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1 A bill to be entitled
2 An act relating to the repeal of education provisions;
3 amending s. 403.7032, F.S.; removing a requirement
4 that each K-12 public school annually report to the
5 county on recycled materials; repealing s. 1001.435,
6 F.S., relating to a K-12 foreign language curriculum
7 plan; repealing s. 1002.23(4), (6), and (9), F.S.,
8 relating to a parent-response center, submission of
9 family involvement and empowerment rules by district
10 school boards, and State Board of Education compliance
11 review and enforcement under the Family and School
12 Partnership for Student Achievement Act; repealing s.
13 1002.361, F.S., relating to a direct-support
14 organization for the Florida School for the Deaf and
15 the Blind; repealing s. 1002.375, F.S., relating to a
16 pilot project to award alternative credit for high
17 school courses; repealing s. 1003.4285(1), F.S.,
18 relating to a standard high school diploma designation
19 that indicates a student's major area of interest;
20 repealing s. 1003.43, F.S., relating to general
21 requirements for high school graduation; repealing s.
22 1003.453(2), F.S., relating to information on school
23 wellness and physical education policies posted on
24 Department of Education and school district websites;
25 repealing s. 1003.496, F.S., relating to the High
26 School to Business Career Enhancement Program;
27 repealing s. 1004.05, F.S., relating to substance
28 abuse training programs for specified public school

29 | personnel; repealing s. 1004.62, F.S., relating to
30 | incentives for state university student internships to
31 | study urban or socially and economically disadvantaged
32 | areas; repealing s. 1004.77, F.S., relating to centers
33 | of technology innovation; repealing s. 1006.02, F.S.,
34 | relating to provision of information to students and
35 | parents regarding school-to-work transition; repealing
36 | s. 1006.035, F.S., relating to a dropout reentry and
37 | mentor project; repealing s. 1006.051, F.S., relating
38 | to the Sunshine Workforce Solutions Grant Program;
39 | repealing s. 1006.09(1)(d), F.S., relating to duties
40 | of school principals with respect to annual reporting
41 | and analysis of student suspensions and expulsions;
42 | repealing ss. 1006.17 and 1006.70, F.S., relating to
43 | sponsorship of athletic activities similar to those
44 | for which scholarships are offered; repealing s.
45 | 1006.65, F.S., relating to safety issues in courses
46 | offered by public postsecondary educational
47 | institutions; repealing s. 1007.21, F.S., relating to
48 | readiness for postsecondary education and the
49 | workplace; repealing s. 1008.31(3)(d) and (e), F.S.,
50 | relating to review and reporting duties of the
51 | Commissioner of Education with respect to
52 | consolidating paperwork under Florida's K-20 education
53 | performance accountability system; repealing s.
54 | 1009.68, F.S., relating to the Florida Minority
55 | Medical Education Program; repealing s. 1012.58, F.S.,
56 | relating to the Transition to Teaching Program;

57 | repealing s. 1012.71(6), F.S., relating to a pilot
 58 | program for establishing an electronic management
 59 | system for the Florida Teachers Lead Program;
 60 | repealing s. 1013.231, F.S., relating to Florida
 61 | College System institution and state university energy
 62 | consumption reduction; repealing s. 1013.32, F.S.,
 63 | relating to exceptions to recommendations in
 64 | educational plant surveys; repealing ss. 1013.42 and
 65 | 1013.72, F.S., relating to the School Infrastructure
 66 | Thrift (SIT) Program; repealing ss. 1013.502 and
 67 | 1013.721, F.S., relating to A Business-Community (ABC)
 68 | School Program; repealing s. 1013.64(7), F.S.,
 69 | relating to exceptions from Special Facility
 70 | Construction Account requirements; repealing s.
 71 | 1013.73, F.S., relating to effort index grants for
 72 | school district facilities; amending ss. 120.81,
 73 | 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34,
 74 | 1002.45, 1003.03, 1003.429, 1003.438, 1003.49,
 75 | 1004.70, 1004.71, 1006.025, 1006.15, 1007.263,
 76 | 1007.271, 1008.22, 1008.23, 1009.40, 1009.531,
 77 | 1009.94, 1011.61, 1013.35, 1013.356, 1013.41, 1013.64,
 78 | 1013.69, and 1013.738, F.S.; conforming provisions;
 79 | providing an effective date.

80 |
 81 | Be It Enacted by the Legislature of the State of Florida:

82 |
 83 | Section 1. Subsection (3) of section 403.7032, Florida
 84 | Statutes, is amended to read:

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85 | 403.7032 Recycling.—

86 | (3) Each state agency, ~~K-12 public school~~, public
87 | institution of higher learning, community college, and state
88 | university, including all buildings that are occupied by
89 | municipal, county, or state employees and entities occupying
90 | buildings managed by the Department of Management Services,
91 | must, at a minimum, annually report all recycled materials to
92 | the county using the department's designated reporting format.
93 | Private businesses, other than certified recovered materials
94 | dealers, that recycle paper, metals, glass, plastics, textiles,
95 | rubber materials, and mulch, are encouraged to report the amount
96 | of materials they recycle to the county annually beginning
97 | January 1, 2011, using the department's designated reporting
98 | format. Using the information provided, the department shall
99 | recognize those private businesses that demonstrate outstanding
100 | recycling efforts. Notwithstanding any other provision of state
101 | or county law, private businesses, other than certified
102 | recovered materials dealers, shall not be required to report
103 | recycling rates. Cities with less than a population of 2,500 and
104 | per capita taxable value less than \$48,000 and cities with a per
105 | capita taxable value less than \$30,000 are exempt from the
106 | reporting requirement specified in this subsection.

107 | Section 2. Section 1001.435, Florida Statutes, is
108 | repealed.

109 | Section 3. Subsections (4), (6), and (9) of section
110 | 1002.23, Florida Statutes, are repealed.

111 | Section 4. Section 1002.361, Florida Statutes, is
112 | repealed.

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113 Section 5. Section 1002.375, Florida Statutes, is
114 repealed.

115 Section 6. Subsection (1) of section 1003.4285, Florida
116 Statutes, is repealed.

117 Section 7. Section 1003.43, Florida Statutes, is repealed.

118 Section 8. Subsection (2) of section 1003.453, Florida
119 Statutes, is repealed.

120 Section 9. Section 1003.496, Florida Statutes, is
121 repealed.

122 Section 10. Section 1004.05, Florida Statutes, is
123 repealed.

124 Section 11. Section 1004.62, Florida Statutes, is
125 repealed.

126 Section 12. Section 1004.77, Florida Statutes, is
127 repealed.

128 Section 13. Section 1006.02, Florida Statutes, is
129 repealed.

130 Section 14. Section 1006.035, Florida Statutes, is
131 repealed.

132 Section 15. Section 1006.051, Florida Statutes, is
133 repealed.

134 Section 16. Paragraph (d) of subsection (1) of section
135 1006.09, Florida Statutes, is repealed.

136 Section 17. Sections 1006.17 and 1006.70, Florida
137 Statutes, are repealed.

138 Section 18. Section 1006.65, Florida Statutes, is
139 repealed.

140 Section 19. Section 1007.21, Florida Statutes, is

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141 repealed.

142 Section 20. Paragraphs (d) and (e) of subsection (3) of
143 section 1008.31, Florida Statutes, are repealed.

144 Section 21. Section 1009.68, Florida Statutes, is
145 repealed.

146 Section 22. Section 1012.58, Florida Statutes, is
147 repealed.

148 Section 23. Subsection (6) of section 1012.71, Florida
149 Statutes, is repealed.

150 Section 24. Section 1013.231, Florida Statutes, is
151 repealed.

152 Section 25. Section 1013.32, Florida Statutes, is
153 repealed.

154 Section 26. Sections 1013.42 and 1013.72, Florida
155 Statutes, are repealed.

156 Section 27. Sections 1013.502 and 1013.721, Florida
157 Statutes, are repealed.

158 Section 28. Subsection (7) of section 1013.64, Florida
159 Statutes, is repealed.

160 Section 29. Section 1013.73, Florida Statutes, is
161 repealed.

162 Section 30. Paragraph (c) of subsection (1) of section
163 120.81, Florida Statutes, is amended to read:

164 120.81 Exceptions and special requirements; general
165 areas.—

166 (1) EDUCATIONAL UNITS.—

167 (c) Notwithstanding s. 120.52(16), any tests, test scoring
168 criteria, or testing procedures relating to student assessment

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169 | which are developed or administered by the Department of
170 | Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.
171 | 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
172 | educational tests required by law, are not rules.

173 | Section 31. Subsection (5) of section 250.115, Florida
174 | Statutes, is amended to read:

175 | 250.115 Department of Military Affairs direct-support
176 | organization.—

177 | (5) ACTIVITIES; RESTRICTIONS.—Any transaction or agreement
178 | between the direct-support organization organized pursuant to
179 | this section and another direct-support organization ~~or center~~
180 | ~~of technology innovation designated under s. 1004.77~~ must be
181 | approved by the Department of Military Affairs.

182 | Section 32. Paragraph (b) of subsection (5) of section
183 | 409.1451, Florida Statutes, is amended to read:

184 | 409.1451 Independent living transition services.—

185 | (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—
186 | Based on the availability of funds, the department shall provide
187 | or arrange for the following services to young adults formerly
188 | in foster care who meet the prescribed conditions and are
189 | determined eligible by the department. The department, or a
190 | community-based care lead agency when the agency is under
191 | contract with the department to provide the services described
192 | under this subsection, shall develop a plan to implement those
193 | services. A plan shall be developed for each community-based
194 | care service area in the state. Each plan that is developed by a
195 | community-based care lead agency shall be submitted to the
196 | department. Each plan shall include the number of young adults

197 to be served each month of the fiscal year and specify the
 198 number of young adults who will reach 18 years of age who will
 199 be eligible for the plan and the number of young adults who will
 200 reach 23 years of age and will be ineligible for the plan or who
 201 are otherwise ineligible during each month of the fiscal year;
 202 staffing requirements and all related costs to administer the
 203 services and program; expenditures to or on behalf of the
 204 eligible recipients; costs of services provided to young adults
 205 through an approved plan for housing, transportation, and
 206 employment; reconciliation of these expenses and any additional
 207 related costs with the funds allocated for these services; and
 208 an explanation of and a plan to resolve any shortages or
 209 surpluses in order to end the fiscal year with a balanced
 210 budget. The categories of services available to assist a young
 211 adult formerly in foster care to achieve independence are:

212 (b) Road-to-Independence Program.—

213 1. The Road-to-Independence Program is intended to help
 214 eligible students who are former foster children in this state
 215 to receive the educational and vocational training needed to
 216 achieve independence. The amount of the award shall be based on
 217 the living and educational needs of the young adult and may be
 218 up to, but may not exceed, the amount of earnings that the
 219 student would have been eligible to earn working a 40-hour-a-
 220 week federal minimum wage job.

221 2. A young adult who has earned a standard high school
 222 diploma or its equivalent as described in s. 1003.428, s.
 223 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma
 224 or special certificate of completion as described in s.

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225 | 1003.438, or has reached 18 years of age but is not yet 21 years
 226 | of age is eligible for the initial award, and a young adult
 227 | under 23 years of age is eligible for renewal awards, if he or
 228 | she:

229 | a. Was a dependent child, under chapter 39, and was living
 230 | in licensed foster care or in subsidized independent living at
 231 | the time of his or her 18th birthday or is currently living in
 232 | licensed foster care or subsidized independent living, or, after
 233 | reaching the age of 16, was adopted from foster care or placed
 234 | with a court-approved dependency guardian and has spent a
 235 | minimum of 6 months in foster care immediately preceding such
 236 | placement or adoption;

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

239 | c. Is a resident of this state as defined in s. 1009.40;
 240 | and

241 | d. Meets one of the following qualifications:

242 | (I) Has earned a standard high school diploma or its
 243 | equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or
 244 | s. 1003.435, or has earned a special diploma or special
 245 | certificate of completion as described in s. 1003.438, and has
 246 | been admitted for full-time enrollment in an eligible
 247 | postsecondary education institution as defined in s. 1009.533;

248 | (II) Is enrolled full time in an accredited high school;
 249 | or

250 | (III) Is enrolled full time in an accredited adult
 251 | education program designed to provide the student with a high
 252 | school diploma or its equivalent.

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253 | 3. A young adult applying for the Road-to-Independence
254 | Program must apply for any other grants and scholarships for
255 | which he or she may qualify. The department shall assist the
256 | young adult in the application process and may use the federal
257 | financial aid grant process to determine the funding needs of
258 | the young adult.

259 | 4. An award shall be available to a young adult who is
260 | considered a full-time student or its equivalent by the
261 | educational institution in which he or she is enrolled, unless
262 | that young adult has a recognized disability preventing full-
263 | time attendance. The amount of the award, whether it is being
264 | used by a young adult working toward completion of a high school
265 | diploma or its equivalent or working toward completion of a
266 | postsecondary education program, shall be determined based on an
267 | assessment of the funding needs of the young adult. This
268 | assessment must consider the young adult's living and
269 | educational costs and other grants, scholarships, waivers,
270 | earnings, and other income to be received by the young adult. An
271 | award shall be available only to the extent that other grants
272 | and scholarships are not sufficient to meet the living and
273 | educational needs of the young adult, but an award may not be
274 | less than \$25 in order to maintain Medicaid eligibility for the
275 | young adult as provided in s. 409.903.

276 | 5. The amount of the award may be disregarded for purposes
277 | of determining the eligibility for, or the amount of, any other
278 | federal or federally supported assistance.

279 | 6.a. The department must advertise the criteria,
280 | application procedures, and availability of the program to:

281 (I) Children and young adults in, leaving, or formerly in
 282 foster care.

283 (II) Case managers.

284 (III) Guidance and family services counselors.

285 (IV) Principals or other relevant school administrators.

286 (V) Guardians ad litem.

287 (VI) Foster parents.

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

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

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

300 e. If the award recipient transfers from one eligible
 301 institution to another and continues to meet eligibility
 302 requirements, the award must be transferred with the recipient.

303 f. Funds awarded to any eligible young adult under this
 304 program are in addition to any other services or funds provided
 305 to the young adult by the department through transitional
 306 support services or aftercare services.

307 g. The department shall provide information concerning
 308 young adults receiving funding through the Road-to-Independence

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309 Program to the Department of Education for inclusion in the
310 student financial assistance database, as provided in s.
311 1009.94.

312 h. Funds are intended to help eligible young adults who
313 are former foster children in this state to receive the
314 educational and vocational training needed to become independent
315 and self-supporting. The funds shall be terminated when the
316 young adult has attained one of four postsecondary goals under
317 subsection (3) or reaches 23 years of age, whichever occurs
318 earlier. In order to initiate postsecondary education, to allow
319 for a change in career goal, or to obtain additional skills in
320 the same educational or vocational area, a young adult may earn
321 no more than two diplomas, certificates, or credentials. A young
322 adult attaining an associate of arts or associate of science
323 degree shall be permitted to work toward completion of a
324 bachelor of arts or a bachelor of science degree or an
325 equivalent undergraduate degree. Road-to-Independence Program
326 funds may not be used for education or training after a young
327 adult has attained a bachelor of arts or a bachelor of science
328 degree or an equivalent undergraduate degree.

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

333 (I) Complete the number of hours, or the equivalent
334 considered full time by the educational institution, unless that
335 young adult has a recognized disability preventing full-time
336 attendance, in the last academic year in which the young adult

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337 earned an award, except for a young adult who meets the
338 requirements of s. 1009.41.

339 (II) Maintain appropriate progress as required by the
340 educational institution, except that, if the young adult's
341 progress is insufficient to renew the award at any time during
342 the eligibility period, the young adult may restore eligibility
343 by improving his or her progress to the required level.

344 j. Funds may be terminated during the interim between an
345 award and the evaluation for a renewal award if the department
346 determines that the award recipient is no longer enrolled in an
347 educational institution as defined in sub-subparagraph 2.d., or
348 is no longer a state resident. The department shall notify a
349 recipient who is terminated and inform the recipient of his or
350 her right to appeal.

351 k. An award recipient who does not qualify for a renewal
352 award or who chooses not to renew the award may subsequently
353 apply for reinstatement. An application for reinstatement must
354 be made before the young adult reaches 23 years of age, and a
355 student may not apply for reinstatement more than once. In order
356 to be eligible for reinstatement, the young adult must meet the
357 eligibility criteria and the criteria for award renewal for the
358 program.

359 Section 33. Subsection (7) of section 1001.11, Florida
360 Statutes, is amended to read:

361 1001.11 Commissioner of Education; other duties.—

362 (7) The commissioner shall make prominently available on
363 the department's website the following: links to the Internet-
364 based clearinghouse for professional development regarding

365 physical education; the school wellness and physical education
 366 policies and other resources required under s. 1003.453(1) and
 367 ~~(2)~~; and other Internet sites that provide professional
 368 development for elementary teachers of physical education as
 369 defined in s. 1003.01(16). These links must provide elementary
 370 teachers with information concerning current physical education
 371 and nutrition philosophy and best practices that result in
 372 student participation in physical activities that promote
 373 lifelong physical and mental well-being.

374 Section 34. Paragraph (f) of subsection (3) and subsection
 375 (8) of section 1002.20, Florida Statutes, are amended to read:

376 1002.20 K-12 student and parent rights.—Parents of public
 377 school students must receive accurate and timely information
 378 regarding their child's academic progress and must be informed
 379 of ways they can help their child to succeed in school. K-12
 380 students and their parents are afforded numerous statutory
 381 rights including, but not limited to, the following:

382 (3) HEALTH ISSUES.—

383 (f) Career education courses involving hazardous
 384 substances.—High school students must be given plano safety
 385 glasses or devices in career education courses involving the use
 386 of hazardous substances likely to cause eye injury, ~~in~~
 387 ~~accordance with the provisions of s. 1006.65.~~

388 (8) STUDENTS WITH DISABILITIES.—Parents of public school
 389 students with disabilities and parents of public school students
 390 in residential care facilities are entitled to notice and due
 391 process in accordance with the provisions of ss. 1003.57 and
 392 1003.58. Public school students with disabilities must be

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393 provided the opportunity to meet the graduation requirements for
 394 a standard high school diploma in accordance with the provisions
 395 of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students
 396 with disabilities may be awarded a special diploma upon high
 397 school graduation.

398 Section 35. Paragraph (a) of subsection (7) of section
 399 1002.33, Florida Statutes, is amended to read:

400 1002.33 Charter schools.—

401 (7) CHARTER.—The major issues involving the operation of a
 402 charter school shall be considered in advance and written into
 403 the charter. The charter shall be signed by the governing board
 404 of the charter school and the sponsor, following a public
 405 hearing to ensure community input.

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

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

410 2. The focus of the curriculum, the instructional methods
 411 to be used, any distinctive instructional techniques to be
 412 employed, and identification and acquisition of appropriate
 413 technologies needed to improve educational and administrative
 414 performance which include a means for promoting safe, ethical,
 415 and appropriate uses of technology which comply with legal and
 416 professional standards.

417 a. The charter shall ensure that reading is a primary
 418 focus of the curriculum and that resources are provided to
 419 identify and provide specialized instruction for students who
 420 are reading below grade level. The curriculum and instructional

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421 strategies for reading must be consistent with the Sunshine
422 State Standards and grounded in scientifically based reading
423 research.

424 b. In order to provide students with access to diverse
425 instructional delivery models, to facilitate the integration of
426 technology within traditional classroom instruction, and to
427 provide students with the skills they need to compete in the
428 21st century economy, the Legislature encourages instructional
429 methods for blended learning courses consisting of both
430 traditional classroom and online instructional techniques.
431 Charter schools may implement blended learning courses which
432 combine traditional classroom instruction and virtual
433 instruction. Students in a blended learning course must be full-
434 time students of the charter school and receive the online
435 instruction in a classroom setting at the charter school.
436 Instructional personnel certified pursuant to s. 1012.55 who
437 provide virtual instruction for blended learning courses may be
438 employees of the charter school or may be under contract to
439 provide instructional services to charter school students. At a
440 minimum, such instructional personnel must hold an active state
441 or school district adjunct certification under s. 1012.57 for
442 the subject area of the blended learning course. The funding and
443 performance accountability requirements for blended learning
444 courses are the same as those for traditional courses.

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

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

451 b. How these baseline rates will be compared to rates of
452 academic progress achieved by these same students while
453 attending the charter school.

454 c. To the extent possible, how these rates of progress
455 will be evaluated and compared with rates of progress of other
456 closely comparable student populations.

457

458 The district school board is required to provide academic
459 student performance data to charter schools for each of their
460 students coming from the district school system, as well as
461 rates of academic progress of comparable student populations in
462 the district school system.

463 4. The methods used to identify the educational strengths
464 and needs of students and how well educational goals and
465 performance standards are met by students attending the charter
466 school. The methods shall provide a means for the charter school
467 to ensure accountability to its constituents by analyzing
468 student performance data and by evaluating the effectiveness and
469 efficiency of its major educational programs. Students in
470 charter schools shall, at a minimum, participate in the
471 statewide assessment program created under s. 1008.22.

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

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

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

479 8. The ways by which the school will achieve a
480 racial/ethnic balance reflective of the community it serves or
481 within the racial/ethnic range of other public schools in the
482 same school district.

483 9. The financial and administrative management of the
484 school, including a reasonable demonstration of the professional
485 experience or competence of those individuals or organizations
486 applying to operate the charter school or those hired or
487 retained to perform such professional services and the
488 description of clearly delineated responsibilities and the
489 policies and practices needed to effectively manage the charter
490 school. A description of internal audit procedures and
491 establishment of controls to ensure that financial resources are
492 properly managed must be included. Both public sector and
493 private sector professional experience shall be equally valid in
494 such a consideration.

495 10. The asset and liability projections required in the
496 application which are incorporated into the charter and shall be
497 compared with information provided in the annual report of the
498 charter school.

499 11. A description of procedures that identify various
500 risks and provide for a comprehensive approach to reduce the
501 impact of losses; plans to ensure the safety and security of
502 students and staff; plans to identify, minimize, and protect
503 others from violent or disruptive student behavior; and the
504 manner in which the school will be insured, including whether or

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505 | not the school will be required to have liability insurance,
506 | and, if so, the terms and conditions thereof and the amounts of
507 | coverage.

508 | 12. The term of the charter which shall provide for
509 | cancellation of the charter if insufficient progress has been
510 | made in attaining the student achievement objectives of the
511 | charter and if it is not likely that such objectives can be
512 | achieved before expiration of the charter. The initial term of a
513 | charter shall be for 4 or 5 years. In order to facilitate access
514 | to long-term financial resources for charter school
515 | construction, charter schools that are operated by a
516 | municipality or other public entity as provided by law are
517 | eligible for up to a 15-year charter, subject to approval by the
518 | district school board. A charter lab school is eligible for a
519 | charter for a term of up to 15 years. In addition, to facilitate
520 | access to long-term financial resources for charter school
521 | construction, charter schools that are operated by a private,
522 | not-for-profit, s. 501(c)(3) status corporation are eligible for
523 | up to a 15-year charter, subject to approval by the district
524 | school board. Such long-term charters remain subject to annual
525 | review and may be terminated during the term of the charter, but
526 | only according to the provisions set forth in subsection (8).

527 | 13. The facilities to be used and their location.

528 | 14. The qualifications to be required of the teachers and
529 | the potential strategies used to recruit, hire, train, and
530 | retain qualified staff to achieve best value.

531 | 15. The governance structure of the school, including the
532 | status of the charter school as a public or private employer as

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533 required in paragraph (12) (i).

534 16. A timetable for implementing the charter which
535 addresses the implementation of each element thereof and the
536 date by which the charter shall be awarded in order to meet this
537 timetable.

538 17. In the case of an existing public school that is being
539 converted to charter status, alternative arrangements for
540 current students who choose not to attend the charter school and
541 for current teachers who choose not to teach in the charter
542 school after conversion in accordance with the existing
543 collective bargaining agreement or district school board rule in
544 the absence of a collective bargaining agreement. However,
545 alternative arrangements shall not be required for current
546 teachers who choose not to teach in a charter lab school, except
547 as authorized by the employment policies of the state university
548 which grants the charter to the lab school.

549 18. Full disclosure of the identity of all relatives
550 employed by the charter school who are related to the charter
551 school owner, president, chairperson of the governing board of
552 directors, superintendent, governing board member, principal,
553 assistant principal, or any other person employed by the charter
554 school who has equivalent decisionmaking authority. For the
555 purpose of this subparagraph, the term "relative" means father,
556 mother, son, daughter, brother, sister, uncle, aunt, first
557 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
558 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
559 stepfather, stepmother, stepson, stepdaughter, stepbrother,
560 stepsister, half brother, or half sister.

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561 19. Implementation of the activities authorized under s.
562 1002.331 by the charter school when it satisfies the eligibility
563 requirements for a high-performing charter school. A high-
564 performing charter school shall notify its sponsor in writing by
565 March 1 if it intends to increase enrollment or expand grade
566 levels the following school year. The written notice shall
567 specify the amount of the enrollment increase and the grade
568 levels that will be added, as applicable.

569 Section 36. Paragraph (g) of subsection (4) of section
570 1002.34, Florida Statutes, is amended to read:

571 1002.34 Charter technical career centers.—

572 (4) CHARTER.—A sponsor may designate centers as provided
573 in this section. An application to establish a center may be
574 submitted by a sponsor or another organization that is
575 determined, by rule of the State Board of Education, to be
576 appropriate. However, an independent school is not eligible for
577 status as a center. The charter must be signed by the governing
578 body of the center and the sponsor and must be approved by the
579 district school board and Florida College System institution
580 board of trustees in whose geographic region the facility is
581 located. If a charter technical career center is established by
582 the conversion to charter status of a public technical center
583 formerly governed by a district school board, the charter status
584 of that center takes precedence in any question of governance.
585 The governance of the center or of any program within the center
586 remains with its board of directors unless the board agrees to a
587 change in governance or its charter is revoked as provided in
588 subsection (15). Such a conversion charter technical career

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589 center is not affected by a change in the governance of public
590 technical centers or of programs within other centers that are
591 or have been governed by district school boards. A charter
592 technical career center, or any program within such a center,
593 that was governed by a district school board and transferred to
594 a Florida College System institution prior to the effective date
595 of this act is not affected by this provision. An applicant who
596 wishes to establish a center must submit to the district school
597 board or Florida College System institution board of trustees,
598 or a consortium of one or more of each, an application on a form
599 developed by the Department of Education which includes:

600 (g) A method for determining whether a student has
601 satisfied the requirements for graduation specified in s.
602 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a
603 postsecondary certificate or degree.

604
605 Students at a center must meet the same testing and academic
606 performance standards as those established by law and rule for
607 students at public schools and public technical centers. The
608 students must also meet any additional assessment indicators
609 that are included within the charter approved by the district
610 school board or Florida College System institution board of
611 trustees.

612 Section 37. Paragraph (b) of subsection (4) of section
613 1002.45, Florida Statutes, is amended to read:

614 1002.45 Virtual instruction programs.—

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

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617 (b) Provide a method for determining that a student has
618 satisfied the requirements for graduation in s. 1003.428 or, s.
619 1003.429, ~~or s. 1003.43~~ if the contract is for the provision of
620 a full-time virtual instruction program to students in grades 9
621 through 12.

622 Section 38. Paragraph (e) of subsection (3) of section
623 1003.03, Florida Statutes, is amended to read:

624 1003.03 Maximum class size.—

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

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

633 Section 39. Subsection (1), paragraph (c) of subsection
634 (7), and subsection (8) of section 1003.429, Florida Statutes,
635 are amended to read:

636 1003.429 Accelerated high school graduation options.—

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

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

643 (b) Completion of a 3-year standard college preparatory
644 program requiring successful completion of a minimum of 18

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645 academic credits in grades 9 through 12. At least 6 of the 18
646 credits required for completion of this program must be received
647 in classes that are offered pursuant to the International
648 Baccalaureate Program, the Advanced Placement Program, dual
649 enrollment, Advanced International Certificate of Education, or
650 specifically listed or identified by the Department of Education
651 as rigorous pursuant to s. 1009.531(3). The 18 credits required
652 for completion of this program shall be primary requirements and
653 shall be distributed as follows:

- 654 1. Four credits in English, with major concentration in
655 composition and literature;
- 656 2. Three credits and, beginning with students entering
657 grade 9 in the 2010-2011 school year, four credits in
658 mathematics at the Algebra I level or higher from the list of
659 courses that qualify for state university admission. Beginning
660 with students entering grade 9 in the 2010-2011 school year, in
661 addition to the Algebra I credit requirement, one of the four
662 credits in mathematics must be geometry or a series of courses
663 equivalent to geometry as approved by the State Board of
664 Education. Beginning with students entering grade 9 in the 2010-
665 2011 school year, the end-of-course assessment requirements
666 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
667 to earn the required credit in Algebra I. Beginning with
668 students entering grade 9 in the 2011-2012 school year, the end-
669 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
670 must be met in order for a student to earn the required credit
671 in geometry. Beginning with students entering grade 9 in the
672 2012-2013 school year, in addition to the Algebra I and geometry

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673 credit requirements, one of the four credits in mathematics must
674 be Algebra II or a series of courses equivalent to Algebra II as
675 approved by the State Board of Education;

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

683 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
684 the required credit in Biology I. Beginning with students
685 entering grade 9 in the 2013-2014 school year, one of the three
686 credits must be Biology I or a series of courses equivalent to
687 Biology I as approved by the State Board of Education, one
688 credit must be chemistry or physics or a series of courses
689 equivalent to chemistry or physics as approved by the State
690 Board of Education, and one credit must be an equally rigorous
691 course, as approved by the State Board of Education;

692 4. Three credits in social sciences, which must include
693 one credit in United States history, one credit in world
694 history, one-half credit in United States government, and one-
695 half credit in economics;

696 5. Two credits in the same second language unless the
697 student is a native speaker of or can otherwise demonstrate
698 competency in a language other than English. If the student
699 demonstrates competency in another language, the student may
700 replace the language requirement with two credits in other

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701 academic courses; and

702 6. Three credits in electives and, beginning with students
703 entering grade 9 in the 2010-2011 school year, two credits in
704 electives; or

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

709 1. Four credits in English, with major concentration in
710 composition and literature;

711 2. Three credits and, beginning with students entering
712 grade 9 in the 2010-2011 school year, four credits in
713 mathematics, one of which must be Algebra I. Beginning with
714 students entering grade 9 in the 2010-2011 school year, in
715 addition to the Algebra I credit requirement, one of the four
716 credits in mathematics must be geometry or a series of courses
717 equivalent to geometry as approved by the State Board of
718 Education. Beginning with students entering grade 9 in the 2010-
719 2011 school year, the end-of-course assessment requirements
720 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
721 to earn the required credit in Algebra I. Beginning with
722 students entering grade 9 in the 2011-2012 school year, the end-
723 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
724 must be met in order for a student to earn the required credit
725 in geometry. Beginning with students entering grade 9 in the
726 2012-2013 school year, in addition to the Algebra I and geometry
727 credit requirements, one of the four credits in mathematics must
728 be Algebra II or a series of courses equivalent to Algebra II as

729 approved by the State Board of Education;

730 3. Three credits in science, two of which must have a
731 laboratory component. Beginning with students entering grade 9
732 in the 2011-2012 school year, one of the three credits in
733 science must be Biology I or a series of courses equivalent to
734 Biology I as approved by the State Board of Education. Beginning
735 with students entering grade 9 in the 2011-2012 school year, the
736 end-of-course assessment requirements under s.

737 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
738 the required credit in Biology I. Beginning with students
739 entering grade 9 in the 2013-2014 school year, one of the three
740 credits must be Biology I or a series of courses equivalent to
741 Biology I as approved by the State Board of Education, one
742 credit must be chemistry or physics or a series of courses
743 equivalent to chemistry or physics as approved by the State
744 Board of Education, and one credit must be an equally rigorous
745 course, as approved by the State Board of Education;

746 4. Three credits in social sciences, which must include
747 one credit in United States history, one credit in world
748 history, one-half credit in United States government, and one-
749 half credit in economics;

750 5. Three credits in a single vocational or career
751 education program, three credits in career and technical
752 certificate dual enrollment courses, or five credits in
753 vocational or career education courses; and

754 6. Two credits and, beginning with students entering grade
755 9 in the 2010-2011 school year, one credit in electives unless
756 five credits are earned pursuant to subparagraph 5.

757
758 Any student who selected an accelerated graduation program
759 before July 1, 2004, may continue that program, and all
760 statutory program requirements that were applicable when the
761 student made the program choice shall remain applicable to the
762 student as long as the student continues that program.

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

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

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

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

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

777 (c) Does not achieve a score of 3 or higher on the grade
778 10 FCAT Writing assessment; or

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

781 Section 40. Section 1003.438, Florida Statutes, is amended
782 to read:

783 1003.438 Special high school graduation requirements for
784 certain exceptional students.—A student who has been identified,

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785 | in accordance with rules established by the State Board of
786 | Education, as a student with disabilities who has an
787 | intellectual disability; an autism spectrum disorder; a language
788 | impairment; an orthopedic impairment; an other health
789 | impairment; a traumatic brain injury; an emotional or behavioral
790 | disability; a specific learning disability, including, but not
791 | limited to, dyslexia, dyscalculia, or developmental aphasia; or
792 | students who are deaf or hard of hearing or dual sensory
793 | impaired shall not be required to meet all requirements of ~~s.~~
794 | ~~1003.43~~ ~~or~~ s. 1003.428 or s. 1003.429 and shall, upon meeting
795 | all applicable requirements prescribed by the district school
796 | board pursuant to s. 1008.25, be awarded a special diploma in a
797 | form prescribed by the commissioner; however, such special
798 | graduation requirements prescribed by the district school board
799 | must include minimum graduation requirements as prescribed by
800 | the commissioner. Any such student who meets all special
801 | requirements of the district school board, but is unable to meet
802 | the appropriate special state minimum requirements, shall be
803 | awarded a special certificate of completion in a form prescribed
804 | by the commissioner. However, this section does not limit or
805 | restrict the right of an exceptional student solely to a special
806 | diploma or special certificate of completion. Any such student
807 | shall, upon proper request, be afforded the opportunity to fully
808 | meet all requirements of ~~s. 1003.43~~ ~~or~~ s. 1003.428 or s.
809 | 1003.429 through the standard procedures established therein and
810 | thereby to qualify for a standard diploma upon graduation.

811 | Section 41. Subsection (1) of section 1003.49, Florida
812 | Statutes, is amended to read:

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813 | 1003.49 Graduation and promotion requirements for publicly
 814 | operated schools.—

815 | (1) Each state or local public agency, including the
 816 | Department of Children and Family Services, the Department of
 817 | Corrections, the boards of trustees of universities and Florida
 818 | College System institutions, and the Board of Trustees of the
 819 | Florida School for the Deaf and the Blind, which agency is
 820 | authorized to operate educational programs for students at any
 821 | level of grades kindergarten through 12 shall be subject to all
 822 | applicable requirements of ss. 1003.428, 1003.429 ~~1003.43,~~
 823 | 1008.23, and 1008.25. Within the content of these cited statutes
 824 | each such state or local public agency or entity shall be
 825 | considered a "district school board."

826 | Section 42. Paragraph (c) of subsection (4) of section
 827 | 1004.70, Florida Statutes, is amended to read:

828 | 1004.70 Florida College System institution direct-support
 829 | organizations.—

830 | (4) ACTIVITIES; RESTRICTIONS.—

831 | (c) Any transaction or agreement between one direct-
 832 | support organization and another direct-support organization ~~or~~
 833 | ~~between a direct-support organization and a center of technology~~
 834 | ~~innovation designated under s. 1004.77~~ must be approved by the
 835 | board of trustees.

836 | Section 43. Paragraph (b) of subsection (4) of section
 837 | 1004.71, Florida Statutes, is amended to read:

838 | 1004.71 Statewide Florida College System institution
 839 | direct-support organizations.—

840 | (4) RESTRICTIONS.—

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841 (b) Any transaction or agreement between a statewide,
842 direct-support organization and any other direct-support
843 organization ~~or between a statewide, direct-support organization~~
844 ~~and a center of technology innovation designated under s.~~
845 ~~1004.77~~ must be approved by the State Board of Education.

846 Section 44. Paragraph (f) of subsection (2) of section
847 1006.025, Florida Statutes, is amended to read:

848 1006.025 Guidance services.—

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

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

853 Section 45. Paragraph (a) of subsection (3) of section
854 1006.15, Florida Statutes, is amended to read:

855 1006.15 Student standards for participation in
856 interscholastic and intrascholastic extracurricular student
857 activities; regulation.—

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

860 1. Maintain a grade point average of 2.0 or above on a 4.0
861 scale, or its equivalent, in the previous semester or a
862 cumulative grade point average of 2.0 or above on a 4.0 scale,
863 or its equivalent, in the courses required by s. 1003.428 or s.
864 1003.429 ~~1003.43(1)~~.

865 2. Execute and fulfill the requirements of an academic
866 performance contract between the student, the district school
867 board, the appropriate governing association, and the student's
868 parents, if the student's cumulative grade point average falls

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869 below 2.0, or its equivalent, on a 4.0 scale in the courses
870 required by s. 1003.428 or s. 1003.429 ~~1003.43(1) or, for~~
871 ~~students who entered the 9th grade prior to the 1997-1998 school~~
872 ~~year, if the student's cumulative grade point average falls~~
873 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~
874 ~~required by s. 1003.43(1) which are taken after July 1, 1997. At~~
875 a minimum, the contract must require that the student attend
876 summer school, or its graded equivalent, between grades 9 and 10
877 or grades 10 and 11, as necessary.

878 3. Have a cumulative grade point average of 2.0 or above
879 on a 4.0 scale, or its equivalent, in the courses required by s.
880 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or
881 senior year.

882 4. Maintain satisfactory conduct, including adherence to
883 appropriate dress and other codes of student conduct policies
884 described in s. 1006.07(2). If a student is convicted of, or is
885 found to have committed, a felony or a delinquent act that would
886 have been a felony if committed by an adult, regardless of
887 whether adjudication is withheld, the student's participation in
888 interscholastic extracurricular activities is contingent upon
889 established and published district school board policy.

890 Section 46. Subsection (4) of section 1007.263, Florida
891 Statutes, is amended to read:

892 1007.263 Florida College System institutions; admissions
893 of students.—Each Florida College System institution board of
894 trustees is authorized to adopt rules governing admissions of
895 students subject to this section and rules of the State Board of
896 Education. These rules shall include the following:

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

901
902 Each board of trustees shall establish policies that notify
903 students about, and place students into, adult basic education,
904 adult secondary education, or other instructional programs that
905 provide students with alternatives to traditional college-
906 preparatory instruction, including private provider instruction.
907 A student is prohibited from enrolling in additional college-
908 level courses until the student scores above the cut-score on
909 all sections of the common placement test.

910 Section 47. Subsections (2) and (9) of section 1007.271,
911 Florida Statutes, are amended to read:

912 1007.271 Dual enrollment programs.—

913 (2) For the purpose of this section, an eligible secondary
914 student is a student who is enrolled in a Florida public
915 secondary school or in a Florida private secondary school which
916 is in compliance with s. 1002.42(2) and provides a secondary
917 curriculum pursuant to s. 1003.428 or ~~s. 1003.429, or s.~~
918 ~~1003.43~~. Students who are eligible for dual enrollment pursuant
919 to this section may enroll in dual enrollment courses conducted
920 during school hours, after school hours, and during the summer
921 term. However, if the student is projected to graduate from high
922 school before the scheduled completion date of a postsecondary
923 course, the student may not register for that course through
924 dual enrollment. The student may apply to the postsecondary

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925 institution and pay the required registration, tuition, and fees
926 if the student meets the postsecondary institution's admissions
927 requirements under s. 1007.263. Instructional time for dual
928 enrollment may vary from 900 hours; however, the school district
929 may only report the student for a maximum of 1.0 FTE, as
930 provided in s. 1011.61(4). Any student enrolled as a dual
931 enrollment student is exempt from the payment of registration,
932 tuition, and laboratory fees. Vocational-preparatory
933 instruction, college-preparatory instruction, and other forms of
934 precollegiate instruction, as well as physical education courses
935 that focus on the physical execution of a skill rather than the
936 intellectual attributes of the activity, are ineligible for
937 inclusion in the dual enrollment program. Recreation and leisure
938 studies courses shall be evaluated individually in the same
939 manner as physical education courses for potential inclusion in
940 the program.

941 (9) The Commissioner of Education shall appoint faculty
942 committees representing public school, Florida College System
943 institution, and university faculties to identify postsecondary
944 courses that meet the high school graduation requirements of s.
945 1003.428 or s. 1003.429, ~~or s. 1003.43~~ and to establish the
946 number of postsecondary semester credit hours of instruction and
947 equivalent high school credits earned through dual enrollment
948 pursuant to this section that are necessary to meet high school
949 graduation requirements. Such equivalencies shall be determined
950 solely on comparable course content and not on seat time
951 traditionally allocated to such courses in high school. The
952 Commissioner of Education shall recommend to the State Board of

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953 Education those postsecondary courses identified to meet high
954 school graduation requirements, based on mastery of course
955 outcomes, by their course numbers, and all high schools shall
956 accept these postsecondary education courses toward meeting the
957 requirements of s. 1003.428 or, s. 1003.429, ~~or s. 1003.43.~~

958 Section 48. Paragraph (c) of subsection (3) of section
959 1008.22, Florida Statutes, is amended to read:

960 1008.22 Student assessment program for public schools.—

961 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
962 design and implement a statewide program of educational
963 assessment that provides information for the improvement of the
964 operation and management of the public schools, including
965 schools operating for the purpose of providing educational
966 services to youth in Department of Juvenile Justice programs.
967 The commissioner may enter into contracts for the continued
968 administration of the assessment programs authorized and funded
969 by the Legislature. Contracts may be initiated in 1 fiscal year
970 and continue into the next and may be paid from the
971 appropriations of either or both fiscal years. The commissioner
972 is authorized to negotiate for the sale or lease of tests,
973 scoring protocols, test scoring services, and related materials
974 developed pursuant to law. Pursuant to the statewide assessment
975 program, the commissioner shall:

976 (c) Develop and implement a student achievement assessment
977 program as follows:

978 1. The Florida Comprehensive Assessment Test (FCAT)
979 measures a student's content knowledge and skills in reading,
980 writing, science, and mathematics. The content knowledge and

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981 skills assessed by the FCAT must be aligned to the core
982 curricular content established in the Next Generation Sunshine
983 State Standards. FCAT Reading and FCAT Mathematics shall be
984 administered annually in grades 3 through 10 except, beginning
985 with the 2010-2011 school year, the administration of grade 9
986 FCAT Mathematics shall be discontinued, and beginning with the
987 2011-2012 school year, the administration of grade 10 FCAT
988 Mathematics shall be discontinued, except as required for
989 students who have not attained minimum performance expectations
990 for graduation as provided in paragraph (9)(c). FCAT Writing and
991 FCAT Science shall be administered at least once at the
992 elementary, middle, and high school levels except, beginning
993 with the 2011-2012 school year, the administration of FCAT
994 Science at the high school level shall be discontinued. Students
995 enrolled in an Algebra I, geometry, or Biology I course or an
996 equivalent course with a statewide, standardized end-of-course
997 assessment are not required to take the corresponding grade-
998 level FCAT assessment.

999 2.a. End-of-course assessments must be rigorous,
1000 statewide, standardized, and developed or approved by the
1001 department. The content knowledge and skills assessed by end-of-
1002 course assessments must be aligned to the core curricular
1003 content established in the Next Generation Sunshine State
1004 Standards.

1005 (I) Statewide, standardized end-of-course assessments in
1006 mathematics shall be administered according to this sub-sub-
1007 subparagraph. Beginning with the 2010-2011 school year, all
1008 students enrolled in Algebra I or an equivalent course must take

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1009 the Algebra I end-of-course assessment. For students entering
1010 grade 9 during the 2010-2011 school year and who are enrolled in
1011 Algebra I or an equivalent, each student's performance on the
1012 end-of-course assessment in Algebra I shall constitute 30
1013 percent of the student's final course grade. Beginning with the
1014 2012-2013 school year, the end-of-course assessment in Algebra I
1015 shall be administered four times annually. Beginning with
1016 students entering grade 9 in the 2011-2012 school year, a
1017 student who is enrolled in Algebra I or an equivalent must earn
1018 a passing score on the end-of-course assessment in Algebra I or
1019 attain an equivalent score as described in subsection (11) in
1020 order to earn course credit. Beginning with the 2011-2012 school
1021 year, all students enrolled in geometry or an equivalent course
1022 must take the geometry end-of-course assessment. For students
1023 entering grade 9 during the 2011-2012 school year, each
1024 student's performance on the end-of-course assessment in
1025 geometry shall constitute 30 percent of the student's final
1026 course grade. Beginning with students entering grade 9 during
1027 the 2012-2013 school year, a student must earn a passing score
1028 on the end-of-course assessment in geometry or attain an
1029 equivalent score as described in subsection (11) in order to
1030 earn course credit.

1031 (II) Statewide, standardized end-of-course assessments in
1032 science shall be administered according to this sub-sub-
1033 subparagraph. Beginning with the 2011-2012 school year, all
1034 students enrolled in Biology I or an equivalent course must take
1035 the Biology I end-of-course assessment. For the 2011-2012 school
1036 year, each student's performance on the end-of-course assessment

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1037 | in Biology I shall constitute 30 percent of the student's final
1038 | course grade. Beginning with students entering grade 9 during
1039 | the 2012-2013 school year, a student must earn a passing score
1040 | on the end-of-course assessment in Biology I in order to earn
1041 | course credit.

1042 | b. During the 2012-2013 school year, an end-of-course
1043 | assessment in civics education shall be administered as a field
1044 | test at the middle school level. During the 2013-2014 school
1045 | year, each student's performance on the statewide, standardized
1046 | end-of-course assessment in civics education shall constitute 30
1047 | percent of the student's final course grade. Beginning with the
1048 | 2014-2015 school year, a student must earn a passing score on
1049 | the end-of-course assessment in civics education in order to
1050 | pass the course and be promoted from the middle grades. The
1051 | school principal of a middle school shall determine, in
1052 | accordance with State Board of Education rule, whether a student
1053 | who transfers to the middle school and who has successfully
1054 | completed a civics education course at the student's previous
1055 | school must take an end-of-course assessment in civics
1056 | education.

1057 | c. The commissioner may select one or more nationally
1058 | developed comprehensive examinations, which may include, but
1059 | need not be limited to, examinations for a College Board
1060 | Advanced Placement course, International Baccalaureate course,
1061 | or Advanced International Certificate of Education course, or
1062 | industry-approved examinations to earn national industry
1063 | certifications identified in the Industry Certification Funding
1064 | List, pursuant to rules adopted by the State Board of Education,

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1065 for use as end-of-course assessments under this paragraph, if
1066 the commissioner determines that the content knowledge and
1067 skills assessed by the examinations meet or exceed the grade
1068 level expectations for the core curricular content established
1069 for the course in the Next Generation Sunshine State Standards.
1070 The commissioner may collaborate with the American Diploma
1071 Project in the adoption or development of rigorous end-of-course
1072 assessments that are aligned to the Next Generation Sunshine
1073 State Standards.

1074 d. Contingent upon funding provided in the General
1075 Appropriations Act, including the appropriation of funds
1076 received through federal grants, the Commissioner of Education
1077 shall establish an implementation schedule for the development
1078 and administration of additional statewide, standardized end-of-
1079 course assessments in English/Language Arts II, Algebra II,
1080 chemistry, physics, earth/space science, United States history,
1081 and world history. Priority shall be given to the development of
1082 end-of-course assessments in English/Language Arts II. The
1083 Commissioner of Education shall evaluate the feasibility and
1084 effect of transitioning from the grade 9 and grade 10 FCAT
1085 Reading and high school level FCAT Writing to an end-of-course
1086 assessment in English/Language Arts II. The commissioner shall
1087 report the results of the evaluation to the President of the
1088 Senate and the Speaker of the House of Representatives no later
1089 than July 1, 2011.

1090 3. The assessment program shall measure student content
1091 knowledge and skills adopted by the State Board of Education as
1092 specified in paragraph (a) and measure and report student

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1093 performance levels of all students assessed in reading, writing,
1094 mathematics, and science. The commissioner shall provide for the
1095 tests to be developed or obtained, as appropriate, through
1096 contracts and project agreements with private vendors, public
1097 vendors, public agencies, postsecondary educational
1098 institutions, or school districts. The commissioner shall obtain
1099 input with respect to the design and implementation of the
1100 assessment program from state educators, assistive technology
1101 experts, and the public.

1102 4. The assessment program shall be composed of criterion-
1103 referenced tests that shall, to the extent determined by the
1104 commissioner, include test items that require the student to
1105 produce information or perform tasks in such a way that the core
1106 content knowledge and skills he or she uses can be measured.

1107 5. FCAT Reading, Mathematics, and Science and all
1108 statewide, standardized end-of-course assessments shall measure
1109 the content knowledge and skills a student has attained on the
1110 assessment by the use of scaled scores and achievement levels.
1111 Achievement levels shall range from 1 through 5, with level 1
1112 being the lowest achievement level, level 5 being the highest
1113 achievement level, and level 3 indicating satisfactory
1114 performance on an assessment. For purposes of FCAT Writing,
1115 student achievement shall be scored using a scale of 1 through 6
1116 and the score earned shall be used in calculating school grades.
1117 A score shall be designated for each subject area tested, below
1118 which score a student's performance is deemed inadequate. The
1119 school districts shall provide appropriate remedial instruction
1120 to students who score below these levels.

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1121 6. The State Board of Education shall, by rule, designate
1122 a passing score for each part of the grade 10 assessment test
1123 and end-of-course assessments. Any rule that has the effect of
1124 raising the required passing scores may apply only to students
1125 taking the assessment for the first time after the rule is
1126 adopted by the State Board of Education. Except as otherwise
1127 provided in this subparagraph and as provided in s.
1128 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~, students must earn a
1129 passing score on grade 10 FCAT Reading and grade 10 FCAT
1130 Mathematics or attain concordant scores as described in
1131 subsection (10) in order to qualify for a standard high school
1132 diploma.

1133 7. In addition to designating a passing score under
1134 subparagraph 6., the State Board of Education shall also
1135 designate, by rule, a score for each statewide, standardized
1136 end-of-course assessment which indicates that a student is high
1137 achieving and has the potential to meet college-readiness
1138 standards by the time the student graduates from high school.

1139 8. Participation in the assessment program is mandatory
1140 for all students attending public school, including students
1141 served in Department of Juvenile Justice programs, except as
1142 otherwise prescribed by the commissioner. A student who has not
1143 earned passing scores on the grade 10 FCAT as provided in
1144 subparagraph 6. must participate in each retake of the
1145 assessment until the student earns passing scores or achieves
1146 scores on a standardized assessment which are concordant with
1147 passing scores pursuant to subsection (10). If a student does
1148 not participate in the statewide assessment, the district must

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1149 | notify the student's parent and provide the parent with
1150 | information regarding the implications of such nonparticipation.
1151 | A parent must provide signed consent for a student to receive
1152 | classroom instructional accommodations that would not be
1153 | available or permitted on the statewide assessments and must
1154 | acknowledge in writing that he or she understands the
1155 | implications of such instructional accommodations. The State
1156 | Board of Education shall adopt rules, based upon recommendations
1157 | of the commissioner, for the provision of test accommodations
1158 | for students in exceptional education programs and for students
1159 | who have limited English proficiency. Accommodations that negate
1160 | the validity of a statewide assessment are not allowable in the
1161 | administration of the FCAT or an end-of-course assessment.
1162 | However, instructional accommodations are allowable in the
1163 | classroom if included in a student's individual education plan.
1164 | Students using instructional accommodations in the classroom
1165 | that are not allowable as accommodations on the FCAT or an end-
1166 | of-course assessment may have the FCAT or an end-of-course
1167 | assessment requirement waived pursuant to the requirements of s.
1168 | 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1169 | 9. A student seeking an adult high school diploma must
1170 | meet the same testing requirements that a regular high school
1171 | student must meet.

1172 | 10. District school boards must provide instruction to
1173 | prepare students in the core curricular content established in
1174 | the Next Generation Sunshine State Standards adopted under s.
1175 | 1003.41, including the core content knowledge and skills
1176 | necessary for successful grade-to-grade progression and high

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1177 school graduation. If a student is provided with instructional
1178 accommodations in the classroom that are not allowable as
1179 accommodations in the statewide assessment program, as described
1180 in the test manuals, the district must inform the parent in
1181 writing and must provide the parent with information regarding
1182 the impact on the student's ability to meet expected performance
1183 levels in reading, writing, mathematics, and science. The
1184 commissioner shall conduct studies as necessary to verify that
1185 the required core curricular content is part of the district
1186 instructional programs.

1187 11. District school boards must provide opportunities for
1188 students to demonstrate an acceptable performance level on an
1189 alternative standardized assessment approved by the State Board
1190 of Education following enrollment in summer academies.

1191 12. The Department of Education must develop, or select,
1192 and implement a common battery of assessment tools that will be
1193 used in all juvenile justice programs in the state. These tools
1194 must accurately measure the core curricular content established
1195 in the Next Generation Sunshine State Standards.

1196 13. For students seeking a special diploma pursuant to s.
1197 1003.438, the Department of Education must develop or select and
1198 implement an alternate assessment tool that accurately measures
1199 the core curricular content established in the Next Generation
1200 Sunshine State Standards for students with disabilities under s.
1201 1003.438.

1202 14. The Commissioner of Education shall establish
1203 schedules for the administration of statewide assessments and
1204 the reporting of student test results. When establishing the

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1205 | schedules for the administration of statewide assessments, the
1206 | commissioner shall consider the observance of religious and
1207 | school holidays. The commissioner shall, by August 1 of each
1208 | year, notify each school district in writing and publish on the
1209 | department's Internet website the testing and reporting
1210 | schedules for, at a minimum, the school year following the
1211 | upcoming school year. The testing and reporting schedules shall
1212 | require that:

1213 | a. There is the latest possible administration of
1214 | statewide assessments and the earliest possible reporting to the
1215 | school districts of student test results which is feasible
1216 | within available technology and specific appropriations;
1217 | however, test results for the FCAT must be made available no
1218 | later than the week of June 8. Student results for end-of-course
1219 | assessments must be provided no later than 1 week after the
1220 | school district completes testing for each course. The
1221 | commissioner may extend the reporting schedule under exigent
1222 | circumstances.

1223 | b. FCAT Writing may not be administered earlier than the
1224 | week of March 1, and a comprehensive statewide assessment of any
1225 | other subject may not be administered earlier than the week of
1226 | April 15.

1227 | c. A statewide, standardized end-of-course assessment is
1228 | administered at the end of the course. The commissioner shall
1229 | select an administration period for assessments that meets the
1230 | intent of end-of-course assessments and provides student results
1231 | prior to the end of the course. School districts shall
1232 | administer tests in accordance with the schedule determined by

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1233 | the commissioner. For an end-of-course assessment administered
 1234 | at the end of the first semester, the commissioner shall
 1235 | determine the most appropriate testing dates based on a review
 1236 | of each school district's academic calendar.

1237 |
 1238 | The commissioner may, based on collaboration and input from
 1239 | school districts, design and implement student testing programs,
 1240 | for any grade level and subject area, necessary to effectively
 1241 | monitor educational achievement in the state, including the
 1242 | measurement of educational achievement of the Next Generation
 1243 | Sunshine State Standards for students with disabilities.

1244 | Development and refinement of assessments shall include
 1245 | universal design principles and accessibility standards that
 1246 | will prevent any unintended obstacles for students with
 1247 | disabilities while ensuring the validity and reliability of the
 1248 | test. These principles should be applicable to all technology
 1249 | platforms and assistive devices available for the assessments.
 1250 | The field testing process and psychometric analyses for the
 1251 | statewide assessment program must include an appropriate
 1252 | percentage of students with disabilities and an evaluation or
 1253 | determination of the effect of test items on such students.

1254 | Section 49. Section 1008.23, Florida Statutes, is amended
 1255 | to read:

1256 | 1008.23 Confidentiality of assessment instruments.—All
 1257 | examination and assessment instruments, including developmental
 1258 | materials and workpapers directly related thereto, which are
 1259 | prepared, prescribed, or administered pursuant to ss. ~~1003.43,~~
 1260 | ~~1008.22~~ and 1008.25 shall be confidential and exempt from the

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1261 provisions of s. 119.07(1) and from s. 1001.52. Provisions
 1262 governing access, maintenance, and destruction of such
 1263 instruments and related materials shall be prescribed by rules
 1264 of the State Board of Education.

1265 Section 50. Paragraph (a) of subsection (1) of section
 1266 1009.40, Florida Statutes, is amended to read:

1267 1009.40 General requirements for student eligibility for
 1268 state financial aid awards and tuition assistance grants.-

1269 (1)(a) The general requirements for eligibility of
 1270 students for state financial aid awards and tuition assistance
 1271 grants consist of the following:

1272 1. Achievement of the academic requirements of and
 1273 acceptance at a state university or Florida College System
 1274 institution; a nursing diploma school approved by the Florida
 1275 Board of Nursing; a Florida college or university which is
 1276 accredited by an accrediting agency recognized by the State
 1277 Board of Education; any Florida institution the credits of which
 1278 are acceptable for transfer to state universities; any career
 1279 center; or any private career institution accredited by an
 1280 accrediting agency recognized by the State Board of Education.

1281 2. Residency in this state for no less than 1 year
 1282 preceding the award of aid or a tuition assistance grant for a
 1283 program established pursuant to s. 1009.50, s. 1009.505, s.
 1284 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.
 1285 1009.62, ~~s. 1009.68~~, s. 1009.72, s. 1009.73, s. 1009.77, s.
 1286 1009.89, or s. 1009.891. Residency in this state must be for
 1287 purposes other than to obtain an education. Resident status for
 1288 purposes of receiving state financial aid awards shall be

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1289 determined in the same manner as resident status for tuition
 1290 purposes pursuant to s. 1009.21.

1291 3. Submission of certification attesting to the accuracy,
 1292 completeness, and correctness of information provided to
 1293 demonstrate a student's eligibility to receive state financial
 1294 aid awards or tuition assistance grants. Falsification of such
 1295 information shall result in the denial of any pending
 1296 application and revocation of any award or grant currently held
 1297 to the extent that no further payments shall be made.
 1298 Additionally, students who knowingly make false statements in
 1299 order to receive state financial aid awards or tuition
 1300 assistance grants commit a misdemeanor of the second degree
 1301 subject to the provisions of s. 837.06 and shall be required to
 1302 return all state financial aid awards or tuition assistance
 1303 grants wrongfully obtained.

1304 Section 51. Paragraph (b) of subsection (1) of section
 1305 1009.531, Florida Statutes, is amended to read:

1306 1009.531 Florida Bright Futures Scholarship Program;
 1307 student eligibility requirements for initial awards.-

1308 (1) Effective January 1, 2008, in order to be eligible for
 1309 an initial award from any of the three types of scholarships
 1310 under the Florida Bright Futures Scholarship Program, a student
 1311 must:

1312 (b) Earn a standard Florida high school diploma or its
 1313 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,
 1314 ~~s. 1003.43~~, or s. 1003.435 unless:

1315 1. The student completes a home education program
 1316 according to s. 1002.41; or

1317 2. The student earns a high school diploma from a non-
 1318 Florida school while living with a parent or guardian who is on
 1319 military or public service assignment away from Florida.

1320 Section 52. Paragraph (c) of subsection (2) of section
 1321 1009.94, Florida Statutes, is amended to read:

1322 1009.94 Student financial assistance database.—

1323 (2) For purposes of this section, financial assistance
 1324 includes:

1325 (c) Any financial assistance provided under s. 1009.50, s.
 1326 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.
 1327 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.
 1328 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.
 1329 1009.89, or s. 1009.891.

1330 Section 53. Paragraph (c) of subsection (1) of section
 1331 1011.61, Florida Statutes, is amended to read:

1332 1011.61 Definitions.—Notwithstanding the provisions of s.
 1333 1000.21, the following terms are defined as follows for the
 1334 purposes of the Florida Education Finance Program:

1335 (1) A "full-time equivalent student" in each program of
 1336 the district is defined in terms of full-time students and part-
 1337 time students as follows:

1338 (c)1. A "full-time equivalent student" is:

1339 a. A full-time student in any one of the programs listed
 1340 in s. 1011.62(1)(c); or

1341 b. A combination of full-time or part-time students in any
 1342 one of the programs listed in s. 1011.62(1)(c) which is the
 1343 equivalent of one full-time student based on the following
 1344 calculations:

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1345 (I) A full-time student in a combination of programs
1346 listed in s. 1011.62(1)(c) shall be a fraction of a full-time
1347 equivalent membership in each program equal to the number of net
1348 hours per school year for which he or she is a member, divided
1349 by the appropriate number of hours set forth in subparagraph
1350 (a)1. or subparagraph (a)2. The sum of the fractions for each
1351 program may not exceed the maximum value set forth in subsection
1352 (4).

1353 (II) A prekindergarten student with a disability shall
1354 meet the requirements specified for kindergarten students.

1355 (III) A full-time equivalent student for students in
1356 kindergarten through grade 12 in a full-time virtual instruction
1357 program under s. 1002.45 or a virtual charter school under s.
1358 1002.33 shall consist of six full-credit completions or the
1359 prescribed level of content that counts toward promotion to the
1360 next grade in programs listed in s. 1011.62(1)(c). Credit
1361 completions may be a combination of full-credit courses or half-
1362 credit courses. Beginning in the 2014-2015 fiscal year, when s.
1363 1008.22(3)(g) is implemented, the reported full-time equivalent
1364 students and associated funding of students enrolled in courses
1365 requiring passage of an end-of-course assessment shall be
1366 adjusted after the student completes the end-of-course
1367 assessment.

1368 (IV) A full-time equivalent student for students in
1369 kindergarten through grade 12 in a part-time virtual instruction
1370 program under s. 1002.45 shall consist of six full-credit
1371 completions in programs listed in s. 1011.62(1)(c)1. and 3.
1372 Credit completions may be a combination of full-credit courses

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1373 or half-credit courses. Beginning in the 2014-2015 fiscal year,
1374 when s. 1008.22(3)(g) is implemented, the reported full-time
1375 equivalent students and associated funding of students enrolled
1376 in courses requiring passage of an end-of-course assessment
1377 shall be adjusted after the student completes the end-of-course
1378 assessment.

1379 (V) A Florida Virtual School full-time equivalent student
1380 shall consist of six full-credit completions or the prescribed
1381 level of content that counts toward promotion to the next grade
1382 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1383 participating in kindergarten through grade 12 part-time virtual
1384 instruction and the programs listed in s. 1011.62(1)(c) for
1385 students participating in kindergarten through grade 12 full-
1386 time virtual instruction. Credit completions may be a
1387 combination of full-credit courses or half-credit courses.
1388 Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is
1389 implemented, the reported full-time equivalent students and
1390 associated funding of students enrolled in courses requiring
1391 passage of an end-of-course assessment shall be adjusted after
1392 the student completes the end-of-course assessment.

1393 (VI) Each successfully completed full-credit course earned
1394 through an online course delivered by a district other than the
1395 one in which the student resides shall be calculated as 1/6
1396 FTE.

1397 ~~(VII) Each successfully completed credit earned under the~~
1398 ~~alternative high school course credit requirements authorized in~~
1399 ~~s. 1002.375, which is not reported as a portion of the 900 net~~
1400 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~

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1401 ealculated as ~~1/6 FTE.~~

1402 (VII) ~~(VIII)~~ (A) A full-time equivalent student for courses
1403 requiring a statewide, standardized end-of-course assessment
1404 pursuant to s. 1008.22(3)(c)2.a. shall be defined and reported
1405 based on the number of instructional hours as provided in this
1406 subsection for the first 3 years of administering the end-of-
1407 course assessment. Beginning in the fourth year of administering
1408 the end-of-course assessment, the FTE shall be credit-based and
1409 each course shall be equal to 1/6 FTE. The reported FTE shall
1410 be adjusted after the student successfully completes the end-of-
1411 course assessment pursuant to s. 1008.22(3)(c)2.a.

1412 (B) For students enrolled in a school district as a full-
1413 time student, the district may report 1/6 FTE for each student
1414 who passes a statewide, standardized end-of-course assessment
1415 without being enrolled in the corresponding course.

1416 (C) The FTE earned under this sub-sub-subparagraph and any
1417 FTE for courses or programs listed in s. 1011.62(1)(c) that do
1418 not require passing a statewide, standardized end-of-course
1419 assessment are subject to the requirements in subsection (4).

1420 2. A student in membership in a program scheduled for more
1421 or less than 180 school days or the equivalent on an hourly
1422 basis as specified by rules of the State Board of Education is a
1423 fraction of a full-time equivalent membership equal to the
1424 number of instructional hours in membership divided by the
1425 appropriate number of hours set forth in subparagraph (a)1.;
1426 however, for the purposes of this subparagraph, membership in
1427 programs scheduled for more than 180 days is limited to students
1428 enrolled in juvenile justice education programs and the Florida

1429 Virtual School.

1430

1431 The department shall determine and implement an equitable method
 1432 of equivalent funding for experimental schools and for schools
 1433 operating under emergency conditions, which schools have been
 1434 approved by the department to operate for less than the minimum
 1435 school day.

1436 Section 54. Paragraph (b) of subsection (2) of section
 1437 1013.35, Florida Statutes, is amended to read:

1438 1013.35 School district educational facilities plan;
 1439 definitions; preparation, adoption, and amendment; long-term
 1440 work programs.—

1441 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
 1442 FACILITIES PLAN.—

1443 (b) The plan must also include a financially feasible
 1444 district facilities work program for a 5-year period. The work
 1445 program must include:

1446 1. A schedule of major repair and renovation projects
 1447 necessary to maintain the educational facilities and ancillary
 1448 facilities of the district.

1449 2. A schedule of capital outlay projects necessary to
 1450 ensure the availability of satisfactory student stations for the
 1451 projected student enrollment in K-12 programs. This schedule
 1452 shall consider:

1453 a. The locations, capacities, and planned utilization
 1454 rates of current educational facilities of the district. The
 1455 capacity of existing satisfactory facilities, as reported in the
 1456 Florida Inventory of School Houses must be compared to the

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1457 capital outlay full-time-equivalent student enrollment as
1458 determined by the department, including all enrollment used in
1459 the calculation of the distribution formula in s. 1013.64.

1460 b. The proposed locations of planned facilities, whether
1461 those locations are consistent with the comprehensive plans of
1462 all affected local governments, and recommendations for
1463 infrastructure and other improvements to land adjacent to
1464 existing facilities. The provisions of ss. 1013.33(6), (7), and
1465 (8) and 1013.36 must be addressed for new facilities planned
1466 within the first 3 years of the work plan, as appropriate.

1467 c. Plans for the use and location of relocatable
1468 facilities, leased facilities, and charter school facilities.

1469 d. Plans for multitrack scheduling, grade level
1470 organization, block scheduling, or other alternatives that
1471 reduce the need for additional permanent student stations.

1472 e. Information concerning average class size and
1473 utilization rate by grade level within the district which will
1474 result if the tentative district facilities work program is
1475 fully implemented.

1476 f. The number and percentage of district students planned
1477 to be educated in relocatable facilities during each year of the
1478 tentative district facilities work program. For determining
1479 future needs, student capacity may not be assigned to any
1480 relocatable classroom that is scheduled for elimination or
1481 replacement with a permanent educational facility in the current
1482 year of the adopted district educational facilities plan and in
1483 the district facilities work program adopted under this section.
1484 Those relocatable classrooms clearly identified and scheduled

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1485 for replacement in a school-board-adopted, financially feasible,
1486 5-year district facilities work program shall be counted at zero
1487 capacity at the time the work program is adopted and approved by
1488 the school board. However, if the district facilities work
1489 program is changed and the relocatable classrooms are not
1490 replaced as scheduled in the work program, the classrooms must
1491 be reentered into the system and be counted at actual capacity.
1492 Relocatable classrooms may not be perpetually added to the work
1493 program or continually extended for purposes of circumventing
1494 this section. All relocatable classrooms not identified and
1495 scheduled for replacement, including those owned, lease-
1496 purchased, or leased by the school district, must be counted at
1497 actual student capacity. The district educational facilities
1498 plan must identify the number of relocatable student stations
1499 scheduled for replacement during the 5-year survey period and
1500 the total dollar amount needed for that replacement.

1501 g. Plans for the closure of any school, including plans
1502 for disposition of the facility or usage of facility space, and
1503 anticipated revenues.

1504 h. Projects for which capital outlay and debt service
1505 funds accruing under s. 9(d), Art. XII of the State Constitution
1506 are to be used shall be identified separately in priority order
1507 on a project priority list within the district facilities work
1508 program.

1509 3. The projected cost for each project identified in the
1510 district facilities work program. For proposed projects for new
1511 student stations, a schedule shall be prepared comparing the
1512 planned cost and square footage for each new student station, by

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1513 elementary, middle, and high school levels, to the low, average,
1514 and high cost of facilities constructed throughout the state
1515 during the most recent fiscal year for which data is available
1516 from the Department of Education.

1517 4. A schedule of estimated capital outlay revenues from
1518 each currently approved source which is estimated to be
1519 available for expenditure on the projects included in the
1520 district facilities work program.

1521 5. A schedule indicating which projects included in the
1522 district facilities work program will be funded from current
1523 revenues projected in subparagraph 4.

1524 6. A schedule of options for the generation of additional
1525 revenues by the district for expenditure on projects identified
1526 in the district facilities work program which are not funded
1527 under subparagraph 5. Additional anticipated revenues may
1528 include ~~effort index grants, SIT Program awards, and Classrooms~~
1529 First funds.

1530 Section 55. Subsection (2) of section 1013.356, Florida
1531 Statutes, is amended to read:

1532 1013.356 Local funding for educational facilities benefit
1533 districts or community development districts.—Upon confirmation
1534 by a district school board of the commitment of revenues by an
1535 educational facilities benefit district or community development
1536 district necessary to construct and maintain an educational
1537 facility contained within an individual district facilities work
1538 program or proposed by an approved charter school or a charter
1539 school applicant, the following funds shall be provided to the
1540 educational facilities benefit district or community development

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1541 district annually, beginning with the next fiscal year after
1542 confirmation until the district's financial obligations are
1543 completed:

1544 (2) For construction and capital maintenance costs not
1545 covered by the funds provided under subsection (1), an annual
1546 amount contributed by the district school board equal to one-
1547 half of the remaining costs of construction and capital
1548 maintenance of the educational facility. Any construction costs
1549 above the cost-per-student criteria established in s.
1550 1013.64(6)(b)1. ~~for the SIT Program in s. 1013.72(2)~~ shall be
1551 funded exclusively by the educational facilities benefit
1552 district or the community development district. Funds
1553 contributed by a district school board shall not be used to fund
1554 operational costs.

1555
1556 Educational facilities funded pursuant to this act may be
1557 constructed on land that is owned by any person after the
1558 district school board has acquired from the owner of the land a
1559 long-term lease for the use of this land for a period of not
1560 less than 40 years or the life expectancy of the permanent
1561 facilities constructed thereon, whichever is longer. All
1562 interlocal agreements entered into pursuant to this act shall
1563 provide for ownership of educational facilities funded pursuant
1564 to this act to revert to the district school board if such
1565 facilities cease to be used for public educational purposes
1566 prior to 40 years after construction or prior to the end of the
1567 life expectancy of the educational facilities, whichever is
1568 longer.

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1569 Section 56. Subsections (4), (5), and (6) of section
 1570 1013.41, Florida Statutes, are amended to read:

1571 1013.41 SMART schools; Classrooms First; legislative
 1572 purpose.—

1573 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of
 1574 the Legislature to require the Office of Educational Facilities
 1575 to assist school districts in building SMART schools utilizing
 1576 functional and frugal practices. The Office of Educational
 1577 Facilities must review district facilities work programs and
 1578 projects and ~~identify districts qualified for incentive funding~~
 1579 ~~available through School Infrastructure Thrift Program awards;~~
 1580 identify opportunities to maximize design and construction
 1581 savings; develop school district facilities work program
 1582 performance standards; and provide for review and
 1583 recommendations to the Governor, the Legislature, and the State
 1584 Board of Education.

1585 ~~(5) EFFORT INDEX GRANTS.—It is the purpose of the~~
 1586 ~~Legislature to create s. 1013.73, in order to provide grants~~
 1587 ~~from state funds to assist school districts that have provided a~~
 1588 ~~specified level of local effort funding.~~

1589 ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS.—It~~
 1590 ~~is the purpose of the Legislature to convert the SIT Program~~
 1591 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~
 1592 ~~program to encourage functional, frugal facilities and~~
 1593 ~~practices.~~

1594 Section 57. Paragraph (b) of subsection (6) of section
 1595 1013.64, Florida Statutes, is amended to read:

1596 1013.64 Funds for comprehensive educational plant needs;

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1597 construction cost maximums for school district capital
 1598 projects.—Allocations from the Public Education Capital Outlay
 1599 and Debt Service Trust Fund to the various boards for capital
 1600 outlay projects shall be determined as follows:

1601 (6)

1602 (b)1. A district school board must not use funds from the
 1603 following sources: Public Education Capital Outlay and Debt
 1604 Service Trust Fund; School District and Community College
 1605 District Capital Outlay and Debt Service Trust Fund; Classrooms
 1606 First Program funds provided in s. 1013.68; ~~effort index grant~~
 1607 ~~funds provided in s. 1013.73;~~ nonvoted 1.5-mill levy of ad
 1608 valorem property taxes provided in s. 1011.71(2); Classrooms for
 1609 Kids Program funds provided in s. 1013.735; District Effort
 1610 Recognition Program funds provided in s. 1013.736; or High
 1611 Growth District Capital Outlay Assistance Grant Program funds
 1612 provided in s. 1013.738 for any new construction of educational
 1613 plant space with a total cost per student station, including
 1614 change orders, that equals more than:

- 1615 a. \$17,952 for an elementary school,
- 1616 b. \$19,386 for a middle school, or
- 1617 c. \$25,181 for a high school,

1618
 1619 (January 2006) as adjusted annually to reflect increases or
 1620 decreases in the Consumer Price Index.

1621 2. A district school board must not use funds from the
 1622 Public Education Capital Outlay and Debt Service Trust Fund or
 1623 the School District and Community College District Capital
 1624 Outlay and Debt Service Trust Fund for any new construction of

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1625 an ancillary plant that exceeds 70 percent of the average cost
1626 per square foot of new construction for all schools.

1627 Section 58. Section 1013.69, Florida Statutes, is amended
1628 to read:

1629 1013.69 Full bonding required to participate in programs.—
1630 Any district with unused bonding capacity in its Capital Outlay
1631 and Debt Service Trust Fund allocation that certifies in its
1632 district educational facilities plan that it will not be able to
1633 meet all of its need for new student stations within existing
1634 revenues must fully bond its Capital Outlay and Debt Service
1635 Trust Fund allocation before it may participate in Classrooms
1636 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~
1637 ~~Effort Index Grants Program.~~

1638 Section 59. Paragraph (b) of subsection (2) of section
1639 1013.738, Florida Statutes, is amended to read:

1640 1013.738 High Growth District Capital Outlay Assistance
1641 Grant Program.—

1642 (2) In order to qualify for a grant, a school district
1643 must meet the following criteria:

1644 (b) Fifty percent of the revenue derived from the 2-mill
1645 nonvoted discretionary capital outlay millage for the past 4
1646 fiscal years, when divided by the district's growth in capital
1647 outlay FTE students over this period, produces a value that is
1648 less than the average cost per student station calculated
1649 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by
1650 statewide growth in capital outlay FTE students in elementary,
1651 middle, and high schools for the past 4 fiscal years.

1652 Section 60. This act shall take effect upon becoming a

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1653 | law.