

By Senator Wilson

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20102312

1 A bill to be entitled
2 An act relating to public school academy programs;
3 amending s. 1002.20, F.S.; providing that public
4 school choice options include academy programs in the
5 school district; deleting reference to the Opportunity
6 Scholarship Program; amending s. 1002.31, F.S.;
7 conforming provisions relating to public school
8 parental choice; creating s. 1002.391, F.S.; requiring
9 the Department of Education to develop a plan for the
10 establishment of academy programs in public schools;
11 providing academy program requirements; providing for
12 student transfer in certain circumstances; amending s.
13 1008.33, F.S.; defining the term "school" to include
14 an academy program for purposes of the State Board of
15 Education's authority to enforce public school
16 improvement; amending s. 1008.34, F.S.; defining the
17 term "school" to include an academy program for
18 purposes of determining school grades; amending s.
19 1008.36, F.S.; authorizing academy programs to
20 participate in the Florida School Recognition Program;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:
24

25 Section 1. Paragraph (a) of subsection (6) of section
26 1002.20, Florida Statutes, is amended to read:

27 1002.20 K-12 student and parent rights.—Parents of public
28 school students must receive accurate and timely information
29 regarding their child's academic progress and must be informed

33-01429-10

20102312__

30 of ways they can help their child to succeed in school. K-12
31 students and their parents are afforded numerous statutory
32 rights including, but not limited to, the following:

33 (6) EDUCATIONAL CHOICE.—

34 (a) *Public school choices.*—Parents of public school
35 students may seek whatever public school choice options that are
36 ~~applicable to their students and are~~ available to students in
37 their school districts. These options may include controlled
38 open enrollment, single-gender programs, lab schools, school
39 district virtual instruction programs, charter schools, charter
40 technical career centers, magnet schools, alternative schools,
41 special programs, academy programs, advanced placement, dual
42 enrollment, International Baccalaureate, International General
43 Certificate of Secondary Education (pre-AICE), Advanced
44 International Certificate of Education, early admissions, credit
45 by examination or demonstration of competency, the New World
46 School of the Arts, the Florida School for the Deaf and the
47 Blind, and the Florida Virtual School. These options may also
48 include the public school choice option ~~options of the~~
49 ~~Opportunity Scholarship Program and the McKay Scholarships for~~
50 Students with Disabilities Program.

51 Section 2. Subsection (2) of section 1002.31, Florida
52 Statutes, is amended to read:

53 1002.31 Public school parental choice.—

54 (2) Each district school board may offer controlled open
55 enrollment within the public schools. The controlled open
56 enrollment program shall be offered in addition to the existing
57 choice programs such as virtual instruction programs, magnet
58 schools, alternative schools, special programs, academy

33-01429-10

20102312__

59 programs, advanced placement, and dual enrollment.

60 Section 3. Section 1002.391, Florida Statutes, is created
61 to read:

62 1002.391 Academy programs in the public schools.-

63 (1) The Department of Education shall develop by January 1,
64 2011, a plan for school districts to establish academy programs
65 in every public school where feasible. Based on the school-
66 within-a-school concept, academy programs shall be multiple
67 programs within one school facility that allow students to
68 concentrate on unique and specialized areas of study of their
69 choosing. The department's plan shall be based on the following:

70 (a) Each student in an academy program must take a base of
71 core-curricula courses in addition to specialized courses unique
72 to each academy program.

73 (b) The plan must include a waiver provision for school
74 districts to continue offering traditional academic programs if
75 it is not feasible to offer academy programs within individual
76 schools.

77 (2) (a) A parent whose child is enrolled in an academy
78 program shall be able to transfer his or her child to a
79 different academy program in the school, to an academy program
80 in another public school in the school district, or to a
81 traditional academic program in another public school in the
82 school district if the expectations of the parent or the student
83 are not met within the school in which the student is enrolled.
84 Except as provided in paragraph (b), once a student begins the
85 academic year in an academy program or school, he or she is
86 required to attend that academy program or school for the
87 remainder of the academic year.

33-01429-10

20102312

88 (b) A parent may apply to transfer his or her child to
89 another academy program or school in the school district before
90 the end of the academic year if special circumstances warrant
91 such action, according to a process developed by the department.

92 Section 4. Subsection (8) of section 1008.33, Florida
93 Statutes, is renumbered as subsection (9) and amended, and a new
94 subsection (8) is added to that section, to read:

95 1008.33 Authority to enforce public school improvement.—

96 (8) For purposes of this section, the term "school" means
97 the school itself or an academy program in a school as described
98 in s. 1002.391.

99 (9)~~(8)~~ By July 1, 2010, The State Board of Education shall
100 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
101 this section. The state board shall consult with education
102 stakeholders in developing the rules.

103 Section 5. Subsection (2) of section 1008.34, Florida
104 Statutes, is amended to read:

105 1008.34 School grading system; school report cards;
106 district grade.—

107 (2) SCHOOL GRADES.—The annual report shall identify schools
108 as having one of the following grades, defined according to
109 rules of the State Board of Education:

- 110 (a) "A," schools making excellent progress.
111 (b) "B," schools making above average progress.
112 (c) "C," schools making satisfactory progress.
113 (d) "D," schools making less than satisfactory progress.
114 (e) "F," schools failing to make adequate progress.

115
116 Each school designated with a grade of "A," making excellent

33-01429-10

20102312__

117 progress, or having improved at least two grade levels, shall
118 have greater authority over the allocation of the school's total
119 budget generated from the FEFP, state categoricals, lottery
120 funds, grants, and local funds, as specified in state board
121 rule. The rule must provide that the increased budget authority
122 shall remain in effect until the school's grade declines. For
123 purposes of this section, the term "school" means the school
124 itself or an academy program in a school as described in s.
125 1002.391. Each school and each academy program shall receive a
126 separate school grade pursuant to this section.

127 Section 6. Subsection (3) of section 1008.36, Florida
128 Statutes, is amended to read:

129 1008.36 Florida School Recognition Program.—

130 (3) All public schools, including charter schools and
131 academy programs in public schools, that receive a school grade
132 pursuant to s. 1008.34 are eligible to participate in the
133 program.

134

135 Notwithstanding statutory provisions to the contrary, incentive
136 awards are not subject to collective bargaining.

137 Section 7. This act shall take effect July 1, 2010.