

By Senator Hill

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1 A bill to be entitled
2 An act relating to public school attendance; creating
3 s. 1003.215, F.S.; creating the Student Preparedness
4 Pilot Program; requiring selected school districts,
5 including the Duval County School District, to review
6 and identify curricula options for certain students;
7 requiring students who attain the age of 16 years but
8 have not reached the age of 18 years in pilot program
9 districts who do not regularly attend school to be
10 subject to specific attendance and completion
11 requirements; providing for an application and
12 selection process for school district participation;
13 specifying procedures for termination of school
14 enrollment and requirements for pilot program
15 attendance and completion; specifying that students
16 who select a nontraditional academic option are not
17 eligible students for purposes of school grading;
18 requiring an annual study and reporting by the Office
19 of Program Policy Analysis and Government
20 Accountability; amending s. 1003.01, F.S.; providing
21 that habitual truancy provisions apply to students
22 subject to pilot program requirements; defining
23 regular program attendance in a pilot program school
24 district; amending s. 1003.21, F.S.; requiring a
25 student in a pilot program school district to be
26 informed of the program's attendance and completion
27 requirements; amending s. 1003.26, F.S.; conforming
28 cross-references; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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32 Section 1. Section 1003.215, Florida Statutes, is created
33 to read:

34 1003.215 Student Preparedness Pilot Program.—

35 (1) The Legislature finds it to be in the public interest
36 that all students exit from the public schools with academic
37 skills that provide the students with the opportunity to pursue
38 postsecondary education or with skills that lead to ready to
39 work certification, industry certification, or skill licensure.

40 (2) (a) Beginning with the 2009-2010 school year, and
41 continuing through the 2015-2016 school year, there is created
42 the Student Preparedness Pilot Program to be piloted by school
43 districts. Students in a school district selected to implement
44 the pilot program pursuant to subsection (3) who attain the age
45 of 16 years but have not reached the age of 18 years and who
46 choose to exercise their option not to regularly attend school
47 pursuant to s. 1003.21(1)(c) shall be subject to the attendance
48 and completion requirements of this section.

49 (b) In the 2009-2010 school year, each school district
50 selected pursuant to subsection (3) shall review, identify, and
51 develop curricula options for the implementation of the pilot
52 program requirements pursuant to paragraph (5)(a) for students
53 who attain the age of 16 years but have not reached the age of
54 18 years whose academic goals may not include a traditional high
55 school diploma. These options shall include, but are not limited
56 to, nontraditional academic options and flexible attendance
57 options and may include a phase-in of students by age or grade.
58 Each selected school district must develop a plan to meet the

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59 student's needs and the attendance and completion requirements
60 of this section prior to implementation of the pilot program in
61 the 2010-2011 school year.

62 (3) The Department of Education shall develop an
63 application process for school districts to apply to participate
64 in the pilot program. The State Board of Education shall select
65 the pilot program districts, at least one of which shall be a
66 district with a student population in excess of 100,000
67 students, one of which shall be a district with a student
68 population of 25,000 to 100,000 students, and one of which shall
69 be a district with a student population of fewer than 25,000
70 students. One of the districts selected by the state board shall
71 be the Duval County School District. The state board shall
72 select participating districts from among those applying based
73 on their dropout rates and opportunities for providing training
74 in job skills that lead to ready to work certification, industry
75 certification, or skill licensure.

76 (4) Parents of public school students enrolled in a
77 participating pilot program district must receive accurate and
78 timely information regarding their child's academic progress and
79 must be informed of ways they can help their child to succeed in
80 school.

81 (5) (a) A student in a participating pilot program district
82 who attains the age of 16 years but has not reached the age of
83 18 years has the right to file a formal declaration of intent to
84 terminate school enrollment if the declaration is signed by the
85 parent. The parent has the right to be notified by the school
86 district of the district's receipt of the student's declaration
87 of intent to terminate school enrollment. The student's guidance

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88 counselor or other school personnel must conduct an exit
89 interview pursuant to s. 1003.21(1)(c). Any student in a
90 participating pilot program district who files a declaration
91 seeking to terminate school enrollment but has not reached the
92 age of 18 years shall be required, until completion or
93 attainment of the age of 18 years, to continue pursuing credits
94 toward a high school diploma, pursue a high school equivalency
95 diploma with participation in the Florida Ready to Work
96 Certification Program under s. 1004.99, participate in a career
97 or job training program leading to industry certification or
98 skill licensure that is developed by or in cooperation with the
99 district school board, or participate in the Florida Ready to
100 Work Certification Program under s. 1004.99.

101 (b) A Student Preparedness Pilot Program student subject to
102 the attendance and completion requirements of this section is
103 not an "eligible student" for purposes of school grading under
104 s. 1008.34(3)(b) if the student has selected a nontraditional
105 academic option of the pilot program.

106 (6) Students who become or have become married or who are
107 pregnant and parenting have the right to attend school and
108 receive the same or equivalent educational instruction as other
109 students.

110 (7) The Office of Program Policy Analysis and Government
111 Accountability (OPPAGA), in cooperation with the participating
112 pilot program districts, the applicable state attorneys' offices
113 and regional workforce boards, the Agency for Workforce
114 Innovation, the Department of Education, and the Department of
115 Juvenile Justice, shall conduct a study annually of the impact
116 of the pilot program on dropout and graduation rates, on the

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117 employability of students, and on juvenile crime, using 2008-
118 2009 data as the baseline for the research. OPPAGA shall develop
119 criteria for collection and reporting of data with input from
120 the cooperating entities. The results of each annual report
121 shall be made available to participating pilot program
122 districts, the applicable state attorneys' offices and regional
123 workforce boards, the Agency for Workforce Education, the
124 Department of Education, the Department of Juvenile Justice, the
125 Governor, the President of the Senate, and the Speaker of the
126 House of Representatives by January 1 following each school
127 year, beginning January 1, 2013.

128 Section 2. Subsections (8) and (13) of section 1003.01,
129 Florida Statutes, are amended to read:

130 1003.01 Definitions.—As used in this chapter, the term:

131 (8) "Habitual truant" means a student who has 15 unexcused
132 absences within 90 calendar days with or without the knowledge
133 or consent of the student's parent; r is subject to compulsory
134 school attendance under s. 1003.21(1) and (2) (a) or is subject
135 to the Student Preparedness Pilot Program under s. 1003.215; r
136 and is not exempt under s. 1003.21(3), or s. 1003.24, or by
137 ~~meeting the criteria for~~ any other exemption specified by law or
138 rules of the State Board of Education. Such a student must have
139 been the subject of the activities specified in ss. 1003.26 and
140 1003.27(3), without resultant successful remediation of the
141 truancy problem before being dealt with as a child in need of
142 services according to the provisions of chapter 984.

143 (13) (a) "Regular school attendance" means the actual
144 attendance of a student during the school day as defined by law
145 and rules of the State Board of Education. Regular attendance

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146 within the intent of s. 1003.21 may be achieved by attendance
147 in:

148 1.~~(a)~~ A public school supported by public funds;

149 2.~~(b)~~ A parochial, religious, or denominational school;

150 3.~~(c)~~ A private school supported in whole or in part by
151 tuition charges or by endowments or gifts;

152 4.~~(d)~~ A home education program that meets the requirements
153 of chapter 1002; or

154 5.~~(e)~~ A private tutoring program that meets the
155 requirements of chapter 1002.

156 (b) "Regular program attendance" for a student in the
157 Student Preparedness Pilot Program under s. 1003.215 means
158 actual attendance by the student in traditional or
159 nontraditional academic options as defined by law and rules of
160 the State Board of Education. The district school superintendent
161 shall be responsible for enforcing such attendance.

162 Section 3. Paragraph (c) of subsection (1) of section
163 1003.21, Florida Statutes, is amended to read:

164 1003.21 School attendance.—

165 (1)

166 (c) A student who attains the age of 16 years during the
167 school year is not subject to compulsory school attendance
168 beyond the date upon which he or she attains that age if the
169 student files a formal declaration of intent to terminate school
170 enrollment with the district school board. Public school
171 students who have attained the age of 16 years and who have not
172 graduated are subject to compulsory school attendance until the
173 formal declaration of intent is filed with the district school
174 board. The declaration must acknowledge that terminating school

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175 enrollment is likely to reduce the student's earning potential
176 and must be signed by the student and the student's parent. The
177 school district must notify the student's parent of receipt of
178 the student's declaration of intent to terminate school
179 enrollment. The student's guidance counselor or other school
180 personnel must conduct an exit interview with the student to
181 determine the reasons for the student's decision to terminate
182 school enrollment and actions that could be taken to keep the
183 student in school. The student must be informed of opportunities
184 to continue his or her education in a different environment,
185 including, but not limited to, adult education and GED test
186 preparation. Additionally, the student must complete a survey in
187 a format prescribed by the Department of Education to provide
188 data on student reasons for terminating enrollment and actions
189 taken by schools to keep students enrolled. A student enrolled
190 in a Student Preparedness Pilot Program school district must
191 receive information regarding the program's attendance and
192 completion requirements under s. 1003.215.

193 Section 4. Paragraph (f) of subsection (1) of section
194 1003.26, Florida Statutes, is amended to read:

195 1003.26 Enforcement of school attendance.—The Legislature
196 finds that poor academic performance is associated with
197 nonattendance and that school districts must take an active role
198 in promoting and enforcing attendance as a means of improving
199 student performance. It is the policy of the state that each
200 district school superintendent be responsible for enforcing
201 school attendance of all students subject to the compulsory
202 school age in the school district and supporting enforcement of
203 school attendance by local law enforcement agencies. The

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204 responsibility includes recommending policies and procedures to
205 the district school board that require public schools to respond
206 in a timely manner to every unexcused absence, and every absence
207 for which the reason is unknown, of students enrolled in the
208 schools. District school board policies shall require the parent
209 of a student to justify each absence of the student, and that
210 justification will be evaluated based on adopted district school
211 board policies that define excused and unexcused absences. The
212 policies must provide that public schools track excused and
213 unexcused absences and contact the home in the case of an
214 unexcused absence from school, or an absence from school for
215 which the reason is unknown, to prevent the development of
216 patterns of nonattendance. The Legislature finds that early
217 intervention in school attendance is the most effective way of
218 producing good attendance habits that will lead to improved
219 student learning and achievement. Each public school shall
220 implement the following steps to promote and enforce regular
221 school attendance:

222 (1) CONTACT, REFER, AND ENFORCE.—

223 (f)1. If the parent of a child who has been identified as
224 exhibiting a pattern of nonattendance enrolls the child in a
225 home education program pursuant to chapter 1002, the district
226 school superintendent shall provide the parent a copy of s.
227 1002.41 and the accountability requirements of this paragraph.
228 The district school superintendent shall also refer the parent
229 to a home education review committee composed of the district
230 contact for home education programs and at least two home
231 educators selected by the parent from a district list of all
232 home educators who have conducted a home education program for

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233 at least 3 years and who have indicated a willingness to serve
234 on the committee. The home education review committee shall
235 review the portfolio of the student, as defined by s. 1002.41,
236 every 30 days during the district's regular school terms until
237 the committee is satisfied that the home education program is in
238 compliance with s. 1002.41(1)(b). The first portfolio review
239 must occur within the first 30 calendar days of the
240 establishment of the program. The provisions of subparagraph 2.
241 do not apply once the committee determines the home education
242 program is in compliance with s. 1002.41(1)(b).

243 2. If the parent fails to provide a portfolio to the
244 committee, the committee shall notify the district school
245 superintendent. The district school superintendent shall then
246 terminate the home education program and require the parent to
247 enroll the child in an attendance option that meets the
248 definition of "regular school attendance" under s.
249 1003.01(13)(a)1., 2., 3., or 5.~~(b), (c), or (e)~~, within 3
250 days. Upon termination of a home education program pursuant to
251 this subparagraph, the parent shall not be eligible to reenroll
252 the child in a home education program for 180 calendar days.
253 Failure of a parent to enroll the child in an attendance option
254 as required by this subparagraph after termination of the home
255 education program pursuant to this subparagraph shall constitute
256 noncompliance with the compulsory attendance requirements of s.
257 1003.21 and may result in criminal prosecution under s.
258 1003.27(2). Nothing contained herein shall restrict the ability
259 of the district school superintendent, or the ability of his or
260 her designee, to review the portfolio pursuant to s.
261 1002.41(1)(b).

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Section 5. This act shall take effect July 1, 2009.