

By the Committee on Education; and 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. 1001.26(3),  
6           F.S.; removing duplicative, redundant, or unused  
7           rulemaking authority; repealing s. 1001.435, F.S.,  
8           relating to a K-12 foreign language curriculum plan;  
9           repealing s. 1002.23(4), (6), and (9), F.S., relating  
10          to a parent-response center, submission of family  
11          involvement and empowerment rules by district school  
12          boards, and State Board of Education compliance review  
13          and enforcement under the Family and School  
14          Partnership for Student Achievement Act; repealing s.  
15          1002.32(10), F.S.; removing duplicative, redundant, or  
16          unused rulemaking authority; repealing s. 1002.361,  
17          F.S., relating to a direct-support organization for  
18          the Florida School for the Deaf and the Blind;  
19          repealing s. 1002.375, F.S., relating to a pilot  
20          project to award alternative credit for high school  
21          courses; repealing s. 1003.4285(1), F.S., relating to  
22          a standard high school diploma designation that  
23          indicates a student's major area of interest;  
24          repealing s. 1003.43, F.S., relating to general  
25          requirements for high school graduation; repealing s.  
26          1003.433(5), F.S.; removing duplicative, redundant, or  
27          unused rulemaking authority; repealing s. 1003.453(2),  
28          F.S., relating to information on school wellness and  
29          physical education policies posted on Department of

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30 Education and school district websites; repealing s.  
31 1003.496, F.S., relating to the High School to  
32 Business Career Enhancement Program; repealing s.  
33 1004.05, F.S., relating to substance abuse training  
34 programs for specified public school personnel;  
35 amending s. 1004.435, F.S.; removing duplicative,  
36 redundant, or unused rulemaking authority; amending s.  
37 1004.45, F.S.; removing unnecessary rulemaking  
38 authority; repealing s. 1004.62, F.S., relating to  
39 incentives for state university student internships to  
40 study urban or socially and economically disadvantaged  
41 areas; repealing s. 1004.77, F.S., relating to centers  
42 of technology innovation; repealing s. 1006.02, F.S.,  
43 relating to provision of information to students and  
44 parents regarding school-to-work transition; repealing  
45 s. 1006.035, F.S., relating to a dropout reentry and  
46 mentor project; repealing s. 1006.051, F.S., relating  
47 to the Sunshine Workforce Solutions Grant Program;  
48 repealing s. 1006.09(1)(d), F.S., relating to duties  
49 of school principals with respect to annual reporting  
50 and analysis of student suspensions and expulsions;  
51 repealing ss. 1006.17 and 1006.70, F.S., relating to  
52 sponsorship of athletic activities similar to those  
53 for which scholarships are offered; repealing s.  
54 1006.65, F.S., relating to safety issues in courses  
55 offered by public postsecondary educational  
56 institutions; repealing s. 1007.21, F.S., relating to  
57 readiness for postsecondary education and the  
58 workplace; repealing s. 1007.35(10), F.S.; removing

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59 duplicative, redundant, or unused rulemaking  
60 authority; repealing s. 1008.31(3)(d) and (e), F.S.,  
61 relating to review and reporting duties of the  
62 Commissioner of Education with respect to  
63 consolidating paperwork under Florida's K-20 education  
64 performance accountability system; repealing s.  
65 1009.68, F.S., relating to the Florida Minority  
66 Medical Education Program; amending s. 1009.85, F.S.;  
67 removing duplicative, redundant, or unused rulemaking  
68 authority; repealing s. 1012.58, F.S., relating to the  
69 Transition to Teaching Program; repealing s.  
70 1012.71(6), F.S., relating to a pilot program for  
71 establishing an electronic management system for the  
72 Florida Teachers Lead Program; repealing s. 1013.231,  
73 F.S., relating to Florida College System institution  
74 and state university energy consumption reduction;  
75 repealing s. 1013.32, F.S., relating to exceptions to  
76 recommendations in educational plant surveys;  
77 repealing ss. 1013.42 and 1013.72, F.S., relating to  
78 the School Infrastructure Thrift (SIT) Program;  
79 repealing ss. 1013.502 and 1013.721, F.S., relating to  
80 A Business-Community (ABC) School Program; repealing  
81 s. 1013.64(7), F.S., relating to exceptions from  
82 Special Facility Construction Account requirements;  
83 repealing s. 1013.73, F.S., relating to effort index  
84 grants for school district facilities; amending ss.  
85 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33,  
86 1002.34, 1002.45, 1003.03, 1003.429, 1003.438,  
87 1003.49, 1004.70, 1004.71, 1006.025, 1006.15,

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88 1007.263, 1007.271, 1008.22, 1008.23, 1009.40,  
89 1009.531, 1009.94, 1011.61, 1013.35, 1013.356,  
90 1013.41, 1013.64, 1013.69, and 1013.738, F.S.;  
91 conforming provisions; providing effective dates.

92

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

94

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

97 403.7032 Recycling.—

98 (3) Each state agency, ~~K-12 public school~~, public  
99 institution of higher learning, community college, and state  
100 university, including all buildings that are occupied by  
101 municipal, county, or state employees and entities occupying  
102 buildings managed by the Department of Management Services,  
103 must, at a minimum, annually report all recycled materials to  
104 the county using the department's designated reporting format.  
105 Private businesses, other than certified recovered materials  
106 dealers, that recycle paper, metals, glass, plastics, textiles,  
107 rubber materials, and mulch, are encouraged to report the amount  
108 of materials they recycle to the county annually beginning  
109 January 1, 2011, using the department's designated reporting  
110 format. Using the information provided, the department shall  
111 recognize those private businesses that demonstrate outstanding  
112 recycling efforts. Notwithstanding any other provision of state  
113 or county law, private businesses, other than certified  
114 recovered materials dealers, shall not be required to report  
115 recycling rates. Cities with less than a population of 2,500 and  
116 per capita taxable value less than \$48,000 and cities with a per

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117 capita taxable value less than \$30,000 are exempt from the  
118 reporting requirement specified in this subsection.

119 Section 2. Subsection (3) of section 1001.26, Florida  
120 Statutes, is repealed.

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

122 Section 4. Subsections (4), (6), and (9) of section  
123 1002.23, Florida Statutes, are repealed.

124 Section 5. Subsection (10) of section 1002.32, Florida  
125 Statutes, is repealed.

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

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

128 Section 8. Subsection (1) of section 1003.4285, Florida  
129 Statutes, is repealed.

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

131 Section 10. Subsection (5) of section 1003.433, Florida  
132 Statutes, is repealed.

133 Section 11. Subsection (2) of section 1003.453, Florida  
134 Statutes, is repealed.

135 Section 12. Section 1003.496, Florida Statutes, is  
136 repealed.

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

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

140 1004.435 Cancer control and research.—

141 (5) RESPONSIBILITIES OF THE BOARD OF GOVERNORS, THE H. LEE  
142 MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC., AND THE  
143 STATE SURGEON GENERAL.—

144 ~~(c) The Board of Governors or the State Surgeon General,~~  
145 ~~after consultation with the council, may adopt rules necessary~~

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146 ~~for the implementation of this section.~~

147 ~~(c)(d) The State Surgeon General, after consultation with~~  
148 ~~the council, shall make rules specifying to what extent and on~~  
149 ~~what terms and conditions cancer patients of the state may~~  
150 ~~receive financial aid for the diagnosis and treatment of cancer~~  
151 ~~in any hospital or clinic selected.~~ The department may furnish  
152 to citizens of this state who are afflicted with cancer  
153 financial aid to the extent of the appropriation provided for  
154 that purpose in a manner which in its opinion will afford the  
155 greatest benefit to those afflicted and may make arrangements  
156 with hospitals, laboratories, or clinics to afford proper care  
157 and treatment for cancer patients in this state.

158 Section 15. Paragraph (g) of subsection (2) of section  
159 1004.45, Florida Statutes, is amended to read:

160 1004.45 Ringling Center for Cultural Arts.-

161 (2)

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

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

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

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

168 Section 19. Section 1006.035, Florida Statutes, is  
169 repealed.

170 Section 20. Section 1006.051, Florida Statutes, is  
171 repealed.

172 Section 21. Paragraph (d) of subsection (1) of section  
173 1006.09, Florida Statutes, is repealed.

174 Section 22. Sections 1006.17 and 1006.70, Florida Statutes,

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175 are repealed.

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

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

178 Section 25. Subsection (10) of section 1007.35, Florida  
179 Statutes, is repealed.

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

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

183 Section 28. Section 1009.85, Florida Statutes, is amended  
184 to read:

185 1009.85 Participation in guaranteed student loan program.—  
186 ~~The State Board of Education shall adopt rules necessary for~~  
187 ~~participation in the guaranteed student loan program, as~~  
188 ~~provided by the Higher Education Act of 1965 (20 U.S.C. ss. 1071~~  
189 ~~et seq.), as amended or as may be amended. The intent of this~~  
190 act is to authorize student loans when this state, through the  
191 Department of Education, has become an eligible lender under the  
192 provisions of the applicable federal laws providing for the  
193 guarantee of loans to students and the partial payment of  
194 interest on such loans by the United States Government.

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

196 Section 30. Subsection (6) of section 1012.71, Florida  
197 Statutes, is repealed.

198 Section 31. Section 1013.231, Florida Statutes, is  
199 repealed.

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

201 Section 33. Sections 1013.42 and 1013.72, Florida Statutes,  
202 are repealed.

203 Section 34. Sections 1013.502 and 1013.721, Florida

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204 Statutes, are repealed.

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

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

208 Section 37. Paragraph (c) of subsection (1) of section  
 209 120.81, Florida Statutes, is amended to read:

210 120.81 Exceptions and special requirements; general areas.—

211 (1) EDUCATIONAL UNITS.—

212 (c) Notwithstanding s. 120.52(16), any tests, test scoring  
 213 criteria, or testing procedures relating to student assessment  
 214 which are developed or administered by the Department of  
 215 Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.  
 216 1003.438, s. 1008.22, or s. 1008.25, or any other statewide  
 217 educational tests required by law, are not rules.

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

220 250.115 Department of Military Affairs direct-support  
 221 organization.—

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

227 Section 39. Paragraph (b) of subsection (5) of section  
 228 409.1451, Florida Statutes, is amended to read:

229 409.1451 Independent living transition services.—

230 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—

231 Based on the availability of funds, the department shall provide  
 232 or arrange for the following services to young adults formerly

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233 in foster care who meet the prescribed conditions and are  
234 determined eligible by the department. The department, or a  
235 community-based care lead agency when the agency is under  
236 contract with the department to provide the services described  
237 under this subsection, shall develop a plan to implement those  
238 services. A plan shall be developed for each community-based  
239 care service area in the state. Each plan that is developed by a  
240 community-based care lead agency shall be submitted to the  
241 department. Each plan shall include the number of young adults  
242 to be served each month of the fiscal year and specify the  
243 number of young adults who will reach 18 years of age who will  
244 be eligible for the plan and the number of young adults who will  
245 reach 23 years of age and will be ineligible for the plan or who  
246 are otherwise ineligible during each month of the fiscal year;  
247 staffing requirements and all related costs to administer the  
248 services and program; expenditures to or on behalf of the  
249 eligible recipients; costs of services provided to young adults  
250 through an approved plan for housing, transportation, and  
251 employment; reconciliation of these expenses and any additional  
252 related costs with the funds allocated for these services; and  
253 an explanation of and a plan to resolve any shortages or  
254 surpluses in order to end the fiscal year with a balanced  
255 budget. The categories of services available to assist a young  
256 adult formerly in foster care to achieve independence are:

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

258 1. The Road-to-Independence Program is intended to help  
259 eligible students who are former foster children in this state  
260 to receive the educational and vocational training needed to  
261 achieve independence. The amount of the award shall be based on

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262 the living and educational needs of the young adult and may be  
263 up to, but may not exceed, the amount of earnings that the  
264 student would have been eligible to earn working a 40-hour-a-  
265 week federal minimum wage job.

266 2. A young adult who has earned a standard high school  
267 diploma or its equivalent as described in s. 1003.428, s.  
268 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma  
269 or special certificate of completion as described in s.  
270 1003.438, or has reached 18 years of age but is not yet 21 years  
271 of age is eligible for the initial award, and a young adult  
272 under 23 years of age is eligible for renewal awards, if he or  
273 she:

274 a. Was a dependent child, under chapter 39, and was living  
275 in licensed foster care or in subsidized independent living at  
276 the time of his or her 18th birthday or is currently living in  
277 licensed foster care or subsidized independent living, or, after  
278 reaching the age of 16, was adopted from foster care or placed  
279 with a court-approved dependency guardian and has spent a  
280 minimum of 6 months in foster care immediately preceding such  
281 placement or adoption;

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

284 c. Is a resident of this state as defined in s. 1009.40;  
285 and

286 d. Meets one of the following qualifications:

287 (I) Has earned a standard high school diploma or its  
288 equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or  
289 s. 1003.435, or has earned a special diploma or special  
290 certificate of completion as described in s. 1003.438, and has

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291 been admitted for full-time enrollment in an eligible  
292 postsecondary education institution as defined in s. 1009.533;

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

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

297 3. A young adult applying for the Road-to-Independence  
298 Program must apply for any other grants and scholarships for  
299 which he or she may qualify. The department shall assist the  
300 young adult in the application process and may use the federal  
301 financial aid grant process to determine the funding needs of  
302 the young adult.

303 4. An award shall be available to a young adult who is  
304 considered a full-time student or its equivalent by the  
305 educational institution in which he or she is enrolled, unless  
306 that young adult has a recognized disability preventing full-  
307 time attendance. The amount of the award, whether it is being  
308 used by a young adult working toward completion of a high school  
309 diploma or its equivalent or working toward completion of a  
310 postsecondary education program, shall be determined based on an  
311 assessment of the funding needs of the young adult. This  
312 assessment must consider the young adult's living and  
313 educational costs and other grants, scholarships, waivers,  
314 earnings, and other income to be received by the young adult. An  
315 award shall be available only to the extent that other grants  
316 and scholarships are not sufficient to meet the living and  
317 educational needs of the young adult, but an award may not be  
318 less than \$25 in order to maintain Medicaid eligibility for the  
319 young adult as provided in s. 409.903.

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320           5. The amount of the award may be disregarded for purposes  
321 of determining the eligibility for, or the amount of, any other  
322 federal or federally supported assistance.

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

325           (I) Children and young adults in, leaving, or formerly in  
326 foster care.

327           (II) Case managers.

328           (III) Guidance and family services counselors.

329           (IV) Principals or other relevant school administrators.

330           (V) Guardians ad litem.

331           (VI) Foster parents.

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

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

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

344           e. If the award recipient transfers from one eligible  
345 institution to another and continues to meet eligibility  
346 requirements, the award must be transferred with the recipient.

347           f. Funds awarded to any eligible young adult under this  
348 program are in addition to any other services or funds provided

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349 to the young adult by the department through transitional  
350 support services or aftercare services.

351 g. The department shall provide information concerning  
352 young adults receiving funding through the Road-to-Independence  
353 Program to the Department of Education for inclusion in the  
354 student financial assistance database, as provided in s.  
355 1009.94.

356 h. Funds are intended to help eligible young adults who are  
357 former foster children in this state to receive the educational  
358 and vocational training needed to become independent and self-  
359 supporting. The funds shall be terminated when the young adult  
360 has attained one of four postsecondary goals under subsection  
361 (3) or reaches 23 years of age, whichever occurs earlier. In  
362 order to initiate postsecondary education, to allow for a change  
363 in career goal, or to obtain additional skills in the same  
364 educational or vocational area, a young adult may earn no more  
365 than two diplomas, certificates, or credentials. A young adult  
366 attaining an associate of arts or associate of science degree  
367 shall be permitted to work toward completion of a bachelor of  
368 arts or a bachelor of science degree or an equivalent  
369 undergraduate degree. Road-to-Independence Program funds may not  
370 be used for education or training after a young adult has  
371 attained a bachelor of arts or a bachelor of science degree or  
372 an equivalent undergraduate degree.

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

377 (I) Complete the number of hours, or the equivalent

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378 considered full time by the educational institution, unless that  
379 young adult has a recognized disability preventing full-time  
380 attendance, in the last academic year in which the young adult  
381 earned an award, except for a young adult who meets the  
382 requirements of s. 1009.41.

383 (II) Maintain appropriate progress as required by the  
384 educational institution, except that, if the young adult's  
385 progress is insufficient to renew the award at any time during  
386 the eligibility period, the young adult may restore eligibility  
387 by improving his or her progress to the required level.

388 j. Funds may be terminated during the interim between an  
389 award and the evaluation for a renewal award if the department  
390 determines that the award recipient is no longer enrolled in an  
391 educational institution as defined in sub-subparagraph 2.d., or  
392 is no longer a state resident. The department shall notify a  
393 recipient who is terminated and inform the recipient of his or  
394 her right to appeal.

395 k. An award recipient who does not qualify for a renewal  
396 award or who chooses not to renew the award may subsequently  
397 apply for reinstatement. An application for reinstatement must  
398 be made before the young adult reaches 23 years of age, and a  
399 student may not apply for reinstatement more than once. In order  
400 to be eligible for reinstatement, the young adult must meet the  
401 eligibility criteria and the criteria for award renewal for the  
402 program.

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

405 1001.11 Commissioner of Education; other duties.—

406 (7) The commissioner shall make prominently available on

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407 the department's website the following: links to the Internet-  
408 based clearinghouse for professional development regarding  
409 physical education; the school wellness and physical education  
410 policies and other resources required under s. 1003.453~~(1) and~~  
411 ~~(2)~~; and other Internet sites that provide professional  
412 development for elementary teachers of physical education as  
413 defined in s. 1003.01(16). These links must provide elementary  
414 teachers with information concerning current physical education  
415 and nutrition philosophy and best practices that result in  
416 student participation in physical activities that promote  
417 lifelong physical and mental well-being.

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

420 1002.20 K-12 student and parent rights.—Parents of public  
421 school students must receive accurate and timely information  
422 regarding their child's academic progress and must be informed  
423 of ways they can help their child to succeed in school. K-12  
424 students and their parents are afforded numerous statutory  
425 rights including, but not limited to, the following:

426 (3) HEALTH ISSUES.—

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

432 (8) STUDENTS WITH DISABILITIES.—Parents of public school  
433 students with disabilities and parents of public school students  
434 in residential care facilities are entitled to notice and due  
435 process in accordance with the provisions of ss. 1003.57 and

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436 1003.58. Public school students with disabilities must be  
437 provided the opportunity to meet the graduation requirements for  
438 a standard high school diploma in accordance with the provisions  
439 of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students  
440 with disabilities may be awarded a special diploma upon high  
441 school graduation.

442 Section 42. Paragraph (a) of subsection (7) of section  
443 1002.33, Florida Statutes, is amended to read:

444 1002.33 Charter schools.—

445 (7) CHARTER.—The major issues involving the operation of a  
446 charter school shall be considered in advance and written into  
447 the charter. The charter shall be signed by the governing board  
448 of the charter school and the sponsor, following a public  
449 hearing to ensure community input.

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

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

454 2. The focus of the curriculum, the instructional methods  
455 to be used, any distinctive instructional techniques to be  
456 employed, and identification and acquisition of appropriate  
457 technologies needed to improve educational and administrative  
458 performance which include a means for promoting safe, ethical,  
459 and appropriate uses of technology which comply with legal and  
460 professional standards.

461 a. The charter shall ensure that reading is a primary focus  
462 of the curriculum and that resources are provided to identify  
463 and provide specialized instruction for students who are reading  
464 below grade level. The curriculum and instructional strategies

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465 for reading must be consistent with the Sunshine State Standards  
466 and grounded in scientifically based reading research.

467       b. In order to provide students with access to diverse  
468 instructional delivery models, to facilitate the integration of  
469 technology within traditional classroom instruction, and to  
470 provide students with the skills they need to compete in the  
471 21st century economy, the Legislature encourages instructional  
472 methods for blended learning courses consisting of both  
473 traditional classroom and online instructional techniques.  
474 Charter schools may implement blended learning courses which  
475 combine traditional classroom instruction and virtual  
476 instruction. Students in a blended learning course must be full-  
477 time students of the charter school and receive the online  
478 instruction in a classroom setting at the charter school.  
479 Instructional personnel certified pursuant to s. 1012.55 who  
480 provide virtual instruction for blended learning courses may be  
481 employees of the charter school or may be under contract to  
482 provide instructional services to charter school students. At a  
483 minimum, such instructional personnel must hold an active state  
484 or school district adjunct certification under s. 1012.57 for  
485 the subject area of the blended learning course. The funding and  
486 performance accountability requirements for blended learning  
487 courses are the same as those for traditional courses.

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

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

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494           b. How these baseline rates will be compared to rates of  
495 academic progress achieved by these same students while  
496 attending the charter school.

497           c. To the extent possible, how these rates of progress will  
498 be evaluated and compared with rates of progress of other  
499 closely comparable student populations.

500

501 The district school board is required to provide academic  
502 student performance data to charter schools for each of their  
503 students coming from the district school system, as well as  
504 rates of academic progress of comparable student populations in  
505 the district school system.

506           4. The methods used to identify the educational strengths  
507 and needs of students and how well educational goals and  
508 performance standards are met by students attending the charter  
509 school. The methods shall provide a means for the charter school  
510 to ensure accountability to its constituents by analyzing  
511 student performance data and by evaluating the effectiveness and  
512 efficiency of its major educational programs. Students in  
513 charter schools shall, at a minimum, participate in the  
514 statewide assessment program created under s. 1008.22.

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

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

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

522           8. The ways by which the school will achieve a

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523 racial/ethnic balance reflective of the community it serves or  
524 within the racial/ethnic range of other public schools in the  
525 same school district.

526 9. The financial and administrative management of the  
527 school, including a reasonable demonstration of the professional  
528 experience or competence of those individuals or organizations  
529 applying to operate the charter school or those hired or  
530 retained to perform such professional services and the  
531 description of clearly delineated responsibilities and the  
532 policies and practices needed to effectively manage the charter  
533 school. A description of internal audit procedures and  
534 establishment of controls to ensure that financial resources are  
535 properly managed must be included. Both public sector and  
536 private sector professional experience shall be equally valid in  
537 such a consideration.

538 10. The asset and liability projections required in the  
539 application which are incorporated into the charter and shall be  
540 compared with information provided in the annual report of the  
541 charter school.

542 11. A description of procedures that identify various risks  
543 and provide for a comprehensive approach to reduce the impact of  
544 losses; plans to ensure the safety and security of students and  
545 staff; plans to identify, minimize, and protect others from  
546 violent or disruptive student behavior; and the manner in which  
547 the school will be insured, including whether or not the school  
548 will be required to have liability insurance, and, if so, the  
549 terms and conditions thereof and the amounts of coverage.

550 12. The term of the charter which shall provide for  
551 cancellation of the charter if insufficient progress has been

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552 made in attaining the student achievement objectives of the  
553 charter and if it is not likely that such objectives can be  
554 achieved before expiration of the charter. The initial term of a  
555 charter shall be for 4 or 5 years. In order to facilitate access  
556 to long-term financial resources for charter school  
557 construction, charter schools that are operated by a  
558 municipality or other public entity as provided by law are  
559 eligible for up to a 15-year charter, subject to approval by the  
560 district school board. A charter lab school is eligible for a  
561 charter for a term of up to 15 years. In addition, to facilitate  
562 access to long-term financial resources for charter school  
563 construction, charter schools that are operated by a private,  
564 not-for-profit, s. 501(c)(3) status corporation are eligible for  
565 up to a 15-year charter, subject to approval by the district  
566 school board. Such long-term charters remain subject to annual  
567 review and may be terminated during the term of the charter, but  
568 only according to the provisions set forth in subsection (8).

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

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

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

576 16. A timetable for implementing the charter which  
577 addresses the implementation of each element thereof and the  
578 date by which the charter shall be awarded in order to meet this  
579 timetable.

580 17. In the case of an existing public school that is being

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581 converted to charter status, alternative arrangements for  
582 current students who choose not to attend the charter school and  
583 for current teachers who choose not to teach in the charter  
584 school after conversion in accordance with the existing  
585 collective bargaining agreement or district school board rule in  
586 the absence of a collective bargaining agreement. However,  
587 alternative arrangements shall not be required for current  
588 teachers who choose not to teach in a charter lab school, except  
589 as authorized by the employment policies of the state university  
590 which grants the charter to the lab school.

591 18. Full disclosure of the identity of all relatives  
592 employed by the charter school who are related to the charter  
593 school owner, president, chairperson of the governing board of  
594 directors, superintendent, governing board member, principal,  
595 assistant principal, or any other person employed by the charter  
596 school who has equivalent decisionmaking authority. For the  
597 purpose of this subparagraph, the term "relative" means father,  
598 mother, son, daughter, brother, sister, uncle, aunt, first  
599 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
600 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
601 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
602 stepsister, half brother, or half sister.

603 19. Implementation of the activities authorized under s.  
604 1002.331 by the charter school when it satisfies the eligibility  
605 requirements for a high-performing charter school. A high-  
606 performing charter school shall notify its sponsor in writing by  
607 March 1 if it intends to increase enrollment or expand grade  
608 levels the following school year. The written notice shall  
609 specify the amount of the enrollment increase and the grade

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610 levels that will be added, as applicable.

611 Section 43. Paragraph (g) of subsection (4) of section  
612 1002.34, Florida Statutes, is amended to read:

613 1002.34 Charter technical career centers.—

614 (4) CHARTER.—A sponsor may designate centers as provided in  
615 this section. An application to establish a center may be  
616 submitted by a sponsor or another organization that is  
617 determined, by rule of the State Board of Education, to be  
618 appropriate. However, an independent school is not eligible for  
619 status as a center. The charter must be signed by the governing  
620 body of the center and the sponsor and must be approved by the  
621 district school board and Florida College System institution  
622 board of trustees in whose geographic region the facility is  
623 located. If a charter technical career center is established by  
624 the conversion to charter status of a public technical center  
625 formerly governed by a district school board, the charter status  
626 of that center takes precedence in any question of governance.  
627 The governance of the center or of any program within the center  
628 remains with its board of directors unless the board agrees to a  
629 change in governance or its charter is revoked as provided in  
630 subsection (15). Such a conversion charter technical career  
631 center is not affected by a change in the governance of public  
632 technical centers or of programs within other centers that are  
633 or have been governed by district school boards. A charter  
634 technical career center, or any program within such a center,  
635 that was governed by a district school board and transferred to  
636 a Florida College System institution prior to the effective date  
637 of this act is not affected by this provision. An applicant who  
638 wishes to establish a center must submit to the district school

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639 board or Florida College System institution board of trustees,  
 640 or a consortium of one or more of each, an application on a form  
 641 developed by the Department of Education which includes:

642 (g) A method for determining whether a student has  
 643 satisfied the requirements for graduation specified in s.  
 644 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a  
 645 postsecondary certificate or degree.

646

647 Students at a center must meet the same testing and academic  
 648 performance standards as those established by law and rule for  
 649 students at public schools and public technical centers. The  
 650 students must also meet any additional assessment indicators  
 651 that are included within the charter approved by the district  
 652 school board or Florida College System institution board of  
 653 trustees.

654 Section 44. Paragraph (b) of subsection (4) of section  
 655 1002.45, Florida Statutes, is amended to read:

656 1002.45 Virtual instruction programs.—

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

659 (b) Provide a method for determining that a student has  
 660 satisfied the requirements for graduation in s. 1003.428 or s.  
 661 ~~1003.429, or s. 1003.43~~ if the contract is for the provision of  
 662 a full-time virtual instruction program to students in grades 9  
 663 through 12.

664 Section 45. Paragraph (e) of subsection (3) of section  
 665 1003.03, Florida Statutes, is amended to read:

666 1003.03 Maximum class size.—

667 (3) IMPLEMENTATION OPTIONS.—District school boards must

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668 consider, but are not limited to, implementing the following  
669 items in order to meet the constitutional class size maximums  
670 described in subsection (1):

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

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

678 1003.429 Accelerated high school graduation options.—

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

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

685 (b) Completion of a 3-year standard college preparatory  
686 program requiring successful completion of a minimum of 18  
687 academic credits in grades 9 through 12. At least 6 of the 18  
688 credits required for completion of this program must be received  
689 in classes that are offered pursuant to the International  
690 Baccalaureate Program, the Advanced Placement Program, dual  
691 enrollment, Advanced International Certificate of Education, or  
692 specifically listed or identified by the Department of Education  
693 as rigorous pursuant to s. 1009.531(3). The 18 credits required  
694 for completion of this program shall be primary requirements and  
695 shall be distributed as follows:

696 1. Four credits in English, with major concentration in

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697 composition and literature;

698       2. Three credits and, beginning with students entering  
699 grade 9 in the 2010-2011 school year, four credits in  
700 mathematics at the Algebra I level or higher from the list of  
701 courses that qualify for state university admission. Beginning  
702 with students entering grade 9 in the 2010-2011 school year, in  
703 addition to the Algebra I credit requirement, one of the four  
704 credits in mathematics must be geometry or a series of courses  
705 equivalent to geometry as approved by the State Board of  
706 Education. Beginning with students entering grade 9 in the 2010-  
707 2011 school year, the end-of-course assessment requirements  
708 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
709 to earn the required credit in Algebra I. Beginning with  
710 students entering grade 9 in the 2011-2012 school year, the end-  
711 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)  
712 must be met in order for a student to earn the required credit  
713 in geometry. Beginning with students entering grade 9 in the  
714 2012-2013 school year, in addition to the Algebra I and geometry  
715 credit requirements, one of the four credits in mathematics must  
716 be Algebra II or a series of courses equivalent to Algebra II as  
717 approved by the State Board of Education;

718       3. Three credits in science, two of which must have a  
719 laboratory component. Beginning with students entering grade 9  
720 in the 2011-2012 school year, one of the three credits in  
721 science must be Biology I or a series of courses equivalent to  
722 Biology I as approved by the State Board of Education. Beginning  
723 with students entering grade 9 in the 2011-2012 school year, the  
724 end-of-course assessment requirements under s.  
725 1008.22(3)(c)2.a.(II) must be met in order for a student to earn

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726 the required credit in Biology I. Beginning with students  
727 entering grade 9 in the 2013-2014 school year, one of the three  
728 credits must be Biology I or a series of courses equivalent to  
729 Biology I as approved by the State Board of Education, one  
730 credit must be chemistry or physics or a series of courses  
731 equivalent to chemistry or physics as approved by the State  
732 Board of Education, and one credit must be an equally rigorous  
733 course, as approved by the State Board of Education;

734 4. Three credits in social sciences, which must include one  
735 credit in United States history, one credit in world history,  
736 one-half credit in United States government, and one-half credit  
737 in economics;

738 5. Two credits in the same second language unless the  
739 student is a native speaker of or can otherwise demonstrate  
740 competency in a language other than English. If the student  
741 demonstrates competency in another language, the student may  
742 replace the language requirement with two credits in other  
743 academic courses; and

744 6. Three credits in electives and, beginning with students  
745 entering grade 9 in the 2010-2011 school year, two credits in  
746 electives; or

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

751 1. Four credits in English, with major concentration in  
752 composition and literature;

753 2. Three credits and, beginning with students entering  
754 grade 9 in the 2010-2011 school year, four credits in

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755 mathematics, one of which must be Algebra I. Beginning with  
756 students entering grade 9 in the 2010-2011 school year, in  
757 addition to the Algebra I credit requirement, one of the four  
758 credits in mathematics must be geometry or a series of courses  
759 equivalent to geometry as approved by the State Board of  
760 Education. Beginning with students entering grade 9 in the 2010-  
761 2011 school year, the end-of-course assessment requirements  
762 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
763 to earn the required credit in Algebra I. Beginning with  
764 students entering grade 9 in the 2011-2012 school year, the end-  
765 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)  
766 must be met in order for a student to earn the required credit  
767 in geometry. Beginning with students entering grade 9 in the  
768 2012-2013 school year, in addition to the Algebra I and geometry  
769 credit requirements, one of the four credits in mathematics must  
770 be Algebra II or a series of courses equivalent to Algebra II as  
771 approved by the State Board of Education;

772 3. Three credits in science, two of which must have a  
773 laboratory component. Beginning with students entering grade 9  
774 in the 2011-2012 school year, one of the three credits in  
775 science must be Biology I or a series of courses equivalent to  
776 Biology I as approved by the State Board of Education. Beginning  
777 with students entering grade 9 in the 2011-2012 school year, the  
778 end-of-course assessment requirements under s.  
779 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
780 the required credit in Biology I. Beginning with students  
781 entering grade 9 in the 2013-2014 school year, one of the three  
782 credits must be Biology I or a series of courses equivalent to  
783 Biology I as approved by the State Board of Education, one

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784 credit must be chemistry or physics or a series of courses  
785 equivalent to chemistry or physics as approved by the State  
786 Board of Education, and one credit must be an equally rigorous  
787 course, as approved by the State Board of Education;

788 4. Three credits in social sciences, which must include one  
789 credit in United States history, one credit in world history,  
790 one-half credit in United States government, and one-half credit  
791 in economics;

792 5. Three credits in a single vocational or career education  
793 program, three credits in career and technical certificate dual  
794 enrollment courses, or five credits in vocational or career  
795 education courses; and

796 6. Two credits and, beginning with students entering grade  
797 9 in the 2010-2011 school year, one credit in electives unless  
798 five credits are earned pursuant to subparagraph 5.

799  
800 Any student who selected an accelerated graduation program  
801 before July 1, 2004, may continue that program, and all  
802 statutory program requirements that were applicable when the  
803 student made the program choice shall remain applicable to the  
804 student as long as the student continues that program.

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

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

811 (8) A student who selected one of the accelerated 3-year  
812 graduation options shall automatically move to the 4-year

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813 program set forth in s. 1003.428 ~~or s. 1003.43, if applicable,~~  
814 if the student:

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

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

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

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

823 Section 47. Section 1003.438, Florida Statutes, is amended  
824 to read:

825 1003.438 Special high school graduation requirements for  
826 certain exceptional students.—A student who has been identified,  
827 in accordance with rules established by the State Board of  
828 Education, as a student with disabilities who has an  
829 intellectual disability; an autism spectrum disorder; a language  
830 impairment; an orthopedic impairment; an other health  
831 impairment; a traumatic brain injury; an emotional or behavioral  
832 disability; a specific learning disability, including, but not  
833 limited to, dyslexia, dyscalculia, or developmental aphasia; or  
834 students who are deaf or hard of hearing or dual sensory  
835 impaired shall not be required to meet all requirements of ~~s.~~  
836 ~~1003.43~~ or s. 1003.428 or s. 1003.429 and shall, upon meeting  
837 all applicable requirements prescribed by the district school  
838 board pursuant to s. 1008.25, be awarded a special diploma in a  
839 form prescribed by the commissioner; however, such special  
840 graduation requirements prescribed by the district school board  
841 must include minimum graduation requirements as prescribed by

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842 the commissioner. Any such student who meets all special  
843 requirements of the district school board, but is unable to meet  
844 the appropriate special state minimum requirements, shall be  
845 awarded a special certificate of completion in a form prescribed  
846 by the commissioner. However, this section does not limit or  
847 restrict the right of an exceptional student solely to a special  
848 diploma or special certificate of completion. Any such student  
849 shall, upon proper request, be afforded the opportunity to fully  
850 meet all requirements of ~~s. 1003.43~~ or s. 1003.428 or s.  
851 1003.429 through the standard procedures established therein and  
852 thereby to qualify for a standard diploma upon graduation.

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

855 1003.49 Graduation and promotion requirements for publicly  
856 operated schools.—

857 (1) Each state or local public agency, including the  
858 Department of Children and Family Services, the Department of  
859 Corrections, the boards of trustees of universities and Florida  
860 College System institutions, and the Board of Trustees of the  
861 Florida School for the Deaf and the Blind, which agency is  
862 authorized to operate educational programs for students at any  
863 level of grades kindergarten through 12 shall be subject to all  
864 applicable requirements of ss. 1003.428, 1003.429 ~~1003.43~~,  
865 1008.23, and 1008.25. Within the content of these cited statutes  
866 each such state or local public agency or entity shall be  
867 considered a "district school board."

868 Section 49. Paragraph (c) of subsection (4) of section  
869 1004.70, Florida Statutes, is amended to read:

870 1004.70 Florida College System institution direct-support

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871 organizations.—

872 (4) ACTIVITIES; RESTRICTIONS.—

873 (c) Any transaction or agreement between one direct-support  
874 organization and another direct-support organization ~~or between~~  
875 ~~a direct-support organization and a center of technology~~  
876 ~~innovation designated under s. 1004.77~~ must be approved by the  
877 board of trustees.

878 Section 50. Paragraph (b) of subsection (4) of section  
879 1004.71, Florida Statutes, is amended to read:

880 1004.71 Statewide Florida College System institution  
881 direct-support organizations.—

882 (4) RESTRICTIONS.—

883 (b) Any transaction or agreement between a statewide,  
884 direct-support organization and any other direct-support  
885 organization ~~or between a statewide, direct-support organization~~  
886 ~~and a center of technology innovation designated under s.~~  
887 ~~1004.77~~ must be approved by the State Board of Education.

888 Section 51. Paragraph (g) of subsection (2) of section  
889 1006.025, Florida Statutes, is redesignated as paragraph (f) and  
890 present paragraph (f) of that subsection is amended, to read:

891 1006.025 Guidance services.—

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

894 ~~(f) Actions taken to provide information to students for~~  
895 ~~the school to work transition pursuant to s. 1006.02.~~

896 Section 52. Paragraph (a) of subsection (3) of section  
897 1006.15, Florida Statutes, is amended to read:

898 1006.15 Student standards for participation in  
899 interscholastic and intrascholastic extracurricular student

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900 activities; regulation.-

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

903 1. Maintain a grade point average of 2.0 or above on a 4.0  
904 scale, or its equivalent, in the previous semester or a  
905 cumulative grade point average of 2.0 or above on a 4.0 scale,  
906 or its equivalent, in the courses required by s. 1003.428 or s.  
907 1003.429 ~~1003.43(1)~~.

908 2. Execute and fulfill the requirements of an academic  
909 performance contract between the student, the district school  
910 board, the appropriate governing association, and the student's  
911 parents, if the student's cumulative grade point average falls  
912 below 2.0, or its equivalent, on a 4.0 scale in the courses  
913 required by s. 1003.428 or s. 1003.429 ~~1003.43(1)~~ or, for  
914 ~~students who entered the 9th grade prior to the 1997-1998 school~~  
915 ~~year, if the student's cumulative grade point average falls~~  
916 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~  
917 ~~required by s. 1003.43(1) which are taken after July 1, 1997.~~ At  
918 a minimum, the contract must require that the student attend  
919 summer school, or its graded equivalent, between grades 9 and 10  
920 or grades 10 and 11, as necessary.

921 3. Have a cumulative grade point average of 2.0 or above on  
922 a 4.0 scale, or its equivalent, in the courses required by s.  
923 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or  
924 senior year.

925 4. Maintain satisfactory conduct, including adherence to  
926 appropriate dress and other codes of student conduct policies  
927 described in s. 1006.07(2). If a student is convicted of, or is  
928 found to have committed, a felony or a delinquent act that would

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929 have been a felony if committed by an adult, regardless of  
930 whether adjudication is withheld, the student's participation in  
931 interscholastic extracurricular activities is contingent upon  
932 established and published district school board policy.

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

935 1007.263 Florida College System institutions; admissions of  
936 students.—Each Florida College System institution board of  
937 trustees is authorized to adopt rules governing admissions of  
938 students subject to this section and rules of the State Board of  
939 Education. These rules shall include the following:

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

944  
945 Each board of trustees shall establish policies that notify  
946 students about, and place students into, adult basic education,  
947 adult secondary education, or other instructional programs that  
948 provide students with alternatives to traditional college-  
949 preparatory instruction, including private provider instruction.  
950 A student is prohibited from enrolling in additional college-  
951 level courses until the student scores above the cut-score on  
952 all sections of the common placement test.

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

955 1007.271 Dual enrollment programs.—

956 (2) For the purpose of this section, an eligible secondary  
957 student is a student who is enrolled in a Florida public

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958 secondary school or in a Florida private secondary school which  
959 is in compliance with s. 1002.42(2) and provides a secondary  
960 curriculum pursuant to s. 1003.428 or s. 1003.429, ~~or s.~~  
961 ~~1003.43~~. Students who are eligible for dual enrollment pursuant  
962 to this section may enroll in dual enrollment courses conducted  
963 during school hours, after school hours, and during the summer  
964 term. However, if the student is projected to graduate from high  
965 school before the scheduled completion date of a postsecondary  
966 course, the student may not register for that course through  
967 dual enrollment. The student may apply to the postsecondary  
968 institution and pay the required registration, tuition, and fees  
969 if the student meets the postsecondary institution's admissions  
970 requirements under s. 1007.263. Instructional time for dual  
971 enrollment may vary from 900 hours; however, the school district  
972 may only report the student for a maximum of 1.0 FTE, as  
973 provided in s. 1011.61(4). Any student enrolled as a dual  
974 enrollment student is exempt from the payment of registration,  
975 tuition, and laboratory fees. Vocational-preparatory  
976 instruction, college-preparatory instruction, and other forms of  
977 precollegiate instruction, as well as physical education courses  
978 that focus on the physical execution of a skill rather than the  
979 intellectual attributes of the activity, are ineligible for  
980 inclusion in the dual enrollment program. Recreation and leisure  
981 studies courses shall be evaluated individually in the same  
982 manner as physical education courses for potential inclusion in  
983 the program.

984 (9) The Commissioner of Education shall appoint faculty  
985 committees representing public school, Florida College System  
986 institution, and university faculties to identify postsecondary

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987 courses that meet the high school graduation requirements of s.  
988 1003.428 or s. 1003.429, ~~or s. 1003.43~~ and to establish the  
989 number of postsecondary semester credit hours of instruction and  
990 equivalent high school credits earned through dual enrollment  
991 pursuant to this section that are necessary to meet high school  
992 graduation requirements. Such equivalencies shall be determined  
993 solely on comparable course content and not on seat time  
994 traditionally allocated to such courses in high school. The  
995 Commissioner of Education shall recommend to the State Board of  
996 Education those postsecondary courses identified to meet high  
997 school graduation requirements, based on mastery of course  
998 outcomes, by their course numbers, and all high schools shall  
999 accept these postsecondary education courses toward meeting the  
1000 requirements of s. 1003.428 or s. 1003.429, ~~or s. 1003.43~~.

1001 Section 55. Paragraph (c) of subsection (3) of section  
1002 1008.22, Florida Statutes, is amended to read:

1003 1008.22 Student assessment program for public schools.—

1004 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
1005 design and implement a statewide program of educational  
1006 assessment that provides information for the improvement of the  
1007 operation and management of the public schools, including  
1008 schools operating for the purpose of providing educational  
1009 services to youth in Department of Juvenile Justice programs.  
1010 The commissioner may enter into contracts for the continued  
1011 administration of the assessment programs authorized and funded  
1012 by the Legislature. Contracts may be initiated in 1 fiscal year  
1013 and continue into the next and may be paid from the  
1014 appropriations of either or both fiscal years. The commissioner  
1015 is authorized to negotiate for the sale or lease of tests,

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1016 scoring protocols, test scoring services, and related materials  
1017 developed pursuant to law. Pursuant to the statewide assessment  
1018 program, the commissioner shall:

1019 (c) Develop and implement a student achievement assessment  
1020 program as follows:

1021 1. The Florida Comprehensive Assessment Test (FCAT)  
1022 measures a student's content knowledge and skills in reading,  
1023 writing, science, and mathematics. The content knowledge and  
1024 skills assessed by the FCAT must be aligned to the core  
1025 curricular content established in the Next Generation Sunshine  
1026 State Standards. FCAT Reading and FCAT Mathematics shall be  
1027 administered annually in grades 3 through 10 except, beginning  
1028 with the 2010-2011 school year, the administration of grade 9  
1029 FCAT Mathematics shall be discontinued, and beginning with the  
1030 2011-2012 school year, the administration of grade 10 FCAT  
1031 Mathematics shall be discontinued, except as required for  
1032 students who have not attained minimum performance expectations  
1033 for graduation as provided in paragraph (9)(c). FCAT Writing and  
1034 FCAT Science shall be administered at least once at the  
1035 elementary, middle, and high school levels except, beginning  
1036 with the 2011-2012 school year, the administration of FCAT  
1037 Science at the high school level shall be discontinued. Students  
1038 enrolled in an Algebra I, geometry, or Biology I course or an  
1039 equivalent course with a statewide, standardized end-of-course  
1040 assessment are not required to take the corresponding grade-  
1041 level FCAT assessment.

1042 2.a. End-of-course assessments must be rigorous, statewide,  
1043 standardized, and developed or approved by the department. The  
1044 content knowledge and skills assessed by end-of-course

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1045 assessments must be aligned to the core curricular content  
1046 established in the Next Generation Sunshine State Standards.

1047 (I) Statewide, standardized end-of-course assessments in  
1048 mathematics shall be administered according to this sub-sub-  
1049 subparagraph. Beginning with the 2010-2011 school year, all  
1050 students enrolled in Algebra I or an equivalent course must take  
1051 the Algebra I end-of-course assessment. For students entering  
1052 grade 9 during the 2010-2011 school year and who are enrolled in  
1053 Algebra I or an equivalent, each student's performance on the  
1054 end-of-course assessment in Algebra I shall constitute 30  
1055 percent of the student's final course grade. Beginning with the  
1056 2012-2013 school year, the end-of-course assessment in Algebra I  
1057 shall be administered four times annually. Beginning with  
1058 students entering grade 9 in the 2011-2012 school year, a  
1059 student who is enrolled in Algebra I or an equivalent must earn  
1060 a passing score on the end-of-course assessment in Algebra I or  
1061 attain an equivalent score as described in subsection (11) in  
1062 order to earn course credit. Beginning with the 2011-2012 school  
1063 year, all students enrolled in geometry or an equivalent course  
1064 must take the geometry end-of-course assessment. For students  
1065 entering grade 9 during the 2011-2012 school year, each  
1066 student's performance on the end-of-course assessment in  
1067 geometry shall constitute 30 percent of the student's final  
1068 course grade. Beginning with students entering grade 9 during  
1069 the 2012-2013 school year, a student must earn a passing score  
1070 on the end-of-course assessment in geometry or attain an  
1071 equivalent score as described in subsection (11) in order to  
1072 earn course credit.

1073 (II) Statewide, standardized end-of-course assessments in

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1074 science shall be administered according to this sub-sub-  
1075 subparagraph. Beginning with the 2011-2012 school year, all  
1076 students enrolled in Biology I or an equivalent course must take  
1077 the Biology I end-of-course assessment. For the 2011-2012 school  
1078 year, each student's performance on the end-of-course assessment  
1079 in Biology I shall constitute 30 percent of the student's final  
1080 course grade. Beginning with students entering grade 9 during  
1081 the 2012-2013 school year, a student must earn a passing score  
1082 on the end-of-course assessment in Biology I in order to earn  
1083 course credit.

1084       b. During the 2012-2013 school year, an end-of-course  
1085 assessment in civics education shall be administered as a field  
1086 test at the middle school level. During the 2013-2014 school  
1087 year, each student's performance on the statewide, standardized  
1088 end-of-course assessment in civics education shall constitute 30  
1089 percent of the student's final course grade. Beginning with the  
1090 2014-2015 school year, a student must earn a passing score on  
1091 the end-of-course assessment in civics education in order to  
1092 pass the course and be promoted from the middle grades. The  
1093 school principal of a middle school shall determine, in  
1094 accordance with State Board of Education rule, whether a student  
1095 who transfers to the middle school and who has successfully  
1096 completed a civics education course at the student's previous  
1097 school must take an end-of-course assessment in civics  
1098 education.

1099       c. The commissioner may select one or more nationally  
1100 developed comprehensive examinations, which may include, but  
1101 need not be limited to, examinations for a College Board  
1102 Advanced Placement course, International Baccalaureate course,

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1103 or Advanced International Certificate of Education course, or  
1104 industry-approved examinations to earn national industry  
1105 certifications identified in the Industry Certification Funding  
1106 List, pursuant to rules adopted by the State Board of Education,  
1107 for use as end-of-course assessments under this paragraph, if  
1108 the commissioner determines that the content knowledge and  
1109 skills assessed by the examinations meet or exceed the grade  
1110 level expectations for the core curricular content established  
1111 for the course in the Next Generation Sunshine State Standards.  
1112 The commissioner may collaborate with the American Diploma  
1113 Project in the adoption or development of rigorous end-of-course  
1114 assessments that are aligned to the Next Generation Sunshine  
1115 State Standards.

1116 d. Contingent upon funding provided in the General  
1117 Appropriations Act, including the appropriation of funds  
1118 received through federal grants, the Commissioner of Education  
1119 shall establish an implementation schedule for the development  
1120 and administration of additional statewide, standardized end-of-  
1121 course assessments in English/Language Arts II, Algebra II,  
1122 chemistry, physics, earth/space science, United States history,  
1123 and world history. Priority shall be given to the development of  
1124 end-of-course assessments in English/Language Arts II. The  
1125 Commissioner of Education shall evaluate the feasibility and  
1126 effect of transitioning from the grade 9 and grade 10 FCAT  
1127 Reading and high school level FCAT Writing to an end-of-course  
1128 assessment in English/Language Arts II. The commissioner shall  
1129 report the results of the evaluation to the President of the  
1130 Senate and the Speaker of the House of Representatives no later  
1131 than July 1, 2011.

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1132           3. The assessment program shall measure student content  
1133 knowledge and skills adopted by the State Board of Education as  
1134 specified in paragraph (a) and measure and report student  
1135 performance levels of all students assessed in reading, writing,  
1136 mathematics, and science. The commissioner shall provide for the  
1137 tests to be developed or obtained, as appropriate, through  
1138 contracts and project agreements with private vendors, public  
1139 vendors, public agencies, postsecondary educational  
1140 institutions, or school districts. The commissioner shall obtain  
1141 input with respect to the design and implementation of the  
1142 assessment program from state educators, assistive technology  
1143 experts, and the public.

1144           4. The assessment program shall be composed of criterion-  
1145 referenced tests that shall, to the extent determined by the  
1146 commissioner, include test items that require the student to  
1147 produce information or perform tasks in such a way that the core  
1148 content knowledge and skills he or she uses can be measured.

1149           5. FCAT Reading, Mathematics, and Science and all  
1150 statewide, standardized end-of-course assessments shall measure  
1151 the content knowledge and skills a student has attained on the  
1152 assessment by the use of scaled scores and achievement levels.  
1153 Achievement levels shall range from 1 through 5, with level 1  
1154 being the lowest achievement level, level 5 being the highest  
1155 achievement level, and level 3 indicating satisfactory  
1156 performance on an assessment. For purposes of FCAT Writing,  
1157 student achievement shall be scored using a scale of 1 through 6  
1158 and the score earned shall be used in calculating school grades.  
1159 A score shall be designated for each subject area tested, below  
1160 which score a student's performance is deemed inadequate. The

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1161 school districts shall provide appropriate remedial instruction  
1162 to students who score below these levels.

1163         6. The State Board of Education shall, by rule, designate a  
1164 passing score for each part of the grade 10 assessment test and  
1165 end-of-course assessments. Any rule that has the effect of  
1166 raising the required passing scores may apply only to students  
1167 taking the assessment for the first time after the rule is  
1168 adopted by the State Board of Education. Except as otherwise  
1169 provided in this subparagraph and as provided in s.

1170 1003.428(8) (b) ~~or s. 1003.43(11)(b)~~, students must earn a  
1171 passing score on grade 10 FCAT Reading and grade 10 FCAT  
1172 Mathematics or attain concordant scores as described in  
1173 subsection (10) in order to qualify for a standard high school  
1174 diploma.

1175         7. In addition to designating a passing score under  
1176 subparagraph 6., the State Board of Education shall also  
1177 designate, by rule, a score for each statewide, standardized  
1178 end-of-course assessment which indicates that a student is high  
1179 achieving and has the potential to meet college-readiness  
1180 standards by the time the student graduates from high school.

1181         8. Participation in the assessment program is mandatory for  
1182 all students attending public school, including students served  
1183 in Department of Juvenile Justice programs, except as otherwise  
1184 prescribed by the commissioner. A student who has not earned  
1185 passing scores on the grade 10 FCAT as provided in subparagraph  
1186 6. must participate in each retake of the assessment until the  
1187 student earns passing scores or achieves scores on a  
1188 standardized assessment which are concordant with passing scores  
1189 pursuant to subsection (10). If a student does not participate

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1190 in the statewide assessment, the district must notify the  
1191 student's parent and provide the parent with information  
1192 regarding the implications of such nonparticipation. A parent  
1193 must provide signed consent for a student to receive classroom  
1194 instructional accommodations that would not be available or  
1195 permitted on the statewide assessments and must acknowledge in  
1196 writing that he or she understands the implications of such  
1197 instructional accommodations. The State Board of Education shall  
1198 adopt rules, based upon recommendations of the commissioner, for  
1199 the provision of test accommodations for students in exceptional  
1200 education programs and for students who have limited English  
1201 proficiency. Accommodations that negate the validity of a  
1202 statewide assessment are not allowable in the administration of  
1203 the FCAT or an end-of-course assessment. However, instructional  
1204 accommodations are allowable in the classroom if included in a  
1205 student's individual education plan. Students using  
1206 instructional accommodations in the classroom that are not  
1207 allowable as accommodations on the FCAT or an end-of-course  
1208 assessment may have the FCAT or an end-of-course assessment  
1209 requirement waived pursuant to the requirements of s.  
1210 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1211 9. A student seeking an adult high school diploma must meet  
1212 the same testing requirements that a regular high school student  
1213 must meet.

1214 10. District school boards must provide instruction to  
1215 prepare students in the core curricular content established in  
1216 the Next Generation Sunshine State Standards adopted under s.  
1217 1003.41, including the core content knowledge and skills  
1218 necessary for successful grade-to-grade progression and high

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1219 school graduation. If a student is provided with instructional  
1220 accommodations in the classroom that are not allowable as  
1221 accommodations in the statewide assessment program, as described  
1222 in the test manuals, the district must inform the parent in  
1223 writing and must provide the parent with information regarding  
1224 the impact on the student's ability to meet expected performance  
1225 levels in reading, writing, mathematics, and science. The  
1226 commissioner shall conduct studies as necessary to verify that  
1227 the required core curricular content is part of the district  
1228 instructional programs.

1229 11. District school boards must provide opportunities for  
1230 students to demonstrate an acceptable performance level on an  
1231 alternative standardized assessment approved by the State Board  
1232 of Education following enrollment in summer academies.

1233 12. The Department of Education must develop, or select,  
1234 and implement a common battery of assessment tools that will be  
1235 used in all juvenile justice programs in the state. These tools  
1236 must accurately measure the core curricular content established  
1237 in the Next Generation Sunshine State Standards.

1238 13. For students seeking a special diploma pursuant to s.  
1239 1003.438, the Department of Education must develop or select and  
1240 implement an alternate assessment tool that accurately measures  
1241 the core curricular content established in the Next Generation  
1242 Sunshine State Standards for students with disabilities under s.  
1243 1003.438.

1244 14. The Commissioner of Education shall establish schedules  
1245 for the administration of statewide assessments and the  
1246 reporting of student test results. When establishing the  
1247 schedules for the administration of statewide assessments, the

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1248 commissioner shall consider the observance of religious and  
1249 school holidays. The commissioner shall, by August 1 of each  
1250 year, notify each school district in writing and publish on the  
1251 department's Internet website the testing and reporting  
1252 schedules for, at a minimum, the school year following the  
1253 upcoming school year. The testing and reporting schedules shall  
1254 require that:

1255       a. There is the latest possible administration of statewide  
1256 assessments and the earliest possible reporting to the school  
1257 districts of student test results which is feasible within  
1258 available technology and specific appropriations; however, test  
1259 results for the FCAT must be made available no later than the  
1260 week of June 8. Student results for end-of-course assessments  
1261 must be provided no later than 1 week after the school district  
1262 completes testing for each course. The commissioner may extend  
1263 the reporting schedule under exigent circumstances.

1264       b. FCAT Writing may not be administered earlier than the  
1265 week of March 1, and a comprehensive statewide assessment of any  
1266 other subject may not be administered earlier than the week of  
1267 April 15.

1268       c. A statewide, standardized end-of-course assessment is  
1269 administered at the end of the course. The commissioner shall  
1270 select an administration period for assessments that meets the  
1271 intent of end-of-course assessments and provides student results  
1272 prior to the end of the course. School districts shall  
1273 administer tests in accordance with the schedule determined by  
1274 the commissioner. For an end-of-course assessment administered  
1275 at the end of the first semester, the commissioner shall  
1276 determine the most appropriate testing dates based on a review

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1277 of each school district's academic calendar.

1278

1279 The commissioner may, based on collaboration and input from  
1280 school districts, design and implement student testing programs,  
1281 for any grade level and subject area, necessary to effectively  
1282 monitor educational achievement in the state, including the  
1283 measurement of educational achievement of the Next Generation  
1284 Sunshine State Standards for students with disabilities.

1285 Development and refinement of assessments shall include  
1286 universal design principles and accessibility standards that  
1287 will prevent any unintended obstacles for students with  
1288 disabilities while ensuring the validity and reliability of the  
1289 test. These principles should be applicable to all technology  
1290 platforms and assistive devices available for the assessments.  
1291 The field testing process and psychometric analyses for the  
1292 statewide assessment program must include an appropriate  
1293 percentage of students with disabilities and an evaluation or  
1294 determination of the effect of test items on such students.

1295 Section 56. Section 1008.23, Florida Statutes, is amended  
1296 to read:

1297 1008.23 Confidentiality of assessment instruments.—All  
1298 examination and assessment instruments, including developmental  
1299 materials and workpapers directly related thereto, which are  
1300 prepared, prescribed, or administered pursuant to ss. ~~1003.43,~~  
1301 ~~1008.22,~~ and 1008.25 shall be confidential and exempt from the  
1302 provisions of s. 119.07(1) and from s. 1001.52. Provisions  
1303 governing access, maintenance, and destruction of such  
1304 instruments and related materials shall be prescribed by rules  
1305 of the State Board of Education.

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1306 Section 57. Paragraph (a) of subsection (1) of section  
1307 1009.40, Florida Statutes, is amended to read:

1308 1009.40 General requirements for student eligibility for  
1309 state financial aid awards and tuition assistance grants.—

1310 (1) (a) The general requirements for eligibility of students  
1311 for state financial aid awards and tuition assistance grants  
1312 consist of the following:

1313 1. Achievement of the academic requirements of and  
1314 acceptance at a state university or Florida College System  
1315 institution; a nursing diploma school approved by the Florida  
1316 Board of Nursing; a Florida college or university which is  
1317 accredited by an accrediting agency recognized by the State  
1318 Board of Education; any Florida institution the credits of which  
1319 are acceptable for transfer to state universities; any career  
1320 center; or any private career institution accredited by an  
1321 accrediting agency recognized by the State Board of Education.

1322 2. Residency in this state for no less than 1 year  
1323 preceding the award of aid or a tuition assistance grant for a  
1324 program established pursuant to s. 1009.50, s. 1009.505, s.  
1325 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.  
1326 1009.62, ~~s. 1009.68~~, s. 1009.72, s. 1009.73, s. 1009.77, s.  
1327 1009.89, or s. 1009.891. Residency in this state must be for  
1328 purposes other than to obtain an education. Resident status for  
1329 purposes of receiving state financial aid awards shall be  
1330 determined in the same manner as resident status for tuition  
1331 purposes pursuant to s. 1009.21.

1332 3. Submission of certification attesting to the accuracy,  
1333 completeness, and correctness of information provided to  
1334 demonstrate a student's eligibility to receive state financial

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1335 aid awards or tuition assistance grants. Falsification of such  
1336 information shall result in the denial of any pending  
1337 application and revocation of any award or grant currently held  
1338 to the extent that no further payments shall be made.  
1339 Additionally, students who knowingly make false statements in  
1340 order to receive state financial aid awards or tuition  
1341 assistance grants commit a misdemeanor of the second degree  
1342 subject to the provisions of s. 837.06 and shall be required to  
1343 return all state financial aid awards or tuition assistance  
1344 grants wrongfully obtained.

1345 Section 58. Paragraph (b) of subsection (1) of section  
1346 1009.531, Florida Statutes, is amended to read:

1347 1009.531 Florida Bright Futures Scholarship Program;  
1348 student eligibility requirements for initial awards.-

1349 (1) Effective January 1, 2008, in order to be eligible for  
1350 an initial award from any of the three types of scholarships  
1351 under the Florida Bright Futures Scholarship Program, a student  
1352 must:

1353 (b) Earn a standard Florida high school diploma or its  
1354 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,  
1355 ~~s. 1003.43~~, or s. 1003.435 unless:

1356 1. The student completes a home education program according  
1357 to s. 1002.41; or

1358 2. The student earns a high school diploma from a non-  
1359 Florida school while living with a parent or guardian who is on  
1360 military or public service assignment away from Florida.

1361 Section 59. Paragraph (c) of subsection (2) of section  
1362 1009.94, Florida Statutes, is amended to read:

1363 1009.94 Student financial assistance database.-

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1364 (2) For purposes of this section, financial assistance  
1365 includes:

1366 (c) Any financial assistance provided under s. 1009.50, s.  
1367 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.  
1368 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.  
1369 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.  
1370 1009.89, or s. 1009.891.

1371 Section 60. Paragraph (c) of subsection (1) of section  
1372 1011.61, Florida Statutes, is amended to read:

1373 1011.61 Definitions.—Notwithstanding the provisions of s.  
1374 1000.21, the following terms are defined as follows for the  
1375 purposes of the Florida Education Finance Program:

1376 (1) A “full-time equivalent student” in each program of the  
1377 district is defined in terms of full-time students and part-time  
1378 students as follows:

1379 (c)1. A “full-time equivalent student” is:

1380 a. A full-time student in any one of the programs listed in  
1381 s. 1011.62(1)(c); or

1382 b. A combination of full-time or part-time students in any  
1383 one of the programs listed in s. 1011.62(1)(c) which is the  
1384 equivalent of one full-time student based on the following  
1385 calculations:

1386 (I) A full-time student in a combination of programs listed  
1387 in s. 1011.62(1)(c) shall be a fraction of a full-time  
1388 equivalent membership in each program equal to the number of net  
1389 hours per school year for which he or she is a member, divided  
1390 by the appropriate number of hours set forth in subparagraph  
1391 (a)1. or subparagraph (a)2. The sum of the fractions for each  
1392 program may not exceed the maximum value set forth in subsection

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1393 (4).

1394 (II) A prekindergarten student with a disability shall meet  
1395 the requirements specified for kindergarten students.

1396 (III) A full-time equivalent student for students in  
1397 kindergarten through grade 12 in a full-time virtual instruction  
1398 program under s. 1002.45 or a virtual charter school under s.  
1399 1002.33 shall consist of six full-credit completions or the  
1400 prescribed level of content that counts toward promotion to the  
1401 next grade in programs listed in s. 1011.62(1)(c). Credit  
1402 completions may be a combination of full-credit courses or half-  
1403 credit courses. Beginning in the 2014-2015 fiscal year, when s.  
1404 1008.22(3)(g) is implemented, the reported full-time equivalent  
1405 students and associated funding of students enrolled in courses  
1406 requiring passage of an end-of-course assessment shall be  
1407 adjusted after the student completes the end-of-course  
1408 assessment.

1409 (IV) A full-time equivalent student for students in  
1410 kindergarten through grade 12 in a part-time virtual instruction  
1411 program under s. 1002.45 shall consist of six full-credit  
1412 completions in programs listed in s. 1011.62(1)(c)1. and 3.  
1413 Credit completions may be a combination of full-credit courses  
1414 or half-credit courses. Beginning in the 2014-2015 fiscal year,  
1415 when s. 1008.22(3)(g) is implemented, the reported full-time  
1416 equivalent students and associated funding of students enrolled  
1417 in courses requiring passage of an end-of-course assessment  
1418 shall be adjusted after the student completes the end-of-course  
1419 assessment.

1420 (V) A Florida Virtual School full-time equivalent student  
1421 shall consist of six full-credit completions or the prescribed

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1422 level of content that counts toward promotion to the next grade  
1423 in the programs listed in s. 1011.62(1)(c)1. and 3. for students  
1424 participating in kindergarten through grade 12 part-time virtual  
1425 instruction and the programs listed in s. 1011.62(1)(c) for  
1426 students participating in kindergarten through grade 12 full-  
1427 time virtual instruction. Credit completions may be a  
1428 combination of full-credit courses or half-credit courses.  
1429 Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is  
1430 implemented, the reported full-time equivalent students and  
1431 associated funding of students enrolled in courses requiring  
1432 passage of an end-of-course assessment shall be adjusted after  
1433 the student completes the end-of-course assessment.

1434 (VI) Each successfully completed full-credit course earned  
1435 through an online course delivered by a district other than the  
1436 one in which the student resides shall be calculated as 1/6 FTE.

1437 ~~(VII) Each successfully completed credit earned under the~~  
1438 ~~alternative high school course credit requirements authorized in~~  
1439 ~~s. 1002.375, which is not reported as a portion of the 900 net~~  
1440 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~  
1441 ~~calculated as 1/6 FTE.~~

1442 (VII) ~~(VIII)~~ (A) A full-time equivalent student for courses  
1443 requiring a statewide, standardized end-of-course assessment  
1444 pursuant to s. 1008.22(3)(c)2.a. shall be defined and reported  
1445 based on the number of instructional hours as provided in this  
1446 subsection for the first 3 years of administering the end-of-  
1447 course assessment. Beginning in the fourth year of administering  
1448 the end-of-course assessment, the FTE shall be credit-based and  
1449 each course shall be equal to 1/6 FTE. The reported FTE shall be  
1450 adjusted after the student successfully completes the end-of-

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1451 course assessment pursuant to s. 1008.22(3)(c)2.a.

1452 (B) For students enrolled in a school district as a full-  
1453 time student, the district may report 1/6 FTE for each student  
1454 who passes a statewide, standardized end-of-course assessment  
1455 without being enrolled in the corresponding course.

1456 (C) The FTE earned under this sub-sub-subparagraph and any  
1457 FTE for courses or programs listed in s. 1011.62(1)(c) that do  
1458 not require passing a statewide, standardized end-of-course  
1459 assessment are subject to the requirements in subsection (4).

1460 2. A student in membership in a program scheduled for more  
1461 or less than 180 school days or the equivalent on an hourly  
1462 basis as specified by rules of the State Board of Education is a  
1463 fraction of a full-time equivalent membership equal to the  
1464 number of instructional hours in membership divided by the  
1465 appropriate number of hours set forth in subparagraph (a)1.;  
1466 however, for the purposes of this subparagraph, membership in  
1467 programs scheduled for more than 180 days is limited to students  
1468 enrolled in juvenile justice education programs and the Florida  
1469 Virtual School.

1470  
1471 The department shall determine and implement an equitable method  
1472 of equivalent funding for experimental schools and for schools  
1473 operating under emergency conditions, which schools have been  
1474 approved by the department to operate for less than the minimum  
1475 school day.

1476 Section 61. Paragraph (b) of subsection (2) of section  
1477 1013.35, Florida Statutes, is amended to read:

1478 1013.35 School district educational facilities plan;  
1479 definitions; preparation, adoption, and amendment; long-term

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1480 work programs.—

1481 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL  
1482 FACILITIES PLAN.—

1483 (b) The plan must also include a financially feasible  
1484 district facilities work program for a 5-year period. The work  
1485 program must include:

1486 1. A schedule of major repair and renovation projects  
1487 necessary to maintain the educational facilities and ancillary  
1488 facilities of the district.

1489 2. A schedule of capital outlay projects necessary to  
1490 ensure the availability of satisfactory student stations for the  
1491 projected student enrollment in K-12 programs. This schedule  
1492 shall consider:

1493 a. The locations, capacities, and planned utilization rates  
1494 of current educational facilities of the district. The capacity  
1495 of existing satisfactory facilities, as reported in the Florida  
1496 Inventory of School Houses must be compared to the capital  
1497 outlay full-time-equivalent student enrollment as determined by  
1498 the department, including all enrollment used in the calculation  
1499 of the distribution formula in s. 1013.64.

1500 b. The proposed locations of planned facilities, whether  
1501 those locations are consistent with the comprehensive plans of  
1502 all affected local governments, and recommendations for  
1503 infrastructure and other improvements to land adjacent to  
1504 existing facilities. The provisions of ss. 1013.33(6), (7), and  
1505 (8) and 1013.36 must be addressed for new facilities planned  
1506 within the first 3 years of the work plan, as appropriate.

1507 c. Plans for the use and location of relocatable  
1508 facilities, leased facilities, and charter school facilities.

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1509           d. Plans for multitrack scheduling, grade level  
1510 organization, block scheduling, or other alternatives that  
1511 reduce the need for additional permanent student stations.

1512           e. Information concerning average class size and  
1513 utilization rate by grade level within the district which will  
1514 result if the tentative district facilities work program is  
1515 fully implemented.

1516           f. The number and percentage of district students planned  
1517 to be educated in relocatable facilities during each year of the  
1518 tentative district facilities work program. For determining  
1519 future needs, student capacity may not be assigned to any  
1520 relocatable classroom that is scheduled for elimination or  
1521 replacement with a permanent educational facility in the current  
1522 year of the adopted district educational facilities plan and in  
1523 the district facilities work program adopted under this section.  
1524 Those relocatable classrooms clearly identified and scheduled  
1525 for replacement in a school-board-adopted, financially feasible,  
1526 5-year district facilities work program shall be counted at zero  
1527 capacity at the time the work program is adopted and approved by  
1528 the school board. However, if the district facilities work  
1529 program is changed and the relocatable classrooms are not  
1530 replaced as scheduled in the work program, the classrooms must  
1531 be reentered into the system and be counted at actual capacity.  
1532 Relocatable classrooms may not be perpetually added to the work  
1533 program or continually extended for purposes of circumventing  
1534 this section. All relocatable classrooms not identified and  
1535 scheduled for replacement, including those owned, lease-  
1536 purchased, or leased by the school district, must be counted at  
1537 actual student capacity. The district educational facilities

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1538 plan must identify the number of relocatable student stations  
1539 scheduled for replacement during the 5-year survey period and  
1540 the total dollar amount needed for that replacement.

1541 g. Plans for the closure of any school, including plans for  
1542 disposition of the facility or usage of facility space, and  
1543 anticipated revenues.

1544 h. Projects for which capital outlay and debt service funds  
1545 accruing under s. 9(d), Art. XII of the State Constitution are  
1546 to be used shall be identified separately in priority order on a  
1547 project priority list within the district facilities work  
1548 program.

1549 3. The projected cost for each project identified in the  
1550 district facilities work program. For proposed projects for new  
1551 student stations, a schedule shall be prepared comparing the  
1552 planned cost and square footage for each new student station, by  
1553 elementary, middle, and high school levels, to the low, average,  
1554 and high cost of facilities constructed throughout the state  
1555 during the most recent fiscal year for which data is available  
1556 from the Department of Education.

1557 4. A schedule of estimated capital outlay revenues from  
1558 each currently approved source which is estimated to be  
1559 available for expenditure on the projects included in the  
1560 district facilities work program.

1561 5. A schedule indicating which projects included in the  
1562 district facilities work program will be funded from current  
1563 revenues projected in subparagraph 4.

1564 6. A schedule of options for the generation of additional  
1565 revenues by the district for expenditure on projects identified  
1566 in the district facilities work program which are not funded

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1567 under subparagraph 5. Additional anticipated revenues may  
1568 include ~~effort index grants, SIT Program awards,~~ and Classrooms  
1569 First funds.

1570 Section 62. Subsection (2) of section 1013.356, Florida  
1571 Statutes, is amended to read:

1572 1013.356 Local funding for educational facilities benefit  
1573 districts or community development districts.—Upon confirmation  
1574 by a district school board of the commitment of revenues by an  
1575 educational facilities benefit district or community development  
1576 district necessary to construct and maintain an educational  
1577 facility contained within an individual district facilities work  
1578 program or proposed by an approved charter school or a charter  
1579 school applicant, the following funds shall be provided to the  
1580 educational facilities benefit district or community development  
1581 district annually, beginning with the next fiscal year after  
1582 confirmation until the district's financial obligations are  
1583 completed:

1584 (2) For construction and capital maintenance costs not  
1585 covered by the funds provided under subsection (1), an annual  
1586 amount contributed by the district school board equal to one-  
1587 half of the remaining costs of construction and capital  
1588 maintenance of the educational facility. Any construction costs  
1589 above the cost-per-student criteria established in s.  
1590 1013.64(6)(b)1. ~~for the SIT Program in s. 1013.72(2)~~ shall be  
1591 funded exclusively by the educational facilities benefit  
1592 district or the community development district. Funds  
1593 contributed by a district school board shall not be used to fund  
1594 operational costs.

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1596 Educational facilities funded pursuant to this act may be  
1597 constructed on land that is owned by any person after the  
1598 district school board has acquired from the owner of the land a  
1599 long-term lease for the use of this land for a period of not  
1600 less than 40 years or the life expectancy of the permanent  
1601 facilities constructed thereon, whichever is longer. All  
1602 interlocal agreements entered into pursuant to this act shall  
1603 provide for ownership of educational facilities funded pursuant  
1604 to this act to revert to the district school board if such  
1605 facilities cease to be used for public educational purposes  
1606 prior to 40 years after construction or prior to the end of the  
1607 life expectancy of the educational facilities, whichever is  
1608 longer.

1609 Section 63. Subsections (4), (5), and (6) of section  
1610 1013.41, Florida Statutes, are amended to read:

1611 1013.41 SMART schools; Classrooms First; legislative  
1612 purpose.—

1613 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of  
1614 the Legislature to require the Office of Educational Facilities  
1615 to assist school districts in building SMART schools utilizing  
1616 functional and frugal practices. The Office of Educational  
1617 Facilities must review district facilities work programs and  
1618 projects and ~~identify districts qualified for incentive funding~~  
1619 ~~available through School Infrastructure Thrift Program awards;~~  
1620 identify opportunities to maximize design and construction  
1621 savings; develop school district facilities work program  
1622 performance standards; and provide for review and  
1623 recommendations to the Governor, the Legislature, and the State  
1624 Board of Education.

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1625           ~~(5) EFFORT INDEX GRANTS. It is the purpose of the~~  
1626 ~~Legislature to create s. 1013.73, in order to provide grants~~  
1627 ~~from state funds to assist school districts that have provided a~~  
1628 ~~specified level of local effort funding.~~

1629           ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS. It~~  
1630 ~~is the purpose of the Legislature to convert the SIT Program~~  
1631 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~  
1632 ~~program to encourage functional, frugal facilities and~~  
1633 ~~practices.~~

1634           Section 64. Paragraph (b) of subsection (6) of section  
1635 1013.64, Florida Statutes, is amended to read:

1636           1013.64 Funds for comprehensive educational plant needs;  
1637 construction cost maximums for school district capital  
1638 projects.—Allocations from the Public Education Capital Outlay  
1639 and Debt Service Trust Fund to the various boards for capital  
1640 outlay projects shall be determined as follows:

1641           (6)

1642           (b)1. A district school board must not use funds from the  
1643 following sources: Public Education Capital Outlay and Debt  
1644 Service Trust Fund; School District and Community College  
1645 District Capital Outlay and Debt Service Trust Fund; Classrooms  
1646 First Program funds provided in s. 1013.68; ~~effort index grant~~  
1647 ~~funds provided in s. 1013.73~~; nonvoted 1.5-mill levy of ad  
1648 valorem property taxes provided in s. 1011.71(2); Classrooms for  
1649 Kids Program funds provided in s. 1013.735; District Effort  
1650 Recognition Program funds provided in s. 1013.736; or High  
1651 Growth District Capital Outlay Assistance Grant Program funds  
1652 provided in s. 1013.738 for any new construction of educational  
1653 plant space with a total cost per student station, including

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1654 change orders, that equals more than:

1655 a. \$17,952 for an elementary school,

1656 b. \$19,386 for a middle school, or

1657 c. \$25,181 for a high school,

1658

1659 (January 2006) as adjusted annually to reflect increases or  
1660 decreases in the Consumer Price Index.

1661 2. A district school board must not use funds from the  
1662 Public Education Capital Outlay and Debt Service Trust Fund or  
1663 the School District and Community College District Capital  
1664 Outlay and Debt Service Trust Fund for any new construction of  
1665 an ancillary plant that exceeds 70 percent of the average cost  
1666 per square foot of new construction for all schools.

1667 Section 65. Section 1013.69, Florida Statutes, is amended  
1668 to read:

1669 1013.69 Full bonding required to participate in programs.—  
1670 Any district with unused bonding capacity in its Capital Outlay  
1671 and Debt Service Trust Fund allocation that certifies in its  
1672 district educational facilities plan that it will not be able to  
1673 meet all of its need for new student stations within existing  
1674 revenues must fully bond its Capital Outlay and Debt Service  
1675 Trust Fund allocation before it may participate in Classrooms  
1676 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~  
1677 ~~Effort Index Grants Program.~~

1678 Section 66. Paragraph (b) of subsection (2) of section  
1679 1013.738, Florida Statutes, is amended to read:

1680 1013.738 High Growth District Capital Outlay Assistance  
1681 Grant Program.—

1682 (2) In order to qualify for a grant, a school district must

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1683 meet the following criteria:

1684       (b) Fifty percent of the revenue derived from the 2-mill  
1685 nonvoted discretionary capital outlay millage for the past 4  
1686 fiscal years, when divided by the district's growth in capital  
1687 outlay FTE students over this period, produces a value that is  
1688 less than the average cost per student station calculated  
1689 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by  
1690 statewide growth in capital outlay FTE students in elementary,  
1691 middle, and high schools for the past 4 fiscal years.

1692       Section 67. Except as otherwise expressly provided in this  
1693 act, this act shall take effect upon becoming a law.