. Subsection (1), paragraph (c) of subsection  
1408 (2), and subsection (10) of section 1006.20, Florida Statutes,  
1409 are amended to read:

1410 1006.20 Athletics in public K-12 schools.--

1411 (1) GOVERNING NONPROFIT ORGANIZATION.--The Florida High  
1412 School Athletic Activities Association is designated as the  
1413 governing nonprofit organization of athletics in Florida public  
1414 schools. If the Florida High School Athletic Activities  
1415 Association fails to meet the provisions of this section, the  
1416 commissioner shall designate a nonprofit organization to govern  
1417 athletics with the approval of the State Board of Education. The  
1418 organization is not to be a state agency as defined in s.  
1419 120.52. The organization shall be subject to the provisions of  
1420 s. 1006.19. A private school that wishes to engage in high  
1421 school athletic competition with a public high school may become  
1422 a member of the organization. The bylaws of the organization are  
1423 to be the rules by which high school athletic programs in its  
1424 member schools, and the students who participate in them, are  
1425 governed, unless otherwise specifically provided by statute. For  
1426 the purposes of this section, "high school" includes grades 6  
1427 through 12.

1428 (2) ADOPTION OF BYLAWS.--

1429 (c) The organization shall adopt bylaws that require all  
1430 students participating in interscholastic athletic competition

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1431 or who are candidates for an interscholastic athletic team to  
1432 satisfactorily pass a medical evaluation each year prior to  
1433 participating in interscholastic athletic competition or  
1434 engaging in any practice, tryout, workout, or other physical  
1435 activity associated with the student's candidacy for an  
1436 interscholastic athletic team. Such medical evaluation can only  
1437 be administered by a practitioner licensed under the provisions  
1438 of chapter 458, chapter 459, chapter 460, or s. 464.012, and in  
1439 good standing with the practitioner's regulatory board. The  
1440 bylaws shall establish requirements for eliciting a student's  
1441 medical history and performing the medical evaluation required  
1442 under this paragraph, which shall include a physical assessment  
1443 of the student's ~~minimum standards for the~~ physical capabilities  
1444 to participate ~~necessary for participation~~ in interscholastic  
1445 athletic competition as contained in a uniform preparticipation  
1446 physical evaluation form. The evaluation form shall provide a  
1447 place for the signature of the practitioner performing the  
1448 evaluation with an attestation that each examination procedure  
1449 listed on the form was performed by the practitioner or by  
1450 someone under the direct supervision of the practitioner. The  
1451 form shall also contain a place for the practitioner to indicate  
1452 if a referral to another practitioner was made in lieu of  
1453 completion of a certain examination procedure. The form shall  
1454 provide a place for the practitioner to whom the student was  
1455 referred to complete the remaining sections and attest to that  
1456 portion of the examination. The preparticipation physical  
1457 evaluation form shall advise students to complete a  
1458 cardiovascular assessment and shall include information  
1459 concerning alternative cardiovascular evaluation and diagnostic

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1460 tests. Practitioners administering medical evaluations pursuant  
1461 to this subsection must, at a minimum, solicit all information  
1462 required by, and perform a physical assessment according to, the  
1463 uniform preparticipation form referred to in this paragraph.  
1464 Based on the information provided and the physical assessment,  
1465 the practitioner shall determine if the student is physically  
1466 capable of participating in interscholastic athletic competition  
1467 ~~know the minimum standards established by the organization and~~  
1468 ~~certify that the student meets the standards.~~ If the  
1469 practitioner determines that there are any abnormal findings in  
1470 the cardiovascular system, the student may not participate until  
1471 a further cardiovascular assessment, which may include an EKG,  
1472 is performed that indicates the student is physically capable of  
1473 participating in athletic competition unless a subsequent EKG or  
1474 ~~other cardiovascular assessment indicates that the abnormality~~  
1475 ~~will not place the student at risk during such participation.~~  
1476 Results of such medical evaluation must be provided to the  
1477 school. No student shall be eligible to participate in any  
1478 interscholastic athletic competition or engage in any practice,  
1479 tryout, workout, or other physical activity associated with the  
1480 student's candidacy for an interscholastic athletic team until  
1481 the results of the medical evaluation clearing ~~verifying that~~  
1482 ~~the student~~ for participation ~~has satisfactorily passed the~~  
1483 ~~evaluation~~ have been received and approved by the school.

1484 ~~(10) EXAMINATION; CRITERIA; REPORT.—The board of~~  
1485 ~~directors of the Florida High School Activities Association~~  
1486 ~~shall undertake an examination of the following:~~

1487 ~~(a) Alternative criteria for establishing administrative~~  
1488 ~~regions to include, but not be limited to, population.~~

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1489 ~~(b) Procedures to ensure appropriate diversity in the~~  
1490 ~~membership of the board of directors.~~

1491 ~~(c) Opportunities to secure corporate financial support~~  
1492 ~~for high school athletic programs.~~

1493

1494 ~~The board of directors shall submit to the commissioner, the~~  
1495 ~~President of the Senate, and the Speaker of the House of~~  
1496 ~~Representatives not later than March 1, 2003, a report on the~~  
1497 ~~actions taken in the examination of each of the three topics~~  
1498 ~~listed in this subsection, the findings, and the actions to be~~  
1499 ~~taken to implement the findings and the target date for~~  
1500 ~~implementation.~~

1501 Section 60. Subsections (1) and (2) of section 1006.21,  
1502 Florida Statutes, are amended to read:

1503 1006.21 Duties of district school superintendent and  
1504 district school board regarding transportation.--

1505 (1) The district school superintendent shall ascertain  
1506 which students should be transported to school or to school  
1507 activities, determine the most effective arrangement of  
1508 transportation routes to accommodate these students; recommend  
1509 such routing to the district school board; recommend plans and  
1510 procedures for providing facilities for the economical and safe  
1511 transportation of students; recommend such rules ~~and regulations~~  
1512 as may be necessary and see that all rules ~~and regulations~~  
1513 relating to the transportation of students approved by the  
1514 district school board, as well as rules ~~regulations~~ of the State  
1515 Board of Education ~~state board~~, are properly carried into  
1516 effect, as prescribed in this chapter.

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1517 (2) After considering recommendations of the district  
1518 school superintendent, the district school board shall make  
1519 provision for the transportation of students to the public  
1520 schools or school activities they are required or expected to  
1521 attend; authorize transportation routes arranged efficiently and  
1522 economically; provide the necessary transportation facilities,  
1523 and, when authorized under rules of the State Board of Education  
1524 and if more economical to do so, provide limited subsistence in  
1525 lieu thereof; and adopt the necessary rules ~~and regulations~~ to  
1526 ensure safety, economy, and efficiency in the operation of all  
1527 buses, as prescribed in this chapter.

1528 Section 61. Subsection (1) and paragraphs (a) and (b) of  
1529 subsection (2) of section 1007.21, Florida Statutes, are amended  
1530 to read:

1531 1007.21 Readiness for postsecondary education and the  
1532 workplace.--

1533 (1) It is the intent of the Legislature that students and  
1534 parents set early achievement and career goals for the student's  
1535 post-high school experience. This section sets forth a model  
1536 which schools, through their school advisory councils, may  
1537 choose to implement to ensure that students are ready for  
1538 postsecondary education and the workplace. If such a program is  
1539 adopted, students and their parents shall have the option of  
1540 participating in this model to plan the student's secondary  
1541 level course of study. Parents and students are to become  
1542 partners with school personnel in educational choice. Clear  
1543 academic course expectations shall be made available to all  
1544 students by allowing both student and parent ~~or guardian~~ choice.

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1545 (2)(a) Students entering the 9th grade and their parents  
1546 shall be active participants in choosing an end-of-high-school  
1547 student destination based upon both student and parent ~~or~~  
1548 ~~guardian~~ goals. Four or more destinations should be available  
1549 with bridges between destinations to enable students to shift  
1550 destinations should they choose to change goals. The  
1551 destinations shall accommodate the needs of students served in  
1552 exceptional education programs to the extent appropriate for  
1553 individual students. Exceptional education students may continue  
1554 to follow the courses outlined in the district school board  
1555 student progression plan. Participating students and their  
1556 parents shall choose among destinations, which must include:

- 1557 1. Four-year college or university, community college plus  
1558 university, or military academy.
- 1559 2. Two-year postsecondary degree.
- 1560 3. Postsecondary career and technical certificate.
- 1561 4. Immediate employment or entry-level military.

1562 (b) The student progression model toward a chosen  
1563 destination shall include:

- 1564 1. A "path" of core courses leading to each of the  
1565 destinations provided in paragraph (a).
- 1566 2. A recommended group of electives which shall help  
1567 define each path.
- 1568 3. Provisions for a teacher, school administrator, other  
1569 school staff member, or community volunteer to be assigned to a  
1570 student as an "academic advocate" if parental ~~or guardian~~  
1571 involvement is lacking.

1572 Section 62. Section 1007.264, Florida Statutes, is  
1573 amended, to read:

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1574           1007.264 Impaired and learning disabled persons; admission  
1575 to postsecondary educational institutions; and graduation,  
1576 substitute requirements; rules.--Any person who is hearing  
1577 impaired, visually impaired, or dyslexic, or who has a specific  
1578 learning disability, shall be eligible for reasonable  
1579 substitution for any requirement for admission into a public  
1580 postsecondary educational institution, admission into a program  
1581 of study, or graduation, where documentation can be provided  
1582 that the person's failure to meet the admission requirement is  
1583 related to the disability and where the failure to meet the  
1584 graduation requirement or program admission requirement does not  
1585 constitute a fundamental alteration in the nature of the  
1586 program. The State Board of Education shall adopt rules to  
1587 implement this section and shall develop substitute admission  
1588 requirements where appropriate.

1589           Section 63. Section 1007.265, Florida Statutes, is created  
1590 to read:

1591           1007.265 Impaired and learning disabled persons;  
1592 graduation, study program admission, and upper-division entry;  
1593 substitute requirements; rules.--Any student in a public  
1594 postsecondary educational institution who is hearing impaired,  
1595 visually impaired, or dyslexic, or who has a specific learning  
1596 disability, shall be eligible for reasonable substitution for  
1597 any requirement for graduation, for admission into a program of  
1598 study, or for entry into the upper division where documentation  
1599 can be provided that the person's failure to meet the  
1600 requirement is related to the disability and where the failure  
1601 to meet the graduation requirement or program admission  
1602 requirement does not constitute a fundamental alteration in the

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1603 nature of the program. The State Board of Education shall adopt  
1604 rules to implement this section and shall develop substitute  
1605 requirements where appropriate.

1606 Section 64. Paragraph (c) of subsection (3) of section  
1607 1008.22, Florida Statutes, is amended to read:

1608 1008.22 Student assessment program for public schools.--

1609 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
1610 design and implement a statewide program of educational  
1611 assessment that provides information for the improvement of the  
1612 operation and management of the public schools, including  
1613 schools operating for the purpose of providing educational  
1614 services to youth in Department of Juvenile Justice programs.  
1615 Pursuant to the statewide assessment program, the commissioner  
1616 shall:

1617 (c) Develop and implement a student achievement testing  
1618 program known as the Florida Comprehensive Assessment Test  
1619 (FCAT) as part of the statewide assessment program, to be  
1620 administered annually in grades 3 through 10 to measure reading,  
1621 writing, science, and mathematics. Other content areas may be  
1622 included as directed by the commissioner. The testing program  
1623 must be designed so that:

1624 1. The tests measure student skills and competencies  
1625 adopted by the State Board of Education as specified in  
1626 paragraph (a). The tests must measure and report student  
1627 proficiency levels in reading, writing, mathematics, and  
1628 science. The commissioner shall provide for the tests to be  
1629 developed or obtained, as appropriate, through contracts and  
1630 project agreements with private vendors, public vendors, public  
1631 agencies, postsecondary educational institutions, or school

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1632 districts. The commissioner shall obtain input with respect to  
1633 the design and implementation of the testing program from state  
1634 educators and the public.

1635 2. The testing program will include a combination of norm-  
1636 referenced and criterion-referenced tests and include, to the  
1637 extent determined by the commissioner, questions that require  
1638 the student to produce information or perform tasks in such a  
1639 way that the skills and competencies he or she uses can be  
1640 measured.

1641 3. Each testing program, whether at the elementary,  
1642 middle, or high school level, includes a test of writing in  
1643 which students are required to produce writings that are then  
1644 scored by appropriate methods.

1645 4. A score is designated for each subject area tested,  
1646 below which score a student's performance is deemed inadequate.  
1647 The school districts shall provide appropriate remedial  
1648 instruction to students who score below these levels.

1649 5. Students must earn a passing score on the grade 10  
1650 assessment test described in this paragraph in reading, writing,  
1651 and mathematics to qualify for a regular high school diploma.  
1652 The State Board of Education shall designate a passing score for  
1653 each part of the grade 10 assessment test. In establishing  
1654 passing scores, the state board shall consider any possible  
1655 negative impact of the test on minority students. All students  
1656 who took the grade 10 FCAT during the 2000-2001 school year  
1657 shall be required to earn the passing scores in reading and  
1658 mathematics established by the State Board of Education for the  
1659 March 2001 test administration. Such students who did not earn  
1660 the established passing scores and must repeat the grade 10 FCAT

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1661 are required to earn the passing scores established for the  
1662 March 2001 test administration. ~~All students who take the grade~~  
1663 ~~10 FCAT for the first time in March 2002 and thereafter shall be~~  
1664 ~~required to earn the passing scores in reading and mathematics~~  
1665 ~~established by the State Board of Education for the March 2002~~  
1666 ~~test administration.~~ The State Board of Education shall adopt  
1667 rules which specify the passing scores for the grade 10 FCAT.  
1668 Any such rules, which have the effect of raising the required  
1669 passing scores, shall only apply to students taking the grade 10  
1670 FCAT for the first time after such rules are adopted by the  
1671 State Board of Education.

1672 6. Participation in the testing program is mandatory for  
1673 all students attending public school, including students served  
1674 in Department of Juvenile Justice programs, except as otherwise  
1675 prescribed by the commissioner. If a student does not  
1676 participate in the statewide assessment, the district must  
1677 notify the student's parent and provide the parent with  
1678 information regarding the implications of such nonparticipation.  
1679 If modifications are made in the student's instruction to  
1680 provide accommodations that would not be permitted on the  
1681 statewide assessment tests, the district must notify the  
1682 student's parent of the implications of such instructional  
1683 modifications. A parent must provide signed consent for a  
1684 student to receive instructional modifications that would not be  
1685 permitted on the statewide assessments and must acknowledge in  
1686 writing that he or she understands the implications of such  
1687 accommodations. The State Board of Education shall adopt rules,  
1688 based upon recommendations of the commissioner, for the  
1689 provision of test accommodations and modifications of procedures

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1690 as necessary for students in exceptional education programs and  
1691 for students who have limited English proficiency.

1692 Accommodations that negate the validity of a statewide  
1693 assessment are not allowable.

1694 7. A student seeking an adult high school diploma must  
1695 meet the same testing requirements that a regular high school  
1696 student must meet.

1697 8. District school boards must provide instruction to  
1698 prepare students to demonstrate proficiency in the skills and  
1699 competencies necessary for successful grade-to-grade progression  
1700 and high school graduation. If a student is provided with  
1701 accommodations or modifications that are not allowable in the  
1702 statewide assessment program, as described in the test manuals,  
1703 the district must inform the parent in writing and must provide  
1704 the parent with information regarding the impact on the  
1705 student's ability to meet expected proficiency levels in  
1706 reading, writing, and math. The commissioner shall conduct  
1707 studies as necessary to verify that the required skills and  
1708 competencies are part of the district instructional programs.

1709 9. The Department of Education must develop, or select,  
1710 and implement a common battery of assessment tools that will be  
1711 used in all juvenile justice programs in the state. These tools  
1712 must accurately measure the skills and competencies established  
1713 in the Florida Sunshine State Standards.

1714

1715 The commissioner may design and implement student testing  
1716 programs, for any grade level and subject area, necessary to  
1717 effectively monitor educational achievement in the state.

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1718 Section 65. Paragraph (b) of subsection (6) and paragraph  
1719 (b) subsection (7) of section 1008.25, Florida Statutes, are  
1720 amended to read:

1721 1008.25 Public school student progression; remedial  
1722 instruction; reporting requirements.--

1723 (6) ELIMINATION OF SOCIAL PROMOTION.--

1724 (b) The district school board may only exempt students  
1725 from mandatory retention, as provided in paragraph (5)(b), for  
1726 good cause. Good cause exemptions shall be limited to the  
1727 following:

1728 1. Limited English proficient students who have had less  
1729 than 2 years of instruction in an English for Speakers of Other  
1730 Languages program.

1731 2. Students with disabilities whose individual education  
1732 plan indicates that participation in the statewide assessment  
1733 program is not appropriate, consistent with the requirements of  
1734 State Board of Education rule.

1735 3. Students who demonstrate an acceptable level of  
1736 performance on an alternative standardized reading assessment  
1737 approved by the State Board of Education.

1738 4. Students who demonstrate, through a student portfolio,  
1739 that the student is reading on grade level as evidenced by  
1740 demonstration of mastery of the Sunshine State Standards in  
1741 reading equal to at least a Level 2 performance on the FCAT.

1742 5. Students with disabilities who participate in the FCAT  
1743 and who have an individual education plan or a Section 504 plan  
1744 that reflects that the student has received the intensive  
1745 remediation in reading, as required by paragraph (4)(b), for  
1746 more than 2 years but still demonstrates a deficiency in reading

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1747 and was previously retained in kindergarten, grade 1, ~~or~~ grade  
1748 2, or grade 3.

1749         6. Students who have received the intensive remediation in  
1750 reading as required by paragraph (4)(b) for 2 or more years but  
1751 still demonstrate a deficiency in reading and who were  
1752 previously retained in kindergarten, grade 1, or grade 2 for a  
1753 total of 2 years. Intensive reading instruction for students so  
1754 promoted must include an altered instructional day based upon an  
1755 academic improvement plan that includes specialized diagnostic  
1756 information and specific reading strategies for each student.  
1757 The district school board shall assist schools and teachers to  
1758 implement reading strategies that research has shown to be  
1759 successful in improving reading among low performing readers.

1760         (7) ANNUAL REPORT.--

1761         (b) Beginning with the 2001-2002 school year, each  
1762 district school board must annually publish in the local  
1763 newspaper, and report in writing to the State Board of Education  
1764 by October 1 ~~September 1~~ of each year, the following information  
1765 on the prior school year:

1766         1. The provisions of this section relating to public  
1767 school student progression and the district school board's  
1768 policies and procedures on student retention and promotion.

1769         2. By grade, the number and percentage of all students in  
1770 grades 3 through 10 performing at Levels 1 and 2 on the reading  
1771 portion of the FCAT.

1772         3. By grade, the number and percentage of all students  
1773 retained in grades 3 through 10.

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1774 4. Information on the total number of students who were  
1775 promoted for good cause, by each category of good cause as  
1776 specified in paragraph (6)(b).

1777 5. Any revisions to the district school board's policy on  
1778 student retention and promotion from the prior year.

1779 Section 66. Subsection (1) of section 1008.29, Florida  
1780 Statutes, is amended to read:

1781 1008.29 College-level communication and mathematics skills  
1782 examination (CLAST).--

1783 (1) It is the intent of the Legislature that the  
1784 examination of college-level communication and mathematics  
1785 skills ~~provided in s. 1008.345(3)~~ serve as a mechanism for  
1786 students to demonstrate that they have mastered the academic  
1787 competencies prerequisite to upper-division undergraduate  
1788 instruction. It is further intended that the examination serve  
1789 as both a summative evaluation instrument prior to student  
1790 enrollment in upper-division programs and as a source of  
1791 information for student advisers. It is not intended that  
1792 student passage of the examination supplant the need for a  
1793 student to complete the general education curriculum prescribed  
1794 by an institution.

1795 Section 67. Subsection (2) of section 1008.32, Florida  
1796 Statutes, is amended to read:

1797 1008.32 State Board of Education oversight enforcement  
1798 authority.--The State Board of Education shall oversee the  
1799 performance of district school boards and public postsecondary  
1800 educational institution boards in enforcement of all laws and  
1801 rules. District school boards and public postsecondary

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1802 educational institution boards shall be primarily responsible  
1803 for compliance with law and state board rule.

1804 (2) The Commissioner of Education may investigate  
1805 allegations of noncompliance with law or state board rule and  
1806 determine probable cause.7 The commissioner shall report  
1807 determinations of probable cause to the State Board of Education  
1808 which shall require the district school board or public  
1809 postsecondary educational institution board to document  
1810 compliance with law or state board rule.

1811 Section 68. Subsection (2) of section 1008.37, Florida  
1812 Statutes, is amended to read:

1813 1008.37 Postsecondary feedback of information to high  
1814 schools.--

1815 (2) The Commissioner of Education shall report, by high  
1816 school, to the State Board of Education and the Legislature, no  
1817 later than November 30 ~~31~~ of each year, on the number of prior  
1818 year Florida high school graduates who enrolled for the first  
1819 time in public postsecondary education in this state during the  
1820 previous summer, fall, or spring term, indicating the number of  
1821 students whose scores on the common placement test indicated the  
1822 need for remediation through college-preparatory or vocational-  
1823 preparatory instruction pursuant to s. 1004.91 or s. 1008.30.

1824 Section 69. Subsection (3) of section 1009.24, Florida  
1825 Statutes, is amended to read:

1826 1009.24 State university student fees.--

1827 (3) Within proviso in the General Appropriations Act and  
1828 law, each board of trustees shall set university tuition and  
1829 fees. The sum of the activity and service, health, and athletic  
1830 fees a student is required to pay to register for a course shall

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1831 not exceed 40 percent of the tuition established in law or in  
1832 the General Appropriations Act. No university shall be required  
1833 to lower any fee in effect on the effective date of this act in  
1834 order to comply with this subsection. Within the 40 percent cap,  
1835 universities may not increase the aggregate sum of activity and  
1836 service, health, and athletic fees more than 5 percent per year  
1837 unless specifically authorized in law or in the General  
1838 Appropriations Act. This subsection does not prohibit a  
1839 university from increasing or assessing optional fees related to  
1840 specific activities if payment of such fees is not required as a  
1841 part of registration for courses. Except as otherwise provided  
1842 by law, the sum of nonresident tuition and out-of-state fees  
1843 charged to undergraduates shall be sufficient to defray the full  
1844 cost of undergraduate education.

1845 Section 70. Paragraph (b) of subsection (2) of section  
1846 1009.25, Florida Statutes, is amended, and subsection (4) is  
1847 added to said section, to read:

1848 1009.25 Fee exemptions.--

1849 (2) The following students are exempt from the payment of  
1850 tuition and fees, including lab fees, at a school district that  
1851 provides postsecondary career and technical programs, community  
1852 college, or state university:

1853 (b) A student enrolled in an approved apprenticeship  
1854 program, as defined in s. 446.021, but only with respect to such  
1855 apprenticeship program.

1856 (4) For purposes of this section, the term "fees" includes  
1857 the following fees, unless otherwise specified: financial aid  
1858 fee; technology fee; capital improvement fee; building fee;

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1859 Capital Improvement Trust Fund Fee; activity and service fee;  
1860 health fee; athletic fee; and lab fees.

1861 Section 71. Subsection (1) of section 1009.29, Florida  
1862 Statutes, is amended to read:

1863 1009.29 Increased fees for funding financial aid  
1864 program.--

1865 (1) Student tuition and registration fees at each state  
1866 university and community college shall include up to \$4.68 per  
1867 quarter, or \$7.02 per semester, per full-time student, or the  
1868 per-student credit hour equivalents of such amounts. The fees  
1869 provided for by this section shall be adjusted from time to  
1870 time, as necessary, to comply with the debt service coverage  
1871 requirements of the student loan revenue bonds issued pursuant  
1872 to s. 1009.79. If the Division of Bond Finance of the State  
1873 Board of Education and the Commissioner of Education determine  
1874 that such fees are no longer required as security for revenue  
1875 bonds issued pursuant to ss. 1009.78-1009.88, moneys previously  
1876 collected pursuant to this section which are held in escrow,  
1877 after administrative expenses have been met and up to \$150,000  
1878 has been used to establish a financial aid data processing  
1879 system for the state universities incorporating the necessary  
1880 features to meet the needs of all 11 ~~nine~~ universities for  
1881 application through disbursement processing, shall be  
1882 reallocated to the generating institutions to be used for  
1883 student financial aid programs, including, but not limited to,  
1884 scholarships and grants for educational purposes. Upon such  
1885 determination, such fees shall no longer be assessed and  
1886 collected.

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1887 Section 72. Paragraph (e) of subsection (1) and paragraph  
1888 (a) of subsection (3) of section 1009.531, Florida Statutes, are  
1889 amended to read:

1890 1009.531 Florida Bright Futures Scholarship Program;  
1891 student eligibility requirements for initial awards.--

1892 (1) To be eligible for an initial award from any of the  
1893 three types of scholarships under the Florida Bright Futures  
1894 Scholarship Program, a student must:

1895 (e) Not have been found guilty of, or pled ~~plead~~ nolo  
1896 contendere to, a felony charge, unless the student has been  
1897 granted clemency by the Governor and Cabinet sitting as the  
1898 Executive Office of Clemency.

1899 (3) For purposes of calculating the grade point average to  
1900 be used in determining initial eligibility for a Florida Bright  
1901 Futures Scholarship, the department shall assign additional  
1902 weights to grades earned in the following courses:

1903 (a) Courses identified in the course code directory as  
1904 Advanced Placement, pre-International Baccalaureate, ~~or~~  
1905 International Baccalaureate, International General Certificate  
1906 of Secondary Education, or Advanced International Certificate of  
1907 Education.

1908  
1909 The department may assign additional weights to courses, other  
1910 than those described in paragraphs (a) and (b), that are  
1911 identified by the Department of Education as containing rigorous  
1912 academic curriculum and performance standards. The additional  
1913 weight assigned to a course pursuant to this subsection shall  
1914 not exceed 0.5 per course. The weighted system shall be  
1915 developed and distributed to all high schools in the state prior

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1916 to January 1, 1998. The department may determine a student's  
1917 eligibility status during the senior year before graduation and  
1918 may inform the student of the award at that time.

1919 Section 73. Paragraph (b) of subsection (1) of section  
1920 1009.532, Florida Statutes, is amended to read:

1921 1009.532 Florida Bright Futures Scholarship Program;  
1922 student eligibility requirements for renewal awards.--

1923 (1) To be eligible to renew a scholarship from any of the  
1924 three types of scholarships under the Florida Bright Futures  
1925 Scholarship Program, a student must:

1926 (b) Maintain the cumulative grade point average required  
1927 by the scholarship program, except that:

1928 1. If a recipient's grades fall beneath the average  
1929 required to renew a Florida Academic Scholarship, but are  
1930 sufficient to renew a Florida Medallion Scholarship or a Florida  
1931 Gold Seal Vocational Scholarship, the Department of Education  
1932 may grant a renewal from one of those other scholarship  
1933 programs, if the student meets the renewal eligibility  
1934 requirements; or

1935 2. If, at any time during the eligibility period, a  
1936 student's grades are insufficient to renew the scholarship, the  
1937 student may restore eligibility by improving the grade point  
1938 average to the required level. A student is eligible for such a  
1939 restoration one time ~~reinstatement only once~~. The Legislature  
1940 encourages education institutions to assist students to  
1941 calculate whether or not it is possible to raise the grade point  
1942 average during the summer term. If the institution determines  
1943 that it is possible, the education institution may so inform the  
1944 department, which may reserve the student's award if funds are

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1945 available. The renewal, however, must not be granted until the  
1946 student achieves the required cumulative grade point average. If  
1947 the summer term is not sufficient to raise the grade point  
1948 average to the required renewal level, the student's next  
1949 opportunity for renewal is the fall semester of the following  
1950 academic year.

1951 Section 74. Paragraphs (b), (c), and (e) of subsection (1)  
1952 of section 1009.534, Florida Statutes, are amended, paragraph  
1953 (f) is added to said subsection, and subsection (3) of said  
1954 section is amended, to read:

1955 1009.534 Florida Academic Scholars award.--

1956 (1) A student is eligible for a Florida Academic Scholars  
1957 award if the student meets the general eligibility requirements  
1958 for the Florida Bright Futures Scholarship Program and the  
1959 student:

1960 (b) Has attended a home education program according to s.  
1961 1002.41 during grades 11 and 12 or has completed the  
1962 International Baccalaureate curriculum but failed to earn the  
1963 International Baccalaureate Diploma or has completed the  
1964 Advanced International Certificate of Education curriculum but  
1965 failed to earn the Advanced International Certificate of  
1966 Education Diploma, and has attained at least the score  
1967 identified by rules of the State Board ~~Department~~ of Education  
1968 on the combined verbal and quantitative parts of the Scholastic  
1969 Aptitude Test, the Scholastic Assessment Test, or the recentered  
1970 Scholastic Assessment Test of the College Entrance Examination,  
1971 or an equivalent score on the ACT Assessment Program; or

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1972 (c) Has been awarded an International Baccalaureate  
1973 Diploma from the International Baccalaureate Organization  
1974 ~~Office~~; or

1975 (e) Has been recognized by the National Hispanic  
1976 Recognition Program as a scholar recipient; or

1977 (f) Has been awarded an Advanced International Certificate  
1978 of Education Diploma from the University of Cambridge  
1979 International Examinations Office.

1980

1981 A student must complete a program of community service work, as  
1982 approved by the district school board or the administrators of a  
1983 nonpublic school, which shall include a minimum of 75 hours of  
1984 service work and require the student to identify a social  
1985 problem that interests him or her, develop a plan for his or her  
1986 personal involvement in addressing the problem, and, through  
1987 papers or other presentations, evaluate and reflect upon his or  
1988 her experience.

1989 (3) To be eligible for a renewal award as a Florida  
1990 Academic Scholar, a student must maintain the equivalent of a  
1991 cumulative grade point average of 3.0 on a 4.0 scale with an  
1992 opportunity for restoration one time ~~one reinstatement~~ as  
1993 provided in this chapter.

1994 Section 75. Paragraph (b) of subsection (1) and subsection  
1995 (3) of section 1009.535, Florida Statutes, are amended to read:

1996 1009.535 Florida Medallion Scholars award.--

1997 (1) A student is eligible for a Florida Medallion Scholars  
1998 award if the student meets the general eligibility requirements  
1999 for the Florida Bright Futures Scholarship Program and the  
2000 student:

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2001 (b) Has attended a home education program according to s.  
2002 1002.41 during grades 11 and 12 or has completed the  
2003 International Baccalaureate curriculum but failed to earn the  
2004 International Baccalaureate Diploma or has completed the  
2005 Advanced International Certificate of Education curriculum but  
2006 failed to earn the Advanced International Certificate of  
2007 Education Diploma, and has attained at least the score  
2008 identified by rules of the State Board ~~Department~~ of Education  
2009 on the combined verbal and quantitative parts of the Scholastic  
2010 Aptitude Test, the Scholastic Assessment Test, or the recentered  
2011 Scholastic Assessment Test of the College Entrance Examination,  
2012 or an equivalent score on the ACT Assessment Program; or

2013 (3) To be eligible for a renewal award as a Florida  
2014 Medallion Scholar, a student must maintain the equivalent of a  
2015 cumulative grade point average of 2.75 on a 4.0 scale with an  
2016 opportunity for restoration ~~reinstatement~~ one time as provided  
2017 in this chapter.

2018 Section 76. Subsection (3) of section 1009.536, Florida  
2019 Statutes, is amended to read:

2020 1009.536 Florida Gold Seal Vocational Scholars award.--The  
2021 Florida Gold Seal Vocational Scholars award is created within  
2022 the Florida Bright Futures Scholarship Program to recognize and  
2023 reward academic achievement and career and technical preparation  
2024 by high school students who wish to continue their education.

2025 (3) To be eligible for a renewal award as a Florida Gold  
2026 Seal Vocational Scholar, a student must maintain the equivalent  
2027 of a cumulative grade point average of 2.75 on a 4.0 scale with  
2028 an opportunity for restoration ~~reinstatement~~ one time as  
2029 provided in this chapter.

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2030 Section 77. Subsection (2) of section 1009.58, Florida  
2031 Statutes, is amended to read:

2032 1009.58 Critical teacher shortage tuition reimbursement  
2033 program.--

2034 (2) The State Board of Education shall adopt rules to  
2035 implement the critical teacher shortage tuition reimbursement  
2036 program. Any full-time public school employee or lab  
2037 ~~developmental-research~~ school employee certified to teach in  
2038 this state is eligible for the program. For the purposes of this  
2039 program, tuition reimbursement shall be limited to courses in  
2040 critical teacher shortage areas as determined by the State Board  
2041 of Education. Such courses shall be:

2042 (a) Graduate-level courses leading to a master's,  
2043 specialist, or doctoral degree;

2044 (b) Graduate-level courses leading to a new certification  
2045 area; or

2046 (c) State-approved undergraduate courses leading to an  
2047 advanced degree or new certification area.

2048 Section 78. Section 1009.61, Florida Statutes, is amended  
2049 to read:

2050 1009.61 Teacher/Quest Scholarship Program.--The  
2051 Teacher/Quest Scholarship Program is created for the purpose of  
2052 providing teachers with the opportunity to enhance their  
2053 knowledge of science, mathematics, and computer applications in  
2054 business, industry, and government. A school district or lab  
2055 ~~developmental-research~~ school may propose that one or more  
2056 teachers be granted a Teacher/Quest Scholarship by submitting to  
2057 the Department of Education:



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2058 (1) A project proposal specifying activities a teacher  
2059 will carry out to improve his or her:

2060 (a) Understanding of mathematical, scientific, or  
2061 computing concepts;

2062 (b) Ability to apply and demonstrate such concepts through  
2063 instruction;

2064 (c) Knowledge of career and technical requirements for  
2065 competency in mathematics, science, and computing; and

2066 (d) Ability to integrate and apply technological concepts  
2067 from all three fields; and

2068 (2) A contractual agreement with a private corporation or  
2069 governmental agency that implements the project proposal and  
2070 guarantees employment to the teacher during a summer or other  
2071 period when schools are out of session. The agreement must  
2072 stipulate a salary rate that does not exceed regular rates of  
2073 pay and a gross salary amount consistent with applicable  
2074 statutory and contractual provisions for the teacher's  
2075 employment. The teacher's compensation shall be provided for on  
2076 an equally matched basis by funds from the employing corporation  
2077 or agency.

2078 Section 79. Section 1009.765, Florida Statutes, is amended  
2079 to read:

2080 1009.765 Ethics in Business scholarships for community  
2081 colleges and independent postsecondary educational  
2082 institutions.--When the Department of Insurance receives a \$6  
2083 million settlement as specified in the Consent Order of the  
2084 Treasurer and Insurance Commissioner, case number 18900-96-c,  
2085 that portion of the \$6 million not used to satisfy the  
2086 requirements of section 18 of the Consent Order must be

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2087 transferred from the Insurance Commissioner's Regulatory Trust  
2088 Fund to the State Student Financial Assistance Trust Fund is  
2089 appropriated from the State Student Financial Assistance Trust  
2090 Fund to provide Ethics in Business scholarships to students  
2091 enrolled in public community colleges and independent  
2092 postsecondary educational institutions eligible to participate  
2093 in the William L. Boyd, IV, Florida Resident Access Grant  
2094 Program under s. 1009.89. The funds shall be allocated to  
2095 institutions for scholarships in the following ratio: Two-thirds  
2096 for community colleges and one-third for eligible independent  
2097 institutions. The Department of Education shall administer the  
2098 scholarship program for students attending community colleges  
2099 and independent institutions. These funds must be allocated to  
2100 institutions that provide an equal amount of matching funds  
2101 generated by private donors for the purpose of providing Ethics  
2102 in Business scholarships. Public funds may not be used to  
2103 provide the match, nor may funds collected for other purposes.  
2104 Notwithstanding any other provision of law, the State Board of  
2105 Administration shall have the authority to invest the funds  
2106 appropriated under this section. The State Board ~~Department~~ of  
2107 Education may adopt rules for administration of the program.

2108 Section 80. Subsection (7) of section 1009.77, Florida  
2109 Statutes, is amended to read:

2110 1009.77 Florida Work Experience Program.--

2111 (7) The State Board ~~Department~~ of Education shall  
2112 prescribe such rules for the program as are necessary for its  
2113 administration, for the determination of eligibility and  
2114 selection of institutions to receive funds for students, to  
2115 ensure the proper expenditure of funds, and to provide an

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2116 equitable distribution of funds between students at public and  
2117 independent colleges and universities.

2118 Section 81. Subsection (5) of section 1010.215, Florida  
2119 Statutes, is amended to read:

2120 1010.215 Educational funding accountability.--

2121 (5) The annual school public accountability report  
2122 required by ss. 1001.42(16) and 1008.345 must include a school  
2123 financial report. The purpose of the school financial report is  
2124 to better inform parents and the public concerning how funds  
2125 ~~revenues~~ were spent to operate the school during the prior  
2126 fiscal year. Each school's financial report must follow a  
2127 uniform, districtwide format that is easy to read and  
2128 understand.

2129 (a) Total revenue must be reported at the school,  
2130 district, and state levels. The revenue sources that must be  
2131 addressed are state and local funds, other than lottery funds;  
2132 lottery funds; federal funds; and private donations.

2133 (b) Expenditures must be reported as the total  
2134 expenditures per unweighted full-time equivalent student at the  
2135 school level and the average expenditures per full-time  
2136 equivalent student at the district and state levels in each of  
2137 the following categories and subcategories:

2138 1. Teachers, excluding substitute teachers, and education  
2139 paraprofessionals who provide direct classroom instruction to  
2140 students enrolled in programs classified by s. 1011.62 as:

- 2141 a. Basic programs;  
2142 b. Students-at-risk programs;  
2143 c. Special programs for exceptional students;  
2144 d. Career education programs; and

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- 2145 e. Adult programs.  
2146 2. Substitute teachers.  
2147 3. Other instructional personnel, including school-based  
2148 instructional specialists and their assistants.  
2149 4. Contracted instructional services, including training  
2150 for instructional staff and other contracted instructional  
2151 services.  
2152 5. School administration, including school-based  
2153 administrative personnel and school-based education support  
2154 personnel.  
2155 6. The following materials, supplies, and operating  
2156 capital outlay:  
2157 a. Textbooks;  
2158 b. Computer hardware and software;  
2159 c. Other instructional materials;  
2160 d. Other materials and supplies; and  
2161 e. Library media materials.  
2162 7. Food services.  
2163 8. Other support services.  
2164 9. Operation and maintenance of the school plant.

2165 (c) The school financial report must also identify the  
2166 types of district-level expenditures that support the school's  
2167 operations. The total amount of these district-level  
2168 expenditures must be reported and expressed as total  
2169 expenditures per full-time equivalent student.

2170 Section 82. Section 1010.75, Florida Statutes, is amended  
2171 to read:

2172 1010.75 Teacher Certification Examination Trust Fund.--The  
2173 proceeds for the certification examination fee levied pursuant

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2174 to s. 1012.59 shall be remitted by the Department of Education  
2175 to the Treasurer for deposit into and disbursed from ~~for~~ the  
2176 "Teacher Certification Examination Trust Fund" as re-created by  
2177 chapter 99-28, Laws of Florida.

2178 Section 83. Section 1011.24, Florida Statutes, is amended  
2179 to read:

2180 1011.24 Special district units.--For the purposes of  
2181 funding through this chapter and chapter 1013, lab developmental  
2182 ~~research~~ schools shall be designated as special school  
2183 districts. Such districts shall be accountable to the Department  
2184 of Education for budget requests and reports on expenditures.

2185 Section 84. Subsection (2) of section 1011.47, Florida  
2186 Statutes, is amended to read:

2187 1011.47 Auxiliary enterprises; contracts, grants, and  
2188 donations.--As used in s. 19(f)(3), Art. III of the State  
2189 Constitution, the term:

2190 (2) "Contracts, grants, and donations" includes  
2191 noneducational and general funding sources in support of  
2192 research, public services, and training. The term includes  
2193 grants and donations, sponsored-research contracts, and  
2194 Department of Education funding for lab developmental ~~research~~  
2195 schools and other activities for which the funds are deposited  
2196 outside the State Treasury.

2197 Section 85. Subsection (2) of section 1011.60, Florida  
2198 Statutes, is amended to read:

2199 1011.60 Minimum requirements of the Florida Education  
2200 Finance Program.--Each district which participates in the state  
2201 appropriations for the Florida Education Finance Program shall  
2202 provide evidence of its effort to maintain an adequate school

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2203 program throughout the district and shall meet at least the  
2204 following requirements:

2205 (2) MINIMUM TERM.--Operate all schools for a term of at  
2206 least 180 actual teaching days ~~as prescribed in s. 1003.01(14)~~  
2207 or the equivalent on an hourly basis as specified by rules of  
2208 the State Board of Education each school year. The State Board  
2209 of Education may prescribe procedures for altering, and, upon  
2210 written application, may alter, this requirement during a  
2211 national, state, or local emergency as it may apply to an  
2212 individual school or schools in any district or districts if, in  
2213 the opinion of the board, it is not feasible to make up lost  
2214 days, and the apportionment may, at the discretion of the  
2215 Commissioner of Education and if the board determines that the  
2216 reduction of school days is caused by the existence of a bona  
2217 fide emergency, be reduced for such district or districts in  
2218 proportion to the decrease in the length of term in any such  
2219 school or schools. A strike, as defined in s. 447.203(6), by  
2220 employees of the school district may not be considered an  
2221 emergency. The State Board of Education may authorize a decrease  
2222 in the minimum number of days of instruction by up to 4 days for  
2223 grade 12 students for purposes of graduation without  
2224 proportionate reduction in funding.

2225 Section 86. Paragraphs (f) and (h) of subsection (1) of  
2226 section 1011.62, Florida Statutes, are amended to read:

2227 1011.62 Funds for operation of schools.--If the annual  
2228 allocation from the Florida Education Finance Program to each  
2229 district for operation of schools is not determined in the  
2230 annual appropriations act or the substantive bill implementing

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2231 the annual appropriations act, it shall be determined as  
2232 follows:

2233 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
2234 OPERATION.--The following procedure shall be followed in  
2235 determining the annual allocation to each district for  
2236 operation:

2237 (f) *Supplemental academic instruction; categorical fund.*--

2238 1. There is created a categorical fund to provide  
2239 supplemental academic instruction to students in kindergarten  
2240 through grade 12. This paragraph may be cited as the  
2241 "Supplemental Academic Instruction Categorical Fund."

2242 2. Categorical funds for supplemental academic instruction  
2243 shall be allocated annually to each school district in the  
2244 amount provided in the General Appropriations Act. These funds  
2245 shall be in addition to the funds appropriated on the basis of  
2246 FTE student membership in the Florida Education Finance Program  
2247 and shall be included in the total potential funds of each  
2248 district. These funds shall be used to provide supplemental  
2249 academic instruction to students enrolled in the K-12 program.  
2250 Supplemental instruction strategies may include, but are not  
2251 limited to: modified curriculum, reading instruction, after-  
2252 school instruction, tutoring, mentoring, class size reduction,  
2253 extended school year, intensive skills development in summer  
2254 school, and other methods for improving student achievement.  
2255 Supplemental instruction may be provided to a student in any  
2256 manner and at any time during or beyond the regular 180-day term  
2257 identified by the school as being the most effective and  
2258 efficient way to best help that student progress from grade to  
2259 grade and to graduate.

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2260 3. Effective with the 1999-2000 fiscal year, funding on  
2261 the basis of FTE membership beyond the 180-day regular term  
2262 shall be provided in the FEFP only for students enrolled in  
2263 juvenile justice education programs. Funding for instruction  
2264 beyond the regular 180-day school year for all other K-12  
2265 students shall be provided through the supplemental academic  
2266 instruction categorical fund and other state, federal, and local  
2267 fund sources with ample flexibility for schools to provide  
2268 supplemental instruction to assist students in progressing from  
2269 grade to grade and graduating.

2270 4. The Florida State University School, as a lab  
2271 ~~developmental research~~ school, is authorized to expend from its  
2272 FEFP or Lottery Enhancement Trust Fund allocation the cost to  
2273 the student of remediation in reading, writing, or mathematics  
2274 for any graduate who requires remediation at a postsecondary  
2275 educational institution.

2276 5. Beginning in the 1999-2000 school year, dropout  
2277 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),  
2278 (b), and (c), and 1003.54 shall be included in group 1 programs  
2279 under subparagraph (d)3.

2280 (h) *Small, isolated high schools.*--Districts which levy  
2281 the maximum nonvoted discretionary millage, exclusive of millage  
2282 for capital outlay purposes levied pursuant to s. 1011.71(2),  
2283 may calculate full-time equivalent students for small, isolated  
2284 high schools by multiplying the number of unweighted full-time  
2285 equivalent students times 2.75; provided the school has attained  
2286 a performance grade category "C" or better, pursuant to s.  
2287 1008.34, for the previous year percentage of students at such  
2288 ~~school passing both parts of the high school competency test, as~~

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2289 ~~defined by law and rule, has been equal to or higher than such~~  
2290 ~~percentage for the state or district, whichever is greater.~~ For  
2291 the purpose of this section, the term "small, isolated high  
2292 school" means any high school which is located no less than 28  
2293 miles by the shortest route from another high school; which has  
2294 been serving students primarily in basic studies provided by  
2295 sub-subparagraphs (c)1.b. and c. and may include subparagraph  
2296 (c)4.; and which has a membership of no more than 100 students,  
2297 but no fewer than 28 students, in grades 9 through 12.

2298 Section 87. Subsections (2) and (5) of section 1011.70,  
2299 Florida Statutes, are amended to read:

2300 1011.70 Medicaid certified school funding maximization.--

2301 (2) The Agency for Health Care Administration ~~Department~~  
2302 ~~of Education~~ shall monitor compliance of each participating  
2303 school district with the Medicaid provider agreements. In  
2304 addition, the Agency for Health Care Administration ~~department~~  
2305 shall develop standardized recordkeeping procedures for the  
2306 school districts that meet Medicaid requirements for audit  
2307 purposes.

2308 (5) Lab ~~Developmental~~ research schools, as authorized  
2309 under s. 1002.32, shall be authorized to participate in the  
2310 Medicaid certified school match program on the same basis as  
2311 school districts subject to the provisions of subsections (1)-  
2312 (4) and ss. 409.9071 and 409.908(21).

2313 Section 88. Paragraphs (a) and (c) of subsection (2) and  
2314 paragraph (a) of subsection (3) of section 1011.765, Florida  
2315 Statutes, are amended to read:

2316 1011.765 Florida Academic Improvement Trust Fund matching  
2317 grants.--

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2318 (2) ALLOCATION OF THE TRUST FUND.--Funds appropriated to  
2319 the Florida Academic Improvement Trust Fund shall be allocated  
2320 by the Consortium of Florida Education Foundations ~~Department of~~  
2321 ~~Education~~ in the following manner:

2322 (a) For every year in which there is a legislative  
2323 appropriation to the trust fund, an equal amount of the annual  
2324 appropriation, to be determined by dividing the total  
2325 legislative appropriation by the number of local education  
2326 foundations as well as the Florida School for the Deaf and the  
2327 Blind, must be reserved for each public school district  
2328 education foundation and the Florida School for the Deaf and the  
2329 Blind Endowment Fund to provide each foundation and the Florida  
2330 School for the Deaf and the Blind with an opportunity to receive  
2331 and match appropriated funds. Trust funds that remain unmatched  
2332 by contribution on January 15 ~~April 1~~ of any year shall be made  
2333 available for matching by any public school district education  
2334 foundation and by the Florida School for the Deaf and the Blind  
2335 which shall have an opportunity to apply for excess trust funds  
2336 prior to the award of such funds.

2337 (c) Funds sufficient to provide the match shall be  
2338 transferred from the state trust fund to the Consortium of  
2339 Florida Education Foundations ~~public school education foundation~~  
2340 ~~or to the Florida School for the Deaf and the Blind Endowment~~  
2341 ~~Fund~~ upon certification ~~notification~~ that a proportionate amount  
2342 has been received and deposited by the individual foundation or  
2343 the Florida School for the Deaf and the Blind ~~school into its~~  
2344 ~~own trust fund~~.

2345 (3) GRANT ADMINISTRATION.--

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2346 (a) Each public school district education foundation and  
2347 the Florida School for the Deaf and the Blind participating in  
2348 the Florida Academic Improvement Trust Fund shall separately  
2349 account for all funds received pursuant to this section, and may  
2350 establish its own academic improvement trust fund as a  
2351 depository for the private contributions, state matching funds,  
2352 and earnings on investments of such funds. State matching funds  
2353 shall be administered by the Consortium of Florida Education  
2354 Foundations and transferred to the public school district  
2355 education foundation or to the Florida School for the Deaf and  
2356 the Blind Endowment Fund upon certification ~~notification~~ that  
2357 the foundation or school has received and deposited private  
2358 contributions that meet the criteria for matching as provided in  
2359 this section. The public school district education foundations  
2360 and the Florida School for the Deaf and the Blind are  
2361 responsible for the maintenance, investment, and administration  
2362 of their academic improvement trust funds.

2363 Section 89. Subsections (1) and (3) of section 1012.21,  
2364 Florida Statutes, are amended to read:

2365 1012.21 Department of Education duties; K-12 personnel.--

2366 (1) PERIODIC CRIMINAL HISTORY RECORD CHECKS.--In  
2367 cooperation with the Florida Department of Law Enforcement, the  
2368 department ~~of Education~~ may periodically perform criminal  
2369 history record checks on individuals who hold a certificate  
2370 pursuant to s. 1012.56 or s. 1012.57.

2371 (3) SUSPENSION OR DENIAL OF TEACHING CERTIFICATE DUE TO  
2372 CHILD SUPPORT DELINQUENCY.--The department ~~of Education~~ shall  
2373 allow applicants for new or renewal certificates and renewal  
2374 certificate holders to be screened by the Title IV-D child

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2375 support agency pursuant to s. 409.2598 to assure compliance with  
2376 an obligation for support, as defined in s. 409.2554. The  
2377 purpose of this section is to promote the public policy of this  
2378 state as established in s. 409.2551. The department shall, when  
2379 directed by the court, deny the application of any applicant  
2380 found to have a delinquent support obligation. The department  
2381 shall issue or reinstate the certificate without additional  
2382 charge to the certificate holder when notified by the court that  
2383 the certificate holder has complied with the terms of the court  
2384 order. The department shall not be held liable for any  
2385 certificate denial or suspension resulting from the discharge of  
2386 its duties under this section.

2387 Section 90. Paragraph (a) of subsection (1) and paragraph  
2388 (a) of subsection (3) of section 1012.585, Florida Statutes, are  
2389 amended to read:

2390 1012.585 Process for renewal of professional  
2391 certificates.--

2392 (1)(a) District school boards in this state shall renew  
2393 state-issued professional certificates as follows:

2394 1. Each district school board shall renew state-issued  
2395 professional certificates for individuals who hold a  
2396 professional certificate by this state and are employed by that  
2397 district pursuant to criteria established in subsections (2),  
2398 (3), and (4) and rules of the State Board of Education.

2399 2. The employing school district may charge the individual  
2400 an application fee not to exceed the amount charged by the  
2401 Department of Education for such services, including associated  
2402 late renewal fees. Each district school board shall transmit  
2403 monthly to the department a fee in an amount established by the

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2404 State Board of Education for each renewed certificate. The fee  
2405 shall not exceed the actual cost for maintenance and operation  
2406 of the statewide certification database and for the actual costs  
2407 incurred in printing and mailing such renewed certificates. As  
2408 defined in current rules of the state board, the department  
2409 shall contribute a portion of such fee for purposes of funding  
2410 the Educator Recovery Network established in s. 1012.798. The  
2411 department shall deposit all funds into the Educational  
2412 Certification and Service Trust Fund for use as specified in s.  
2413 1012.59.

2414 (3) For the renewal of a professional certificate, the  
2415 following requirements must be met:

2416 (a) The applicant must earn a minimum of 6 college credits  
2417 or 120 inservice points or a combination thereof. For each area  
2418 of specialization to be retained on a certificate, the applicant  
2419 must earn at least 3 of the required credit hours or equivalent  
2420 inservice points in the specialization area. Education in  
2421 "clinical educator" training pursuant to s. 1004.04(5)(b) and  
2422 credits or points that provide training in the area of  
2423 exceptional student education, normal child development, and the  
2424 disorders of development may be applied toward any  
2425 specialization area. Credits or points that provide training in  
2426 the areas of drug abuse, child abuse and neglect, strategies in  
2427 teaching students having limited proficiency in English, or  
2428 dropout prevention, or training in areas identified in the  
2429 educational goals and performance standards adopted pursuant to  
2430 ss. 1000.03(5) and 1008.345 ~~1001.23~~ may be applied toward any  
2431 specialization area. Credits or points earned through approved  
2432 summer institutes may be applied toward the fulfillment of these

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2433 requirements. Inservice points may also be earned by  
2434 participation in professional growth components approved by the  
2435 State Board of Education and specified pursuant to s. 1012.98 in  
2436 the district's approved master plan for inservice educational  
2437 training, including, but not limited to, serving as a trainer in  
2438 an approved teacher training activity, serving on an  
2439 instructional materials committee or a state board or commission  
2440 that deals with educational issues, or serving on an advisory  
2441 council created pursuant to s. 1001.452.

2442 Section 91. Paragraph (a) of subsection (2) of section  
2443 1012.61, Florida Statutes, is amended to read:

2444 1012.61 Sick leave.--

2445 (2) PROVISIONS GOVERNING SICK LEAVE.--The following  
2446 provisions shall govern sick leave:

2447 (a) *Extent of leave.*--

2448 1. Each member of the instructional staff employed on a  
2449 full-time basis is entitled to 4 days of sick leave as of the  
2450 first day of employment of each contract year and shall  
2451 thereafter earn 1 day of sick leave for each month of  
2452 employment, which shall be credited to the member at the end of  
2453 that month and which may not be used before it is earned and  
2454 credited to the member. Each other employee shall be credited  
2455 with 4 days of sick leave at the end of the first month of  
2456 employment of each contract year and shall thereafter be  
2457 credited for 1 day of sick leave for each month of employment,  
2458 which shall be credited to the employee at the end of the month  
2459 and which may not be used before it is earned and credited to  
2460 the employee. However, each member of the instructional staff  
2461 and each other employee is entitled to earn no more than 1 day

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2462 of sick leave times the number of months of employment during  
2463 the year of employment. If the employee terminates his or her  
2464 employment and has not accrued the 4 days of sick leave  
2465 available to him or her, the district school board may withhold  
2466 the average daily amount for the days of sick leave used but  
2467 unearned by the employee. Such leave may be taken only when  
2468 necessary because of sickness as prescribed in this section. The  
2469 sick leave shall be cumulative from year to year. There shall be  
2470 no limit on the number of days of sick leave which a member of  
2471 the instructional staff or an educational support employee may  
2472 accrue, except that at least one-half of this cumulative leave  
2473 must be established within the district granting such leave.

2474 2. A district school board may establish policies and  
2475 prescribe standards to permit an employee to be absent 6 days  
2476 each school year for personal reasons. However, such absences  
2477 for personal reasons must be charged only to accrued sick leave,  
2478 and leave for personal reasons is noncumulative.

2479 3. District school boards may adopt rules permitting the  
2480 annual payment for accumulated sick leave that is earned for  
2481 that year and that is unused at the end of the school year,  
2482 based on the daily rate of pay of the employee multiplied by up  
2483 to 80 percent. Days for which such payment is received shall be  
2484 deducted from the accumulated leave balance. Such annual payment  
2485 may apply only to instructional staff and educational support  
2486 employees.

2487 4. A district school board may establish policies to  
2488 provide terminal pay for accumulated sick leave to instructional  
2489 staff and educational support employees of the district school  
2490 board. If termination of employment is by death of the employee,

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2491 any terminal pay to which the employee may have been entitled  
2492 may be made to his or her beneficiary. However, such terminal  
2493 pay may not exceed an amount determined as follows:

2494 a. During the first 3 years of service, the daily rate of  
2495 pay multiplied by 35 percent times the number of days of  
2496 accumulated sick leave.

2497 b. During the next 3 years of service, the daily rate of  
2498 pay multiplied by 40 percent times the number of days of  
2499 accumulated sick leave.

2500 c. During the next 3 years of service, the daily rate of  
2501 pay multiplied by 45 percent times the number of days of  
2502 accumulated sick leave.

2503 d. During the next 3 years of service, the daily rate of  
2504 pay multiplied by 50 percent times the number of days of  
2505 accumulated sick leave.

2506 e. During and after the 13th year of service, the daily  
2507 rate of pay multiplied by 100 percent times the number of days  
2508 of accumulated sick leave.

2509 5. A district school board may establish policies to  
2510 provide terminal pay for accumulated sick leave to any full-time  
2511 employee of the district school board other than instructional  
2512 staff or educational support employees ~~as defined in this~~  
2513 ~~section~~. If termination of the employee is by death of the  
2514 employee, any terminal pay to which the employee may have been  
2515 entitled may be made to the employee's beneficiary.

2516 a. Terminal pay may not exceed one-fourth of all unused  
2517 sick leave accumulated on or after July 1, 2001, and may not  
2518 exceed a maximum of 60 days of actual payment. This limit does  
2519 not impair any contractual agreement established before July 1,

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2520 2001; however, a previously established contract renewed on or  
2521 after July 1, 2001, constitutes a new contract.

2522 b. For unused sick leave accumulated before July 1, 2001,  
2523 terminal payment shall be made pursuant to a district school  
2524 board's policies, contracts, or rules that are in effect on June  
2525 30, 2001.

2526 c. If an employee has an accumulated sick leave balance of  
2527 60 days of actual payment or more prior to July 1, 2001, sick  
2528 leave earned after that date may not be accumulated for terminal  
2529 pay purposes until the accumulated leave balance for leave  
2530 earned before July 1, 2001, is less than 60 days.

2531

2532 For purposes of this section, an educational support employee  
2533 means any person employed by a district school board as a  
2534 teacher assistant; an education paraprofessional; a member of  
2535 the transportation, operations, maintenance, or food service  
2536 department; a secretary; or a clerical employee.

2537 Section 92. Section 1012.62, Florida Statutes, is amended  
2538 to read:

2539 1012.62 Transfer of sick leave and annual leave.--In  
2540 implementing the provisions of ss. 402.22(1)(d) and  
2541 1001.42(4)(m) ~~1001.42(4)(n)~~, educational personnel in Department  
2542 of Children and Family Services residential care facilities who  
2543 are employed by a district school board may request, and the  
2544 district school board shall accept, a lump-sum transfer of  
2545 accumulated sick leave for such personnel to the maximum allowed  
2546 by policies of the district school board, notwithstanding the  
2547 provisions of s. 110.122. Educational personnel in Department of  
2548 Children and Family Services residential care facilities who are

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2549 employed by a district school board under the provisions of s.  
2550 402.22(1)(d) may request, and the district school board shall  
2551 accept, a lump-sum transfer of accumulated annual leave for each  
2552 person employed by the district school board in a position in  
2553 the district eligible to accrue vacation leave under policies of  
2554 the district school board.

2555 Section 93. Paragraphs (b) and (c) of subsection (2) of  
2556 section 1012.74, Florida Statutes, are amended to read:

2557 1012.74 Florida educators professional liability insurance  
2558 protection.--

2559 (2)

2560 (b) Educator professional liability coverage shall be  
2561 extended at cost to all instructional personnel, as defined by  
2562 s. 1012.01(2) ~~1012.01(3)~~, who are part-time personnel, as  
2563 defined by the district school board policy, and choose to  
2564 participate in the state-provided program.

2565 (c) Educator professional liability coverage shall be  
2566 extended at cost to all administrative personnel, as defined by  
2567 s. 1012.01(3) ~~1012.01(2)~~, who choose to participate in the  
2568 state-provided program.

2569 Section 94. Paragraph (b) of subsection (7) of section  
2570 1012.79, Florida Statutes, is amended to read:

2571 1012.79 Education Practices Commission; organization.--

2572 (7) The duties and responsibilities of the commission are  
2573 to:

2574 (b) Revoke or suspend a certificate or take other  
2575 appropriate action as provided in ss. 1012.795 ~~1012.56~~ and  
2576 1012.796.

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2577 Section 95. Subsection (2) of section 1012.795, Florida  
2578 Statutes, is amended to read:

2579 1012.795 Education Practices Commission; authority to  
2580 discipline.--

2581 (2) The plea of guilty in any court, the decision of  
2582 guilty by any court, the forfeiture by the teaching certificate  
2583 holder of a bond in any court of law, or the written  
2584 acknowledgment, duly witnessed, of offenses listed in subsection  
2585 (1) to the district school superintendent or a duly appointed  
2586 representative of such superintendent or to the district school  
2587 board shall be prima facie proof of grounds for revocation of  
2588 the certificate as listed in subsection (1) in the absence of  
2589 proof by the certificate holder that the plea of guilty,  
2590 forfeiture of bond, or admission of guilt was caused by threats,  
2591 coercion, or fraudulent means.

2592 Section 96. Paragraph (c) of subsection (1) of section  
2593 1012.796, Florida Statutes, amended to read:

2594 1012.796 Complaints against teachers and administrators;  
2595 procedure; penalties.--

2596 (1)

2597 (c) Each school district shall file in writing with the  
2598 department all legally sufficient complaints within 30 days  
2599 after the date on which subject matter of the complaint comes to  
2600 the attention of the school district. The school district shall  
2601 include all information relating to the complaint which is known  
2602 to the school district at the time of filing. Each district  
2603 school board shall develop policies and procedures to comply  
2604 with this reporting requirement. The district school board  
2605 policies and procedures shall include appropriate penalties for

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2606 all personnel of the district school board for nonreporting and  
2607 procedures for promptly informing the district school  
2608 superintendent of each legally sufficient complaint. The  
2609 district school superintendent is charged with knowledge of  
2610 these policies and procedures. If the district school  
2611 superintendent has knowledge of a legally sufficient complaint  
2612 and does not report the complaint, or fails to enforce the  
2613 policies and procedures of the district school board, and fails  
2614 to comply with the requirements of this subsection, in addition  
2615 to other actions against certificate holders authorized by law,  
2616 the district school superintendent shall be subject to penalties  
2617 as specified in s. 1001.51(12) ~~1001.51(13)~~. This paragraph does  
2618 not limit or restrict the power and duty of the department to  
2619 investigate complaints as provided in paragraphs (a) and (b),  
2620 regardless of the school district's untimely filing, or failure  
2621 to file, complaints and followup reports.

2622 Section 97. Paragraph (b) of subsection (4) of section  
2623 1012.98, Florida Statutes, is amended to read:

2624 1012.98 School Community Professional Development Act.--

2625 (4) The Department of Education, school districts,  
2626 schools, community colleges, and state universities share the  
2627 responsibilities described in this section. These  
2628 responsibilities include the following:

2629 (b) Each school district shall develop a professional  
2630 development system. The system shall be developed in  
2631 consultation with teachers and representatives of community  
2632 college and state university faculty, community agencies, and  
2633 other interested citizen groups to establish policy and

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- 2634 procedures to guide the operation of the district professional  
2635 development program. The professional development system must:
- 2636 1. Be approved by the department. All substantial  
2637 revisions to the system shall be submitted to the department for  
2638 review for continued approval.
  - 2639 2. Require the use of student achievement data; school  
2640 discipline data; school environment surveys; assessments of  
2641 parental satisfaction; performance appraisal data of teachers,  
2642 managers, and administrative personnel; and other performance  
2643 indicators to identify school and student needs that can be met  
2644 by improved professional performance.
  - 2645 3. Provide inservice activities coupled with followup  
2646 support that are appropriate to accomplish district-level and  
2647 school-level improvement goals and standards. The inservice  
2648 activities for instructional personnel shall primarily focus on  
2649 subject content and teaching methods, including technology, as  
2650 related to the Sunshine State Standards, assessment and data  
2651 analysis, classroom management, and school safety.
  - 2652 4. Include a master plan for inservice activities,  
2653 pursuant to rules of the State Board of Education, for all  
2654 district employees from all fund sources. The master plan shall  
2655 be updated annually by September 1 using criteria for continued  
2656 approval as specified by rules of the State Board of Education.  
2657 Written verification that the inservice plan meets all  
2658 requirements of this section must be submitted annually to the  
2659 commissioner by October 1.
  - 2660 5. Require each school principal to establish and maintain  
2661 an individual professional development plan for each

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2662 instructional employee assigned to the school. The individual  
2663 professional development plan must:

2664 a. Be related to specific performance data for the  
2665 students to whom the teacher is assigned.

2666 b. Define the inservice objectives and specific measurable  
2667 improvements expected in student performance as a result of the  
2668 inservice activity.

2669 c. Include an evaluation component that determines the  
2670 effectiveness of the professional development plan.

2671 6. Include inservice activities for school administrative  
2672 personnel that address updated skills necessary for effective  
2673 school management and instructional leadership.

2674 7. Provide for systematic consultation with regional and  
2675 state personnel designated to provide technical assistance and  
2676 evaluation of local professional development programs.

2677 8. Provide for delivery of professional development by  
2678 distance learning and other technology-based delivery systems to  
2679 reach more educators at lower costs.

2680 9. Provide for the continuous evaluation of the quality  
2681 and effectiveness of professional development programs in order  
2682 to eliminate ineffective programs and strategies and to expand  
2683 effective ones. Evaluations must consider the impact of such  
2684 activities on the performance of participating educators and  
2685 their students' achievement and behavior.

2686 Section 98. Paragraph (b) of subsection (1) of section  
2687 1013.31, Florida Statutes, is amended to read:

2688 1013.31 Educational plant survey; localized need  
2689 assessment; PECO project funding.--

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2690 (1) At least every 5 years, each board shall arrange for  
2691 an educational plant survey, to aid in formulating plans for  
2692 housing the educational program and student population, faculty,  
2693 administrators, staff, and auxiliary and ancillary services of  
2694 the district or campus, including consideration of the local  
2695 comprehensive plan. The Office of Workforce and Economic  
2696 Development shall document the need for additional career and  
2697 adult education programs and the continuation of existing  
2698 programs before facility construction or renovation related to  
2699 career or adult education may be included in the educational  
2700 plant survey of a school district or community college that  
2701 delivers career or adult education programs. Information used by  
2702 the Office of Workforce and Economic Development to establish  
2703 facility needs must include, but need not be limited to, labor  
2704 market data, needs analysis, and information submitted by the  
2705 school district or community college.

2706 (b) *Required need assessment criteria for district,*  
2707 *community college, ~~college~~ and state university plant*  
2708 *surveys.--Educational plant surveys must use uniform data*  
2709 *sources and criteria specified in this paragraph. Each revised*  
2710 *educational plant survey and each new educational plant survey*  
2711 *supersedes previous surveys.*

2712 1. The school district's survey must be submitted as a  
2713 part of the district educational facilities plan defined in s.  
2714 1013.35. To ensure that the data reported to the Department of  
2715 Education as required by this section is correct, the department  
2716 shall annually conduct an onsite review of 5 percent of the  
2717 facilities reported for each school district completing a new  
2718 survey that year. If the department's review finds the data

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2719 reported by a district is less than 95 percent accurate, within  
2720 1 year from the time of notification by the department the  
2721 district must submit revised reports correcting its data. If a  
2722 district fails to correct its reports, the commissioner may  
2723 direct that future fixed capital outlay funds be withheld until  
2724 such time as the district has corrected its reports so that they  
2725 are not less than 95 percent accurate.

2726         2. Each survey of a special facility, joint-use facility,  
2727 or cooperative career and technical education facility must be  
2728 based on capital outlay full-time equivalent student enrollment  
2729 data prepared by the department for school districts, community  
2730 colleges, ~~colleges~~, and universities. A survey of space needs of  
2731 a joint-use facility shall be based upon the respective space  
2732 needs of the school districts, community colleges, ~~colleges~~, and  
2733 universities, as appropriate. Projections of a school district's  
2734 facility space needs may not exceed the norm space and occupant  
2735 design criteria established by the State Requirements for  
2736 Educational Facilities.

2737         3. Each community college's survey must reflect the  
2738 capacity of existing facilities as specified in the inventory  
2739 maintained by the Department of Education. Projections of  
2740 facility space needs must comply with standards for determining  
2741 space needs as specified by rule of the State Board of  
2742 Education. The 5-year projection of capital outlay student  
2743 enrollment must be consistent with the annual report of capital  
2744 outlay full-time student enrollment prepared by the Department  
2745 of Education.

2746         4. Each ~~college and~~ state university's survey must reflect  
2747 the capacity of existing facilities as specified in the

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2748 inventory maintained and validated by the Department of  
2749 Education ~~Division of Colleges and Universities~~. Projections of  
2750 facility space needs must be consistent with standards for  
2751 determining space needs approved by the State Board of Education  
2752 ~~Division of Colleges and Universities~~. The projected capital  
2753 outlay full-time equivalent student enrollment must be  
2754 consistent with the 5-year planned enrollment cycle for the  
2755 State University System approved by the State Board of Education  
2756 ~~Division of Colleges and Universities~~.

2757 5. The district educational facilities plan of a school  
2758 district and the educational plant survey of a community  
2759 college, ~~or college~~ or state university may include space needs  
2760 that deviate from approved standards for determining space needs  
2761 if the deviation is justified by the district or institution and  
2762 approved by the department, as necessary for the delivery of an  
2763 approved educational program.

2764 Section 99. Subsection (1) of section 1013.62, Florida  
2765 Statutes, is amended to read:

2766 1013.62 Charter schools capital outlay funding.--

2767 (1) In each year in which funds are appropriated for  
2768 charter school capital outlay purposes, the Commissioner of  
2769 Education shall allocate the funds among eligible charter  
2770 schools. To be eligible for a funding allocation, a charter  
2771 school must meet the provisions of subsection (6), must have  
2772 received final approval from its sponsor pursuant to s. 1002.33  
2773 for operation during that fiscal year, and must serve students  
2774 in facilities other than those ~~that are not~~ provided by the  
2775 charter school's sponsor regardless of whether the facilities  
2776 are provided at no charge or for a nominal fee. Prior to the

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2777 release of capital outlay funds to a school district on behalf  
2778 of the charter school, the Department of Education shall ensure  
2779 that the district school board and the charter school governing  
2780 board enter into a written agreement that includes provisions  
2781 for the reversion of any unencumbered funds and all equipment  
2782 and property purchased with public education funds to the  
2783 ownership of the district school board, as provided for in  
2784 subsection (3), in the event that the school terminates  
2785 operations. Any funds recovered by the state shall be deposited  
2786 in the General Revenue Fund. A charter school is not eligible  
2787 for a funding allocation if it was created by the conversion of  
2788 a public school and operates in facilities provided by the  
2789 charter school's sponsor for a nominal fee or at no charge or if  
2790 it is directly or indirectly operated by the school district.  
2791 Unless otherwise provided in the General Appropriations Act, the  
2792 funding allocation for each eligible charter school shall be  
2793 determined by multiplying the school's projected student  
2794 enrollment by one-fifteenth of the cost-per-student station  
2795 specified in s. 1013.64(6)(b) for an elementary, middle, or high  
2796 school, as appropriate. If the funds appropriated are not  
2797 sufficient, the commissioner shall prorate the available funds  
2798 among eligible charter schools. Funds shall be distributed on  
2799 the basis of the capital outlay full-time equivalent membership  
2800 by grade level, which shall be calculated by averaging the  
2801 results of the second and third enrollment surveys. The  
2802 Department of Education shall distribute capital outlay funds  
2803 monthly, beginning in the first quarter of the fiscal year,  
2804 based on one-twelfth of the amount the department reasonably  
2805 expects the charter school to receive during that fiscal year.

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2806 The commissioner shall adjust subsequent distributions as  
2807 necessary to reflect each charter school's actual student  
2808 enrollment as reflected in the second and third enrollment  
2809 surveys. The commissioner shall establish the intervals and  
2810 procedures for determining the projected and actual student  
2811 enrollment of eligible charter schools.

2812 Section 100. Subsection (6) of section 1013.73, Florida  
2813 Statutes, is amended to read:

2814 1013.73 Effort index grants for school district  
2815 facilities.--

2816 (6) A school district may receive a distribution for use  
2817 pursuant to paragraph (3)(a) only if the district school board  
2818 certifies to the Commissioner of Education that the district has  
2819 no unmet need for permanent classroom facilities in its 5-year  
2820 capital outlay work plan. If the work plan contains such unmet  
2821 needs, the district must use its distribution for the payment of  
2822 bonds under paragraph (3)(b) ~~(2)(b)~~. If the district does not  
2823 require its full bonded distribution to eliminate such unmet  
2824 needs, it may bond only that portion of its allocation necessary  
2825 to meet the needs.

2826 Section 101. Subsection (1) of section 1013.74, Florida  
2827 Statutes, is amended to read:

2828 1013.74 University authorization for fixed capital outlay  
2829 projects.--

2830 (1) Notwithstanding the provisions of chapter 216,  
2831 including s. 216.351, a university may accomplish fixed capital  
2832 outlay projects consistent with the provisions of this section.  
2833 Projects authorized by this section shall not require

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2834 educational plant survey approval as prescribed in this chapter  
2835 235.

2836 Section 102. Subsections (5) through (13) of section  
2837 1005.31, Florida Statutes, are renumbered as subsections (6)  
2838 through (14), respectively, subsection (4) of said section is  
2839 amended, and a new subsection (5) is added to said section, to  
2840 read:

2841 1005.31 Licensure of institutions.--

2842 (4) Approved-applicant status shall be extended to all  
2843 institutions that have submitted a complete application, as  
2844 defined in rule, for provisional licensure and paid all  
2845 attendant fees. An incomplete application shall expire 1 year  
2846 after initial filing. ~~In granting approved-applicant status, the~~  
2847 ~~commission shall provide to commission staff and the institution~~  
2848 ~~a list of specific omissions or deficiencies.~~ Institutions  
2849 granted approved-applicant status may not advertise, offer  
2850 programs of study, collect tuition or fees, or engage in any  
2851 other activities not specifically approved by the commission. If  
2852 the commission, or the commission staff if specifically directed  
2853 by the commission, determines that the omissions or deficiencies  
2854 have been provided for or corrected, the institution may be  
2855 awarded a provisional license.

2856 (5) The commission shall ensure that applicants for  
2857 licensure meet the standards as defined in rule through an  
2858 investigative process. When the investigative process is not  
2859 completed within the time set out in s. 120.60(1) and the  
2860 commission has reason to believe that the applicant does not  
2861 meet the criteria, the commission or commission staff may issue  
2862 a 90-day licensure delay which shall be in writing and

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2863 sufficient to notify the applicant of the reason for the delay.  
2864 The provisions of this subsection shall control over any  
2865 conflicting provisions of s. 120.60(1).

2866 Section 103. Subsection (7) of section 1005.32, Florida  
2867 Statutes, is amended to read:

2868 1005.32 Licensure by means of accreditation.--

2869 (7) A license by means of accreditation may be denied,  
2870 placed on probation, or revoked for repeated failure to comply  
2871 with the requirements of this section, or for violation of any  
2872 provision of this chapter pertaining to discipline or violation  
2873 of any rules promulgated pursuant to this chapter pertaining to  
2874 discipline. The commission shall adopt rules for these actions.  
2875 Revocation or denial of a license by means of accreditation  
2876 requires that the institution immediately obtain a provisional  
2877 an annual license.

2878 Section 104. Subsections (5) through (8) of section  
2879 1005.38, Florida Statutes, are renumbered as subsections (6)  
2880 through (9), respectively, and a new subsection (5) is added to  
2881 said section to read:

2882 1005.38 Actions against a licensee and other penalties.--

2883 (5) The commission may refuse to issue an initial license  
2884 to any applicant who is under investigation or prosecution in  
2885 any jurisdiction for an action that would constitute a violation  
2886 of this chapter or the professional practice acts administered  
2887 by the commission, until such time as the investigation or  
2888 prosecution is complete, and the time period in which the  
2889 licensure application must be granted or denied shall be tolled  
2890 until 15 days after the receipt of the final results of the  
2891 investigation or prosecution.

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2892 Section 105. Paragraph (b) of subsection (1) of section  
2893 1009.531, Florida Statutes, is amended to read:

2894 1009.531 Florida Bright Futures Scholarship Program;  
2895 student eligibility requirements for initial awards.--

2896 (1) To be eligible for an initial award from any of the  
2897 three types of scholarships under the Florida Bright Futures  
2898 Scholarship Program, a student must:

2899 (b) Earn a standard Florida high school diploma or its  
2900 equivalent as described in s. 1003.43 or s. 1003.435 ~~1003.45~~  
2901 unless:

2902 1. The student is enrolled full time in the early  
2903 admission program of an eligible postsecondary education  
2904 institution or completes a home education program according to  
2905 s. 1002.41; or

2906 2. The student earns a high school diploma from a non-  
2907 Florida school while living with a parent or guardian who is on  
2908 military or public service assignment away from Florida.

2909 Section 106. Paragraphs (g) and (h) of subsection (2) of  
2910 section 445.049, section 1006.57, and subsection(3) of section  
2911 1008.345, Florida Statutes, are repealed.

2912 Section 107. This act shall take effect upon becoming a  
2913 law.

2914

2915

2916

2917

===== T I T L E A M E N D M E N T =====

2918 Remove the entire title, and insert:

2919 A bill to be entitled

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2920 An act relating to corrections to the school code rewrite;  
2921 amending s. 17.076, F.S.; providing an exception to a  
2922 public records exemption; amending s. 20.055, F.S.;  
2923 deleting reference to Board of Regents; amending s.  
2924 24.121, F.S.; correcting a cross reference; amending s.  
2925 110.161, F.S.; including employees of state universities  
2926 in definition for purposes of pretax benefits program;  
2927 amending s. 112.215, F.S.; including employees of state  
2928 university boards of trustees in definition for purposes  
2929 of deferred compensation program; amending s. 145.19,  
2930 F.S.; adding a cross reference; providing for  
2931 superintendent's annual performance salary incentive to be  
2932 added to adjusted salary rate; amending s. 159.27, F.S.;  
2933 redesignating developmental research school as lab school;  
2934 amending s. 212.055, F.S.; deleting references to Florida  
2935 Frugal Schools Program; amending s. 216.136, F.S.;  
2936 deleting reference to Chancellor of State University  
2937 System, Executive Director of State Board of Community  
2938 Colleges, and State Board of Nonpublic Career Education;  
2939 providing that the executive director of Commission for  
2940 Independent Education is a member of the Workforce  
2941 Estimating Conference; amending s. 250.10, F.S.; replacing  
2942 reference to Board of Regents with Board of Governors;  
2943 deleting reference to State Board of Community Colleges;  
2944 amending s. 287.064, F.S.; authorizing state universities  
2945 to continue to participate in the consolidated equipment  
2946 financing program; amending s. 288.7091, F.S.; changing  
2947 reference to Florida Board of Education to State Board of  
2948 Education; amending s. 316.615, F.S.; replacing reference

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2949 to Commissioner of Education with State Board of Education  
2950 for purpose of rulemaking; amending s. 402.305, F.S. ;  
2951 replacing reference to Department of Education with State  
2952 Board of Education for purpose of rulemaking; amending s.  
2953 409.1451, F.S.; correcting a cross reference; amending s.  
2954 440.38, F.S.; including state universities as self-  
2955 insurers for purposes of workers' compensation; amending  
2956 ss. 445.012 and 445.0122, F.S.; deleting reference to  
2957 Articulation Coordinating Committee; providing for  
2958 agreement of State Board of Education; amending s.  
2959 445.0123, F.S.; deleting reference to State Board of  
2960 Independent Colleges and Universities and State Board of  
2961 Nonpublic Career Education; requiring licensure of certain  
2962 postsecondary education institutions by the Commission for  
2963 Independent Education for determining eligibility for  
2964 certain students; amending s. 445.0124, F.S.; deleting  
2965 reference to Articulation Coordinating Committee;  
2966 providing for agreement of State Board of Education;  
2967 amending ss. 445.2125 and 456.028, F.S.; deleting  
2968 reference to State Board of Independent Colleges and  
2969 Universities, State Board of Nonpublic Career Education,  
2970 Board of Regents, and State Board of Community Colleges;  
2971 requiring consultation with Commission for Independent  
2972 Education, Board of Governors, and State Board of  
2973 Education; amending s. 458.347, F.S.; replacing reference  
2974 to State Board of Community Colleges with State Board of  
2975 Education; amending s. 467.009, F.S.; deleting reference  
2976 to licensing authority of State Board of Nonpublic Career  
2977 Education; providing licensing authority of Commission for

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2978 Independent Education; amending s. 488.01, F.S.; deleting  
2979 reference to State Board of Nonpublic Career Education;  
2980 requiring license from the Commission for Independent  
2981 Education for operating certain driver's schools; amending  
2982 s. 489.125, F.S.; replacing reference to Commissioner of  
2983 Education with State Board of Education for purpose of  
2984 rulemaking; amending s. 784.081, F.S.; redesignating  
2985 developmental research school as lab school; amending ss.  
2986 817.566 and 817.567, F.S.; correcting cross references;  
2987 deleting reference to State Board of Independent Colleges  
2988 and Universities; providing licensing authority of  
2989 Commission for Independent Education; amending s. 943.17,  
2990 F.S.; replacing reference to Department of Education with  
2991 State Board of Education for purpose of rulemaking;  
2992 amending s. 943.22, F.S.; replacing reference to  
2993 accreditation by Accrediting Commission for Independent  
2994 Colleges and Schools with Accrediting Council for  
2995 Independent Colleges and Schools; amending s. 1000.04,  
2996 F.S.; correcting reference to technical centers; amending  
2997 s. 1001.26, F.S.; correcting a cross reference; amending  
2998 s. 1001.32, F.S.; deleting reference to rulemaking  
2999 authority of Commissioner of Education; amending s.  
3000 1001.372, F.S.; correcting a cross reference; amending s.  
3001 1001.395, F.S.; revising time requirements for district  
3002 school board members to determine salary; amending s.  
3003 1001.42, F.S.; correcting a cross reference; amending s.  
3004 1001.47, F.S.; providing calculation methodology for  
3005 salary for elected district school superintendents based  
3006 on county population; amending s. 1001.50, F.S.;

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3007 eliminating age as a criterion of compensation for  
3008 district school superintendents; amending s. 1001.51,  
3009 F.S.; deleting reference to patrons; amending s. 1001.74,  
3010 F.S.; adding a cross reference relating to pretax benefits  
3011 for state university employees; amending ss. 1002.01 and  
3012 1002.20, F.S.; correcting a cross reference; amending s.  
3013 1002.32, F.S.; redesignating developmental research school  
3014 as lab school; correcting a cross reference; amending s.  
3015 1002.33, F.S.; correcting reference to federal law;  
3016 deleting conflicting provisions relating to charter school  
3017 facilities; requiring certain compliance for  
3018 transportation of charter school students; deleting  
3019 obsolete pilot program; amending s. 1002.42, F.S.;  
3020 correcting cross references; amending s. 1002.43, F.S.;  
3021 providing reference to regular school attendance;  
3022 correcting a cross reference; amending s. 1003.22, F.S.;  
3023 providing reference to prekindergarten; amending s.  
3024 1003.43, F.S.; deleting reference to State Board of  
3025 Education waiver authority; correcting date and name of  
3026 the Korean Conflict; amending s. 1003.52, F.S.; correcting  
3027 a cross reference; amending s. 1003.63, F.S.; deleting  
3028 reference to State Board of Education waiver authority;  
3029 amending s. 1004.24, F.S.; deleting obsolete reference to  
3030 postaudit of financial accounts; providing for financial  
3031 audit pursuant to s. 11.45, F.S.; amending s. 1004.26,  
3032 F.S.; conforming university oversight of student  
3033 government; amending s. 1004.445, F.S.; deleting obsolete  
3034 reference to postaudit of financial accounts; providing  
3035 for financial audit pursuant to s. 11.45, F.S.; amending

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3036 s. 1005.04, F.S.; correcting punctuation; amending s.  
3037 1006.06, F.S.; replacing reference to private school with  
3038 reference to nonprofit school; amending s. 1006.14, F.S.;  
3039 correcting punctuation; amending ss. 1006.18 and 1006.20,  
3040 F.S.; changing name of the Florida High School Activities  
3041 Association to Florida High School Athletic Association;  
3042 clarifying requirements of physical assessment prior to  
3043 interscholastic athletic competition; deleting an obsolete  
3044 report; amending s. 1006.21, F.S.; omitting references to  
3045 regulations; amending s. 1007.21, F.S.; conforming  
3046 references to parent or guardian; amending s. 1007.264,  
3047 F.S.; revising provisions relating to impaired and  
3048 learning disabled persons; deleting provisions relating to  
3049 admission into a program of study and graduation; creating  
3050 s. 1007.265, F.S.; creating provisions relating to  
3051 impaired and learning disabled students with regard to  
3052 graduation, study program admission, and upper-division  
3053 entry; providing for substitute requirements; amending s.  
3054 1008.22, F.S.; revising provisions relating to passing  
3055 scores for students taking the FCAT for the first time;  
3056 amending s. 1008.25, F.S.; providing exemption from  
3057 retention for certain grade 3 students with disabilities;  
3058 revising a reporting date; amending s. 1008.29, F.S.;  
3059 correcting a cross reference; amending s. 1008.32, F.S.;  
3060 requiring Commissioner of Education to report  
3061 determinations of probable cause; amending s. 1008.37,  
3062 F.S.; correcting a reporting date; amending s. 1009.24,  
3063 F.S.; providing that nonresident student fees must be  
3064 sufficient to defray costs of undergraduate education;

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3065 amending s. 1009.25, F.S.; providing that a student  
3066 enrolled in an apprenticeship program is exempt from  
3067 certain tuition and program fees; defining the term  
3068 "fees"; amending s. 1009.29, F.S.; correcting reference to  
3069 number of state universities; amending s. 1009.531, F.S.;  
3070 including International General Certificate of Secondary  
3071 Education and Advanced International Certificate of  
3072 Education courses in courses that are weighted for  
3073 purposes of determining initial eligibility for a Florida  
3074 Bright Futures Scholarship; amending s. 1009.532, F.S.;  
3075 providing for a one-time restoration of award; amending  
3076 ss. 1009.534 and 1009.535, F.S.; including Advanced  
3077 International Certificate of Education students as  
3078 eligible for a Florida Academic Scholars award or a  
3079 Florida Medallion Scholars award; amending s. 1009.536,  
3080 F.S., relating to the Florida Gold Seal Vocational  
3081 Scholars award, to conform; amending ss. 1009.58 and  
3082 1009.61, F.S.; redesignating developmental research school  
3083 as lab school; amending ss. 1009.765 and 1009.77, F.S.;  
3084 replacing reference to Department of Education with State  
3085 Board of Education for purpose of rulemaking; amending s.  
3086 1010.215, F.S.; replacing reference to revenues with  
3087 funds; amending s. 1010.75, F.S.; providing for  
3088 disbursement of fees from the Teacher Certification  
3089 Examination Trust Fund; amending ss. 1011.24 and 1011.47,  
3090 F.S.; redesignating developmental research schools as lab  
3091 schools; amending s. 1011.60, F.S.; deleting a nonexistent  
3092 cross reference; authorizing a decrease in days of  
3093 instruction for certain students; amending s. 1011.62,

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3094 F.S.; redesignating developmental research school as lab  
3095 school; deleting reference to high school competency test;  
3096 providing reference to performance grade category;  
3097 amending s. 1011.70, F.S.; changing references to  
3098 Department of Education to Agency for Health Care  
3099 Administration; redesignating developmental research  
3100 schools as lab schools; authorizing lab schools to  
3101 participate in Medicaid certified school match program on  
3102 same basis as school districts; amending s. 1011.765,  
3103 F.S.; requiring the Consortium of Florida Education  
3104 Foundations to administer funds appropriated to the  
3105 Florida Academic Improvement Trust Fund; amending s.  
3106 1012.21, F.S.; providing references to Department of  
3107 Education; amending s. 1012.585, F.S.; correcting name of  
3108 trust fund; correcting a cross reference; amending s.  
3109 1012.61, F.S.; defining "educational support employee";  
3110 amending ss. 1012.62, 1012.74, and 1012.79, F.S.;  
3111 correcting cross references; amending s. 1012.795, F.S.;  
3112 designating appointed representative of district school  
3113 superintendent to receive records concerning certain  
3114 offenses; amending s. 1012.796, F.S.; correcting a cross  
3115 reference; amending s. 1012.98, F.S.; requiring  
3116 consultation with state university faculty; amending s.  
3117 1013.31, F.S.; deleting reference to Division of Colleges  
3118 and Universities; requiring the Department of Education to  
3119 validate university surveys in accordance with State Board  
3120 of Education approval of needs and enrollment cycle;  
3121 amending s. 1013.62, F.S.; clarifying provisions relating  
3122 to charter school eligibility for capital outlay funding;

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3123 amending ss. 1013.73 and 1013.74, F.S.; correcting cross  
3124 references; amending s. 1005.31, F.S.; revising provisions  
3125 relating to licensure of institutions by the Commission  
3126 for Independent Education; amending s. 1005.32, F.S.;  
3127 providing for revocation or denial of license for  
3128 violation of provisions relating to discipline; amending  
3129 s. 1005.38, F.S.; providing for licensure activities of  
3130 the commission during certain investigations or  
3131 prosecution; amending s. 1009.531, F.S.; correcting a  
3132 cross reference; repealing s. 445.049(2)(g) and (h), F.S.,  
3133 relating to the executive director of the State Board of  
3134 Community Colleges and the executive director of the State  
3135 Board for Career Education as members of the Digital  
3136 Divide Council; repealing s. 1006.57, F.S., relating to  
3137 certain books furnished by the Clerk of the Supreme Court;  
3138 repealing s. 1008.345(3), F.S., relating to development of  
3139 an annual report by the Department Education; providing an  
3140 effective date.