



730152

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
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The Committee on Education (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3) of section 403.7032, Florida
Statutes, is amended to read:

403.7032 Recycling.—

(3) Each state agency, ~~K-12 public school~~, public
institution of higher learning, community college, and state
university, including all buildings that are occupied by
municipal, county, or state employees and entities occupying
buildings managed by the Department of Management Services,
must, at a minimum, annually report all recycled materials to



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14 the county using the department's designated reporting format.
15 Private businesses, other than certified recovered materials
16 dealers, that recycle paper, metals, glass, plastics, textiles,
17 rubber materials, and mulch, are encouraged to report the amount
18 of materials they recycle to the county annually beginning
19 January 1, 2011, using the department's designated reporting
20 format. Using the information provided, the department shall
21 recognize those private businesses that demonstrate outstanding
22 recycling efforts. Notwithstanding any other provision of state
23 or county law, private businesses, other than certified
24 recovered materials dealers, shall not be required to report
25 recycling rates. Cities with less than a population of 2,500 and
26 per capita taxable value less than \$48,000 and cities with a per
27 capita taxable value less than \$30,000 are exempt from the
28 reporting requirement specified in this subsection.

29 Section 2. Subsection (3) of section 1001.26, Florida
30 Statutes, is repealed.

31 Section 3. Section 1001.435, Florida Statutes, is repealed.

32 Section 4. Subsections (4), (6), and (9) of section
33 1002.23, Florida Statutes, are repealed.

34 Section 5. Subsection (10) of section 1002.32, Florida
35 Statutes, is repealed.

36 Section 6. Section 1002.361, Florida Statutes, is repealed.

37 Section 7. Section 1002.375, Florida Statutes, is repealed.

38 Section 8. Subsection (1) of section 1003.4285, Florida
39 Statutes, is repealed.

40 Section 9. Section 1003.43, Florida Statutes, is repealed.

41 Section 10. Subsection (5) of section 1003.433, Florida
42 Statutes, is repealed.



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43 Section 11. Subsection (2) of section 1003.453, Florida
44 Statutes, is repealed.

45 Section 12. Section 1003.496, Florida Statutes, is
46 repealed.

47 Section 13. Section 1004.05, Florida Statutes, is repealed.

48 Section 14. Paragraphs (c) and (d) of subsection (5) of
49 section 1004.435, Florida Statutes, are amended to read:

50 1004.435 Cancer control and research.—

51 (5) RESPONSIBILITIES OF THE BOARD OF GOVERNORS, THE H. LEE
52 MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC., AND THE
53 STATE SURGEON GENERAL.—

54 ~~(c) The Board of Governors or the State Surgeon General,~~
55 ~~after consultation with the council, may adopt rules necessary~~
56 ~~for the implementation of this section.~~

57 (c) ~~(d) The State Surgeon General, after consultation with~~
58 ~~the council, shall make rules specifying to what extent and on~~
59 ~~what terms and conditions cancer patients of the state may~~
60 ~~receive financial aid for the diagnosis and treatment of cancer~~
61 ~~in any hospital or clinic selected. The department may furnish~~
62 to citizens of this state who are afflicted with cancer
63 financial aid to the extent of the appropriation provided for
64 that purpose in a manner which in its opinion will afford the
65 greatest benefit to those afflicted and may make arrangements
66 with hospitals, laboratories, or clinics to afford proper care
67 and treatment for cancer patients in this state.

68 Section 15. Paragraph (g) of subsection (2) of section
69 1004.45, Florida Statutes, is amended to read:

70 1004.45 Ringling Center for Cultural Arts.—

71 (2)



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72 (g) The university, in consultation with the direct-support
73 organization, shall establish policies ~~and may adopt rules~~ for
74 the sale or exchange of works of art.

75 Section 16. Section 1004.62, Florida Statutes, is repealed.

76 Section 17. Section 1004.77, Florida Statutes, is repealed.

77 Section 18. Section 1006.02, Florida Statutes, is repealed.

78 Section 19. Section 1006.035, Florida Statutes, is
79 repealed.

80 Section 20. Section 1006.051, Florida Statutes, is
81 repealed.

82 Section 21. Paragraph (d) of subsection (1) of section
83 1006.09, Florida Statutes, is repealed.

84 Section 22. Sections 1006.17 and 1006.70, Florida Statutes,
85 are repealed.

86 Section 23. Section 1006.65, Florida Statutes, is repealed.

87 Section 24. Section 1007.21, Florida Statutes, is repealed.

88 Section 25. Subsection (10) of section 1007.35, Florida
89 Statutes, is repealed.

90 Section 26. Paragraphs (d) and (e) of subsection (3) of
91 section 1008.31, Florida Statutes, are repealed.

92 Section 27. Section 1009.68, Florida Statutes, is repealed.

93 Section 28. Section 1009.85, Florida Statutes, is amended
94 to read:

95 1009.85 Participation in guaranteed student loan program.-
96 ~~The State Board of Education shall adopt rules necessary for~~
97 ~~participation in the guaranteed student loan program, as~~
98 ~~provided by the Higher Education Act of 1965 (20 U.S.C. ss. 1071~~
99 ~~et seq.), as amended or as may be amended. The intent of this~~
100 act is to authorize student loans when this state, through the



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101 Department of Education, has become an eligible lender under the
102 provisions of the applicable federal laws providing for the
103 guarantee of loans to students and the partial payment of
104 interest on such loans by the United States Government.

105 Section 29. Section 1012.58, Florida Statutes, is repealed.

106 Section 30. Subsection (6) of section 1012.71, Florida
107 Statutes, is repealed.

108 Section 31. Section 1013.231, Florida Statutes, is
109 repealed.

110 Section 32. Section 1013.32, Florida Statutes, is repealed.

111 Section 33. Sections 1013.42 and 1013.72, Florida Statutes,
112 are repealed.

113 Section 34. Sections 1013.502 and 1013.721, Florida
114 Statutes, are repealed.

115 Section 35. Effective July 1, 2013, subsection (7) of
116 section 1013.64, Florida Statutes, is repealed.

117 Section 36. Section 1013.73, Florida Statutes, is repealed.

118 Section 37. Paragraph (c) of subsection (1) of section
119 120.81, Florida Statutes, is amended to read:

120 120.81 Exceptions and special requirements; general areas.—

121 (1) EDUCATIONAL UNITS.—

122 (c) Notwithstanding s. 120.52(16), any tests, test scoring
123 criteria, or testing procedures relating to student assessment
124 which are developed or administered by the Department of
125 Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.
126 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
127 educational tests required by law, are not rules.

128 Section 38. Subsection (5) of section 250.115, Florida
129 Statutes, is amended to read:



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130 250.115 Department of Military Affairs direct-support
131 organization.—

132 (5) ACTIVITIES; RESTRICTIONS.—Any transaction or agreement
133 between the direct-support organization organized pursuant to
134 this section and another direct-support organization ~~or center~~
135 ~~of technology innovation designated under s. 1004.77~~ must be
136 approved by the Department of Military Affairs.

137 Section 39. Paragraph (b) of subsection (5) of section
138 409.1451, Florida Statutes, is amended to read:

139 409.1451 Independent living transition services.—

140 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—
141 Based on the availability of funds, the department shall provide
142 or arrange for the following services to young adults formerly
143 in foster care who meet the prescribed conditions and are
144 determined eligible by the department. The department, or a
145 community-based care lead agency when the agency is under
146 contract with the department to provide the services described
147 under this subsection, shall develop a plan to implement those
148 services. A plan shall be developed for each community-based
149 care service area in the state. Each plan that is developed by a
150 community-based care lead agency shall be submitted to the
151 department. Each plan shall include the number of young adults
152 to be served each month of the fiscal year and specify the
153 number of young adults who will reach 18 years of age who will
154 be eligible for the plan and the number of young adults who will
155 reach 23 years of age and will be ineligible for the plan or who
156 are otherwise ineligible during each month of the fiscal year;
157 staffing requirements and all related costs to administer the
158 services and program; expenditures to or on behalf of the



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159 eligible recipients; costs of services provided to young adults
160 through an approved plan for housing, transportation, and
161 employment; reconciliation of these expenses and any additional
162 related costs with the funds allocated for these services; and
163 an explanation of and a plan to resolve any shortages or
164 surpluses in order to end the fiscal year with a balanced
165 budget. The categories of services available to assist a young
166 adult formerly in foster care to achieve independence are:

167 (b) *Road-to-Independence Program.*—

168 1. The Road-to-Independence Program is intended to help
169 eligible students who are former foster children in this state
170 to receive the educational and vocational training needed to
171 achieve independence. The amount of the award shall be based on
172 the living and educational needs of the young adult and may be
173 up to, but may not exceed, the amount of earnings that the
174 student would have been eligible to earn working a 40-hour-a-
175 week federal minimum wage job.

176 2. A young adult who has earned a standard high school
177 diploma or its equivalent as described in s. 1003.428, s.
178 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma
179 or special certificate of completion as described in s.
180 1003.438, or has reached 18 years of age but is not yet 21 years
181 of age is eligible for the initial award, and a young adult
182 under 23 years of age is eligible for renewal awards, if he or
183 she:

184 a. Was a dependent child, under chapter 39, and was living
185 in licensed foster care or in subsidized independent living at
186 the time of his or her 18th birthday or is currently living in
187 licensed foster care or subsidized independent living, or, after



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188 reaching the age of 16, was adopted from foster care or placed
189 with a court-approved dependency guardian and has spent a
190 minimum of 6 months in foster care immediately preceding such
191 placement or adoption;

192 b. Spent at least 6 months living in foster care before
193 reaching his or her 18th birthday;

194 c. Is a resident of this state as defined in s. 1009.40;
195 and

196 d. Meets one of the following qualifications:

197 (I) Has earned a standard high school diploma or its
198 equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or
199 s. 1003.435, or has earned a special diploma or special
200 certificate of completion as described in s. 1003.438, and has
201 been admitted for full-time enrollment in an eligible
202 postsecondary education institution as defined in s. 1009.533;

203 (II) Is enrolled full time in an accredited high school; or

204 (III) Is enrolled full time in an accredited adult
205 education program designed to provide the student with a high
206 school diploma or its equivalent.

207 3. A young adult applying for the Road-to-Independence
208 Program must apply for any other grants and scholarships for
209 which he or she may qualify. The department shall assist the
210 young adult in the application process and may use the federal
211 financial aid grant process to determine the funding needs of
212 the young adult.

213 4. An award shall be available to a young adult who is
214 considered a full-time student or its equivalent by the
215 educational institution in which he or she is enrolled, unless
216 that young adult has a recognized disability preventing full-



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217 time attendance. The amount of the award, whether it is being
218 used by a young adult working toward completion of a high school
219 diploma or its equivalent or working toward completion of a
220 postsecondary education program, shall be determined based on an
221 assessment of the funding needs of the young adult. This
222 assessment must consider the young adult's living and
223 educational costs and other grants, scholarships, waivers,
224 earnings, and other income to be received by the young adult. An
225 award shall be available only to the extent that other grants
226 and scholarships are not sufficient to meet the living and
227 educational needs of the young adult, but an award may not be
228 less than \$25 in order to maintain Medicaid eligibility for the
229 young adult as provided in s. 409.903.

230 5. The amount of the award may be disregarded for purposes
231 of determining the eligibility for, or the amount of, any other
232 federal or federally supported assistance.

233 6.a. The department must advertise the criteria,
234 application procedures, and availability of the program to:

235 (I) Children and young adults in, leaving, or formerly in
236 foster care.

237 (II) Case managers.

238 (III) Guidance and family services counselors.

239 (IV) Principals or other relevant school administrators.

240 (V) Guardians ad litem.

241 (VI) Foster parents.

242 b. The department shall issue awards from the program for
243 each young adult who meets all the requirements of the program
244 to the extent funding is available.

245 c. An award shall be issued at the time the eligible



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246 student reaches 18 years of age.

247 d. A young adult who is eligible for the Road-to-
248 Independence Program, transitional support services, or
249 aftercare services and who so desires shall be allowed to reside
250 with the licensed foster family or group care provider with whom
251 he or she was residing at the time of attaining his or her 18th
252 birthday or to reside in another licensed foster home or with a
253 group care provider arranged by the department.

254 e. If the award recipient transfers from one eligible
255 institution to another and continues to meet eligibility
256 requirements, the award must be transferred with the recipient.

257 f. Funds awarded to any eligible young adult under this
258 program are in addition to any other services or funds provided
259 to the young adult by the department through transitional
260 support services or aftercare services.

261 g. The department shall provide information concerning
262 young adults receiving funding through the Road-to-Independence
263 Program to the Department of Education for inclusion in the
264 student financial assistance database, as provided in s.
265 1009.94.

266 h. Funds are intended to help eligible young adults who are
267 former foster children in this state to receive the educational
268 and vocational training needed to become independent and self-
269 supporting. The funds shall be terminated when the young adult
270 has attained one of four postsecondary goals under subsection
271 (3) or reaches 23 years of age, whichever occurs earlier. In
272 order to initiate postsecondary education, to allow for a change
273 in career goal, or to obtain additional skills in the same
274 educational or vocational area, a young adult may earn no more



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275 than two diplomas, certificates, or credentials. A young adult
276 attaining an associate of arts or associate of science degree
277 shall be permitted to work toward completion of a bachelor of
278 arts or a bachelor of science degree or an equivalent
279 undergraduate degree. Road-to-Independence Program funds may not
280 be used for education or training after a young adult has
281 attained a bachelor of arts or a bachelor of science degree or
282 an equivalent undergraduate degree.

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

287 (I) Complete the number of hours, or the equivalent
288 considered full time by the educational institution, unless that
289 young adult has a recognized disability preventing full-time
290 attendance, in the last academic year in which the young adult
291 earned an award, except for a young adult who meets the
292 requirements of s. 1009.41.

293 (II) Maintain appropriate progress as required by the
294 educational institution, except that, if the young adult's
295 progress is insufficient to renew the award at any time during
296 the eligibility period, the young adult may restore eligibility
297 by improving his or her progress to the required level.

298 j. Funds may be terminated during the interim between an
299 award and the evaluation for a renewal award if the department
300 determines that the award recipient is no longer enrolled in an
301 educational institution as defined in sub-subparagraph 2.d., or
302 is no longer a state resident. The department shall notify a
303 recipient who is terminated and inform the recipient of his or



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304 her right to appeal.

305 k. An award recipient who does not qualify for a renewal
306 award or who chooses not to renew the award may subsequently
307 apply for reinstatement. An application for reinstatement must
308 be made before the young adult reaches 23 years of age, and a
309 student may not apply for reinstatement more than once. In order
310 to be eligible for reinstatement, the young adult must meet the
311 eligibility criteria and the criteria for award renewal for the
312 program.

313 Section 40. Subsection (7) of section 1001.11, Florida
314 Statutes, is amended to read:

315 1001.11 Commissioner of Education; other duties.—

316 (7) The commissioner shall make prominently available on
317 the department's website the following: links to the Internet-
318 based clearinghouse for professional development regarding
319 physical education; the school wellness and physical education
320 policies and other resources required under s. 1003.453(1) and
321 ~~(2)~~; and other Internet sites that provide professional
322 development for elementary teachers of physical education as
323 defined in s. 1003.01(16). These links must provide elementary
324 teachers with information concerning current physical education
325 and nutrition philosophy and best practices that result in
326 student participation in physical activities that promote
327 lifelong physical and mental well-being.

328 Section 41. Paragraph (f) of subsection (3) and subsection
329 (8) of section 1002.20, Florida Statutes, are amended to read:

330 1002.20 K-12 student and parent rights.—Parents of public
331 school students must receive accurate and timely information
332 regarding their child's academic progress and must be informed



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

336 (3) HEALTH ISSUES.—

337 (f) *Career education courses involving hazardous*
338 *substances.*—High school students must be given plano safety
339 glasses or devices in career education courses involving the use
340 of hazardous substances likely to cause eye injury, ~~in~~
341 ~~accordance with the provisions of s. 1006.65.~~

342 (8) STUDENTS WITH DISABILITIES.—Parents of public school
343 students with disabilities and parents of public school students
344 in residential care facilities are entitled to notice and due
345 process in accordance with the provisions of ss. 1003.57 and
346 1003.58. Public school students with disabilities must be
347 provided the opportunity to meet the graduation requirements for
348 a standard high school diploma in accordance with the provisions
349 of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students
350 with disabilities may be awarded a special diploma upon high
351 school graduation.

352 Section 42. Paragraph (a) of subsection (7) of section
353 1002.33, Florida Statutes, is amended to read:

354 1002.33 Charter schools.—

355 (7) CHARTER.—The major issues involving the operation of a
356 charter school shall be considered in advance and written into
357 the charter. The charter shall be signed by the governing board
358 of the charter school and the sponsor, following a public
359 hearing to ensure community input.

360 (a) The charter shall address and criteria for approval of
361 the charter shall be based on:



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362 1. The school's mission, the students to be served, and the
363 ages and grades to be included.

364 2. The focus of the curriculum, the instructional methods
365 to be used, any distinctive instructional techniques to be
366 employed, and identification and acquisition of appropriate
367 technologies needed to improve educational and administrative
368 performance which include a means for promoting safe, ethical,
369 and appropriate uses of technology which comply with legal and
370 professional standards.

371 a. The charter shall ensure that reading is a primary focus
372 of the curriculum and that resources are provided to identify
373 and provide specialized instruction for students who are reading
374 below grade level. The curriculum and instructional strategies
375 for reading must be consistent with the Sunshine State Standards
376 and grounded in scientifically based reading research.

377 b. In order to provide students with access to diverse
378 instructional delivery models, to facilitate the integration of
379 technology within traditional classroom instruction, and to
380 provide students with the skills they need to compete in the
381 21st century economy, the Legislature encourages instructional
382 methods for blended learning courses consisting of both
383 traditional classroom and online instructional techniques.
384 Charter schools may implement blended learning courses which
385 combine traditional classroom instruction and virtual
386 instruction. Students in a blended learning course must be full-
387 time students of the charter school and receive the online
388 instruction in a classroom setting at the charter school.
389 Instructional personnel certified pursuant to s. 1012.55 who
390 provide virtual instruction for blended learning courses may be



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391 employees of the charter school or may be under contract to
392 provide instructional services to charter school students. At a
393 minimum, such instructional personnel must hold an active state
394 or school district adjunct certification under s. 1012.57 for
395 the subject area of the blended learning course. The funding and
396 performance accountability requirements for blended learning
397 courses are the same as those for traditional courses.

398 3. The current incoming baseline standard of student
399 academic achievement, the outcomes to be achieved, and the
400 method of measurement that will be used. The criteria listed in
401 this subparagraph shall include a detailed description of:

402 a. How the baseline student academic achievement levels and
403 prior rates of academic progress will be established.

404 b. How these baseline rates will be compared to rates of
405 academic progress achieved by these same students while
406 attending the charter school.

407 c. To the extent possible, how these rates of progress will
408 be evaluated and compared with rates of progress of other
409 closely comparable student populations.

410
411 The district school board is required to provide academic
412 student performance data to charter schools for each of their
413 students coming from the district school system, as well as
414 rates of academic progress of comparable student populations in
415 the district school system.

416 4. The methods used to identify the educational strengths
417 and needs of students and how well educational goals and
418 performance standards are met by students attending the charter
419 school. The methods shall provide a means for the charter school



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420 to ensure accountability to its constituents by analyzing
421 student performance data and by evaluating the effectiveness and
422 efficiency of its major educational programs. Students in
423 charter schools shall, at a minimum, participate in the
424 statewide assessment program created under s. 1008.22.

425 5. In secondary charter schools, a method for determining
426 that a student has satisfied the requirements for graduation in
427 s. 1003.428 or s. 1003.429, ~~or s. 1003.43~~.

428 6. A method for resolving conflicts between the governing
429 board of the charter school and the sponsor.

430 7. The admissions procedures and dismissal procedures,
431 including the school's code of student conduct.

432 8. The ways by which the school will achieve a
433 racial/ethnic balance reflective of the community it serves or
434 within the racial/ethnic range of other public schools in the
435 same school district.

436 9. The financial and administrative management of the
437 school, including a reasonable demonstration of the professional
438 experience or competence of those individuals or organizations
439 applying to operate the charter school or those hired or
440 retained to perform such professional services and the
441 description of clearly delineated responsibilities and the
442 policies and practices needed to effectively manage the charter
443 school. A description of internal audit procedures and
444 establishment of controls to ensure that financial resources are
445 properly managed must be included. Both public sector and
446 private sector professional experience shall be equally valid in
447 such a consideration.

448 10. The asset and liability projections required in the



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449 application which are incorporated into the charter and shall be
450 compared with information provided in the annual report of the
451 charter school.

452 11. A description of procedures that identify various risks
453 and provide for a comprehensive approach to reduce the impact of
454 losses; plans to ensure the safety and security of students and
455 staff; plans to identify, minimize, and protect others from
456 violent or disruptive student behavior; and the manner in which
457 the school will be insured, including whether or not the school
458 will be required to have liability insurance, and, if so, the
459 terms and conditions thereof and the amounts of coverage.

460 12. The term of the charter which shall provide for
461 cancellation of the charter if insufficient progress has been
462 made in attaining the student achievement objectives of the
463 charter and if it is not likely that such objectives can be
464 achieved before expiration of the charter. The initial term of a
465 charter shall be for 4 or 5 years. In order to facilitate access
466 to long-term financial resources for charter school
467 construction, charter schools that are operated by a
468 municipality or other public entity as provided by law are
469 eligible for up to a 15-year charter, subject to approval by the
470 district school board. A charter lab school is eligible for a
471 charter for a term of up to 15 years. In addition, to facilitate
472 access to long-term financial resources for charter school
473 construction, charter schools that are operated by a private,
474 not-for-profit, s. 501(c)(3) status corporation are eligible for
475 up to a 15-year charter, subject to approval by the district
476 school board. Such long-term charters remain subject to annual
477 review and may be terminated during the term of the charter, but



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478 only according to the provisions set forth in subsection (8).

479 13. The facilities to be used and their location.

480 14. The qualifications to be required of the teachers and
481 the potential strategies used to recruit, hire, train, and
482 retain qualified staff to achieve best value.

483 15. The governance structure of the school, including the
484 status of the charter school as a public or private employer as
485 required in paragraph (12) (i).

486 16. A timetable for implementing the charter which
487 addresses the implementation of each element thereof and the
488 date by which the charter shall be awarded in order to meet this
489 timetable.

490 17. In the case of an existing public school that is being
491 converted to charter status, alternative arrangements for
492 current students who choose not to attend the charter school and
493 for current teachers who choose not to teach in the charter
494 school after conversion in accordance with the existing
495 collective bargaining agreement or district school board rule in
496 the absence of a collective bargaining agreement. However,
497 alternative arrangements shall not be required for current
498 teachers who choose not to teach in a charter lab school, except
499 as authorized by the employment policies of the state university
500 which grants the charter to the lab school.

501 18. Full disclosure of the identity of all relatives
502 employed by the charter school who are related to the charter
503 school owner, president, chairperson of the governing board of
504 directors, superintendent, governing board member, principal,
505 assistant principal, or any other person employed by the charter
506 school who has equivalent decisionmaking authority. For the



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507 purpose of this subparagraph, the term "relative" means father,
508 mother, son, daughter, brother, sister, uncle, aunt, first
509 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
510 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
511 stepfather, stepmother, stepson, stepdaughter, stepbrother,
512 stepsister, half brother, or half sister.

513 19. Implementation of the activities authorized under s.
514 1002.331 by the charter school when it satisfies the eligibility
515 requirements for a high-performing charter school. A high-
516 performing charter school shall notify its sponsor in writing by
517 March 1 if it intends to increase enrollment or expand grade
518 levels the following school year. The written notice shall
519 specify the amount of the enrollment increase and the grade
520 levels that will be added, as applicable.

521 Section 43. Paragraph (g) of subsection (4) of section
522 1002.34, Florida Statutes, is amended to read:

523 1002.34 Charter technical career centers.—

524 (4) CHARTER.—A sponsor may designate centers as provided in
525 this section. An application to establish a center may be
526 submitted by a sponsor or another organization that is
527 determined, by rule of the State Board of Education, to be
528 appropriate. However, an independent school is not eligible for
529 status as a center. The charter must be signed by the governing
530 body of the center and the sponsor and must be approved by the
531 district school board and Florida College System institution
532 board of trustees in whose geographic region the facility is
533 located. If a charter technical career center is established by
534 the conversion to charter status of a public technical center
535 formerly governed by a district school board, the charter status



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536 of that center takes precedence in any question of governance.
537 The governance of the center or of any program within the center
538 remains with its board of directors unless the board agrees to a
539 change in governance or its charter is revoked as provided in
540 subsection (15). Such a conversion charter technical career
541 center is not affected by a change in the governance of public
542 technical centers or of programs within other centers that are
543 or have been governed by district school boards. A charter
544 technical career center, or any program within such a center,
545 that was governed by a district school board and transferred to
546 a Florida College System institution prior to the effective date
547 of this act is not affected by this provision. An applicant who
548 wishes to establish a center must submit to the district school
549 board or Florida College System institution board of trustees,
550 or a consortium of one or more of each, an application on a form
551 developed by the Department of Education which includes:

552 (g) A method for determining whether a student has
553 satisfied the requirements for graduation specified in s.
554 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a
555 postsecondary certificate or degree.

556
557 Students at a center must meet the same testing and academic
558 performance standards as those established by law and rule for
559 students at public schools and public technical centers. The
560 students must also meet any additional assessment indicators
561 that are included within the charter approved by the district
562 school board or Florida College System institution board of
563 trustees.

564 Section 44. Paragraph (b) of subsection (4) of section



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565 1002.45, Florida Statutes, is amended to read:

566 1002.45 Virtual instruction programs.—

567 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
568 provider must at minimum:

569 (b) Provide a method for determining that a student has
570 satisfied the requirements for graduation in s. 1003.428 or s.
571 1003.429, ~~or s. 1003.43~~ if the contract is for the provision of
572 a full-time virtual instruction program to students in grades 9
573 through 12.

574 Section 45. Paragraph (e) of subsection (3) of section
575 1003.03, Florida Statutes, is amended to read:

576 1003.03 Maximum class size.—

577 (3) IMPLEMENTATION OPTIONS.—District school boards must
578 consider, but are not limited to, implementing the following
579 items in order to meet the constitutional class size maximums
580 described in subsection (1):

581 (e) Use innovative methods to reduce the cost of school
582 construction by using prototype school designs, using SMART
583 Schools designs, ~~participating in the School Infrastructure~~
584 ~~Thrift Program~~, or any other method not prohibited by law.

585 Section 46. Subsection (1), paragraph (c) of subsection
586 (7), and subsection (8) of section 1003.429, Florida Statutes,
587 are amended to read:

588 1003.429 Accelerated high school graduation options.—

589 (1) Students who enter grade 9 in the 2006-2007 school year
590 and thereafter may select, upon receipt of each consent required
591 by this section, one of the following three high school
592 graduation options:

593 (a) Completion of the general requirements for high school



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594 graduation pursuant to s. 1003.428 ~~or s. 1003.43~~, as applicable;

595 (b) Completion of a 3-year standard college preparatory
596 program requiring successful completion of a minimum of 18
597 academic credits in grades 9 through 12. At least 6 of the 18
598 credits required for completion of this program must be received
599 in classes that are offered pursuant to the International
600 Baccalaureate Program, the Advanced Placement Program, dual
601 enrollment, Advanced International Certificate of Education, or
602 specifically listed or identified by the Department of Education
603 as rigorous pursuant to s. 1009.531(3). The 18 credits required
604 for completion of this program shall be primary requirements and
605 shall be distributed as follows:

606 1. Four credits in English, with major concentration in
607 composition and literature;

608 2. Three credits and, beginning with students entering
609 grade 9 in the 2010-2011 school year, four credits in
610 mathematics at the Algebra I level or higher from the list of
611 courses that qualify for state university admission. Beginning
612 with students entering grade 9 in the 2010-2011 school year, in
613 addition to the Algebra I credit requirement, one of the four
614 credits in mathematics must be geometry or a series of courses
615 equivalent to geometry as approved by the State Board of
616 Education. Beginning with students entering grade 9 in the 2010-
617 2011 school year, the end-of-course assessment requirements
618 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
619 to earn the required credit in Algebra I. Beginning with
620 students entering grade 9 in the 2011-2012 school year, the end-
621 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
622 must be met in order for a student to earn the required credit



623 in geometry. Beginning with students entering grade 9 in the
624 2012-2013 school year, in addition to the Algebra I and geometry
625 credit requirements, one of the four credits in mathematics must
626 be Algebra II or a series of courses equivalent to Algebra II as
627 approved by the State Board of Education;

628 3. Three credits in science, two of which must have a
629 laboratory component. Beginning with students entering grade 9
630 in the 2011-2012 school year, one of the three credits in
631 science must be Biology I or a series of courses equivalent to
632 Biology I as approved by the State Board of Education. Beginning
633 with students entering grade 9 in the 2011-2012 school year, the
634 end-of-course assessment requirements under s.

635 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
636 the required credit in Biology I. Beginning with students
637 entering grade 9 in the 2013-2014 school year, one of the three
638 credits must be Biology I or a series of courses equivalent to
639 Biology I as approved by the State Board of Education, one
640 credit must be chemistry or physics or a series of courses
641 equivalent to chemistry or physics as approved by the State
642 Board of Education, and one credit must be an equally rigorous
643 course, as approved by the State Board of Education;

644 4. Three credits in social sciences, which must include one
645 credit in United States history, one credit in world history,
646 one-half credit in United States government, and one-half credit
647 in economics;

648 5. Two credits in the same second language unless the
649 student is a native speaker of or can otherwise demonstrate
650 competency in a language other than English. If the student
651 demonstrates competency in another language, the student may



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652 replace the language requirement with two credits in other
653 academic courses; and

654 6. Three credits in electives and, beginning with students
655 entering grade 9 in the 2010-2011 school year, two credits in
656 electives; or

657 (c) Completion of a 3-year career preparatory program
658 requiring successful completion of a minimum of 18 academic
659 credits in grades 9 through 12. The 18 credits shall be primary
660 requirements and shall be distributed as follows:

661 1. Four credits in English, with major concentration in
662 composition and literature;

663 2. Three credits and, beginning with students entering
664 grade 9 in the 2010-2011 school year, four credits in
665 mathematics, one of which must be Algebra I. Beginning with
666 students entering grade 9 in the 2010-2011 school year, in
667 addition to the Algebra I credit requirement, one of the four
668 credits in mathematics must be geometry or a series of courses
669 equivalent to geometry as approved by the State Board of
670 Education. Beginning with students entering grade 9 in the 2010-
671 2011 school year, the end-of-course assessment requirements
672 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
673 to earn the required credit in Algebra I. Beginning with
674 students entering grade 9 in the 2011-2012 school year, the end-
675 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
676 must be met in order for a student to earn the required credit
677 in geometry. Beginning with students entering grade 9 in the
678 2012-2013 school year, in addition to the Algebra I and geometry
679 credit requirements, one of the four credits in mathematics must
680 be Algebra II or a series of courses equivalent to Algebra II as



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681 approved by the State Board of Education;

682 3. Three credits in science, two of which must have a
683 laboratory component. Beginning with students entering grade 9
684 in the 2011-2012 school year, one of the three credits in
685 science must be Biology I or a series of courses equivalent to
686 Biology I as approved by the State Board of Education. Beginning
687 with students entering grade 9 in the 2011-2012 school year, the
688 end-of-course assessment requirements under s.

689 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
690 the required credit in Biology I. Beginning with students
691 entering grade 9 in the 2013-2014 school year, one of the three
692 credits must be Biology I or a series of courses equivalent to
693 Biology I as approved by the State Board of Education, one
694 credit must be chemistry or physics or a series of courses
695 equivalent to chemistry or physics as approved by the State
696 Board of Education, and one credit must be an equally rigorous
697 course, as approved by the State Board of Education;

698 4. Three credits in social sciences, which must include one
699 credit in United States history, one credit in world history,
700 one-half credit in United States government, and one-half credit
701 in economics;

702 5. Three credits in a single vocational or career education
703 program, three credits in career and technical certificate dual
704 enrollment courses, or five credits in vocational or career
705 education courses; and

706 6. Two credits and, beginning with students entering grade
707 9 in the 2010-2011 school year, one credit in electives unless
708 five credits are earned pursuant to subparagraph 5.

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710 Any student who selected an accelerated graduation program
711 before July 1, 2004, may continue that program, and all
712 statutory program requirements that were applicable when the
713 student made the program choice shall remain applicable to the
714 student as long as the student continues that program.

715 (7) If, at the end of each grade, a student is not on track
716 to meet the credit, assessment, or grade-point-average
717 requirements of the accelerated graduation option selected, the
718 school shall notify the student and parent of the following:

719 (c) The right of the student to change to the 4-year
720 program set forth in s. 1003.428 ~~or s. 1003.43, as applicable.~~

721 (8) A student who selected one of the accelerated 3-year
722 graduation options shall automatically move to the 4-year
723 program set forth in s. 1003.428 ~~or s. 1003.43, if applicable,~~
724 if the student:

725 (a) Exercises his or her right to change to the 4-year
726 program;

727 (b) Fails to earn 5 credits by the end of grade 9 or fails
728 to earn 11 credits by the end of grade 10;

729 (c) Does not achieve a score of 3 or higher on the grade 10
730 FCAT Writing assessment; or

731 (d) By the end of grade 11 does not meet the requirements
732 of subsections (1) and (6).

733 Section 47. Section 1003.438, Florida Statutes, is amended
734 to read:

735 1003.438 Special high school graduation requirements for
736 certain exceptional students.—A student who has been identified,
737 in accordance with rules established by the State Board of
738 Education, as a student with disabilities who has an



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739 intellectual disability; an autism spectrum disorder; a language
740 impairment; an orthopedic impairment; an other health
741 impairment; a traumatic brain injury; an emotional or behavioral
742 disability; a specific learning disability, including, but not
743 limited to, dyslexia, dyscalculia, or developmental aphasia; or
744 students who are deaf or hard of hearing or dual sensory
745 impaired shall not be required to meet all requirements of ~~s.~~
746 ~~1003.43~~ ~~or~~ s. 1003.428 or s. 1003.429 and shall, upon meeting
747 all applicable requirements prescribed by the district school
748 board pursuant to s. 1008.25, be awarded a special diploma in a
749 form prescribed by the commissioner; however, such special
750 graduation requirements prescribed by the district school board
751 must include minimum graduation requirements as prescribed by
752 the commissioner. Any such student who meets all special
753 requirements of the district school board, but is unable to meet
754 the appropriate special state minimum requirements, shall be
755 awarded a special certificate of completion in a form prescribed
756 by the commissioner. However, this section does not limit or
757 restrict the right of an exceptional student solely to a special
758 diploma or special certificate of completion. Any such student
759 shall, upon proper request, be afforded the opportunity to fully
760 meet all requirements of ~~s. 1003.43~~ ~~or~~ s. 1003.428 or s.
761 1003.429 through the standard procedures established therein and
762 thereby to qualify for a standard diploma upon graduation.

763 Section 48. Subsection (1) of section 1003.49, Florida
764 Statutes, is amended to read:

765 1003.49 Graduation and promotion requirements for publicly
766 operated schools.—

767 (1) Each state or local public agency, including the



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768 Department of Children and Family Services, the Department of
769 Corrections, the boards of trustees of universities and Florida
770 College System institutions, and the Board of Trustees of the
771 Florida School for the Deaf and the Blind, which agency is
772 authorized to operate educational programs for students at any
773 level of grades kindergarten through 12 shall be subject to all
774 applicable requirements of ss. 1003.428, 1003.429 ~~1003.43,~~
775 1008.23, and 1008.25. Within the content of these cited statutes
776 each such state or local public agency or entity shall be
777 considered a "district school board."

778 Section 49. Paragraph (c) of subsection (4) of section
779 1004.70, Florida Statutes, is amended to read:

780 1004.70 Florida College System institution direct-support
781 organizations.—

782 (4) ACTIVITIES; RESTRICTIONS.—

783 (c) Any transaction or agreement between one direct-support
784 organization and another direct-support organization ~~or between~~
785 ~~a direct-support organization and a center of technology~~
786 ~~innovation designated under s. 1004.77~~ must be approved by the
787 board of trustees.

788 Section 50. Paragraph (b) of subsection (4) of section
789 1004.71, Florida Statutes, is amended to read:

790 1004.71 Statewide Florida College System institution
791 direct-support organizations.—

792 (4) RESTRICTIONS.—

793 (b) Any transaction or agreement between a statewide,
794 direct-support organization and any other direct-support
795 organization ~~or between a statewide, direct-support organization~~
796 ~~and a center of technology innovation designated under s.~~



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797 ~~1004.77~~ must be approved by the State Board of Education.

798 Section 51. Paragraph (g) of subsection (2) of section
799 1006.025, Florida Statutes, is redesignated as paragraph (f) and
800 present paragraph (f) of that subsection is amended, to read:

801 1006.025 Guidance services.—

802 (2) The guidance report shall include, but not be limited
803 to, the following:

804 ~~(f) Actions taken to provide information to students for~~
805 ~~the school-to-work transition pursuant to s. 1006.02.~~

806 Section 52. Paragraph (a) of subsection (3) of section
807 1006.15, Florida Statutes, is amended to read:

808 1006.15 Student standards for participation in
809 interscholastic and intrascholastic extracurricular student
810 activities; regulation.—

811 (3) (a) To be eligible to participate in interscholastic
812 extracurricular student activities, a student must:

813 1. Maintain a grade point average of 2.0 or above on a 4.0
814 scale, or its equivalent, in the previous semester or a
815 cumulative grade point average of 2.0 or above on a 4.0 scale,
816 or its equivalent, in the courses required by s. 1003.428 or s.
817 1003.429 ~~1003.43(1)~~.

818 2. Execute and fulfill the requirements of an academic
819 performance contract between the student, the district school
820 board, the appropriate governing association, and the student's
821 parents, if the student's cumulative grade point average falls
822 below 2.0, or its equivalent, on a 4.0 scale in the courses
823 required by s. 1003.428 or s. 1003.429 ~~1003.43(1)~~ or, for
824 ~~students who entered the 9th grade prior to the 1997-1998 school~~
825 ~~year, if the student's cumulative grade point average falls~~



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826 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~
827 ~~required by s. 1003.43(1) which are taken after July 1, 1997.~~ At
828 a minimum, the contract must require that the student attend
829 summer school, or its graded equivalent, between grades 9 and 10
830 or grades 10 and 11, as necessary.

831 3. Have a cumulative grade point average of 2.0 or above on
832 a 4.0 scale, or its equivalent, in the courses required by s.
833 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or
834 senior year.

835 4. Maintain satisfactory conduct, including adherence to
836 appropriate dress and other codes of student conduct policies
837 described in s. 1006.07(2). If a student is convicted of, or is
838 found to have committed, a felony or a delinquent act that would
839 have been a felony if committed by an adult, regardless of
840 whether adjudication is withheld, the student's participation in
841 interscholastic extracurricular activities is contingent upon
842 established and published district school board policy.

843 Section 53. Subsection (4) of section 1007.263, Florida
844 Statutes, is amended to read:

845 1007.263 Florida College System institutions; admissions of
846 students.—Each Florida College System institution board of
847 trustees is authorized to adopt rules governing admissions of
848 students subject to this section and rules of the State Board of
849 Education. These rules shall include the following:

850 (4) A student who has been awarded a special diploma as
851 defined in s. 1003.438 or a certificate of completion as defined
852 in s. 1003.428(7)(b) ~~1003.43(10)~~ is eligible to enroll in
853 certificate career education programs.

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855 Each board of trustees shall establish policies that notify
856 students about, and place students into, adult basic education,
857 adult secondary education, or other instructional programs that
858 provide students with alternatives to traditional college-
859 preparatory instruction, including private provider instruction.
860 A student is prohibited from enrolling in additional college-
861 level courses until the student scores above the cut-score on
862 all sections of the common placement test.

863 Section 54. Subsections (2) and (9) of section 1007.271,
864 Florida Statutes, are amended to read:

865 1007.271 Dual enrollment programs.—

866 (2) For the purpose of this section, an eligible secondary
867 student is a student who is enrolled in a Florida public
868 secondary school or in a Florida private secondary school which
869 is in compliance with s. 1002.42(2) and provides a secondary
870 curriculum pursuant to s. 1003.428 or s. 1003.429, ~~or s.~~
871 ~~1003.43~~. Students who are eligible for dual enrollment pursuant
872 to this section may enroll in dual enrollment courses conducted
873 during school hours, after school hours, and during the summer
874 term. However, if the student is projected to graduate from high
875 school before the scheduled completion date of a postsecondary
876 course, the student may not register for that course through
877 dual enrollment. The student may apply to the postsecondary
878 institution and pay the required registration, tuition, and fees
879 if the student meets the postsecondary institution's admissions
880 requirements under s. 1007.263. Instructional time for dual
881 enrollment may vary from 900 hours; however, the school district
882 may only report the student for a maximum of 1.0 FTE, as
883 provided in s. 1011.61(4). Any student enrolled as a dual



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884 enrollment student is exempt from the payment of registration,
885 tuition, and laboratory fees. Vocational-preparatory
886 instruction, college-preparatory instruction, and other forms of
887 precollegiate instruction, as well as physical education courses
888 that focus on the physical execution of a skill rather than the
889 intellectual attributes of the activity, are ineligible for
890 inclusion in the dual enrollment program. Recreation and leisure
891 studies courses shall be evaluated individually in the same
892 manner as physical education courses for potential inclusion in
893 the program.

894 (9) The Commissioner of Education shall appoint faculty
895 committees representing public school, Florida College System
896 institution, and university faculties to identify postsecondary
897 courses that meet the high school graduation requirements of s.
898 1003.428 or, s. 1003.429, ~~or s. 1003.43~~ and to establish the
899 number of postsecondary semester credit hours of instruction and
900 equivalent high school credits earned through dual enrollment
901 pursuant to this section that are necessary to meet high school
902 graduation requirements. Such equivalencies shall be determined
903 solely on comparable course content and not on seat time
904 traditionally allocated to such courses in high school. The
905 Commissioner of Education shall recommend to the State Board of
906 Education those postsecondary courses identified to meet high
907 school graduation requirements, based on mastery of course
908 outcomes, by their course numbers, and all high schools shall
909 accept these postsecondary education courses toward meeting the
910 requirements of s. 1003.428 or, s. 1003.429, ~~or s. 1003.43~~.

911 Section 55. Paragraph (c) of subsection (3) of section
912 1008.22, Florida Statutes, is amended to read:



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913 1008.22 Student assessment program for public schools.—

914 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
915 design and implement a statewide program of educational
916 assessment that provides information for the improvement of the
917 operation and management of the public schools, including
918 schools operating for the purpose of providing educational
919 services to youth in Department of Juvenile Justice programs.
920 The commissioner may enter into contracts for the continued
921 administration of the assessment programs authorized and funded
922 by the Legislature. Contracts may be initiated in 1 fiscal year
923 and continue into the next and may be paid from the
924 appropriations of either or both fiscal years. The commissioner
925 is authorized to negotiate for the sale or lease of tests,
926 scoring protocols, test scoring services, and related materials
927 developed pursuant to law. Pursuant to the statewide assessment
928 program, the commissioner shall:

929 (c) Develop and implement a student achievement assessment
930 program as follows:

931 1. The Florida Comprehensive Assessment Test (FCAT)
932 measures a student's content knowledge and skills in reading,
933 writing, science, and mathematics. The content knowledge and
934 skills assessed by the FCAT must be aligned to the core
935 curricular content established in the Next Generation Sunshine
936 State Standards. FCAT Reading and FCAT Mathematics shall be
937 administered annually in grades 3 through 10 except, beginning
938 with the 2010-2011 school year, the administration of grade 9
939 FCAT Mathematics shall be discontinued, and beginning with the
940 2011-2012 school year, the administration of grade 10 FCAT
941 Mathematics shall be discontinued, except as required for



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942 students who have not attained minimum performance expectations
943 for graduation as provided in paragraph (9)(c). FCAT Writing and
944 FCAT Science shall be administered at least once at the
945 elementary, middle, and high school levels except, beginning
946 with the 2011-2012 school year, the administration of FCAT
947 Science at the high school level shall be discontinued. Students
948 enrolled in an Algebra I, geometry, or Biology I course or an
949 equivalent course with a statewide, standardized end-of-course
950 assessment are not required to take the corresponding grade-
951 level FCAT assessment.

952 2.a. End-of-course assessments must be rigorous, statewide,
953 standardized, and developed or approved by the department. The
954 content knowledge and skills assessed by end-of-course
955 assessments must be aligned to the core curricular content
956 established in the Next Generation Sunshine State Standards.

957 (I) Statewide, standardized end-of-course assessments in
958 mathematics shall be administered according to this sub-sub-
959 subparagraph. Beginning with the 2010-2011 school year, all
960 students enrolled in Algebra I or an equivalent course must take
961 the Algebra I end-of-course assessment. For students entering
962 grade 9 during the 2010-2011 school year and who are enrolled in
963 Algebra I or an equivalent, each student's performance on the
964 end-of-course assessment in Algebra I shall constitute 30
965 percent of the student's final course grade. Beginning with the
966 2012-2013 school year, the end-of-course assessment in Algebra I
967 shall be administered four times annually. Beginning with
968 students entering grade 9 in the 2011-2012 school year, a
969 student who is enrolled in Algebra I or an equivalent must earn
970 a passing score on the end-of-course assessment in Algebra I or



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971 attain an equivalent score as described in subsection (11) in
972 order to earn course credit. Beginning with the 2011-2012 school
973 year, all students enrolled in geometry or an equivalent course
974 must take the geometry end-of-course assessment. For students
975 entering grade 9 during the 2011-2012 school year, each
976 student's performance on the end-of-course assessment in
977 geometry shall constitute 30 percent of the student's final
978 course grade. Beginning with students entering grade 9 during
979 the 2012-2013 school year, a student must earn a passing score
980 on the end-of-course assessment in geometry or attain an
981 equivalent score as described in subsection (11) in order to
982 earn course credit.

983 (II) Statewide, standardized end-of-course assessments in
984 science shall be administered according to this sub-sub-
985 subparagraph. Beginning with the 2011-2012 school year, all
986 students enrolled in Biology I or an equivalent course must take
987 the Biology I end-of-course assessment. For the 2011-2012 school
988 year, each student's performance on the end-of-course assessment
989 in Biology I shall constitute 30 percent of the student's final
990 course grade. Beginning with students entering grade 9 during
991 the 2012-2013 school year, a student must earn a passing score
992 on the end-of-course assessment in Biology I in order to earn
993 course credit.

994 b. During the 2012-2013 school year, an end-of-course
995 assessment in civics education shall be administered as a field
996 test at the middle school level. During the 2013-2014 school
997 year, each student's performance on the statewide, standardized
998 end-of-course assessment in civics education shall constitute 30
999 percent of the student's final course grade. Beginning with the



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1000 2014-2015 school year, a student must earn a passing score on
1001 the end-of-course assessment in civics education in order to
1002 pass the course and be promoted from the middle grades. The
1003 school principal of a middle school shall determine, in
1004 accordance with State Board of Education rule, whether a student
1005 who transfers to the middle school and who has successfully
1006 completed a civics education course at the student's previous
1007 school must take an end-of-course assessment in civics
1008 education.

1009 c. The commissioner may select one or more nationally
1010 developed comprehensive examinations, which may include, but
1011 need not be limited to, examinations for a College Board
1012 Advanced Placement course, International Baccalaureate course,
1013 or Advanced International Certificate of Education course, or
1014 industry-approved examinations to earn national industry
1015 certifications identified in the Industry Certification Funding
1016 List, pursuant to rules adopted by the State Board of Education,
1017 for use as end-of-course assessments under this paragraph, if
1018 the commissioner determines that the content knowledge and
1019 skills assessed by the examinations meet or exceed the grade
1020 level expectations for the core curricular content established
1021 for the course in the Next Generation Sunshine State Standards.
1022 The commissioner may collaborate with the American Diploma
1023 Project in the adoption or development of rigorous end-of-course
1024 assessments that are aligned to the Next Generation Sunshine
1025 State Standards.

1026 d. Contingent upon funding provided in the General
1027 Appropriations Act, including the appropriation of funds
1028 received through federal grants, the Commissioner of Education



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1029 shall establish an implementation schedule for the development
1030 and administration of additional statewide, standardized end-of-
1031 course assessments in English/Language Arts II, Algebra II,
1032 chemistry, physics, earth/space science, United States history,
1033 and world history. Priority shall be given to the development of
1034 end-of-course assessments in English/Language Arts II. The
1035 Commissioner of Education shall evaluate the feasibility and
1036 effect of transitioning from the grade 9 and grade 10 FCAT
1037 Reading and high school level FCAT Writing to an end-of-course
1038 assessment in English/Language Arts II. The commissioner shall
1039 report the results of the evaluation to the President of the
1040 Senate and the Speaker of the House of Representatives no later
1041 than July 1, 2011.

1042 3. The assessment program shall measure student content
1043 knowledge and skills adopted by the State Board of Education as
1044 specified in paragraph (a) and measure and report student
1045 performance levels of all students assessed in reading, writing,
1046 mathematics, and science. The commissioner shall provide for the
1047 tests to be developed or obtained, as appropriate, through
1048 contracts and project agreements with private vendors, public
1049 vendors, public agencies, postsecondary educational
1050 institutions, or school districts. The commissioner shall obtain
1051 input with respect to the design and implementation of the
1052 assessment program from state educators, assistive technology
1053 experts, and the public.

1054 4. The assessment program shall be composed of criterion-
1055 referenced tests that shall, to the extent determined by the
1056 commissioner, include test items that require the student to
1057 produce information or perform tasks in such a way that the core



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1058 content knowledge and skills he or she uses can be measured.

1059 5. FCAT Reading, Mathematics, and Science and all
1060 statewide, standardized end-of-course assessments shall measure
1061 the content knowledge and skills a student has attained on the
1062 assessment by the use of scaled scores and achievement levels.
1063 Achievement levels shall range from 1 through 5, with level 1
1064 being the lowest achievement level, level 5 being the highest
1065 achievement level, and level 3 indicating satisfactory
1066 performance on an assessment. For purposes of FCAT Writing,
1067 student achievement shall be scored using a scale of 1 through 6
1068 and the score earned shall be used in calculating school grades.
1069 A score shall be designated for each subject area tested, below
1070 which score a student's performance is deemed inadequate. The
1071 school districts shall provide appropriate remedial instruction
1072 to students who score below these levels.

1073 6. The State Board of Education shall, by rule, designate a
1074 passing score for each part of the grade 10 assessment test and
1075 end-of-course assessments. Any rule that has the effect of
1076 raising the required passing scores may apply only to students
1077 taking the assessment for the first time after the rule is
1078 adopted by the State Board of Education. Except as otherwise
1079 provided in this subparagraph and as provided in s.

1080 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~, students must earn a
1081 passing score on grade 10 FCAT Reading and grade 10 FCAT
1082 Mathematics or attain concordant scores as described in
1083 subsection (10) in order to qualify for a standard high school
1084 diploma.

1085 7. In addition to designating a passing score under
1086 subparagraph 6., the State Board of Education shall also



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1087 designate, by rule, a score for each statewide, standardized
1088 end-of-course assessment which indicates that a student is high
1089 achieving and has the potential to meet college-readiness
1090 standards by the time the student graduates from high school.

1091 8. Participation in the assessment program is mandatory for
1092 all students attending public school, including students served
1093 in Department of Juvenile Justice programs, except as otherwise
1094 prescribed by the commissioner. A student who has not earned
1095 passing scores on the grade 10 FCAT as provided in subparagraph
1096 6. must participate in each retake of the assessment until the
1097 student earns passing scores or achieves scores on a
1098 standardized assessment which are concordant with passing scores
1099 pursuant to subsection (10). If a student does not participate
1100 in the statewide assessment, the district must notify the
1101 student's parent and provide the parent with information
1102 regarding the implications of such nonparticipation. A parent
1103 must provide signed consent for a student to receive classroom
1104 instructional accommodations that would not be available or
1105 permitted on the statewide assessments and must acknowledge in
1106 writing that he or she understands the implications of such
1107 instructional accommodations. The State Board of Education shall
1108 adopt rules, based upon recommendations of the commissioner, for
1109 the provision of test accommodations for students in exceptional
1110 education programs and for students who have limited English
1111 proficiency. Accommodations that negate the validity of a
1112 statewide assessment are not allowable in the administration of
1113 the FCAT or an end-of-course assessment. However, instructional
1114 accommodations are allowable in the classroom if included in a
1115 student's individual education plan. Students using



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1116 instructional accommodations in the classroom that are not
1117 allowable as accommodations on the FCAT or an end-of-course
1118 assessment may have the FCAT or an end-of-course assessment
1119 requirement waived pursuant to the requirements of s.
1120 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1121 9. A student seeking an adult high school diploma must meet
1122 the same testing requirements that a regular high school student
1123 must meet.

1124 10. District school boards must provide instruction to
1125 prepare students in the core curricular content established in
1126 the Next Generation Sunshine State Standards adopted under s.
1127 1003.41, including the core content knowledge and skills
1128 necessary for successful grade-to-grade progression and high
1129 school graduation. If a student is provided with instructional
1130 accommodations in the classroom that are not allowable as
1131 accommodations in the statewide assessment program, as described
1132 in the test manuals, the district must inform the parent in
1133 writing and must provide the parent with information regarding
1134 the impact on the student's ability to meet expected performance
1135 levels in reading, writing, mathematics, and science. The
1136 commissioner shall conduct studies as necessary to verify that
1137 the required core curricular content is part of the district
1138 instructional programs.

1139 11. District school boards must provide opportunities for
1140 students to demonstrate an acceptable performance level on an
1141 alternative standardized assessment approved by the State Board
1142 of Education following enrollment in summer academies.

1143 12. The Department of Education must develop, or select,
1144 and implement a common battery of assessment tools that will be



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1145 used in all juvenile justice programs in the state. These tools
1146 must accurately measure the core curricular content established
1147 in the Next Generation Sunshine State Standards.

1148 13. For students seeking a special diploma pursuant to s.
1149 1003.438, the Department of Education must develop or select and
1150 implement an alternate assessment tool that accurately measures
1151 the core curricular content established in the Next Generation
1152 Sunshine State Standards for students with disabilities under s.
1153 1003.438.

1154 14. The Commissioner of Education shall establish schedules
1155 for the administration of statewide assessments and the
1156 reporting of student test results. When establishing the
1157 schedules for the administration of statewide assessments, the
1158 commissioner shall consider the observance of religious and
1159 school holidays. The commissioner shall, by August 1 of each
1160 year, notify each school district in writing and publish on the
1161 department's Internet website the testing and reporting
1162 schedules for, at a minimum, the school year following the
1163 upcoming school year. The testing and reporting schedules shall
1164 require that:

1165 a. There is the latest possible administration of statewide
1166 assessments and the earliest possible reporting to the school
1167 districts of student test results which is feasible within
1168 available technology and specific appropriations; however, test
1169 results for the FCAT must be made available no later than the
1170 week of June 8. Student results for end-of-course assessments
1171 must be provided no later than 1 week after the school district
1172 completes testing for each course. The commissioner may extend
1173 the reporting schedule under exigent circumstances.



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1174 b. FCAT Writing may not be administered earlier than the
1175 week of March 1, and a comprehensive statewide assessment of any
1176 other subject may not be administered earlier than the week of
1177 April 15.

1178 c. A statewide, standardized end-of-course assessment is
1179 administered at the end of the course. The commissioner shall
1180 select an administration period for assessments that meets the
1181 intent of end-of-course assessments and provides student results
1182 prior to the end of the course. School districts shall
1183 administer tests in accordance with the schedule determined by
1184 the commissioner. For an end-of-course assessment administered
1185 at the end of the first semester, the commissioner shall
1186 determine the most appropriate testing dates based on a review
1187 of each school district's academic calendar.

1188
1189 The commissioner may, based on collaboration and input from
1190 school districts, design and implement student testing programs,
1191 for any grade level and subject area, necessary to effectively
1192 monitor educational achievement in the state, including the
1193 measurement of educational achievement of the Next Generation
1194 Sunshine State Standards for students with disabilities.
1195 Development and refinement of assessments shall include
1196 universal design principles and accessibility standards that
1197 will prevent any unintended obstacles for students with
1198 disabilities while ensuring the validity and reliability of the
1199 test. These principles should be applicable to all technology
1200 platforms and assistive devices available for the assessments.
1201 The field testing process and psychometric analyses for the
1202 statewide assessment program must include an appropriate



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1203 percentage of students with disabilities and an evaluation or
1204 determination of the effect of test items on such students.

1205 Section 56. Section 1008.23, Florida Statutes, is amended
1206 to read:

1207 1008.23 Confidentiality of assessment instruments.—All
1208 examination and assessment instruments, including developmental
1209 materials and workpapers directly related thereto, which are
1210 prepared, prescribed, or administered pursuant to ss. ~~1003.43~~,
1211 ~~1008.22~~, and 1008.25 shall be confidential and exempt from the
1212 provisions of s. 119.07(1) and from s. 1001.52. Provisions
1213 governing access, maintenance, and destruction of such
1214 instruments and related materials shall be prescribed by rules
1215 of the State Board of Education.

1216 Section 57. Paragraph (a) of subsection (1) of section
1217 1009.40, Florida Statutes, is amended to read:

1218 1009.40 General requirements for student eligibility for
1219 state financial aid awards and tuition assistance grants.—

1220 (1) (a) The general requirements for eligibility of students
1221 for state financial aid awards and tuition assistance grants
1222 consist of the following:

1223 1. Achievement of the academic requirements of and
1224 acceptance at a state university or Florida College System
1225 institution; a nursing diploma school approved by the Florida
1226 Board of Nursing; a Florida college or university which is
1227 accredited by an accrediting agency recognized by the State
1228 Board of Education; any Florida institution the credits of which
1229 are acceptable for transfer to state universities; any career
1230 center; or any private career institution accredited by an
1231 accrediting agency recognized by the State Board of Education.



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1232 2. Residency in this state for no less than 1 year
1233 preceding the award of aid or a tuition assistance grant for a
1234 program established pursuant to s. 1009.50, s. 1009.505, s.
1235 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.
1236 1009.62, ~~s. 1009.68~~, s. 1009.72, s. 1009.73, s. 1009.77, s.
1237 1009.89, or s. 1009.891. Residency in this state must be for
1238 purposes other than to obtain an education. Resident status for
1239 purposes of receiving state financial aid awards shall be
1240 determined in the same manner as resident status for tuition
1241 purposes pursuant to s. 1009.21.

1242 3. Submission of certification attesting to the accuracy,
1243 completeness, and correctness of information provided to
1244 demonstrate a student's eligibility to receive state financial
1245 aid awards or tuition assistance grants. Falsification of such
1246 information shall result in the denial of any pending
1247 application and revocation of any award or grant currently held
1248 to the extent that no further payments shall be made.
1249 Additionally, students who knowingly make false statements in
1250 order to receive state financial aid awards or tuition
1251 assistance grants commit a misdemeanor of the second degree
1252 subject to the provisions of s. 837.06 and shall be required to
1253 return all state financial aid awards or tuition assistance
1254 grants wrongfully obtained.

1255 Section 58. Paragraph (b) of subsection (1) of section
1256 1009.531, Florida Statutes, is amended to read:

1257 1009.531 Florida Bright Futures Scholarship Program;
1258 student eligibility requirements for initial awards.—

1259 (1) Effective January 1, 2008, in order to be eligible for
1260 an initial award from any of the three types of scholarships



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1261 under the Florida Bright Futures Scholarship Program, a student
1262 must:

1263 (b) Earn a standard Florida high school diploma or its
1264 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,
1265 ~~s. 1003.43~~, or s. 1003.435 unless:

1266 1. The student completes a home education program according
1267 to s. 1002.41; or

1268 2. The student earns a high school diploma from a non-
1269 Florida school while living with a parent or guardian who is on
1270 military or public service assignment away from Florida.

1271 Section 59. Paragraph (c) of subsection (2) of section
1272 1009.94, Florida Statutes, is amended to read:

1273 1009.94 Student financial assistance database.—

1274 (2) For purposes of this section, financial assistance
1275 includes:

1276 (c) Any financial assistance provided under s. 1009.50, s.
1277 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.
1278 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.
1279 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.
1280 1009.89, or s. 1009.891.

1281 Section 60. Paragraph (c) of subsection (1) of section
1282 1011.61, Florida Statutes, is amended to read:

1283 1011.61 Definitions.—Notwithstanding the provisions of s.
1284 1000.21, the following terms are defined as follows for the
1285 purposes of the Florida Education Finance Program:

1286 (1) A "full-time equivalent student" in each program of the
1287 district is defined in terms of full-time students and part-time
1288 students as follows:

1289 (c)1. A "full-time equivalent student" is:



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1290 a. A full-time student in any one of the programs listed in
1291 s. 1011.62(1)(c); or

1292 b. A combination of full-time or part-time students in any
1293 one of the programs listed in s. 1011.62(1)(c) which is the
1294 equivalent of one full-time student based on the following
1295 calculations:

1296 (I) A full-time student in a combination of programs listed
1297 in s. 1011.62(1)(c) shall be a fraction of a full-time
1298 equivalent membership in each program equal to the number of net
1299 hours per school year for which he or she is a member, divided
1300 by the appropriate number of hours set forth in subparagraph
1301 (a)1. or subparagraph (a)2. The sum of the fractions for each
1302 program may not exceed the maximum value set forth in subsection
1303 (4).

1304 (II) A prekindergarten student with a disability shall meet
1305 the requirements specified for kindergarten students.

1306 (III) A full-time equivalent student for students in
1307 kindergarten through grade 12 in a full-time virtual instruction
1308 program under s. 1002.45 or a virtual charter school under s.
1309 1002.33 shall consist of six full-credit completions or the
1310 prescribed level of content that counts toward promotion to the
1311 next grade in programs listed in s. 1011.62(1)(c). Credit
1312 completions may be a combination of full-credit courses or half-
1313 credit courses. Beginning in the 2014-2015 fiscal year, when s.
1314 1008.22(3)(g) is implemented, the reported full-time equivalent
1315 students and associated funding of students enrolled in courses
1316 requiring passage of an end-of-course assessment shall be
1317 adjusted after the student completes the end-of-course
1318 assessment.



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1319 (IV) A full-time equivalent student for students in
1320 kindergarten through grade 12 in a part-time virtual instruction
1321 program under s. 1002.45 shall consist of six full-credit
1322 completions in programs listed in s. 1011.62(1)(c)1. and 3.
1323 Credit completions may be a combination of full-credit courses
1324 or half-credit courses. Beginning in the 2014-2015 fiscal year,
1325 when s. 1008.22(3)(g) is implemented, the reported full-time
1326 equivalent students and associated funding of students enrolled
1327 in courses requiring passage of an end-of-course assessment
1328 shall be adjusted after the student completes the end-of-course
1329 assessment.

1330 (V) A Florida Virtual School full-time equivalent student
1331 shall consist of six full-credit completions or the prescribed
1332 level of content that counts toward promotion to the next grade
1333 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1334 participating in kindergarten through grade 12 part-time virtual
1335 instruction and the programs listed in s. 1011.62(1)(c) for
1336 students participating in kindergarten through grade 12 full-
1337 time virtual instruction. Credit completions may be a
1338 combination of full-credit courses or half-credit courses.
1339 Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is
1340 implemented, the reported full-time equivalent students and
1341 associated funding of students enrolled in courses requiring
1342 passage of an end-of-course assessment shall be adjusted after
1343 the student completes the end-of-course assessment.

1344 (VI) Each successfully completed full-credit course earned
1345 through an online course delivered by a district other than the
1346 one in which the student resides shall be calculated as 1/6 FTE.

1347 ~~(VII) Each successfully completed credit earned under the~~



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1348 ~~alternative high school course credit requirements authorized in~~
1349 ~~s. 1002.375, which is not reported as a portion of the 900 net~~
1350 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~
1351 ~~calculated as 1/6 FTE.~~

1352 (VII) ~~(VIII)~~(A) A full-time equivalent student for courses
1353 requiring a statewide, standardized end-of-course assessment
1354 pursuant to s. 1008.22(3)(c)2.a. shall be defined and reported
1355 based on the number of instructional hours as provided in this
1356 subsection for the first 3 years of administering the end-of-
1357 course assessment. Beginning in the fourth year of administering
1358 the end-of-course assessment, the FTE shall be credit-based and
1359 each course shall be equal to 1/6 FTE. The reported FTE shall be
1360 adjusted after the student successfully completes the end-of-
1361 course assessment pursuant to s. 1008.22(3)(c)2.a.

1362 (B) For students enrolled in a school district as a full-
1363 time student, the district may report 1/6 FTE for each student
1364 who passes a statewide, standardized end-of-course assessment
1365 without being enrolled in the corresponding course.

1366 (C) The FTE earned under this sub-sub-subparagraph and any
1367 FTE for courses or programs listed in s. 1011.62(1)(c) that do
1368 not require passing a statewide, standardized end-of-course
1369 assessment are subject to the requirements in subsection (4).

1370 2. A student in membership in a program scheduled for more
1371 or less than 180 school days or the equivalent on an hourly
1372 basis as specified by rules of the State Board of Education is a
1373 fraction of a full-time equivalent membership equal to the
1374 number of instructional hours in membership divided by the
1375 appropriate number of hours set forth in subparagraph (a)1.;
1376 however, for the purposes of this subparagraph, membership in



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1377 programs scheduled for more than 180 days is limited to students
1378 enrolled in juvenile justice education programs and the Florida
1379 Virtual School.

1380
1381 The department shall determine and implement an equitable method
1382 of equivalent funding for experimental schools and for schools
1383 operating under emergency conditions, which schools have been
1384 approved by the department to operate for less than the minimum
1385 school day.

1386 Section 61. Paragraph (b) of subsection (2) of section
1387 1013.35, Florida Statutes, is amended to read:

1388 1013.35 School district educational facilities plan;
1389 definitions; preparation, adoption, and amendment; long-term
1390 work programs.—

1391 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
1392 FACILITIES PLAN.—

1393 (b) The plan must also include a financially feasible
1394 district facilities work program for a 5-year period. The work
1395 program must include:

1396 1. A schedule of major repair and renovation projects
1397 necessary to maintain the educational facilities and ancillary
1398 facilities of the district.

1399 2. A schedule of capital outlay projects necessary to
1400 ensure the availability of satisfactory student stations for the
1401 projected student enrollment in K-12 programs. This schedule
1402 shall consider:

1403 a. The locations, capacities, and planned utilization rates
1404 of current educational facilities of the district. The capacity
1405 of existing satisfactory facilities, as reported in the Florida



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1406 Inventory of School Houses must be compared to the capital
1407 outlay full-time-equivalent student enrollment as determined by
1408 the department, including all enrollment used in the calculation
1409 of the distribution formula in s. 1013.64.

1410 b. The proposed locations of planned facilities, whether
1411 those locations are consistent with the comprehensive plans of
1412 all affected local governments, and recommendations for
1413 infrastructure and other improvements to land adjacent to
1414 existing facilities. The provisions of ss. 1013.33(6), (7), and
1415 (8) and 1013.36 must be addressed for new facilities planned
1416 within the first 3 years of the work plan, as appropriate.

1417 c. Plans for the use and location of relocatable
1418 facilities, leased facilities, and charter school facilities.

1419 d. Plans for multitrack scheduling, grade level
1420 organization, block scheduling, or other alternatives that
1421 reduce the need for additional permanent student stations.

1422 e. Information concerning average class size and
1423 utilization rate by grade level within the district which will
1424 result if the tentative district facilities work program is
1425 fully implemented.

1426 f. The number and percentage of district students planned
1427 to be educated in relocatable facilities during each year of the
1428 tentative district facilities work program. For determining
1429 future needs, student capacity may not be assigned to any
1430 relocatable classroom that is scheduled for elimination or
1431 replacement with a permanent educational facility in the current
1432 year of the adopted district educational facilities plan and in
1433 the district facilities work program adopted under this section.
1434 Those relocatable classrooms clearly identified and scheduled



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1435 for replacement in a school-board-adopted, financially feasible,
1436 5-year district facilities work program shall be counted at zero
1437 capacity at the time the work program is adopted and approved by
1438 the school board. However, if the district facilities work
1439 program is changed and the relocatable classrooms are not
1440 replaced as scheduled in the work program, the classrooms must
1441 be reentered into the system and be counted at actual capacity.
1442 Relocatable classrooms may not be perpetually added to the work
1443 program or continually extended for purposes of circumventing
1444 this section. All relocatable classrooms not identified and
1445 scheduled for replacement, including those owned, lease-
1446 purchased, or leased by the school district, must be counted at
1447 actual student capacity. The district educational facilities
1448 plan must identify the number of relocatable student stations
1449 scheduled for replacement during the 5-year survey period and
1450 the total dollar amount needed for that replacement.

1451 g. Plans for the closure of any school, including plans for
1452 disposition of the facility or usage of facility space, and
1453 anticipated revenues.

1454 h. Projects for which capital outlay and debt service funds
1455 accruing under s. 9(d), Art. XII of the State Constitution are
1456 to be used shall be identified separately in priority order on a
1457 project priority list within the district facilities work
1458 program.

1459 3. The projected cost for each project identified in the
1460 district facilities work program. For proposed projects for new
1461 student stations, a schedule shall be prepared comparing the
1462 planned cost and square footage for each new student station, by
1463 elementary, middle, and high school levels, to the low, average,



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1464 and high cost of facilities constructed throughout the state
1465 during the most recent fiscal year for which data is available
1466 from the Department of Education.

1467 4. A schedule of estimated capital outlay revenues from
1468 each currently approved source which is estimated to be
1469 available for expenditure on the projects included in the
1470 district facilities work program.

1471 5. A schedule indicating which projects included in the
1472 district facilities work program will be funded from current
1473 revenues projected in subparagraph 4.

1474 6. A schedule of options for the generation of additional
1475 revenues by the district for expenditure on projects identified
1476 in the district facilities work program which are not funded
1477 under subparagraph 5. Additional anticipated revenues may
1478 include ~~effort index grants, SIT Program awards, and Classrooms~~
1479 First funds.

1480 Section 62. Subsection (2) of section 1013.356, Florida
1481 Statutes, is amended to read:

1482 1013.356 Local funding for educational facilities benefit
1483 districts or community development districts.—Upon confirmation
1484 by a district school board of the commitment of revenues by an
1485 educational facilities benefit district or community development
1486 district necessary to construct and maintain an educational
1487 facility contained within an individual district facilities work
1488 program or proposed by an approved charter school or a charter
1489 school applicant, the following funds shall be provided to the
1490 educational facilities benefit district or community development
1491 district annually, beginning with the next fiscal year after
1492 confirmation until the district's financial obligations are



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1493 completed:

1494 (2) For construction and capital maintenance costs not
1495 covered by the funds provided under subsection (1), an annual
1496 amount contributed by the district school board equal to one-
1497 half of the remaining costs of construction and capital
1498 maintenance of the educational facility. Any construction costs
1499 above the cost-per-student criteria established in s.
1500 1013.64(6)(b)1. ~~for the SIT Program in s. 1013.72(2)~~ shall be
1501 funded exclusively by the educational facilities benefit
1502 district or the community development district. Funds
1503 contributed by a district school board shall not be used to fund
1504 operational costs.

1505
1506 Educational facilities funded pursuant to this act may be
1507 constructed on land that is owned by any person after the
1508 district school board has acquired from the owner of the land a
1509 long-term lease for the use of this land for a period of not
1510 less than 40 years or the life expectancy of the permanent
1511 facilities constructed thereon, whichever is longer. All
1512 interlocal agreements entered into pursuant to this act shall
1513 provide for ownership of educational facilities funded pursuant
1514 to this act to revert to the district school board if such
1515 facilities cease to be used for public educational purposes
1516 prior to 40 years after construction or prior to the end of the
1517 life expectancy of the educational facilities, whichever is
1518 longer.

1519 Section 63. Subsections (4), (5), and (6) of section
1520 1013.41, Florida Statutes, are amended to read:

1521 1013.41 SMART schools; Classrooms First; legislative



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1522 purpose.-

1523 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of
1524 the Legislature to require the Office of Educational Facilities
1525 to assist school districts in building SMART schools utilizing
1526 functional and frugal practices. The Office of Educational
1527 Facilities must review district facilities work programs and
1528 projects and ~~identify districts qualified for incentive funding~~
1529 ~~available through School Infrastructure Thrift Program awards;~~
1530 identify opportunities to maximize design and construction
1531 savings; develop school district facilities work program
1532 performance standards; and provide for review and
1533 recommendations to the Governor, the Legislature, and the State
1534 Board of Education.

1535 ~~(5) EFFORT INDEX GRANTS.—It is the purpose of the~~
1536 ~~Legislature to create s. 1013.73, in order to provide grants~~
1537 ~~from state funds to assist school districts that have provided a~~
1538 ~~specified level of local effort funding.~~

1539 ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS.—It~~
1540 ~~is the purpose of the Legislature to convert the SIT Program~~
1541 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~
1542 ~~program to encourage functional, frugal facilities and~~
1543 ~~practices.~~

1544 Section 64. Paragraph (b) of subsection (6) of section
1545 1013.64, Florida Statutes, is amended to read:

1546 1013.64 Funds for comprehensive educational plant needs;
1547 construction cost maximums for school district capital
1548 projects.—Allocations from the Public Education Capital Outlay
1549 and Debt Service Trust Fund to the various boards for capital
1550 outlay projects shall be determined as follows:



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1551 (6)
1552 (b)1. A district school board must not use funds from the
1553 following sources: Public Education Capital Outlay and Debt
1554 Service Trust Fund; School District and Community College
1555 District Capital Outlay and Debt Service Trust Fund; Classrooms
1556 First Program funds provided in s. 1013.68; ~~effort index grant~~
1557 ~~funds provided in s. 1013.73;~~ nonvoted 1.5-mill levy of ad
1558 valorem property taxes provided in s. 1011.71(2); Classrooms for
1559 Kids Program funds provided in s. 1013.735; District Effort
1560 Recognition Program funds provided in s. 1013.736; or High
1561 Growth District Capital Outlay Assistance Grant Program funds
1562 provided in s. 1013.738 for any new construction of educational
1563 plant space with a total cost per student station, including
1564 change orders, that equals more than:
1565 a. \$17,952 for an elementary school,
1566 b. \$19,386 for a middle school, or
1567 c. \$25,181 for a high school,
1568
1569 (January 2006) as adjusted annually to reflect increases or
1570 decreases in the Consumer Price Index.
1571 2. A district school board must not use funds from the
1572 Public Education Capital Outlay and Debt Service Trust Fund or
1573 the School District and Community College District Capital
1574 Outlay and Debt Service Trust Fund for any new construction of
1575 an ancillary plant that exceeds 70 percent of the average cost
1576 per square foot of new construction for all schools.
1577 Section 65. Section 1013.69, Florida Statutes, is amended
1578 to read:
1579 1013.69 Full bonding required to participate in programs.-



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1580 Any district with unused bonding capacity in its Capital Outlay
1581 and Debt Service Trust Fund allocation that certifies in its
1582 district educational facilities plan that it will not be able to
1583 meet all of its need for new student stations within existing
1584 revenues must fully bond its Capital Outlay and Debt Service
1585 Trust Fund allocation before it may participate in Classrooms
1586 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~
1587 ~~Effort Index Grants Program.~~

1588 Section 66. Paragraph (b) of subsection (2) of section
1589 1013.738, Florida Statutes, is amended to read:

1590 1013.738 High Growth District Capital Outlay Assistance
1591 Grant Program.—

1592 (2) In order to qualify for a grant, a school district must
1593 meet the following criteria:

1594 (b) Fifty percent of the revenue derived from the 2-mill
1595 nonvoted discretionary capital outlay millage for the past 4
1596 fiscal years, when divided by the district's growth in capital
1597 outlay FTE students over this period, produces a value that is
1598 less than the average cost per student station calculated
1599 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by
1600 statewide growth in capital outlay FTE students in elementary,
1601 middle, and high schools for the past 4 fiscal years.

1602 Section 67. Except as otherwise expressly provided in this
1603 act, this act shall take effect upon becoming a law.

1604
1605 ===== T I T L E A M E N D M E N T =====

1606 And the title is amended as follows:

1607 Delete everything before the enacting clause
1608 and insert:



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A bill to be entitled

An act relating to the repeal of education provisions; amending s. 403.7032, F.S.; removing a requirement that each K-12 public school annually report to the county on recycled materials; repealing s. 1001.26(3), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1001.435, F.S., relating to a K-12 foreign language curriculum plan; repealing s. 1002.23(4), (6), and (9), F.S., relating to a parent-response center, submission of family involvement and empowerment rules by district school boards, and State Board of Education compliance review and enforcement under the Family and School Partnership for Student Achievement Act; repealing s. 1002.32(10), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1002.361, F.S., relating to a direct-support organization for the Florida School for the Deaf and the Blind; repealing s. 1002.375, F.S., relating to a pilot project to award alternative credit for high school courses; repealing s. 1003.4285(1), F.S., relating to a standard high school diploma designation that indicates a student's major area of interest; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; repealing s. 1003.433(5), F.S.; removing duplicative, redundant, or unused rulemaking authority; repealing s. 1003.453(2), F.S., relating to information on school wellness and physical education policies posted on Department of



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1638 Education and school district websites; repealing s.
1639 1003.496, F.S., relating to the High School to
1640 Business Career Enhancement Program; repealing s.
1641 1004.05, F.S., relating to substance abuse training
1642 programs for specified public school personnel;
1643 amending s. 1004.435, F.S.; removing duplicative,
1644 redundant, or unused rulemaking authority; amending s.
1645 1004.45, F.S.; removing unnecessary rulemaking
1646 authority; repealing s. 1004.62, F.S., relating to
1647 incentives for state university student internships to
1648 study urban or socially and economically disadvantaged
1649 areas; repealing s. 1004.77, F.S., relating to centers
1650 of technology innovation; repealing s. 1006.02, F.S.,
1651 relating to provision of information to students and
1652 parents regarding school-to-work transition; repealing
1653 s. 1006.035, F.S., relating to a dropout reentry and
1654 mentor project; repealing s. 1006.051, F.S., relating
1655 to the Sunshine Workforce Solutions Grant Program;
1656 repealing s. 1006.09(1)(d), F.S., relating to duties
1657 of school principals with respect to annual reporting
1658 and analysis of student suspensions and expulsions;
1659 repealing ss. 1006.17 and 1006.70, F.S., relating to
1660 sponsorship of athletic activities similar to those
1661 for which scholarships are offered; repealing s.
1662 1006.65, F.S., relating to safety issues in courses
1663 offered by public postsecondary educational
1664 institutions; repealing s. 1007.21, F.S., relating to
1665 readiness for postsecondary education and the
1666 workplace; repealing s. 1007.35(10), F.S.; removing



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1667 duplicative, redundant, or unused rulemaking
1668 authority; repealing s. 1008.31(3)(d) and (e), F.S.,
1669 relating to review and reporting duties of the
1670 Commissioner of Education with respect to
1671 consolidating paperwork under Florida's K-20 education
1672 performance accountability system; repealing s.
1673 1009.68, F.S., relating to the Florida Minority
1674 Medical Education Program; amending s. 1009.85, F.S.;
1675 removing duplicative, redundant, or unused rulemaking
1676 authority; repealing s. 1012.58, F.S., relating to the
1677 Transition to Teaching Program; repealing s.
1678 1012.71(6), F.S., relating to a pilot program for
1679 establishing an electronic management system for the
1680 Florida Teachers Lead Program; repealing s. 1013.231,
1681 F.S., relating to Florida College System institution
1682 and state university energy consumption reduction;
1683 repealing s. 1013.32, F.S., relating to exceptions to
1684 recommendations in educational plant surveys;
1685 repealing ss. 1013.42 and 1013.72, F.S., relating to
1686 the School Infrastructure Thrift (SIT) Program;
1687 repealing ss. 1013.502 and 1013.721, F.S., relating to
1688 A Business-Community (ABC) School Program; repealing
1689 s. 1013.64(7), F.S., relating to exceptions from
1690 Special Facility Construction Account requirements;
1691 repealing s. 1013.73, F.S., relating to effort index
1692 grants for school district facilities; amending ss.
1693 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33,
1694 1002.34, 1002.45, 1003.03, 1003.429, 1003.438,
1695 1003.49, 1004.70, 1004.71, 1006.025, 1006.15,



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1696 1007.263, 1007.271, 1008.22, 1008.23, 1009.40,
1697 1009.531, 1009.94, 1011.61, 1013.35, 1013.356,
1698 1013.41, 1013.64, 1013.69, and 1013.738, F.S.;
1699 conforming provisions; providing effective dates.