

By Senator Montford

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1 A bill to be entitled
2 An act relating to the repeal of education provisions;
3 amending s. 403.7032, F.S.; removing a requirement
4 that each K-12 public school annually report to the
5 county on recycled materials; repealing s. 1001.435,
6 F.S., relating to a K-12 foreign language curriculum
7 plan; repealing s. 1002.23(4), (6), and (9), F.S.,
8 relating to a parent-response center, submission of
9 family involvement and empowerment rules by district
10 school boards, and State Board of Education compliance
11 review and enforcement under the Family and School
12 Partnership for Student Achievement Act; repealing s.
13 1002.361, F.S., relating to a direct-support
14 organization for the Florida School for the Deaf and
15 the Blind; repealing s. 1003.4285(1), F.S., relating
16 to a standard high school diploma designation that
17 indicates a student's major area of interest;
18 repealing s. 1003.43, F.S., relating to general
19 requirements for high school graduation; repealing s.
20 1003.453(2), F.S., relating to information on school
21 wellness and physical education policies posted on
22 Department of Education and school district websites;
23 repealing s. 1003.496, F.S., relating to the High
24 School to Business Career Enhancement Program;
25 repealing s. 1004.05, F.S., relating to substance
26 abuse training programs for specified public school
27 personnel; repealing s. 1004.62, F.S., relating to
28 incentives for state university student internships to
29 study urban or socially and economically disadvantaged

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30 areas; repealing s. 1004.77, F.S., relating to centers
31 of technology innovation; repealing s. 1006.035, F.S.,
32 relating to a dropout reentry and mentor project;
33 repealing s. 1006.09(1)(d), F.S., relating to duties
34 of school principals with respect to annual reporting
35 and analysis of student suspensions and expulsions;
36 repealing ss. 1006.17 and 1006.70, F.S., relating to
37 sponsorship of athletic activities similar to those
38 for which scholarships are offered; repealing s.
39 1006.65, F.S., relating to safety issues in courses
40 offered by public postsecondary educational
41 institutions; repealing s. 1007.21, F.S., relating to
42 readiness for postsecondary education and the
43 workplace; repealing s. 1008.31(3)(d) and (e), F.S.,
44 relating to review and reporting duties of the
45 Commissioner of Education with respect to
46 consolidating paperwork under Florida's K-20 education
47 performance accountability system; repealing s.
48 1009.68, F.S., relating to the Florida Minority
49 Medical Education Program; repealing s. 1012.58, F.S.,
50 relating to the Transition to Teaching Program;
51 repealing s. 1012.71(6), F.S., relating to a pilot
52 program for establishing an electronic management
53 system for the Florida Teachers Lead Program;
54 repealing s. 1013.231, F.S., relating to Florida
55 College System institution and state university energy
56 consumption reduction; repealing s. 1013.32, F.S.,
57 relating to exceptions to recommendations in
58 educational plant surveys; repealing ss. 1013.42 and

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59 1013.72, F.S., relating to the School Infrastructure
 60 Thrift (SIT) Program; repealing ss. 1013.502 and
 61 1013.721, F.S., relating to A Business-Community (ABC)
 62 School Program; repealing s. 1013.64(7), F.S.,
 63 relating to exceptions from Special Facility
 64 Construction Account requirements; repealing s.
 65 1013.73, F.S., relating to effort index grants for
 66 school district facilities; amending ss. 120.81,
 67 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34,
 68 1002.45, 1003.03, 1003.429, 1003.438, 1003.49,
 69 1004.70, 1004.71, 1006.15, 1007.263, 1007.271,
 70 1008.22, 1008.23, 1009.40, 1009.531, 1009.94, 1013.35,
 71 1013.356, 1013.41, 1013.64, 1013.69, and 1013.738,
 72 F.S.; conforming provisions; providing an effective
 73 date.

74

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

76

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

79 403.7032 Recycling.—

80 (3) Each state agency, ~~K-12 public school~~, public
 81 institution of higher learning, community college, and state
 82 university, including all buildings that are occupied by
 83 municipal, county, or state employees and entities occupying
 84 buildings managed by the Department of Management Services,
 85 must, at a minimum, annually report all recycled materials to
 86 the county using the department's designated reporting format.
 87 Private businesses, other than certified recovered materials

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88 dealers, that recycle paper, metals, glass, plastics, textiles,
89 rubber materials, and mulch, are encouraged to report the amount
90 of materials they recycle to the county annually beginning
91 January 1, 2011, using the department's designated reporting
92 format. Using the information provided, the department shall
93 recognize those private businesses that demonstrate outstanding
94 recycling efforts. Notwithstanding any other provision of state
95 or county law, private businesses, other than certified
96 recovered materials dealers, shall not be required to report
97 recycling rates. Cities with less than a population of 2,500 and
98 per capita taxable value less than \$48,000 and cities with a per
99 capita taxable value less than \$30,000 are exempt from the
100 reporting requirement specified in this subsection.

101 Section 2. Section 1001.435, Florida Statutes, is repealed.

102 Section 3. Subsections (4), (6), and (9) of section
103 1002.23, Florida Statutes, are repealed.

104 Section 4. Section 1002.361, Florida Statutes, is repealed.

105 Section 5. Subsection (1) of section 1003.4285, Florida
106 Statutes, is repealed.

107 Section 6. Section 1003.43, Florida Statutes, is repealed.

108 Section 7. Subsection (2) of section 1003.453, Florida
109 Statutes, is repealed.

110 Section 8. Section 1003.496, Florida Statutes, is repealed.

111 Section 9. Section 1004.05, Florida Statutes, is repealed.

112 Section 10. Section 1004.62, Florida Statutes, is repealed.

113 Section 11. Section 1004.77, Florida Statutes, is repealed.

114 Section 12. Section 1006.035, Florida Statutes, is
115 repealed.

116 Section 13. Paragraph (d) of subsection (1) of section

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117 1006.09, Florida Statutes, is repealed.

118 Section 14. Sections 1006.17 and 1006.70, Florida Statutes,
119 are repealed.

120 Section 15. Section 1006.65, Florida Statutes, is repealed.

121 Section 16. Section 1007.21, Florida Statutes, is repealed.

122 Section 17. Paragraphs (d) and (e) of subsection (3) of
123 section 1008.31, Florida Statutes, are repealed.

124 Section 18. Section 1009.68, Florida Statutes, is repealed.

125 Section 19. Section 1012.58, Florida Statutes, is repealed.

126 Section 20. Subsection (6) of section 1012.71, Florida
127 Statutes, is repealed.

128 Section 21. Section 1013.231, Florida Statutes, is
129 repealed.

130 Section 22. Section 1013.32, Florida Statutes, is repealed.

131 Section 23. Sections 1013.42 and 1013.72, Florida Statutes,
132 are repealed.

133 Section 24. Sections 1013.502 and 1013.721, Florida
134 Statutes, are repealed.

135 Section 25. Subsection (7) of section 1013.64, Florida
136 Statutes, is repealed.

137 Section 26. Section 1013.73, Florida Statutes, is repealed.

138 Section 27. Paragraph (c) of subsection (1) of section
139 120.81, Florida Statutes, is amended to read:

140 120.81 Exceptions and special requirements; general areas.—

141 (1) EDUCATIONAL UNITS.—

142 (c) Notwithstanding s. 120.52(16), any tests, test scoring
143 criteria, or testing procedures relating to student assessment
144 which are developed or administered by the Department of
145 Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.

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146 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
147 educational tests required by law, are not rules.

148 Section 28. Subsection (5) of section 250.115, Florida
149 Statutes, is amended to read:

150 250.115 Department of Military Affairs direct-support
151 organization.—

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

157 Section 29. Paragraph (b) of subsection (5) of section
158 409.1451, Florida Statutes, is amended to read:

159 409.1451 Independent living transition services.—

160 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—
161 Based on the availability of funds, the department shall provide
162 or arrange for the following services to young adults formerly
163 in foster care who meet the prescribed conditions and are
164 determined eligible by the department. The department, or a
165 community-based care lead agency when the agency is under
166 contract with the department to provide the services described
167 under this subsection, shall develop a plan to implement those
168 services. A plan shall be developed for each community-based
169 care service area in the state. Each plan that is developed by a
170 community-based care lead agency shall be submitted to the
171 department. Each plan shall include the number of young adults
172 to be served each month of the fiscal year and specify the
173 number of young adults who will reach 18 years of age who will
174 be eligible for the plan and the number of young adults who will

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175 reach 23 years of age and will be ineligible for the plan or who
176 are otherwise ineligible during each month of the fiscal year;
177 staffing requirements and all related costs to administer the
178 services and program; expenditures to or on behalf of the
179 eligible recipients; costs of services provided to young adults
180 through an approved plan for housing, transportation, and
181 employment; reconciliation of these expenses and any additional
182 related costs with the funds allocated for these services; and
183 an explanation of and a plan to resolve any shortages or
184 surpluses in order to end the fiscal year with a balanced
185 budget. The categories of services available to assist a young
186 adult formerly in foster care to achieve independence are:

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

188 1. The Road-to-Independence Program is intended to help
189 eligible students who are former foster children in this state
190 to receive the educational and vocational training needed to
191 achieve independence. The amount of the award shall be based on
192 the living and educational needs of the young adult and may be
193 up to, but may not exceed, the amount of earnings that the
194 student would have been eligible to earn working a 40-hour-a-
195 week federal minimum wage job.

196 2. A young adult who has earned a standard high school
197 diploma or its equivalent as described in s. 1003.428, s.
198 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma
199 or special certificate of completion as described in s.
200 1003.438, or has reached 18 years of age but is not yet 21 years
201 of age is eligible for the initial award, and a young adult
202 under 23 years of age is eligible for renewal awards, if he or
203 she:

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204 a. Was a dependent child, under chapter 39, and was living
205 in licensed foster care or in subsidized independent living at
206 the time of his or her 18th birthday or is currently living in
207 licensed foster care or subsidized independent living, or, after
208 reaching the age of 16, was adopted from foster care or placed
209 with a court-approved dependency guardian and has spent a
210 minimum of 6 months in foster care immediately preceding such
211 placement or adoption;

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

214 c. Is a resident of this state as defined in s. 1009.40;
215 and

216 d. Meets one of the following qualifications:

217 (I) Has earned a standard high school diploma or its
218 equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or
219 s. 1003.435, or has earned a special diploma or special
220 certificate of completion as described in s. 1003.438, and has
221 been admitted for full-time enrollment in an eligible
222 postsecondary education institution as defined in s. 1009.533;

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

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

227 3. A young adult applying for the Road-to-Independence
228 Program must apply for any other grants and scholarships for
229 which he or she may qualify. The department shall assist the
230 young adult in the application process and may use the federal
231 financial aid grant process to determine the funding needs of
232 the young adult.

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233 4. An award shall be available to a young adult who is
234 considered a full-time student or its equivalent by the
235 educational institution in which he or she is enrolled, unless
236 that young adult has a recognized disability preventing full-
237 time attendance. The amount of the award, whether it is being
238 used by a young adult working toward completion of a high school
239 diploma or its equivalent or working toward completion of a
240 postsecondary education program, shall be determined based on an
241 assessment of the funding needs of the young adult. This
242 assessment must consider the young adult's living and
243 educational costs and other grants, scholarships, waivers,
244 earnings, and other income to be received by the young adult. An
245 award shall be available only to the extent that other grants
246 and scholarships are not sufficient to meet the living and
247 educational needs of the young adult, but an award may not be
248 less than \$25 in order to maintain Medicaid eligibility for the
249 young adult as provided in s. 409.903.

250 5. The amount of the award may be disregarded for purposes
251 of determining the eligibility for, or the amount of, any other
252 federal or federally supported assistance.

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

255 (I) Children and young adults in, leaving, or formerly in
256 foster care.

257 (II) Case managers.

258 (III) Guidance and family services counselors.

259 (IV) Principals or other relevant school administrators.

260 (V) Guardians ad litem.

261 (VI) Foster parents.

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

265 c. An award shall be issued at the time the eligible
266 student reaches 18 years of age.

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

274 e. If the award recipient transfers from one eligible
275 institution to another and continues to meet eligibility
276 requirements, the award must be transferred with the recipient.

277 f. Funds awarded to any eligible young adult under this
278 program are in addition to any other services or funds provided
279 to the young adult by the department through transitional
280 support services or aftercare services.

281 g. The department shall provide information concerning
282 young adults receiving funding through the Road-to-Independence
283 Program to the Department of Education for inclusion in the
284 student financial assistance database, as provided in s.
285 1009.94.

286 h. Funds are intended to help eligible young adults who are
287 former foster children in this state to receive the educational
288 and vocational training needed to become independent and self-
289 supporting. The funds shall be terminated when the young adult
290 has attained one of four postsecondary goals under subsection

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291 (3) or reaches 23 years of age, whichever occurs earlier. In
292 order to initiate postsecondary education, to allow for a change
293 in career goal, or to obtain additional skills in the same
294 educational or vocational area, a young adult may earn no more
295 than two diplomas, certificates, or credentials. A young adult
296 attaining an associate of arts or associate of science degree
297 shall be permitted to work toward completion of a bachelor of
298 arts or a bachelor of science degree or an equivalent
299 undergraduate degree. Road-to-Independence Program funds may not
300 be used for education or training after a young adult has
301 attained a bachelor of arts or a bachelor of science degree or
302 an equivalent undergraduate degree.

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

307 (I) Complete the number of hours, or the equivalent
308 considered full time by the educational institution, unless that
309 young adult has a recognized disability preventing full-time
310 attendance, in the last academic year in which the young adult
311 earned an award, except for a young adult who meets the
312 requirements of s. 1009.41.

313 (II) Maintain appropriate progress as required by the
314 educational institution, except that, if the young adult's
315 progress is insufficient to renew the award at any time during
316 the eligibility period, the young adult may restore eligibility
317 by improving his or her progress to the required level.

318 j. Funds may be terminated during the interim between an
319 award and the evaluation for a renewal award if the department

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320 determines that the award recipient is no longer enrolled in an
321 educational institution as defined in sub-subparagraph 2.d., or
322 is no longer a state resident. The department shall notify a
323 recipient who is terminated and inform the recipient of his or
324 her right to appeal.

325 k. An award recipient who does not qualify for a renewal
326 award or who chooses not to renew the award may subsequently
327 apply for reinstatement. An application for reinstatement must
328 be made before the young adult reaches 23 years of age, and a
329 student may not apply for reinstatement more than once. In order
330 to be eligible for reinstatement, the young adult must meet the
331 eligibility criteria and the criteria for award renewal for the
332 program.

333 Section 30. Subsection (7) of section 1001.11, Florida
334 Statutes, is amended to read:

335 1001.11 Commissioner of Education; other duties.—

336 (7) The commissioner shall make prominently available on
337 the department's website the following: links to the Internet-
338 based clearinghouse for professional development regarding
339 physical education; the school wellness and physical education
340 policies and other resources required under s. 1003.453~~(1)~~ and
341 ~~(2)~~; and other Internet sites that provide professional
342 development for elementary teachers of physical education as
343 defined in s. 1003.01(16). These links must provide elementary
344 teachers with information concerning current physical education
345 and nutrition philosophy and best practices that result in
346 student participation in physical activities that promote
347 lifelong physical and mental well-being.

348 Section 31. Paragraph (f) of subsection (3) and subsection

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349 (8) of section 1002.20, Florida Statutes, are amended to read:

350 1002.20 K-12 student and parent rights.—Parents of public
351 school students must receive accurate and timely information
352 regarding their child's academic progress and must be informed
353 of ways they can help their child to succeed in school. K-12
354 students and their parents are afforded numerous statutory
355 rights including, but not limited to, the following:

356 (3) HEALTH ISSUES.—

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

362 (8) STUDENTS WITH DISABILITIES.—Parents of public school
363 students with disabilities and parents of public school students
364 in residential care facilities are entitled to notice and due
365 process in accordance with the provisions of ss. 1003.57 and
366 1003.58. Public school students with disabilities must be
367 provided the opportunity to meet the graduation requirements for
368 a standard high school diploma in accordance with the provisions
369 of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students
370 with disabilities may be awarded a special diploma upon high
371 school graduation.

372 Section 32. Paragraph (a) of subsection (7) of section
373 1002.33, Florida Statutes, is amended to read:

374 1002.33 Charter schools.—

375 (7) CHARTER.—The major issues involving the operation of a
376 charter school shall be considered in advance and written into
377 the charter. The charter shall be signed by the governing board

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378 of the charter school and the sponsor, following a public
379 hearing to ensure community input.

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

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

384 2. The focus of the curriculum, the instructional methods
385 to be used, any distinctive instructional techniques to be
386 employed, and identification and acquisition of appropriate
387 technologies needed to improve educational and administrative
388 performance which include a means for promoting safe, ethical,
389 and appropriate uses of technology which comply with legal and
390 professional standards.

391 a. The charter shall ensure that reading is a primary focus
392 of the curriculum and that resources are provided to identify
393 and provide specialized instruction for students who are reading
394 below grade level. The curriculum and instructional strategies
395 for reading must be consistent with the Sunshine State Standards
396 and grounded in scientifically based reading research.

397 b. In order to provide students with access to diverse
398 instructional delivery models, to facilitate the integration of
399 technology within traditional classroom instruction, and to
400 provide students with the skills they need to compete in the
401 21st century economy, the Legislature encourages instructional
402 methods for blended learning courses consisting of both
403 traditional classroom and online instructional techniques.
404 Charter schools may implement blended learning courses which
405 combine traditional classroom instruction and virtual
406 instruction. Students in a blended learning course must be full-

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407 time students of the charter school and receive the online
408 instruction in a classroom setting at the charter school.
409 Instructional personnel certified pursuant to s. 1012.55 who
410 provide virtual instruction for blended learning courses may be
411 employees of the charter school or may be under contract to
412 provide instructional services to charter school students. At a
413 minimum, such instructional personnel must hold an active state
414 or school district adjunct certification under s. 1012.57 for
415 the subject area of the blended learning course. The funding and
416 performance accountability requirements for blended learning
417 courses are the same as those for traditional courses.

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

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

424 b. How these baseline rates will be compared to rates of
425 academic progress achieved by these same students while
426 attending the charter school.

427 c. To the extent possible, how these rates of progress will
428 be evaluated and compared with rates of progress of other
429 closely comparable student populations.

430
431 The district school board is required to provide academic
432 student performance data to charter schools for each of their
433 students coming from the district school system, as well as
434 rates of academic progress of comparable student populations in
435 the district school system.

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436 4. The methods used to identify the educational strengths
437 and needs of students and how well educational goals and
438 performance standards are met by students attending the charter
439 school. The methods shall provide a means for the charter school
440 to ensure accountability to its constituents by analyzing
441 student performance data and by evaluating the effectiveness and
442 efficiency of its major educational programs. Students in
443 charter schools shall, at a minimum, participate in the
444 statewide assessment program created under s. 1008.22.

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

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

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

452 8. The ways by which the school will achieve a
453 racial/ethnic balance reflective of the community it serves or
454 within the racial/ethnic range of other public schools in the
455 same school district.

456 9. The financial and administrative management of the
457 school, including a reasonable demonstration of the professional
458 experience or competence of those individuals or organizations
459 applying to operate the charter school or those hired or
460 retained to perform such professional services and the
461 description of clearly delineated responsibilities and the
462 policies and practices needed to effectively manage the charter
463 school. A description of internal audit procedures and
464 establishment of controls to ensure that financial resources are

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465 properly managed must be included. Both public sector and
466 private sector professional experience shall be equally valid in
467 such a consideration.

468 10. The asset and liability projections required in the
469 application which are incorporated into the charter and shall be
470 compared with information provided in the annual report of the
471 charter school.

472 11. A description of procedures that identify various risks
473 and provide for a comprehensive approach to reduce the impact of
474 losses; plans to ensure the safety and security of students and
475 staff; plans to identify, minimize, and protect others from
476 violent or disruptive student behavior; and the manner in which
477 the school will be insured, including whether or not the school
478 will be required to have liability insurance, and, if so, the
479 terms and conditions thereof and the amounts of coverage.

480 12. The term of the charter which shall provide for
481 cancellation of the charter if insufficient progress has been
482 made in attaining the student achievement objectives of the
483 charter and if it is not likely that such objectives can be
484 achieved before expiration of the charter. The initial term of a
485 charter shall be for 4 or 5 years. In order to facilitate access
486 to long-term financial resources for charter school
487 construction, charter schools that are operated by a
488 municipality or other public entity as provided by law are
489 eligible for up to a 15-year charter, subject to approval by the
490 district school board. A charter lab school is eligible for a
491 charter for a term of up to 15 years. In addition, to facilitate
492 access to long-term financial resources for charter school
493 construction, charter schools that are operated by a private,

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494 not-for-profit, s. 501(c)(3) status corporation are eligible for
495 up to a 15-year charter, subject to approval by the district
496 school board. Such long-term charters remain subject to annual
497 review and may be terminated during the term of the charter, but
498 only according to the provisions set forth in subsection (8).

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

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

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

506 16. A timetable for implementing the charter which
507 addresses the implementation of each element thereof and the
508 date by which the charter shall be awarded in order to meet this
509 timetable.

510 17. In the case of an existing public school that is being
511 converted to charter status, alternative arrangements for
512 current students who choose not to attend the charter school and
513 for current teachers who choose not to teach in the charter
514 school after conversion in accordance with the existing
515 collective bargaining agreement or district school board rule in
516 the absence of a collective bargaining agreement. However,
517 alternative arrangements shall not be required for current
518 teachers who choose not to teach in a charter lab school, except
519 as authorized by the employment policies of the state university
520 which grants the charter to the lab school.

521 18. Full disclosure of the identity of all relatives
522 employed by the charter school who are related to the charter

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523 school owner, president, chairperson of the governing board of
524 directors, superintendent, governing board member, principal,
525 assistant principal, or any other person employed by the charter
526 school who has equivalent decisionmaking authority. For the
527 purpose of this subparagraph, the term "relative" means father,
528 mother, son, daughter, brother, sister, uncle, aunt, first
529 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
530 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
531 stepfather, stepmother, stepson, stepdaughter, stepbrother,
532 stepsister, half brother, or half sister.

533 19. Implementation of the activities authorized under s.
534 1002.331 by the charter school when it satisfies the eligibility
535 requirements for a high-performing charter school. A high-
536 performing charter school shall notify its sponsor in writing by
537 March 1 if it intends to increase enrollment or expand grade
538 levels the following school year. The written notice shall
539 specify the amount of the enrollment increase and the grade
540 levels that will be added, as applicable.

541 Section 33. Paragraph (g) of subsection (4) of section
542 1002.34, Florida Statutes, is amended to read:

543 1002.34 Charter technical career centers.—

544 (4) CHARTER.—A sponsor may designate centers as provided in
545 this section. An application to establish a center may be
546 submitted by a sponsor or another organization that is
547 determined, by rule of the State Board of Education, to be
548 appropriate. However, an independent school is not eligible for
549 status as a center. The charter must be signed by the governing
550 body of the center and the sponsor and must be approved by the
551 district school board and Florida College System institution

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552 board of trustees in whose geographic region the facility is
553 located. If a charter technical career center is established by
554 the conversion to charter status of a public technical center
555 formerly governed by a district school board, the charter status
556 of that center takes precedence in any question of governance.
557 The governance of the center or of any program within the center
558 remains with its board of directors unless the board agrees to a
559 change in governance or its charter is revoked as provided in
560 subsection (15). Such a conversion charter technical career
561 center is not affected by a change in the governance of public
562 technical centers or of programs within other centers that are
563 or have been governed by district school boards. A charter
564 technical career center, or any program within such a center,
565 that was governed by a district school board and transferred to
566 a Florida College System institution prior to the effective date
567 of this act is not affected by this provision. An applicant who
568 wishes to establish a center must submit to the district school
569 board or Florida College System institution board of trustees,
570 or a consortium of one or more of each, an application on a form
571 developed by the Department of Education which includes:

572 (g) A method for determining whether a student has
573 satisfied the requirements for graduation specified in s.
574 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a
575 postsecondary certificate or degree.

576
577 Students at a center must meet the same testing and academic
578 performance standards as those established by law and rule for
579 students at public schools and public technical centers. The
580 students must also meet any additional assessment indicators

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581 that are included within the charter approved by the district
582 school board or Florida College System institution board of
583 trustees.

584 Section 34. Paragraph (b) of subsection (4) of section
585 1002.45, Florida Statutes, is amended to read:

586 1002.45 Virtual instruction programs.—

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

589 (b) Provide a method for determining that a student has
590 satisfied the requirements for graduation in s. 1003.428 or s.
591 1003.429, ~~or s. 1003.43~~ if the contract is for the provision of
592 a full-time virtual instruction program to students in grades 9
593 through 12.

594 Section 35. Paragraph (e) of subsection (3) of section
595 1003.03, Florida Statutes, is amended to read:

596 1003.03 Maximum class size.—

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

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

605 Section 36. Subsection (1), paragraph (c) of subsection
606 (7), and subsection (8) of section 1003.429, Florida Statutes,
607 are amended to read:

608 1003.429 Accelerated high school graduation options.—

609 (1) Students who enter grade 9 in the 2006-2007 school year

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610 and thereafter may select, upon receipt of each consent required
611 by this section, one of the following three high school
612 graduation options:

613 (a) Completion of the general requirements for high school
614 graduation pursuant to s. 1003.428 ~~or s. 1003.43~~, as applicable;

615 (b) Completion of a 3-year standard college preparatory
616 program requiring successful completion of a minimum of 18
617 academic credits in grades 9 through 12. At least 6 of the 18
618 credits required for completion of this program must be received
619 in classes that are offered pursuant to the International
620 Baccalaureate Program, the Advanced Placement Program, dual
621 enrollment, Advanced International Certificate of Education, or
622 specifically listed or identified by the Department of Education
623 as rigorous pursuant to s. 1009.531(3). The 18 credits required
624 for completion of this program shall be primary requirements and
625 shall be distributed as follows:

626 1. Four credits in English, with major concentration in
627 composition and literature;

628 2. Three credits and, beginning with students entering
629 grade 9 in the 2010-2011 school year, four credits in
630 mathematics at the Algebra I level or higher from the list of
631 courses that qualify for state university admission. Beginning
632 with students entering grade 9 in the 2010-2011 school year, in
633 addition to the Algebra I credit requirement, one of the four
634 credits in mathematics must be geometry or a series of courses
635 equivalent to geometry as approved by the State Board of
636 Education. Beginning with students entering grade 9 in the 2010-
637 2011 school year, the end-of-course assessment requirements
638 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student

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639 to earn the required credit in Algebra I. Beginning with
640 students entering grade 9 in the 2011-2012 school year, the end-
641 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
642 must be met in order for a student to earn the required credit
643 in geometry. Beginning with students entering grade 9 in the
644 2012-2013 school year, in addition to the Algebra I and geometry
645 credit requirements, one of the four credits in mathematics must
646 be Algebra II or a series of courses equivalent to Algebra II as
647 approved by the State Board of Education;

648 3. Three credits in science, two of which must have a
649 laboratory component. Beginning with students entering grade 9
650 in the 2011-2012 school year, one of the three credits in
651 science must be Biology I or a series of courses equivalent to
652 Biology I as approved by the State Board of Education. Beginning
653 with students entering grade 9 in the 2011-2012 school year, the
654 end-of-course assessment requirements under s.

655 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
656 the required credit in Biology I. Beginning with students
657 entering grade 9 in the 2013-2014 school year, one of the three
658 credits must be Biology I or a series of courses equivalent to
659 Biology I as approved by the State Board of Education, one
660 credit must be chemistry or physics or a series of courses
661 equivalent to chemistry or physics as approved by the State
662 Board of Education, and one credit must be an equally rigorous
663 course, as approved by the State Board of Education;

664 4. Three credits in social sciences, which must include one
665 credit in United States history, one credit in world history,
666 one-half credit in United States government, and one-half credit
667 in economics;

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668 5. Two credits in the same second language unless the
669 student is a native speaker of or can otherwise demonstrate
670 competency in a language other than English. If the student
671 demonstrates competency in another language, the student may
672 replace the language requirement with two credits in other
673 academic courses; and

674 6. Three credits in electives and, beginning with students
675 entering grade 9 in the 2010-2011 school year, two credits in
676 electives; or

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

681 1. Four credits in English, with major concentration in
682 composition and literature;

683 2. Three credits and, beginning with students entering
684 grade 9 in the 2010-2011 school year, four credits in
685 mathematics, one of which must be Algebra I. Beginning with
686 students entering grade 9 in the 2010-2011 school year, in
687 addition to the Algebra I credit requirement, one of the four
688 credits in mathematics must be geometry or a series of courses
689 equivalent to geometry as approved by the State Board of
690 Education. Beginning with students entering grade 9 in the 2010-
691 2011 school year, the end-of-course assessment requirements
692 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
693 to earn the required credit in Algebra I. Beginning with
694 students entering grade 9 in the 2011-2012 school year, the end-
695 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
696 must be met in order for a student to earn the required credit

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697 in geometry. Beginning with students entering grade 9 in the
698 2012-2013 school year, in addition to the Algebra I and geometry
699 credit requirements, one of the four credits in mathematics must
700 be Algebra II or a series of courses equivalent to Algebra II as
701 approved by the State Board of Education;

702 3. Three credits in science, two of which must have a
703 laboratory component. Beginning with students entering grade 9
704 in the 2011-2012 school year, one of the three credits in
705 science must be Biology I or a series of courses equivalent to
706 Biology I as approved by the State Board of Education. Beginning
707 with students entering grade 9 in the 2011-2012 school year, the
708 end-of-course assessment requirements under s.

709 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
710 the required credit in Biology I. Beginning with students
711 entering grade 9 in the 2013-2014 school year, one of the three
712 credits must be Biology I or a series of courses equivalent to
713 Biology I as approved by the State Board of Education, one
714 credit must be chemistry or physics or a series of courses
715 equivalent to chemistry or physics as approved by the State
716 Board of Education, and one credit must be an equally rigorous
717 course, as approved by the State Board of Education;

718 4. Three credits in social sciences, which must include one
719 credit in United States history, one credit in world history,
720 one-half credit in United States government, and one-half credit
721 in economics;

722 5. Three credits in a single vocational or career education
723 program, three credits in career and technical certificate dual
724 enrollment courses, or five credits in vocational or career
725 education courses; and

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726 6. Two credits and, beginning with students entering grade
727 9 in the 2010-2011 school year, one credit in electives unless
728 five credits are earned pursuant to subparagraph 5.

729

730 Any student who selected an accelerated graduation program
731 before July 1, 2004, may continue that program, and all
732 statutory program requirements that were applicable when the
733 student made the program choice shall remain applicable to the
734 student as long as the student continues that program.

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

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

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

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

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

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

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

753 Section 37. Section 1003.438, Florida Statutes, is amended
754 to read:

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755 1003.438 Special high school graduation requirements for
756 certain exceptional students.—A student who has been identified,
757 in accordance with rules established by the State Board of
758 Education, as a student with disabilities who has an
759 intellectual disability; an autism spectrum disorder; a language
760 impairment; an orthopedic impairment; an other health
761 impairment; a traumatic brain injury; an emotional or behavioral
762 disability; a specific learning disability, including, but not
763 limited to, dyslexia, dyscalculia, or developmental aphasia; or
764 students who are deaf or hard of hearing or dual sensory
765 impaired shall not be required to meet all requirements of ~~s.~~
766 ~~1003.43~~ or s. 1003.428 or s. 1003.429 and shall, upon meeting
767 all applicable requirements prescribed by the district school
768 board pursuant to s. 1008.25, be awarded a special diploma in a
769 form prescribed by the commissioner; however, such special
770 graduation requirements prescribed by the district school board
771 must include minimum graduation requirements as prescribed by
772 the commissioner. Any such student who meets all special
773 requirements of the district school board, but is unable to meet
774 the appropriate special state minimum requirements, shall be
775 awarded a special certificate of completion in a form prescribed
776 by the commissioner. However, this section does not limit or
777 restrict the right of an exceptional student solely to a special
778 diploma or special certificate of completion. Any such student
779 shall, upon proper request, be afforded the opportunity to fully
780 meet all requirements of ~~s. 1003.43~~ or s. 1003.428 or s.
781 1003.429 through the standard procedures established therein and
782 thereby to qualify for a standard diploma upon graduation.

783 Section 38. Subsection (1) of section 1003.49, Florida

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784 Statutes, is amended to read:

785 1003.49 Graduation and promotion requirements for publicly
786 operated schools.—

787 (1) Each state or local public agency, including the
788 Department of Children and Family Services, the Department of
789 Corrections, the boards of trustees of universities and Florida
790 College System institutions, and the Board of Trustees of the
791 Florida School for the Deaf and the Blind, which agency is
792 authorized to operate educational programs for students at any
793 level of grades kindergarten through 12 shall be subject to all
794 applicable requirements of ss. 1003.428, 1003.429 ~~1003.43,~~
795 1008.23, and 1008.25. Within the content of these cited statutes
796 each such state or local public agency or entity shall be
797 considered a "district school board."

798 Section 39. Paragraph (c) of subsection (4) of section
799 1004.70, Florida Statutes, is amended to read:

800 1004.70 Florida College System institution direct-support
801 organizations.—

802 (4) ACTIVITIES; RESTRICTIONS.—

803 (c) Any transaction or agreement between one direct-support
804 organization and another direct-support organization ~~or between~~
805 ~~a direct support organization and a center of technology~~
806 ~~innovation designated under s. 1004.77~~ must be approved by the
807 board of trustees.

808 Section 40. Paragraph (b) of subsection (4) of section
809 1004.71, Florida Statutes, is amended to read:

810 1004.71 Statewide Florida College System institution
811 direct-support organizations.—

812 (4) RESTRICTIONS.—

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813 (b) Any transaction or agreement between a statewide,
814 direct-support organization and any other direct-support
815 organization ~~or between a statewide, direct-support organization~~
816 ~~and a center of technology innovation designated under s.~~
817 ~~1004.77~~ must be approved by the State Board of Education.

818 Section 41. Paragraph (a) of subsection (3) of section
819 1006.15, Florida Statutes, is amended to read:

820 1006.15 Student standards for participation in
821 interscholastic and intrascholastic extracurricular student
822 activities; regulation.—

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

825 1. Maintain a grade point average of 2.0 or above on a 4.0
826 scale, or its equivalent, in the previous semester or a
827 cumulative grade point average of 2.0 or above on a 4.0 scale,
828 or its equivalent, in the courses required by s. 1003.428 or s.
829 1003.429 ~~1003.43(1)~~.

830 2. Execute and fulfill the requirements of an academic
831 performance contract between the student, the district school
832 board, the appropriate governing association, and the student's
833 parents, if the student's cumulative grade point average falls
834 below 2.0, or its equivalent, on a 4.0 scale in the courses
835 required by s. 1003.428 or s. 1003.429 ~~1003.43(1)~~ ~~or, for~~
836 ~~students who entered the 9th grade prior to the 1997-1998 school~~
837 ~~year, if the student's cumulative grade point average falls~~
838 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~
839 ~~required by s. 1003.43(1) which are taken after July 1, 1997.~~ At
840 a minimum, the contract must require that the student attend
841 summer school, or its graded equivalent, between grades 9 and 10

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842 or grades 10 and 11, as necessary.

843 3. Have a cumulative grade point average of 2.0 or above on
844 a 4.0 scale, or its equivalent, in the courses required by s.
845 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or
846 senior year.

847 4. Maintain satisfactory conduct, including adherence to
848 appropriate dress and other codes of student conduct policies
849 described in s. 1006.07(2). If a student is convicted of, or is
850 found to have committed, a felony or a delinquent act that would
851 have been a felony if committed by an adult, regardless of
852 whether adjudication is withheld, the student's participation in
853 interscholastic extracurricular activities is contingent upon
854 established and published district school board policy.

855 Section 42. Subsection (4) of section 1007.263, Florida
856 Statutes, is amended to read:

857 1007.263 Florida College System institutions; admissions of
858 students.—Each Florida College System institution board of
859 trustees is authorized to adopt rules governing admissions of
860 students subject to this section and rules of the State Board of
861 Education. These rules shall include the following:

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

866

867 Each board of trustees shall establish policies that notify
868 students about, and place students into, adult basic education,
869 adult secondary education, or other instructional programs that
870 provide students with alternatives to traditional college-

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871 preparatory instruction, including private provider instruction.
872 A student is prohibited from enrolling in additional college-
873 level courses until the student scores above the cut-score on
874 all sections of the common placement test.

875 Section 43. Subsections (2) and (9) of section 1007.271,
876 Florida Statutes, are amended to read:

877 1007.271 Dual enrollment programs.—

878 (2) For the purpose of this section, an eligible secondary
879 student is a student who is enrolled in a Florida public
880 secondary school or in a Florida private secondary school which
881 is in compliance with s. 1002.42(2) and provides a secondary
882 curriculum pursuant to s. 1003.428 or, s. 1003.429, ~~or s.~~
883 ~~1003.43~~. Students who are eligible for dual enrollment pursuant
884 to this section may enroll in dual enrollment courses conducted
885 during school hours, after school hours, and during the summer
886 term. However, if the student is projected to graduate from high
887 school before the scheduled completion date of a postsecondary
888 course, the student may not register for that course through
889 dual enrollment. The student may apply to the postsecondary
890 institution and pay the required registration, tuition, and fees
891 if the student meets the postsecondary institution's admissions
892 requirements under s. 1007.263. Instructional time for dual
893 enrollment may vary from 900 hours; however, the school district
894 may only report the student for a maximum of 1.0 FTE, as
895 provided in s. 1011.61(4). Any student enrolled as a dual
896 enrollment student is exempt from the payment of registration,
897 tuition, and laboratory fees. Vocational-preparatory
898 instruction, college-preparatory instruction, and other forms of
899 precollegiate instruction, as well as physical education courses

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900 that focus on the physical execution of a skill rather than the
901 intellectual attributes of the activity, are ineligible for
902 inclusion in the dual enrollment program. Recreation and leisure
903 studies courses shall be evaluated individually in the same
904 manner as physical education courses for potential inclusion in
905 the program.

906 (9) The Commissioner of Education shall appoint faculty
907 committees representing public school, Florida College System
908 institution, and university faculties to identify postsecondary
909 courses that meet the high school graduation requirements of s.
910 1003.428 or s. 1003.429, ~~or s. 1003.43~~ and to establish the
911 number of postsecondary semester credit hours of instruction and
912 equivalent high school credits earned through dual enrollment
913 pursuant to this section that are necessary to meet high school
914 graduation requirements. Such equivalencies shall be determined
915 solely on comparable course content and not on seat time
916 traditionally allocated to such courses in high school. The
917 Commissioner of Education shall recommend to the State Board of
918 Education those postsecondary courses identified to meet high
919 school graduation requirements, based on mastery of course
920 outcomes, by their course numbers, and all high schools shall
921 accept these postsecondary education courses toward meeting the
922 requirements of s. 1003.428 or s. 1003.429, ~~or s. 1003.43~~.

923 Section 44. Paragraph (c) of subsection (3) of section
924 1008.22, Florida Statutes, is amended to read:

925 1008.22 Student assessment program for public schools.—

926 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
927 design and implement a statewide program of educational
928 assessment that provides information for the improvement of the

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929 operation and management of the public schools, including
930 schools operating for the purpose of providing educational
931 services to youth in Department of Juvenile Justice programs.
932 The commissioner may enter into contracts for the continued
933 administration of the assessment programs authorized and funded
934 by the Legislature. Contracts may be initiated in 1 fiscal year
935 and continue into the next and may be paid from the
936 appropriations of either or both fiscal years. The commissioner
937 is authorized to negotiate for the sale or lease of tests,
938 scoring protocols, test scoring services, and related materials
939 developed pursuant to law. Pursuant to the statewide assessment
940 program, the commissioner shall:

941 (c) Develop and implement a student achievement assessment
942 program as follows:

943 1. The Florida Comprehensive Assessment Test (FCAT)
944 measures a student's content knowledge and skills in reading,
945 writing, science, and mathematics. The content knowledge and
946 skills assessed by the FCAT must be aligned to the core
947 curricular content established in the Next Generation Sunshine
948 State Standards. FCAT Reading and FCAT Mathematics shall be
949 administered annually in grades 3 through 10 except, beginning
950 with the 2010-2011 school year, the administration of grade 9
951 FCAT Mathematics shall be discontinued, and beginning with the
952 2011-2012 school year, the administration of grade 10 FCAT
953 Mathematics shall be discontinued, except as required for
954 students who have not attained minimum performance expectations
955 for graduation as provided in paragraph (9)(c). FCAT Writing and
956 FCAT Science shall be administered at least once at the
957 elementary, middle, and high school levels except, beginning

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958 with the 2011-2012 school year, the administration of FCAT
959 Science at the high school level shall be discontinued. Students
960 enrolled in an Algebra I, geometry, or Biology I course or an
961 equivalent course with a statewide, standardized end-of-course
962 assessment are not required to take the corresponding grade-
963 level FCAT assessment.

964 2.a. End-of-course assessments must be rigorous, statewide,
965 standardized, and developed or approved by the department. The
966 content knowledge and skills assessed by end-of-course
967 assessments must be aligned to the core curricular content
968 established in the Next Generation Sunshine State Standards.

969 (I) Statewide, standardized end-of-course assessments in
970 mathematics shall be administered according to this sub-sub-
971 subparagraph. Beginning with the 2010-2011 school year, all
972 students enrolled in Algebra I or an equivalent course must take
973 the Algebra I end-of-course assessment. For students entering
974 grade 9 during the 2010-2011 school year and who are enrolled in
975 Algebra I or an equivalent, each student's performance on the
976 end-of-course assessment in Algebra I shall constitute 30
977 percent of the student's final course grade. Beginning with the
978 2012-2013 school year, the end-of-course assessment in Algebra I
979 shall be administered four times annually. Beginning with
980 students entering grade 9 in the 2011-2012 school year, a
981 student who is enrolled in Algebra I or an equivalent must earn
982 a passing score on the end-of-course assessment in Algebra I or
983 attain an equivalent score as described in subsection (11) in
984 order to earn course credit. Beginning with the 2011-2012 school
985 year, all students enrolled in geometry or an equivalent course
986 must take the geometry end-of-course assessment. For students

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987 entering grade 9 during the 2011-2012 school year, each
988 student's performance on the end-of-course assessment in
989 geometry 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 geometry or attain an
993 equivalent score as described in subsection (11) in order to
994 earn course credit.

995 (II) Statewide, standardized end-of-course assessments in
996 science shall be administered according to this sub-sub-
997 subparagraph. Beginning with the 2011-2012 school year, all
998 students enrolled in Biology I or an equivalent course must take
999 the Biology I end-of-course assessment. For the 2011-2012 school
1000 year, each student's performance on the end-of-course assessment
1001 in Biology I shall constitute 30 percent of the student's final
1002 course grade. Beginning with students entering grade 9 during
1003 the 2012-2013 school year, a student must earn a passing score
1004 on the end-of-course assessment in Biology I in order to earn
1005 course credit.

1006 b. During the 2012-2013 school year, an end-of-course
1007 assessment in civics education shall be administered as a field
1008 test at the middle school level. During the 2013-2014 school
1009 year, each student's performance on the statewide, standardized
1010 end-of-course assessment in civics education shall constitute 30
1011 percent of the student's final course grade. Beginning with the
1012 2014-2015 school year, a student must earn a passing score on
1013 the end-of-course assessment in civics education in order to
1014 pass the course and be promoted from the middle grades. The
1015 school principal of a middle school shall determine, in

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1016 accordance with State Board of Education rule, whether a student
1017 who transfers to the middle school and who has successfully
1018 completed a civics education course at the student's previous
1019 school must take an end-of-course assessment in civics
1020 education.

1021 c. The commissioner may select one or more nationally
1022 developed comprehensive examinations, which may include, but
1023 need not be limited to, examinations for a College Board
1024 Advanced Placement course, International Baccalaureate course,
1025 or Advanced International Certificate of Education course, or
1026 industry-approved examinations to earn national industry
1027 certifications identified in the Industry Certification Funding
1028 List, pursuant to rules adopted by the State Board of Education,
1029 for use as end-of-course assessments under this paragraph, if
1030 the commissioner determines that the content knowledge and
1031 skills assessed by the examinations meet or exceed the grade
1032 level expectations for the core curricular content established
1033 for the course in the Next Generation Sunshine State Standards.
1034 The commissioner may collaborate with the American Diploma
1035 Project in the adoption or development of rigorous end-of-course
1036 assessments that are aligned to the Next Generation Sunshine
1037 State Standards.

1038 d. Contingent upon funding provided in the General
1039 Appropriations Act, including the appropriation of funds
1040 received through federal grants, the Commissioner of Education
1041 shall establish an implementation schedule for the development
1042 and administration of additional statewide, standardized end-of-
1043 course assessments in English/Language Arts II, Algebra II,
1044 chemistry, physics, earth/space science, United States history,

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1045 and world history. Priority shall be given to the development of
1046 end-of-course assessments in English/Language Arts II. The
1047 Commissioner of Education shall evaluate the feasibility and
1048 effect of transitioning from the grade 9 and grade 10 FCAT
1049 Reading and high school level FCAT Writing to an end-of-course
1050 assessment in English/Language Arts II. The commissioner shall
1051 report the results of the evaluation to the President of the
1052 Senate and the Speaker of the House of Representatives no later
1053 than July 1, 2011.

1054 3. The assessment program shall measure student content
1055 knowledge and skills adopted by the State Board of Education as
1056 specified in paragraph (a) and measure and report student
1057 performance levels of all students assessed in reading, writing,
1058 mathematics, and science. The commissioner shall provide for the
1059 tests to be developed or obtained, as appropriate, through
1060 contracts and project agreements with private vendors, public
1061 vendors, public agencies, postsecondary educational
1062 institutions, or school districts. The commissioner shall obtain
1063 input with respect to the design and implementation of the
1064 assessment program from state educators, assistive technology
1065 experts, and the public.

1066 4. The assessment program shall be composed of criterion-
1067 referenced tests that shall, to the extent determined by the
1068 commissioner, include test items that require the student to
1069 produce information or perform tasks in such a way that the core
1070 content knowledge and skills he or she uses can be measured.

1071 5. FCAT Reading, Mathematics, and Science and all
1072 statewide, standardized end-of-course assessments shall measure
1073 the content knowledge and skills a student has attained on the

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1074 assessment by the use of scaled scores and achievement levels.
1075 Achievement levels shall range from 1 through 5, with level 1
1076 being the lowest achievement level, level 5 being the highest
1077 achievement level, and level 3 indicating satisfactory
1078 performance on an assessment. For purposes of FCAT Writing,
1079 student achievement shall be scored using a scale of 1 through 6
1080 and the score earned shall be used in calculating school grades.
1081 A score shall be designated for each subject area tested, below
1082 which score a student's performance is deemed inadequate. The
1083 school districts shall provide appropriate remedial instruction
1084 to students who score below these levels.

1085 6. The State Board of Education shall, by rule, designate a
1086 passing score for each part of the grade 10 assessment test and
1087 end-of-course assessments. Any rule that has the effect of
1088 raising the required passing scores may apply only to students
1089 taking the assessment for the first time after the rule is
1090 adopted by the State Board of Education. Except as otherwise
1091 provided in this subparagraph and as provided in s.

1092 ~~1003.428(8)(b) or s. 1003.43(11)(b)~~, students must earn a
1093 passing score on grade 10 FCAT Reading and grade 10 FCAT
1094 Mathematics or attain concordant scores as described in
1095 subsection (10) in order to qualify for a standard high school
1096 diploma.

1097 7. In addition to designating a passing score under
1098 subparagraph 6., the State Board of Education shall also
1099 designate, by rule, a score for each statewide, standardized
1100 end-of-course assessment which indicates that a student is high
1101 achieving and has the potential to meet college-readiness
1102 standards by the time the student graduates from high school.

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1103 8. Participation in the assessment program is mandatory for
1104 all students attending public school, including students served
1105 in Department of Juvenile Justice programs, except as otherwise
1106 prescribed by the commissioner. A student who has not earned
1107 passing scores on the grade 10 FCAT as provided in subparagraph
1108 6. must participate in each retake of the assessment until the
1109 student earns passing scores or achieves scores on a
1110 standardized assessment which are concordant with passing scores
1111 pursuant to subsection (10). If a student does not participate
1112 in the statewide assessment, the district must notify the
1113 student's parent and provide the parent with information
1114 regarding the implications of such nonparticipation. A parent
1115 must provide signed consent for a student to receive classroom
1116 instructional accommodations that would not be available or
1117 permitted on the statewide assessments and must acknowledge in
1118 writing that he or she understands the implications of such
1119 instructional accommodations. The State Board of Education shall
1120 adopt rules, based upon recommendations of the commissioner, for
1121 the provision of test accommodations for students in exceptional
1122 education programs and for students who have limited English
1123 proficiency. Accommodations that negate the validity of a
1124 statewide assessment are not allowable in the administration of
1125 the FCAT or an end-of-course assessment. However, instructional
1126 accommodations are allowable in the classroom if included in a
1127 student's individual education plan. Students using
1128 instructional accommodations in the classroom that are not
1129 allowable as accommodations on the FCAT or an end-of-course
1130 assessment may have the FCAT or an end-of-course assessment
1131 requirement waived pursuant to the requirements of s.

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1132 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1133 9. A student seeking an adult high school diploma must meet
1134 the same testing requirements that a regular high school student
1135 must meet.

1136 10. District school boards must provide instruction to
1137 prepare students in the core curricular content established in
1138 the Next Generation Sunshine State Standards adopted under s.
1139 1003.41, including the core content knowledge and skills
1140 necessary for successful grade-to-grade progression and high
1141 school graduation. If a student is provided with instructional
1142 accommodations in the classroom that are not allowable as
1143 accommodations in the statewide assessment program, as described
1144 in the test manuals, the district must inform the parent in
1145 writing and must provide the parent with information regarding
1146 the impact on the student's ability to meet expected performance
1147 levels in reading, writing, mathematics, and science. The
1148 commissioner shall conduct studies as necessary to verify that
1149 the required core curricular content is part of the district
1150 instructional programs.

1151 11. District school boards must provide opportunities for
1152 students to demonstrate an acceptable performance level on an
1153 alternative standardized assessment approved by the State Board
1154 of Education following enrollment in summer academies.

1155 12. The Department of Education must develop, or select,
1156 and implement a common battery of assessment tools that will be
1157 used in all juvenile justice programs in the state. These tools
1158 must accurately measure the core curricular content established
1159 in the Next Generation Sunshine State Standards.

1160 13. For students seeking a special diploma pursuant to s.

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1161 1003.438, the Department of Education must develop or select and
1162 implement an alternate assessment tool that accurately measures
1163 the core curricular content established in the Next Generation
1164 Sunshine State Standards for students with disabilities under s.
1165 1003.438.

1166 14. The Commissioner of Education shall establish schedules
1167 for the administration of statewide assessments and the
1168 reporting of student test results. When establishing the
1169 schedules for the administration of statewide assessments, the
1170 commissioner shall consider the observance of religious and
1171 school holidays. The commissioner shall, by August 1 of each
1172 year, notify each school district in writing and publish on the
1173 department's Internet website the testing and reporting
1174 schedules for, at a minimum, the school year following the
1175 upcoming school year. The testing and reporting schedules shall
1176 require that:

1177 a. There is the latest possible administration of statewide
1178 assessments and the earliest possible reporting to the school
1179 districts of student test results which is feasible within
1180 available technology and specific appropriations; however, test
1181 results for the FCAT must be made available no later than the
1182 week of June 8. Student results for end-of-course assessments
1183 must be provided no later than 1 week after the school district
1184 completes testing for each course. The commissioner may extend
1185 the reporting schedule under exigent circumstances.

1186 b. FCAT Writing may not be administered earlier than the
1187 week of March 1, and a comprehensive statewide assessment of any
1188 other subject may not be administered earlier than the week of
1189 April 15.

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1190 c. A statewide, standardized end-of-course assessment is
1191 administered at the end of the course. The commissioner shall
1192 select an administration period for assessments that meets the
1193 intent of end-of-course assessments and provides student results
1194 prior to the end of the course. School districts shall
1195 administer tests in accordance with the schedule determined by
1196 the commissioner. For an end-of-course assessment administered
1197 at the end of the first semester, the commissioner shall
1198 determine the most appropriate testing dates based on a review
1199 of each school district's academic calendar.

1200
1201 The commissioner may, based on collaboration and input from
1202 school districts, design and implement student testing programs,
1203 for any grade level and subject area, necessary to effectively
1204 monitor educational achievement in the state, including the
1205 measurement of educational achievement of the Next Generation
1206 Sunshine State Standards for students with disabilities.
1207 Development and refinement of assessments shall include
1208 universal design principles and accessibility standards that
1209 will prevent any unintended obstacles for students with
1210 disabilities while ensuring the validity and reliability of the
1211 test. These principles should be applicable to all technology
1212 platforms and assistive devices available for the assessments.
1213 The field testing process and psychometric analyses for the
1214 statewide assessment program must include an appropriate
1215 percentage of students with disabilities and an evaluation or
1216 determination of the effect of test items on such students.

1217 Section 45. Section 1008.23, Florida Statutes, is amended
1218 to read:

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1219 1008.23 Confidentiality of assessment instruments.—All
1220 examination and assessment instruments, including developmental
1221 materials and workpapers directly related thereto, which are
1222 prepared, prescribed, or administered pursuant to ss. ~~1003.43,~~
1223 1008.22~~7~~ and 1008.25 shall be confidential and exempt from the
1224 provisions of s. 119.07(1) and from s. 1001.52. Provisions
1225 governing access, maintenance, and destruction of such
1226 instruments and related materials shall be prescribed by rules
1227 of the State Board of Education.

1228 Section 46. Paragraph (a) of subsection (1) of section
1229 1009.40, Florida Statutes, is amended to read:

1230 1009.40 General requirements for student eligibility for
1231 state financial aid awards and tuition assistance grants.—

1232 (1) (a) The general requirements for eligibility of students
1233 for state financial aid awards and tuition assistance grants
1234 consist of the following:

1235 1. Achievement of the academic requirements of and
1236 acceptance at a state university or Florida College System
1237 institution; a nursing diploma school approved by the Florida
1238 Board of Nursing; a Florida college or university which is
1239 accredited by an accrediting agency recognized by the State
1240 Board of Education; any Florida institution the credits of which
1241 are acceptable for transfer to state universities; any career
1242 center; or any private career institution accredited by an
1243 accrediting agency recognized by the State Board of Education.

1244 2. Residency in this state for no less than 1 year
1245 preceding the award of aid or a tuition assistance grant for a
1246 program established pursuant to s. 1009.50, s. 1009.505, s.
1247 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.

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1248 1009.62, ~~s. 1009.68~~, s. 1009.72, s. 1009.73, s. 1009.77, s.
1249 1009.89, or s. 1009.891. Residency in this state must be for
1250 purposes other than to obtain an education. Resident status for
1251 purposes of receiving state financial aid awards shall be
1252 determined in the same manner as resident status for tuition
1253 purposes pursuant to s. 1009.21.

1254 3. Submission of certification attesting to the accuracy,
1255 completeness, and correctness of information provided to
1256 demonstrate a student's eligibility to receive state financial
1257 aid awards or tuition assistance grants. Falsification of such
1258 information shall result in the denial of any pending
1259 application and revocation of any award or grant currently held
1260 to the extent that no further payments shall be made.
1261 Additionally, students who knowingly make false statements in
1262 order to receive state financial aid awards or tuition
1263 assistance grants commit a misdemeanor of the second degree
1264 subject to the provisions of s. 837.06 and shall be required to
1265 return all state financial aid awards or tuition assistance
1266 grants wrongfully obtained.

1267 Section 47. Paragraph (b) of subsection (1) of section
1268 1009.531, Florida Statutes, is amended to read:

1269 1009.531 Florida Bright Futures Scholarship Program;
1270 student eligibility requirements for initial awards.—

1271 (1) Effective January 1, 2008, in order to be eligible for
1272 an initial award from any of the three types of scholarships
1273 under the Florida Bright Futures Scholarship Program, a student
1274 must:

1275 (b) Earn a standard Florida high school diploma or its
1276 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,

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1277 ~~s. 1003.43~~, or s. 1003.435 unless:

1278 1. The student completes a home education program according
1279 to s. 1002.41; or

1280 2. The student earns a high school diploma from a non-
1281 Florida school while living with a parent or guardian who is on
1282 military or public service assignment away from Florida.

1283 Section 48. Paragraph (c) of subsection (2) of section
1284 1009.94, Florida Statutes, is amended to read:

1285 1009.94 Student financial assistance database.—

1286 (2) For purposes of this section, financial assistance
1287 includes:

1288 (c) Any financial assistance provided under s. 1009.50, s.
1289 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.
1290 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.
1291 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.
1292 1009.89, or s. 1009.891.

1293 Section 49. Paragraph (b) of subsection (2) of section
1294 1013.35, Florida Statutes, is amended to read:

1295 1013.35 School district educational facilities plan;
1296 definitions; preparation, adoption, and amendment; long-term
1297 work programs.—

1298 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
1299 FACILITIES PLAN.—

1300 (b) The plan must also include a financially feasible
1301 district facilities work program for a 5-year period. The work
1302 program must include:

1303 1. A schedule of major repair and renovation projects
1304 necessary to maintain the educational facilities and ancillary
1305 facilities of the district.

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1306 2. A schedule of capital outlay projects necessary to
1307 ensure the availability of satisfactory student stations for the
1308 projected student enrollment in K-12 programs. This schedule
1309 shall consider:

1310 a. The locations, capacities, and planned utilization rates
1311 of current educational facilities of the district. The capacity
1312 of existing satisfactory facilities, as reported in the Florida
1313 Inventory of School Houses must be compared to the capital
1314 outlay full-time-equivalent student enrollment as determined by
1315 the department, including all enrollment used in the calculation
1316 of the distribution formula in s. 1013.64.

1317 b. The proposed locations of planned facilities, whether
1318 those locations are consistent with the comprehensive plans of
1319 all affected local governments, and recommendations for
1320 infrastructure and other improvements to land adjacent to
1321 existing facilities. The provisions of ss. 1013.33(6), (7), and
1322 (8) and 1013.36 must be addressed for new facilities planned
1323 within the first 3 years of the work plan, as appropriate.

1324 c. Plans for the use and location of relocatable
1325 facilities, leased facilities, and charter school facilities.

1326 d. Plans for multitrack scheduling, grade level
1327 organization, block scheduling, or other alternatives that
1328 reduce the need for additional permanent student stations.

1329 e. Information concerning average class size and
1330 utilization rate by grade level within the district which will
1331 result if the tentative district facilities work program is
1332 fully implemented.

1333 f. The number and percentage of district students planned
1334 to be educated in relocatable facilities during each year of the

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1335 tentative district facilities work program. For determining
1336 future needs, student capacity may not be assigned to any
1337 relocatable classroom that is scheduled for elimination or
1338 replacement with a permanent educational facility in the current
1339 year of the adopted district educational facilities plan and in
1340 the district facilities work program adopted under this section.
1341 Those relocatable classrooms clearly identified and scheduled
1342 for replacement in a school-board-adopted, financially feasible,
1343 5-year district facilities work program shall be counted at zero
1344 capacity at the time the work program is adopted and approved by
1345 the school board. However, if the district facilities work
1346 program is changed and the relocatable classrooms are not
1347 replaced as scheduled in the work program, the classrooms must
1348 be reentered into the system and be counted at actual capacity.
1349 Relocatable classrooms may not be perpetually added to the work
1350 program or continually extended for purposes of circumventing
1351 this section. All relocatable classrooms not identified and
1352 scheduled for replacement, including those owned, lease-
1353 purchased, or leased by the school district, must be counted at
1354 actual student capacity. The district educational facilities
1355 plan must identify the number of relocatable student stations
1356 scheduled for replacement during the 5-year survey period and
1357 the total dollar amount needed for that replacement.

1358 g. Plans for the closure of any school, including plans for
1359 disposition of the facility or usage of facility space, and
1360 anticipated revenues.

1361 h. Projects for which capital outlay and debt service funds
1362 accruing under s. 9(d), Art. XII of the State Constitution are
1363 to be used shall be identified separately in priority order on a

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1364 project priority list within the district facilities work
1365 program.

1366 3. The projected cost for each project identified in the
1367 district facilities work program. For proposed projects for new
1368 student stations, a schedule shall be prepared comparing the
1369 planned cost and square footage for each new student station, by
1370 elementary, middle, and high school levels, to the low, average,
1371 and high cost of facilities constructed throughout the state
1372 during the most recent fiscal year for which data is available
1373 from the Department of Education.

1374 4. A schedule of estimated capital outlay revenues from
1375 each currently approved source which is estimated to be
1376 available for expenditure on the projects included in the
1377 district facilities work program.

1378 5. A schedule indicating which projects included in the
1379 district facilities work program will be funded from current
1380 revenues projected in subparagraph 4.

1381 6. A schedule of options for the generation of additional
1382 revenues by the district for expenditure on projects identified
1383 in the district facilities work program which are not funded
1384 under subparagraph 5. Additional anticipated revenues may
1385 include ~~effort index grants, SIT Program awards, and Classrooms~~
1386 First funds.

1387 Section 50. Subsection (2) of section 1013.356, Florida
1388 Statutes, is amended to read:

1389 1013.356 Local funding for educational facilities benefit
1390 districts or community development districts.—Upon confirmation
1391 by a district school board of the commitment of revenues by an
1392 educational facilities benefit district or community development

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1393 district necessary to construct and maintain an educational
1394 facility contained within an individual district facilities work
1395 program or proposed by an approved charter school or a charter
1396 school applicant, the following funds shall be provided to the
1397 educational facilities benefit district or community development
1398 district annually, beginning with the next fiscal year after
1399 confirmation until the district's financial obligations are
1400 completed:

1401 (2) For construction and capital maintenance costs not
1402 covered by the funds provided under subsection (1), an annual
1403 amount contributed by the district school board equal to one-
1404 half of the remaining costs of construction and capital
1405 maintenance of the educational facility. Any construction costs
1406 above the cost-per-student criteria established in s.
1407 1013.64(6)(b)1. ~~for the SIT Program in s. 1013.72(2)~~ shall be
1408 funded exclusively by the educational facilities benefit
1409 district or the community development district. Funds
1410 contributed by a district school board shall not be used to fund
1411 operational costs.

1412
1413 Educational facilities funded pursuant to this act may be
1414 constructed on land that is owned by any person after the
1415 district school board has acquired from the owner of the land a
1416 long-term lease for the use of this land for a period of not
1417 less than 40 years or the life expectancy of the permanent
1418 facilities constructed thereon, whichever is longer. All
1419 interlocal agreements entered into pursuant to this act shall
1420 provide for ownership of educational facilities funded pursuant
1421 to this act to revert to the district school board if such

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1422 facilities cease to be used for public educational purposes
1423 prior to 40 years after construction or prior to the end of the
1424 life expectancy of the educational facilities, whichever is
1425 longer.

1426 Section 51. Subsections (4), (5), and (6) of section
1427 1013.41, Florida Statutes, are amended to read:

1428 1013.41 SMART schools; Classrooms First; legislative
1429 purpose.—

1430 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of
1431 the Legislature to require the Office of Educational Facilities
1432 to assist school districts in building SMART schools utilizing
1433 functional and frugal practices. The Office of Educational
1434 Facilities must review district facilities work programs and
1435 projects and ~~identify districts qualified for incentive funding~~
1436 ~~available through School Infrastructure Thrift Program awards;~~
1437 identify opportunities to maximize design and construction
1438 savings; develop school district facilities work program
1439 performance standards; and provide for review and
1440 recommendations to the Governor, the Legislature, and the State
1441 Board of Education.

1442 ~~(5) EFFORT INDEX GRANTS.—It is the purpose of the~~
1443 ~~Legislature to create s. 1013.73, in order to provide grants~~
1444 ~~from state funds to assist school districts that have provided a~~
1445 ~~specified level of local effort funding.~~

1446 ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS.—It~~
1447 ~~is the purpose of the Legislature to convert the SIT Program~~
1448 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~
1449 ~~program to encourage functional, frugal facilities and~~
1450 ~~practices.~~

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1451 Section 52. Paragraph (b) of subsection (6) of section
1452 1013.64, Florida Statutes, is amended to read:

1453 1013.64 Funds for comprehensive educational plant needs;
1454 construction cost maximums for school district capital
1455 projects.—Allocations from the Public Education Capital Outlay
1456 and Debt Service Trust Fund to the various boards for capital
1457 outlay projects shall be determined as follows:

1458 (6)

1459 (b)1. A district school board must not use funds from the
1460 following sources: Public Education Capital Outlay and Debt
1461 Service Trust Fund; School District and Community College
1462 District Capital Outlay and Debt Service Trust Fund; Classrooms
1463 First Program funds provided in s. 1013.68; ~~effort index grant~~
1464 ~~funds provided in s. 1013.73~~; nonvoted 1.5-mill levy of ad
1465 valorem property taxes provided in s. 1011.71(2); Classrooms for
1466 Kids Program funds provided in s. 1013.735; District Effort
1467 Recognition Program funds provided in s. 1013.736; or High
1468 Growth District Capital Outlay Assistance Grant Program funds
1469 provided in s. 1013.738 for any new construction of educational
1470 plant space with a total cost per student station, including
1471 change orders, that equals more than:

- 1472 a. \$17,952 for an elementary school,
1473 b. \$19,386 for a middle school, or
1474 c. \$25,181 for a high school,

1475

1476 (January 2006) as adjusted annually to reflect increases or
1477 decreases in the Consumer Price Index.

1478 2. A district school board must not use funds from the
1479 Public Education Capital Outlay and Debt Service Trust Fund or

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1480 the School District and Community College District Capital
1481 Outlay and Debt Service Trust Fund for any new construction of
1482 an ancillary plant that exceeds 70 percent of the average cost
1483 per square foot of new construction for all schools.

1484 Section 53. Section 1013.69, Florida Statutes, is amended
1485 to read:

1486 1013.69 Full bonding required to participate in programs.—
1487 Any district with unused bonding capacity in its Capital Outlay
1488 and Debt Service Trust Fund allocation that certifies in its
1489 district educational facilities plan that it will not be able to
1490 meet all of its need for new student stations within existing
1491 revenues must fully bond its Capital Outlay and Debt Service
1492 Trust Fund allocation before it may participate in Classrooms
1493 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~
1494 ~~Effort Index Grants Program.~~

1495 Section 54. Paragraph (b) of subsection (2) of section
1496 1013.738, Florida Statutes, is amended to read:

1497 1013.738 High Growth District Capital Outlay Assistance
1498 Grant Program.—

1499 (2) In order to qualify for a grant, a school district must
1500 meet the following criteria:

1501 (b) Fifty percent of the revenue derived from the 2-mill
1502 nonvoted discretionary capital outlay millage for the past 4
1503 fiscal years, when divided by the district's growth in capital
1504 outlay FTE students over this period, produces a value that is
1505 less than the average cost per student station calculated
1506 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by
1507 statewide growth in capital outlay FTE students in elementary,
1508 middle, and high schools for the past 4 fiscal years.

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Section 55. This act shall take effect upon becoming a law.