

1                   A bill to be entitled  
2           An act relating to the repeal of education provisions;  
3           amending s. 403.7032, F.S.; removing a requirement  
4           that each K-12 public school annually report to the  
5           county on recycled materials; repealing s. 1001.26(3),  
6           F.S.; removing duplicative, redundant, or unused  
7           rulemaking authority; repealing s. 1001.435, F.S.,  
8           relating to a K-12 foreign language curriculum plan;  
9           repealing s. 1002.23(4), (6), and (9), F.S., relating  
10          to a parent-response center, submission of family  
11          involvement and empowerment rules by district school  
12          boards, and State Board of Education compliance review  
13          and enforcement under the Family and School  
14          Partnership for Student Achievement Act; repealing s.  
15          1002.32(10), F.S.; removing duplicative, redundant, or  
16          unused rulemaking authority; repealing s. 1002.361,  
17          F.S., relating to a direct-support organization for  
18          the Florida School for the Deaf and the Blind;  
19          repealing s. 1002.375, F.S., relating to a pilot  
20          project to award alternative credit for high school  
21          courses; repealing s. 1003.4285(1), F.S., relating to  
22          a standard high school diploma designation that  
23          indicates a student's major area of interest;  
24          repealing s. 1003.43, F.S., relating to general  
25          requirements for high school graduation; repealing s.  
26          1003.433(5), F.S.; removing duplicative, redundant, or  
27          unused rulemaking authority; repealing s. 1003.453(2),  
28          F.S., relating to information on school wellness and

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

57 | readiness for postsecondary education and the  
58 | workplace; repealing s. 1007.35(10), F.S.; removing  
59 | duplicative, redundant, or unused rulemaking  
60 | authority; repealing s. 1008.31(3)(d) and (e), F.S.,  
61 | relating to review and reporting duties of the  
62 | Commissioner of Education with respect to  
63 | consolidating paperwork under Florida's K-20 education  
64 | performance accountability system; repealing s.  
65 | 1009.68, F.S., relating to the Florida Minority  
66 | Medical Education Program; amending s. 1009.85, F.S.;  
67 | removing duplicative, redundant, or unused rulemaking  
68 | authority; repealing s. 1012.58, F.S., relating to the  
69 | Transition to Teaching Program; repealing s.  
70 | 1012.71(6), F.S., relating to a pilot program for  
71 | establishing an electronic management system for the  
72 | Florida Teachers Lead Program; repealing s. 1013.231,  
73 | F.S., relating to Florida College System institution  
74 | and state university energy consumption reduction;  
75 | repealing s. 1013.32, F.S., relating to exceptions to  
76 | recommendations in educational plant surveys;  
77 | repealing ss. 1013.42 and 1013.72, F.S., relating to  
78 | the School Infrastructure Thrift (SIT) Program;  
79 | repealing ss. 1013.502 and 1013.721, F.S., relating to  
80 | A Business-Community (ABC) School Program; repealing  
81 | s. 1013.64(7), F.S., relating to exceptions from  
82 | Special Facility Construction Account requirements;  
83 | repealing s. 1013.73, F.S., relating to effort index  
84 | grants for school district facilities; amending ss.

85 | 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33,  
 86 | 1002.34, 1002.45, 1003.03, 1003.429, 1003.438,  
 87 | 1003.49, 1004.70, 1004.71, 1006.025, 1006.15,  
 88 | 1007.263, 1007.271, 1008.22, 1008.23, 1009.40,  
 89 | 1009.531, 1009.94, 1011.61, 1013.35, 1013.356,  
 90 | 1013.41, 1013.64, 1013.69, and 1013.738, F.S.;  
 91 | conforming provisions; providing an effective date.

92 |

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

94 |

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

97 | 403.7032 Recycling.—

98 | (3) Each state agency, ~~K-12 public school~~, public  
 99 | institution of higher learning, community college, and state  
 100 | university, including all buildings that are occupied by  
 101 | municipal, county, or state employees and entities occupying  
 102 | buildings managed by the Department of Management Services,  
 103 | must, at a minimum, annually report all recycled materials to  
 104 | the county using the department's designated reporting format.  
 105 | Private businesses, other than certified recovered materials  
 106 | dealers, that recycle paper, metals, glass, plastics, textiles,  
 107 | rubber materials, and mulch, are encouraged to report the amount  
 108 | of materials they recycle to the county annually beginning  
 109 | January 1, 2011, using the department's designated reporting  
 110 | format. Using the information provided, the department shall  
 111 | recognize those private businesses that demonstrate outstanding  
 112 | recycling efforts. Notwithstanding any other provision of state

113 or county law, private businesses, other than certified  
 114 recovered materials dealers, shall not be required to report  
 115 recycling rates. Cities with less than a population of 2,500 and  
 116 per capita taxable value less than \$48,000 and cities with a per  
 117 capita taxable value less than \$30,000 are exempt from the  
 118 reporting requirement specified in this subsection.

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

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

123 Section 4. Subsections (4), (6), and (9) of section  
 124 1002.23, Florida Statutes, are repealed.

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

127 Section 6. Section 1002.361, Florida Statutes, is  
 128 repealed.

129 Section 7. Section 1002.375, Florida Statutes, is  
 130 repealed.

131 Section 8. Subsection (1) of section 1003.4285, Florida  
 132 Statutes, is repealed.

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

134 Section 10. Subsection (5) of section 1003.433, Florida  
 135 Statutes, is repealed.

136 Section 11. Subsection (2) of section 1003.453, Florida  
 137 Statutes, is repealed.

138 Section 12. Section 1003.496, Florida Statutes, is  
 139 repealed.

140 Section 13. Section 1004.05, Florida Statutes, is

141 repealed.

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

144 1004.435 Cancer control and research.—

145 (5) RESPONSIBILITIES OF THE BOARD OF GOVERNORS, THE H. LEE  
 146 MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC., AND THE  
 147 STATE SURGEON GENERAL.—

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

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

162 Section 15. Paragraph (g) of subsection (2) of section  
 163 1004.45, Florida Statutes, is amended to read:

164 1004.45 Ringling Center for Cultural Arts.—

165 (2)

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

169           Section 16. Section 1004.62, Florida Statutes, is  
 170 repealed.

171           Section 17. Section 1004.77, Florida Statutes, is  
 172 repealed.

173           Section 18. Section 1006.02, Florida Statutes, is  
 174 repealed.

175           Section 19. Section 1006.035, Florida Statutes, is  
 176 repealed.

177           Section 20. Section 1006.051, Florida Statutes, is  
 178 repealed.

179           Section 21. Paragraph (d) of subsection (1) of section  
 180 1006.09, Florida Statutes, is repealed.

181           Section 22. Sections 1006.17 and 1006.70, Florida  
 182 Statutes, are repealed.

183           Section 23. Section 1006.65, Florida Statutes, is  
 184 repealed.

185           Section 24. Section 1007.21, Florida Statutes, is  
 186 repealed.

187           Section 25. Subsection (10) of section 1007.35, Florida  
 188 Statutes, is repealed.

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

191           Section 27. Section 1009.68, Florida Statutes, is  
 192 repealed.

193           Section 28. Section 1009.85, Florida Statutes, is amended  
 194 to read:

195           1009.85 Participation in guaranteed student loan program.—  
 196 ~~The State Board of Education shall adopt rules necessary for~~

197 ~~participation in the guaranteed student loan program, as~~  
 198 ~~provided by the Higher Education Act of 1965 (20 U.S.C. ss. 1071~~  
 199 ~~et seq.), as amended or as may be amended.~~ The intent of this  
 200 act is to authorize student loans when this state, through the  
 201 Department of Education, has become an eligible lender under the  
 202 provisions of the applicable federal laws providing for the  
 203 guarantee of loans to students and the partial payment of  
 204 interest on such loans by the United States Government.

205 Section 29. Section 1012.58, Florida Statutes, is  
 206 repealed.

207 Section 30. Subsection (6) of section 1012.71, Florida  
 208 Statutes, is repealed.

209 Section 31. Section 1013.231, Florida Statutes, is  
 210 repealed.

211 Section 32. Section 1013.32, Florida Statutes, is  
 212 repealed.

213 Section 33. Sections 1013.42 and 1013.72, Florida  
 214 Statutes, are repealed.

215 Section 34. Sections 1013.502 and 1013.721, Florida  
 216 Statutes, are repealed.

217 Section 35. Subsection (7) of section 1013.64, Florida  
 218 Statutes, is repealed.

219 Section 36. Section 1013.73, Florida Statutes, is  
 220 repealed.

221 Section 37. Paragraph (c) of subsection (1) of section  
 222 120.81, Florida Statutes, is amended to read:

223 120.81 Exceptions and special requirements; general  
 224 areas.-



225 (1) EDUCATIONAL UNITS.—

226 (c) Notwithstanding s. 120.52(16), any tests, test scoring  
 227 criteria, or testing procedures relating to student assessment  
 228 which are developed or administered by the Department of  
 229 Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.  
 230 1003.438, s. 1008.22, or s. 1008.25, or any other statewide  
 231 educational tests required by law, are not rules.

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

234 250.115 Department of Military Affairs direct-support  
 235 organization.—

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

241 Section 39. Paragraph (b) of subsection (5) of section  
 242 409.1451, Florida Statutes, is amended to read:

243 409.1451 Independent living transition services.—

244 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—  
 245 Based on the availability of funds, the department shall provide  
 246 or arrange for the following services to young adults formerly  
 247 in foster care who meet the prescribed conditions and are  
 248 determined eligible by the department. The department, or a  
 249 community-based care lead agency when the agency is under  
 250 contract with the department to provide the services described  
 251 under this subsection, shall develop a plan to implement those  
 252 services. A plan shall be developed for each community-based

253 care service area in the state. Each plan that is developed by a  
254 community-based care lead agency shall be submitted to the  
255 department. Each plan shall include the number of young adults  
256 to be served each month of the fiscal year and specify the  
257 number of young adults who will reach 18 years of age who will  
258 be eligible for the plan and the number of young adults who will  
259 reach 23 years of age and will be ineligible for the plan or who  
260 are otherwise ineligible during each month of the fiscal year;  
261 staffing requirements and all related costs to administer the  
262 services and program; expenditures to or on behalf of the  
263 eligible recipients; costs of services provided to young adults  
264 through an approved plan for housing, transportation, and  
265 employment; reconciliation of these expenses and any additional  
266 related costs with the funds allocated for these services; and  
267 an explanation of and a plan to resolve any shortages or  
268 surpluses in order to end the fiscal year with a balanced  
269 budget. The categories of services available to assist a young  
270 adult formerly in foster care to achieve independence are:

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

272 1. The Road-to-Independence Program is intended to help  
273 eligible students who are former foster children in this state  
274 to receive the educational and vocational training needed to  
275 achieve independence. The amount of the award shall be based on  
276 the living and educational needs of the young adult and may be  
277 up to, but may not exceed, the amount of earnings that the  
278 student would have been eligible to earn working a 40-hour-a-  
279 week federal minimum wage job.

280 2. A young adult who has earned a standard high school

281 diploma or its equivalent as described in s. 1003.428, s.  
 282 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma  
 283 or special certificate of completion as described in s.  
 284 1003.438, or has reached 18 years of age but is not yet 21 years  
 285 of age is eligible for the initial award, and a young adult  
 286 under 23 years of age is eligible for renewal awards, if he or  
 287 she:

288 a. Was a dependent child, under chapter 39, and was living  
 289 in licensed foster care or in subsidized independent living at  
 290 the time of his or her 18th birthday or is currently living in  
 291 licensed foster care or subsidized independent living, or, after  
 292 reaching the age of 16, was adopted from foster care or placed  
 293 with a court-approved dependency guardian and has spent a  
 294 minimum of 6 months in foster care immediately preceding such  
 295 placement or adoption;

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

298 c. Is a resident of this state as defined in s. 1009.40;  
 299 and

300 d. Meets one of the following qualifications:

301 (I) Has earned a standard high school diploma or its  
 302 equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or  
 303 s. 1003.435, or has earned a special diploma or special  
 304 certificate of completion as described in s. 1003.438, and has  
 305 been admitted for full-time enrollment in an eligible  
 306 postsecondary education institution as defined in s. 1009.533;

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

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

312 3. A young adult applying for the Road-to-Independence  
313 Program must apply for any other grants and scholarships for  
314 which he or she may qualify. The department shall assist the  
315 young adult in the application process and may use the federal  
316 financial aid grant process to determine the funding needs of  
317 the young adult.

318 4. An award shall be available to a young adult who is  
319 considered a full-time student or its equivalent by the  
320 educational institution in which he or she is enrolled, unless  
321 that young adult has a recognized disability preventing full-  
322 time attendance. The amount of the award, whether it is being  
323 used by a young adult working toward completion of a high school  
324 diploma or its equivalent or working toward completion of a  
325 postsecondary education program, shall be determined based on an  
326 assessment of the funding needs of the young adult. This  
327 assessment must consider the young adult's living and  
328 educational costs and other grants, scholarships, waivers,  
329 earnings, and other income to be received by the young adult. An  
330 award shall be available only to the extent that other grants  
331 and scholarships are not sufficient to meet the living and  
332 educational needs of the young adult, but an award may not be  
333 less than \$25 in order to maintain Medicaid eligibility for the  
334 young adult as provided in s. 409.903.

335 5. The amount of the award may be disregarded for purposes  
336 of determining the eligibility for, or the amount of, any other

337 federal or federally supported assistance.

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

340 (I) Children and young adults in, leaving, or formerly in  
341 foster care.

342 (II) Case managers.

343 (III) Guidance and family services counselors.

344 (IV) Principals or other relevant school administrators.

345 (V) Guardians ad litem.

346 (VI) Foster parents.

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

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

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

359 e. If the award recipient transfers from one eligible  
360 institution to another and continues to meet eligibility  
361 requirements, the award must be transferred with the recipient.

362 f. Funds awarded to any eligible young adult under this  
363 program are in addition to any other services or funds provided  
364 to the young adult by the department through transitional

365 support services or aftercare services.

366 g. The department shall provide information concerning  
367 young adults receiving funding through the Road-to-Independence  
368 Program to the Department of Education for inclusion in the  
369 student financial assistance database, as provided in s.  
370 1009.94.

371 h. Funds are intended to help eligible young adults who  
372 are former foster children in this state to receive the  
373 educational and vocational training needed to become independent  
374 and self-supporting. The funds shall be terminated when the  
375 young adult has attained one of four postsecondary goals under  
376 subsection (3) or reaches 23 years of age, whichever occurs  
377 earlier. In order to initiate postsecondary education, to allow  
378 for a change in career goal, or to obtain additional skills in  
379 the same educational or vocational area, a young adult may earn  
380 no more than two diplomas, certificates, or credentials. A young  
381 adult attaining an associate of arts or associate of science  
382 degree shall be permitted to work toward completion of a  
383 bachelor of arts or a bachelor of science degree or an  
384 equivalent undergraduate degree. Road-to-Independence Program  
385 funds may not be used for education or training after a young  
386 adult has attained a bachelor of arts or a bachelor of science  
387 degree or an equivalent undergraduate degree.

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

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

393 considered full time by the educational institution, unless that  
394 young adult has a recognized disability preventing full-time  
395 attendance, in the last academic year in which the young adult  
396 earned an award, except for a young adult who meets the  
397 requirements of s. 1009.41.

398 (II) Maintain appropriate progress as required by the  
399 educational institution, except that, if the young adult's  
400 progress is insufficient to renew the award at any time during  
401 the eligibility period, the young adult may restore eligibility  
402 by improving his or her progress to the required level.

403 j. Funds may be terminated during the interim between an  
404 award and the evaluation for a renewal award if the department  
405 determines that the award recipient is no longer enrolled in an  
406 educational institution as defined in sub-subparagraph 2.d., or  
407 is no longer a state resident. The department shall notify a  
408 recipient who is terminated and inform the recipient of his or  
409 her right to appeal.

410 k. An award recipient who does not qualify for a renewal  
411 award or who chooses not to renew the award may subsequently  
412 apply for reinstatement. An application for reinstatement must  
413 be made before the young adult reaches 23 years of age, and a  
414 student may not apply for reinstatement more than once. In order  
415 to be eligible for reinstatement, the young adult must meet the  
416 eligibility criteria and the criteria for award renewal for the  
417 program.

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

420 1001.11 Commissioner of Education; other duties.—

421 (7) The commissioner shall make prominently available on  
422 the department's website the following: links to the Internet-  
423 based clearinghouse for professional development regarding  
424 physical education; the school wellness and physical education  
425 policies and other resources required under s. 1003.453(1) and  
426 (2); and other Internet sites that provide professional  
427 development for elementary teachers of physical education as  
428 defined in s. 1003.01(16). These links must provide elementary  
429 teachers with information concerning current physical education  
430 and nutrition philosophy and best practices that result in  
431 student participation in physical activities that promote  
432 lifelong physical and mental well-being.

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

435 1002.20 K-12 student and parent rights.—Parents of public  
436 school students must receive accurate and timely information  
437 regarding their child's academic progress and must be informed  
438 of ways they can help their child to succeed in school. K-12  
439 students and their parents are afforded numerous statutory  
440 rights including, but not limited to, the following:

441 (3) HEALTH ISSUES.—

442 (f) Career education courses involving hazardous  
443 substances.—High school students must be given plano safety  
444 glasses or devices in career education courses involving the use  
445 of hazardous substances likely to cause eye injury, ~~in~~  
446 ~~accordance with the provisions of s. 1006.65.~~

447 (8) STUDENTS WITH DISABILITIES.—Parents of public school  
448 students with disabilities and parents of public school students



449 | in residential care facilities are entitled to notice and due  
 450 | process in accordance with the provisions of ss. 1003.57 and  
 451 | 1003.58. Public school students with disabilities must be  
 452 | provided the opportunity to meet the graduation requirements for  
 453 | a standard high school diploma in accordance with the provisions  
 454 | of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students  
 455 | with disabilities may be awarded a special diploma upon high  
 456 | school graduation.

457 | Section 42. Paragraph (a) of subsection (7) of section  
 458 | 1002.33, Florida Statutes, is amended to read:

459 | 1002.33 Charter schools.—

460 | (7) CHARTER.—The major issues involving the operation of a  
 461 | charter school shall be considered in advance and written into  
 462 | the charter. The charter shall be signed by the governing board  
 463 | of the charter school and the sponsor, following a public  
 464 | hearing to ensure community input.

465 | (a) The charter shall address and criteria for approval of  
 466 | the charter shall be based on:

467 | 1. The school's mission, the students to be served, and  
 468 | the ages and grades to be included.

469 | 2. The focus of the curriculum, the instructional methods  
 470 | to be used, any distinctive instructional techniques to be  
 471 | employed, and identification and acquisition of appropriate  
 472 | technologies needed to improve educational and administrative  
 473 | performance which include a means for promoting safe, ethical,  
 474 | and appropriate uses of technology which comply with legal and  
 475 | professional standards.

476 | a. The charter shall ensure that reading is a primary

477 focus of the curriculum and that resources are provided to  
478 identify and provide specialized instruction for students who  
479 are reading below grade level. The curriculum and instructional  
480 strategies for reading must be consistent with the Sunshine  
481 State Standards and grounded in scientifically based reading  
482 research.

483       b. In order to provide students with access to diverse  
484 instructional delivery models, to facilitate the integration of  
485 technology within traditional classroom instruction, and to  
486 provide students with the skills they need to compete in the  
487 21st century economy, the Legislature encourages instructional  
488 methods for blended learning courses consisting of both  
489 traditional classroom and online instructional techniques.  
490 Charter schools may implement blended learning courses which  
491 combine traditional classroom instruction and virtual  
492 instruction. Students in a blended learning course must be full-  
493 time students of the charter school and receive the online  
494 instruction in a classroom setting at the charter school.  
495 Instructional personnel certified pursuant to s. 1012.55 who  
496 provide virtual instruction for blended learning courses may be  
497 employees of the charter school or may be under contract to  
498 provide instructional services to charter school students. At a  
499 minimum, such instructional personnel must hold an active state  
500 or school district adjunct certification under s. 1012.57 for  
501 the subject area of the blended learning course. The funding and  
502 performance accountability requirements for blended learning  
503 courses are the same as those for traditional courses.

504       3. The current incoming baseline standard of student

505 academic achievement, the outcomes to be achieved, and the  
506 method of measurement that will be used. The criteria listed in  
507 this subparagraph shall include a detailed description of:

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

510 b. How these baseline rates will be compared to rates of  
511 academic progress achieved by these same students while  
512 attending the charter school.

513 c. To the extent possible, how these rates of progress  
514 will be evaluated and compared with rates of progress of other  
515 closely comparable student populations.

516

517 The district school board is required to provide academic  
518 student performance data to charter schools for each of their  
519 students coming from the district school system, as well as  
520 rates of academic progress of comparable student populations in  
521 the district school system.

522 4. The methods used to identify the educational strengths  
523 and needs of students and how well educational goals and  
524 performance standards are met by students attending the charter  
525 school. The methods shall provide a means for the charter school  
526 to ensure accountability to its constituents by analyzing  
527 student performance data and by evaluating the effectiveness and  
528 efficiency of its major educational programs. Students in  
529 charter schools shall, at a minimum, participate in the  
530 statewide assessment program created under s. 1008.22.

531 5. In secondary charter schools, a method for determining  
532 that a student has satisfied the requirements for graduation in

533 s. 1003.428 or, s. 1003.429, ~~or s. 1003.43.~~

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

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

538 8. The ways by which the school will achieve a  
539 racial/ethnic balance reflective of the community it serves or  
540 within the racial/ethnic range of other public schools in the  
541 same school district.

542 9. The financial and administrative management of the  
543 school, including a reasonable demonstration of the professional  
544 experience or competence of those individuals or organizations  
545 applying to operate the charter school or those hired or  
546 retained to perform such professional services and the  
547 description of clearly delineated responsibilities and the  
548 policies and practices needed to effectively manage the charter  
549 school. A description of internal audit procedures and  
550 establishment of controls to ensure that financial resources are  
551 properly managed must be included. Both public sector and  
552 private sector professional experience shall be equally valid in  
553 such a consideration.

554 10. The asset and liability projections required in the  
555 application which are incorporated into the charter and shall be  
556 compared with information provided in the annual report of the  
557 charter school.

558 11. A description of procedures that identify various  
559 risks and provide for a comprehensive approach to reduce the  
560 impact of losses; plans to ensure the safety and security of

561 students and staff; plans to identify, minimize, and protect  
562 others from violent or disruptive student behavior; and the  
563 manner in which the school will be insured, including whether or  
564 not the school will be required to have liability insurance,  
565 and, if so, the terms and conditions thereof and the amounts of  
566 coverage.

567 12. The term of the charter which shall provide for  
568 cancellation of the charter if insufficient progress has been  
569 made in attaining the student achievement objectives of the  
570 charter and if it is not likely that such objectives can be  
571 achieved before expiration of the charter. The initial term of a  
572 charter shall be for 4 or 5 years. In order to facilitate access  
573 to long-term financial resources for charter school  
574 construction, charter schools that are operated by a  
575 municipality or other public entity as provided by law are  
576 eligible for up to a 15-year charter, subject to approval by the  
577 district school board. A charter lab school is eligible for a  
578 charter for a term of up to 15 years. In addition, to facilitate  
579 access to long-term financial resources for charter school  
580 construction, charter schools that are operated by a private,  
581 not-for-profit, s. 501(c)(3) status corporation are eligible for  
582 up to a 15-year charter, subject to approval by the district  
583 school board. Such long-term charters remain subject to annual  
584 review and may be terminated during the term of the charter, but  
585 only according to the provisions set forth in subsection (8).

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

587 14. The qualifications to be required of the teachers and  
588 the potential strategies used to recruit, hire, train, and

589 retain qualified staff to achieve best value.

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

593 16. A timetable for implementing the charter which  
594 addresses the implementation of each element thereof and the  
595 date by which the charter shall be awarded in order to meet this  
596 timetable.

597 17. In the case of an existing public school that is being  
598 converted to charter status, alternative arrangements for  
599 current students who choose not to attend the charter school and  
600 for current teachers who choose not to teach in the charter  
601 school after conversion in accordance with the existing  
602 collective bargaining agreement or district school board rule in  
603 the absence of a collective bargaining agreement. However,  
604 alternative arrangements shall not be required for current  
605 teachers who choose not to teach in a charter lab school, except  
606 as authorized by the employment policies of the state university  
607 which grants the charter to the lab school.

608 18. Full disclosure of the identity of all relatives  
609 employed by the charter school who are related to the charter  
610 school owner, president, chairperson of the governing board of  
611 directors, superintendent, governing board member, principal,  
612 assistant principal, or any other person employed by the charter  
613 school who has equivalent decisionmaking authority. For the  
614 purpose of this subparagraph, the term "relative" means father,  
615 mother, son, daughter, brother, sister, uncle, aunt, first  
616 cousin, nephew, niece, husband, wife, father-in-law, mother-in-

617 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
618 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
619 stepsister, half brother, or half sister.

620 19. Implementation of the activities authorized under s.  
621 1002.331 by the charter school when it satisfies the eligibility  
622 requirements for a high-performing charter school. A high-  
623 performing charter school shall notify its sponsor in writing by  
624 March 1 if it intends to increase enrollment or expand grade  
625 levels the following school year. The written notice shall  
626 specify the amount of the enrollment increase and the grade  
627 levels that will be added, as applicable.

628 Section 43. Paragraph (g) of subsection (4) of section  
629 1002.34, Florida Statutes, is amended to read:

630 1002.34 Charter technical career centers.—

631 (4) CHARTER.—A sponsor may designate centers as provided  
632 in this section. An application to establish a center may be  
633 submitted by a sponsor or another organization that is  
634 determined, by rule of the State Board of Education, to be  
635 appropriate. However, an independent school is not eligible for  
636 status as a center. The charter must be signed by the governing  
637 body of the center and the sponsor and must be approved by the  
638 district school board and Florida College System institution  
639 board of trustees in whose geographic region the facility is  
640 located. If a charter technical career center is established by  
641 the conversion to charter status of a public technical center  
642 formerly governed by a district school board, the charter status  
643 of that center takes precedence in any question of governance.  
644 The governance of the center or of any program within the center

645 | remains with its board of directors unless the board agrees to a  
646 | change in governance or its charter is revoked as provided in  
647 | subsection (15). Such a conversion charter technical career  
648 | center is not affected by a change in the governance of public  
649 | technical centers or of programs within other centers that are  
650 | or have been governed by district school boards. A charter  
651 | technical career center, or any program within such a center,  
652 | that was governed by a district school board and transferred to  
653 | a Florida College System institution prior to the effective date  
654 | of this act is not affected by this provision. An applicant who  
655 | wishes to establish a center must submit to the district school  
656 | board or Florida College System institution board of trustees,  
657 | or a consortium of one or more of each, an application on a form  
658 | developed by the Department of Education which includes:

659 |       (g) A method for determining whether a student has  
660 | satisfied the requirements for graduation specified in s.  
661 | 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a  
662 | postsecondary certificate or degree.

663 |  
664 | Students at a center must meet the same testing and academic  
665 | performance standards as those established by law and rule for  
666 | students at public schools and public technical centers. The  
667 | students must also meet any additional assessment indicators  
668 | that are included within the charter approved by the district  
669 | school board or Florida College System institution board of  
670 | trustees.

671 |       Section 44. Paragraph (b) of subsection (4) of section  
672 | 1002.45, Florida Statutes, is amended to read:



673 1002.45 Virtual instruction programs.—

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

676 (b) Provide a method for determining that a student has  
677 satisfied the requirements for graduation in s. 1003.428 or, s.  
678 1003.429, ~~or s. 1003.43~~ if the contract is for the provision of  
679 a full-time virtual instruction program to students in grades 9  
680 through 12.

681 Section 45. Paragraph (e) of subsection (3) of section  
682 1003.03, Florida Statutes, is amended to read:

683 1003.03 Maximum class size.—

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

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

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

695 1003.429 Accelerated high school graduation options.—

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

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

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

702 (b) Completion of a 3-year standard college preparatory  
703 program requiring successful completion of a minimum of 18  
704 academic credits in grades 9 through 12. At least 6 of the 18  
705 credits required for completion of this program must be received  
706 in classes that are offered pursuant to the International  
707 Baccalaureate Program, the Advanced Placement Program, dual  
708 enrollment, Advanced International Certificate of Education, or  
709 specifically listed or identified by the Department of Education  
710 as rigorous pursuant to s. 1009.531(3). The 18 credits required  
711 for completion of this program shall be primary requirements and  
712 shall be distributed as follows:

713 1. Four credits in English, with major concentration in  
714 composition and literature;

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

729 must be met in order for a student to earn the required credit  
730 in geometry. Beginning with students entering grade 9 in the  
731 2012-2013 school year, in addition to the Algebra I and geometry  
732 credit requirements, one of the four credits in mathematics must  
733 be Algebra II or a series of courses equivalent to Algebra II as  
734 approved by the State Board of Education;

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

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

751       4. Three credits in social sciences, which must include  
752 one credit in United States history, one credit in world  
753 history, one-half credit in United States government, and one-  
754 half credit in economics;

755       5. Two credits in the same second language unless the  
756 student is a native speaker of or can otherwise demonstrate

757 competency in a language other than English. If the student  
758 demonstrates competency in another language, the student may  
759 replace the language requirement with two credits in other  
760 academic courses; and

761 6. Three credits in electives and, beginning with students  
762 entering grade 9 in the 2010-2011 school year, two credits in  
763 electives; or

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

768 1. Four credits in English, with major concentration in  
769 composition and literature;

770 2. Three credits and, beginning with students entering  
771 grade 9 in the 2010-2011 school year, four credits in  
772 mathematics, one of which must be Algebra I. Beginning with  
773 students entering grade 9 in the 2010-2011 school year, in  
774 addition to the Algebra I credit requirement, one of the four  
775 credits in mathematics must be geometry or a series of courses  
776 equivalent to geometry as approved by the State Board of  
777 Education. Beginning with students entering grade 9 in the 2010-  
778 2011 school year, the end-of-course assessment requirements  
779 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student  
780 to earn the required credit in Algebra I. Beginning with  
781 students entering grade 9 in the 2011-2012 school year, the end-  
782 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)  
783 must be met in order for a student to earn the required credit  
784 in geometry. Beginning with students entering grade 9 in the

785 2012-2013 school year, in addition to the Algebra I and geometry  
786 credit requirements, one of the four credits in mathematics must  
787 be Algebra II or a series of courses equivalent to Algebra II as  
788 approved by the State Board of Education;

789 3. Three credits in science, two of which must have a  
790 laboratory component. Beginning with students entering grade 9  
791 in the 2011-2012 school year, one of the three credits in  
792 science must be Biology I or a series of courses equivalent to  
793 Biology I as approved by the State Board of Education. Beginning  
794 with students entering grade 9 in the 2011-2012 school year, the  
795 end-of-course assessment requirements under s.

796 1008.22(3)(c)2.a.(II) must be met in order for a student to earn  
797 the required credit in Biology I. Beginning with students  
798 entering grade 9 in the 2013-2014 school year, one of the three  
799 credits must be Biology I or a series of courses equivalent to  
800 Biology I as approved by the State Board of Education, one  
801 credit must be chemistry or physics or a series of courses  
802 equivalent to chemistry or physics as approved by the State  
803 Board of Education, and one credit must be an equally rigorous  
804 course, as approved by the State Board of Education;

805 4. Three credits in social sciences, which must include  
806 one credit in United States history, one credit in world  
807 history, one-half credit in United States government, and one-  
808 half credit in economics;

809 5. Three credits in a single vocational or career  
810 education program, three credits in career and technical  
811 certificate dual enrollment courses, or five credits in  
812 vocational or career education courses; and

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813 6. Two credits and, beginning with students entering grade  
814 9 in the 2010-2011 school year, one credit in electives unless  
815 five credits are earned pursuant to subparagraph 5.

816

817 Any student who selected an accelerated graduation program  
818 before July 1, 2004, may continue that program, and all  
819 statutory program requirements that were applicable when the  
820 student made the program choice shall remain applicable to the  
821 student as long as the student continues that program.

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

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

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

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

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

836 (c) Does not achieve a score of 3 or higher on the grade  
837 10 FCAT Writing assessment; or

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

840 Section 47. Section 1003.438, Florida Statutes, is amended

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841 to read:

842 1003.438 Special high school graduation requirements for  
843 certain exceptional students.—A student who has been identified,  
844 in accordance with rules established by the State Board of  
845 Education, as a student with disabilities who has an  
846 intellectual disability; an autism spectrum disorder; a language  
847 impairment; an orthopedic impairment; an other health  
848 impairment; a traumatic brain injury; an emotional or behavioral  
849 disability; a specific learning disability, including, but not  
850 limited to, dyslexia, dyscalculia, or developmental aphasia; or  
851 students who are deaf or hard of hearing or dual sensory  
852 impaired shall not be required to meet all requirements of ~~s.~~  
853 ~~1003.43~~ or s. 1003.428 or s. 1003.429 and shall, upon meeting  
854 all applicable requirements prescribed by the district school  
855 board pursuant to s. 1008.25, be awarded a special diploma in a  
856 form prescribed by the commissioner; however, such special  
857 graduation requirements prescribed by the district school board  
858 must include minimum graduation requirements as prescribed by  
859 the commissioner. Any such student who meets all special  
860 requirements of the district school board, but is unable to meet  
861 the appropriate special state minimum requirements, shall be  
862 awarded a special certificate of completion in a form prescribed  
863 by the commissioner. However, this section does not limit or  
864 restrict the right of an exceptional student solely to a special  
865 diploma or special certificate of completion. Any such student  
866 shall, upon proper request, be afforded the opportunity to fully  
867 meet all requirements of ~~s. 1003.43~~ or s. 1003.428 or s.  
868 1003.429 through the standard procedures established therein and

869 thereby to qualify for a standard diploma upon graduation.

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

872 1003.49 Graduation and promotion requirements for publicly  
873 operated schools.—

874 (1) Each state or local public agency, including the  
875 Department of Children and Family Services, the Department of  
876 Corrections, the boards of trustees of universities and Florida  
877 College System institutions, and the Board of Trustees of the  
878 Florida School for the Deaf and the Blind, which agency is  
879 authorized to operate educational programs for students at any  
880 level of grades kindergarten through 12 shall be subject to all  
881 applicable requirements of ss. 1003.428, 1003.429 ~~1003.43,~~  
882 1008.23, and 1008.25. Within the content of these cited statutes  
883 each such state or local public agency or entity shall be  
884 considered a "district school board."

885 Section 49. Paragraph (c) of subsection (4) of section  
886 1004.70, Florida Statutes, is amended to read:

887 1004.70 Florida College System institution direct-support  
888 organizations.—

889 (4) ACTIVITIES; RESTRICTIONS.—

890 (c) Any transaction or agreement between one direct-  
891 support organization and another direct-support organization ~~or~~  
892 ~~between a direct-support organization and a center of technology~~  
893 ~~innovation designated under s. 1004.77~~ must be approved by the  
894 board of trustees.

895 Section 50. Paragraph (b) of subsection (4) of section  
896 1004.71, Florida Statutes, is amended to read:



897 1004.71 Statewide Florida College System institution  
 898 direct-support organizations.—

899 (4) RESTRICTIONS.—

900 (b) Any transaction or agreement between a statewide,  
 901 direct-support organization and any other direct-support  
 902 organization ~~or between a statewide, direct-support organization~~  
 903 ~~and a center of technology innovation designated under s.~~  
 904 ~~1004.77~~ must be approved by the State Board of Education.

905 Section 51. Paragraph (f) of subsection (2) of section  
 906 1006.025, Florida Statutes, is amended to read:

907 1006.025 Guidance services.—

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

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

912 Section 52. Paragraph (a) of subsection (3) of section  
 913 1006.15, Florida Statutes, is amended to read:

914 1006.15 Student standards for participation in  
 915 interscholastic and intrascholastic extracurricular student  
 916 activities; regulation.—

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

919 1. Maintain a grade point average of 2.0 or above on a 4.0  
 920 scale, or its equivalent, in the previous semester or a  
 921 cumulative grade point average of 2.0 or above on a 4.0 scale,  
 922 or its equivalent, in the courses required by s. 1003.428 or s.  
 923 1003.429 ~~1003.43(1)~~.

924 2. Execute and fulfill the requirements of an academic

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925 performance contract between the student, the district school  
926 board, the appropriate governing association, and the student's  
927 parents, if the student's cumulative grade point average falls  
928 below 2.0, or its equivalent, on a 4.0 scale in the courses  
929 required by s. 1003.428 or s. 1003.429 ~~1003.43(1) or, for~~  
930 ~~students who entered the 9th grade prior to the 1997-1998 school~~  
931 ~~year, if the student's cumulative grade point average falls~~  
932 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~  
933 ~~required by s. 1003.43(1) which are taken after July 1, 1997.~~ At  
934 a minimum, the contract must require that the student attend  
935 summer school, or its graded equivalent, between grades 9 and 10  
936 or grades 10 and 11, as necessary.

937 3. Have a cumulative grade point average of 2.0 or above  
938 on a 4.0 scale, or its equivalent, in the courses required by s.  
939 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or  
940 senior year.

941 4. Maintain satisfactory conduct, including adherence to  
942 appropriate dress and other codes of student conduct policies  
943 described in s. 1006.07(2). If a student is convicted of, or is  
944 found to have committed, a felony or a delinquent act that would  
945 have been a felony if committed by an adult, regardless of  
946 whether adjudication is withheld, the student's participation in  
947 interscholastic extracurricular activities is contingent upon  
948 established and published district school board policy.

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

951 1007.263 Florida College System institutions; admissions  
952 of students.—Each Florida College System institution board of

953 trustees is authorized to adopt rules governing admissions of  
 954 students subject to this section and rules of the State Board of  
 955 Education. These rules shall include the following:

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

960  
 961 Each board of trustees shall establish policies that notify  
 962 students about, and place students into, adult basic education,  
 963 adult secondary education, or other instructional programs that  
 964 provide students with alternatives to traditional college-  
 965 preparatory instruction, including private provider instruction.  
 966 A student is prohibited from enrolling in additional college-  
 967 level courses until the student scores above the cut-score on  
 968 all sections of the common placement test.

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

971 1007.271 Dual enrollment programs.—

972 (2) For the purpose of this section, an eligible secondary  
 973 student is a student who is enrolled in a Florida public  
 974 secondary school or in a Florida private secondary school which  
 975 is in compliance with s. 1002.42(2) and provides a secondary  
 976 curriculum pursuant to s. 1003.428 or s. 1003.429, ~~or s.~~  
 977 ~~1003.43~~. Students who are eligible for dual enrollment pursuant  
 978 to this section may enroll in dual enrollment courses conducted  
 979 during school hours, after school hours, and during the summer  
 980 term. However, if the student is projected to graduate from high

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981 school before the scheduled completion date of a postsecondary  
982 course, the student may not register for that course through  
983 dual enrollment. The student may apply to the postsecondary  
984 institution and pay the required registration, tuition, and fees  
985 if the student meets the postsecondary institution's admissions  
986 requirements under s. 1007.263. Instructional time for dual  
987 enrollment may vary from 900 hours; however, the school district  
988 may only report the student for a maximum of 1.0 FTE, as  
989 provided in s. 1011.61(4). Any student enrolled as a dual  
990 enrollment student is exempt from the payment of registration,  
991 tuition, and laboratory fees. Vocational-preparatory  
992 instruction, college-preparatory instruction, and other forms of  
993 precollegiate instruction, as well as physical education courses  
994 that focus on the physical execution of a skill rather than the  
995 intellectual attributes of the activity, are ineligible for  
996 inclusion in the dual enrollment program. Recreation and leisure  
997 studies courses shall be evaluated individually in the same  
998 manner as physical education courses for potential inclusion in  
999 the program.

1000 (9) The Commissioner of Education shall appoint faculty  
1001 committees representing public school, Florida College System  
1002 institution, and university faculties to identify postsecondary  
1003 courses that meet the high school graduation requirements of s.  
1004 1003.428 or s. 1003.429, ~~or s. 1003.43~~ and to establish the  
1005 number of postsecondary semester credit hours of instruction and  
1006 equivalent high school credits earned through dual enrollment  
1007 pursuant to this section that are necessary to meet high school  
1008 graduation requirements. Such equivalencies shall be determined

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1009 solely on comparable course content and not on seat time  
 1010 traditionally allocated to such courses in high school. The  
 1011 Commissioner of Education shall recommend to the State Board of  
 1012 Education those postsecondary courses identified to meet high  
 1013 school graduation requirements, based on mastery of course  
 1014 outcomes, by their course numbers, and all high schools shall  
 1015 accept these postsecondary education courses toward meeting the  
 1016 requirements of s. 1003.428 or, s. 1003.429, ~~or s. 1003.43.~~

1017 Section 55. Paragraph (c) of subsection (3) of section  
 1018 1008.22, Florida Statutes, is amended to read:

1019 1008.22 Student assessment program for public schools.—

1020 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 1021 design and implement a statewide program of educational  
 1022 assessment that provides information for the improvement of the  
 1023 operation and management of the public schools, including  
 1024 schools operating for the purpose of providing educational  
 1025 services to youth in Department of Juvenile Justice programs.  
 1026 The commissioner may enter into contracts for the continued  
 1027 administration of the assessment programs authorized and funded  
 1028 by the Legislature. Contracts may be initiated in 1 fiscal year  
 1029 and continue into the next and may be paid from the  
 1030 appropriations of either or both fiscal years. The commissioner  
 1031 is authorized to negotiate for the sale or lease of tests,  
 1032 scoring protocols, test scoring services, and related materials  
 1033 developed pursuant to law. Pursuant to the statewide assessment  
 1034 program, the commissioner shall:

1035 (c) Develop and implement a student achievement assessment  
 1036 program as follows:

1037           1. The Florida Comprehensive Assessment Test (FCAT)  
1038 measures a student's content knowledge and skills in reading,  
1039 writing, science, and mathematics. The content knowledge and  
1040 skills assessed by the FCAT must be aligned to the core  
1041 curricular content established in the Next Generation Sunshine  
1042 State Standards. FCAT Reading and FCAT Mathematics shall be  
1043 administered annually in grades 3 through 10 except, beginning  
1044 with the 2010-2011 school year, the administration of grade 9  
1045 FCAT Mathematics shall be discontinued, and beginning with the  
1046 2011-2012 school year, the administration of grade 10 FCAT  
1047 Mathematics shall be discontinued, except as required for  
1048 students who have not attained minimum performance expectations  
1049 for graduation as provided in paragraph (9)(c). FCAT Writing and  
1050 FCAT Science shall be administered at least once at the  
1051 elementary, middle, and high school levels except, beginning  
1052 with the 2011-2012 school year, the administration of FCAT  
1053 Science at the high school level shall be discontinued. Students  
1054 enrolled in an Algebra I, geometry, or Biology I course or an  
1055 equivalent course with a statewide, standardized end-of-course  
1056 assessment are not required to take the corresponding grade-  
1057 level FCAT assessment.

1058           2.a. End-of-course assessments must be rigorous,  
1059 statewide, standardized, and developed or approved by the  
1060 department. The content knowledge and skills assessed by end-of-  
1061 course assessments must be aligned to the core curricular  
1062 content established in the Next Generation Sunshine State  
1063 Standards.

1064           (I) Statewide, standardized end-of-course assessments in

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1065 mathematics shall be administered according to this sub-sub-  
1066 subparagraph. Beginning with the 2010-2011 school year, all  
1067 students enrolled in Algebra I or an equivalent course must take  
1068 the Algebra I end-of-course assessment. For students entering  
1069 grade 9 during the 2010-2011 school year and who are enrolled in  
1070 Algebra I or an equivalent, each student's performance on the  
1071 end-of-course assessment in Algebra I shall constitute 30  
1072 percent of the student's final course grade. Beginning with the  
1073 2012-2013 school year, the end-of-course assessment in Algebra I  
1074 shall be administered four times annually. Beginning with  
1075 students entering grade 9 in the 2011-2012 school year, a  
1076 student who is enrolled in Algebra I or an equivalent must earn  
1077 a passing score on the end-of-course assessment in Algebra I or  
1078 attain an equivalent score as described in subsection (11) in  
1079 order to earn course credit. Beginning with the 2011-2012 school  
1080 year, all students enrolled in geometry or an equivalent course  
1081 must take the geometry end-of-course assessment. For students  
1082 entering grade 9 during the 2011-2012 school year, each  
1083 student's performance on the end-of-course assessment in  
1084 geometry shall constitute 30 percent of the student's final  
1085 course grade. Beginning with students entering grade 9 during  
1086 the 2012-2013 school year, a student must earn a passing score  
1087 on the end-of-course assessment in geometry or attain an  
1088 equivalent score as described in subsection (11) in order to  
1089 earn course credit.

1090 (II) Statewide, standardized end-of-course assessments in  
1091 science shall be administered according to this sub-sub-  
1092 subparagraph. Beginning with the 2011-2012 school year, all

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1093 students enrolled in Biology I or an equivalent course must take  
1094 the Biology I end-of-course assessment. For the 2011-2012 school  
1095 year, each student's performance on the end-of-course assessment  
1096 in Biology I shall constitute 30 percent of the student's final  
1097 course grade. Beginning with students entering grade 9 during  
1098 the 2012-2013 school year, a student must earn a passing score  
1099 on the end-of-course assessment in Biology I in order to earn  
1100 course credit.

1101 b. During the 2012-2013 school year, an end-of-course  
1102 assessment in civics education shall be administered as a field  
1103 test at the middle school level. During the 2013-2014 school  
1104 year, each student's performance on the statewide, standardized  
1105 end-of-course assessment in civics education shall constitute 30  
1106 percent of the student's final course grade. Beginning with the  
1107 2014-2015 school year, a student must earn a passing score on  
1108 the end-of-course assessment in civics education in order to  
1109 pass the course and be promoted from the middle grades. The  
1110 school principal of a middle school shall determine, in  
1111 accordance with State Board of Education rule, whether a student  
1112 who transfers to the middle school and who has successfully  
1113 completed a civics education course at the student's previous  
1114 school must take an end-of-course assessment in civics  
1115 education.

1116 c. The commissioner may select one or more nationally  
1117 developed comprehensive examinations, which may include, but  
1118 need not be limited to, examinations for a College Board  
1119 Advanced Placement course, International Baccalaureate course,  
1120 or Advanced International Certificate of Education course, or



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1121 industry-approved examinations to earn national industry  
1122 certifications identified in the Industry Certification Funding  
1123 List, pursuant to rules adopted by the State Board of Education,  
1124 for use as end-of-course assessments under this paragraph, if  
1125 the commissioner determines that the content knowledge and  
1126 skills assessed by the examinations meet or exceed the grade  
1127 level expectations for the core curricular content established  
1128 for the course in the Next Generation Sunshine State Standards.  
1129 The commissioner may collaborate with the American Diploma  
1130 Project in the adoption or development of rigorous end-of-course  
1131 assessments that are aligned to the Next Generation Sunshine  
1132 State Standards.

1133 d. Contingent upon funding provided in the General  
1134 Appropriations Act, including the appropriation of funds  
1135 received through federal grants, the Commissioner of Education  
1136 shall establish an implementation schedule for the development  
1137 and administration of additional statewide, standardized end-of-  
1138 course assessments in English/Language Arts II, Algebra II,  
1139 chemistry, physics, earth/space science, United States history,  
1140 and world history. Priority shall be given to the development of  
1141 end-of-course assessments in English/Language Arts II. The  
1142 Commissioner of Education shall evaluate the feasibility and  
1143 effect of transitioning from the grade 9 and grade 10 FCAT  
1144 Reading and high school level FCAT Writing to an end-of-course  
1145 assessment in English/Language Arts II. The commissioner shall  
1146 report the results of the evaluation to the President of the  
1147 Senate and the Speaker of the House of Representatives no later  
1148 than July 1, 2011.

1149           3. The assessment program shall measure student content  
1150 knowledge and skills adopted by the State Board of Education as  
1151 specified in paragraph (a) and measure and report student  
1152 performance levels of all students assessed in reading, writing,  
1153 mathematics, and science. The commissioner shall provide for the  
1154 tests to be developed or obtained, as appropriate, through  
1155 contracts and project agreements with private vendors, public  
1156 vendors, public agencies, postsecondary educational  
1157 institutions, or school districts. The commissioner shall obtain  
1158 input with respect to the design and implementation of the  
1159 assessment program from state educators, assistive technology  
1160 experts, and the public.

1161           4. The assessment program shall be composed of criterion-  
1162 referenced tests that shall, to the extent determined by the  
1163 commissioner, include test items that require the student to  
1164 produce information or perform tasks in such a way that the core  
1165 content knowledge and skills he or she uses can be measured.

1166           5. FCAT Reading, Mathematics, and Science and all  
1167 statewide, standardized end-of-course assessments shall measure  
1168 the content knowledge and skills a student has attained on the  
1169 assessment by the use of scaled scores and achievement levels.  
1170 Achievement levels shall range from 1 through 5, with level 1  
1171 being the lowest achievement level, level 5 being the highest  
1172 achievement level, and level 3 indicating satisfactory  
1173 performance on an assessment. For purposes of FCAT Writing,  
1174 student achievement shall be scored using a scale of 1 through 6  
1175 and the score earned shall be used in calculating school grades.  
1176 A score shall be designated for each subject area tested, below

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1177 | which score a student's performance is deemed inadequate. The  
1178 | school districts shall provide appropriate remedial instruction  
1179 | to students who score below these levels.

1180 |         6. The State Board of Education shall, by rule, designate  
1181 | a passing score for each part of the grade 10 assessment test  
1182 | and end-of-course assessments. Any rule that has the effect of  
1183 | raising the required passing scores may apply only to students  
1184 | taking the assessment for the first time after the rule is  
1185 | adopted by the State Board of Education. Except as otherwise  
1186 | provided in this subparagraph and as provided in s.

1187 | ~~1003.428(8)(b) or s. 1003.43(11)(b)~~, students must earn a  
1188 | passing score on grade 10 FCAT Reading and grade 10 FCAT  
1189 | Mathematics or attain concordant scores as described in  
1190 | subsection (10) in order to qualify for a standard high school  
1191 | diploma.

1192 |         7. In addition to designating a passing score under  
1193 | subparagraph 6., the State Board of Education shall also  
1194 | designate, by rule, a score for each statewide, standardized  
1195 | end-of-course assessment which indicates that a student is high  
1196 | achieving and has the potential to meet college-readiness  
1197 | standards by the time the student graduates from high school.

1198 |         8. Participation in the assessment program is mandatory  
1199 | for all students attending public school, including students  
1200 | served in Department of Juvenile Justice programs, except as  
1201 | otherwise prescribed by the commissioner. A student who has not  
1202 | earned passing scores on the grade 10 FCAT as provided in  
1203 | subparagraph 6. must participate in each retake of the  
1204 | assessment until the student earns passing scores or achieves

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1205 | scores on a standardized assessment which are concordant with  
1206 | passing scores pursuant to subsection (10). If a student does  
1207 | not participate in the statewide assessment, the district must  
1208 | notify the student's parent and provide the parent with  
1209 | information regarding the implications of such nonparticipation.  
1210 | A parent must provide signed consent for a student to receive  
1211 | classroom instructional accommodations that would not be  
1212 | available or permitted on the statewide assessments and must  
1213 | acknowledge in writing that he or she understands the  
1214 | implications of such instructional accommodations. The State  
1215 | Board of Education shall adopt rules, based upon recommendations  
1216 | of the commissioner, for the provision of test accommodations  
1217 | for students in exceptional education programs and for students  
1218 | who have limited English proficiency. Accommodations that negate  
1219 | the validity of a statewide assessment are not allowable in the  
1220 | administration of the FCAT or an end-of-course assessment.  
1221 | However, instructional accommodations are allowable in the  
1222 | classroom if included in a student's individual education plan.  
1223 | Students using instructional accommodations in the classroom  
1224 | that are not allowable as accommodations on the FCAT or an end-  
1225 | of-course assessment may have the FCAT or an end-of-course  
1226 | assessment requirement waived pursuant to the requirements of s.  
1227 | 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1228 |         9. A student seeking an adult high school diploma must  
1229 | meet the same testing requirements that a regular high school  
1230 | student must meet.

1231 |         10. District school boards must provide instruction to  
1232 | prepare students in the core curricular content established in

1233 the Next Generation Sunshine State Standards adopted under s.  
1234 1003.41, including the core content knowledge and skills  
1235 necessary for successful grade-to-grade progression and high  
1236 school graduation. If a student is provided with instructional  
1237 accommodations in the classroom that are not allowable as  
1238 accommodations in the statewide assessment program, as described  
1239 in the test manuals, the district must inform the parent in  
1240 writing and must provide the parent with information regarding  
1241 the impact on the student's ability to meet expected performance  
1242 levels in reading, writing, mathematics, and science. The  
1243 commissioner shall conduct studies as necessary to verify that  
1244 the required core curricular content is part of the district  
1245 instructional programs.

1246 11. District school boards must provide opportunities for  
1247 students to demonstrate an acceptable performance level on an  
1248 alternative standardized assessment approved by the State Board  
1249 of Education following enrollment in summer academies.

1250 12. The Department of Education must develop, or select,  
1251 and implement a common battery of assessment tools that will be  
1252 used in all juvenile justice programs in the state. These tools  
1253 must accurately measure the core curricular content established  
1254 in the Next Generation Sunshine State Standards.

1255 13. For students seeking a special diploma pursuant to s.  
1256 1003.438, the Department of Education must develop or select and  
1257 implement an alternate assessment tool that accurately measures  
1258 the core curricular content established in the Next Generation  
1259 Sunshine State Standards for students with disabilities under s.  
1260 1003.438.

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1261           14. The Commissioner of Education shall establish  
1262 schedules for the administration of statewide assessments and  
1263 the reporting of student test results. When establishing the  
1264 schedules for the administration of statewide assessments, the  
1265 commissioner shall consider the observance of religious and  
1266 school holidays. The commissioner shall, by August 1 of each  
1267 year, notify each school district in writing and publish on the  
1268 department's Internet website the testing and reporting  
1269 schedules for, at a minimum, the school year following the  
1270 upcoming school year. The testing and reporting schedules shall  
1271 require that:

1272           a. There is the latest possible administration of  
1273 statewide assessments and the earliest possible reporting to the  
1274 school districts of student test results which is feasible  
1275 within available technology and specific appropriations;  
1276 however, test results for the FCAT must be made available no  
1277 later than the week of June 8. Student results for end-of-course  
1278 assessments must be provided no later than 1 week after the  
1279 school district completes testing for each course. The  
1280 commissioner may extend the reporting schedule under exigent  
1281 circumstances.

1282           b. FCAT Writing may not be administered earlier than the  
1283 week of March 1, and a comprehensive statewide assessment of any  
1284 other subject may not be administered earlier than the week of  
1285 April 15.

1286           c. A statewide, standardized end-of-course assessment is  
1287 administered at the end of the course. The commissioner shall  
1288 select an administration period for assessments that meets the

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1289 | intent of end-of-course assessments and provides student results  
1290 | prior to the end of the course. School districts shall  
1291 | administer tests in accordance with the schedule determined by  
1292 | the commissioner. For an end-of-course assessment administered  
1293 | at the end of the first semester, the commissioner shall  
1294 | determine the most appropriate testing dates based on a review  
1295 | of each school district's academic calendar.

1296

1297 | The commissioner may, based on collaboration and input from  
1298 | school districts, design and implement student testing programs,  
1299 | for any grade level and subject area, necessary to effectively  
1300 | monitor educational achievement in the state, including the  
1301 | measurement of educational achievement of the Next Generation  
1302 | Sunshine State Standards for students with disabilities.

1303 | Development and refinement of assessments shall include  
1304 | universal design principles and accessibility standards that  
1305 | will prevent any unintended obstacles for students with  
1306 | disabilities while ensuring the validity and reliability of the  
1307 | test. These principles should be applicable to all technology  
1308 | platforms and assistive devices available for the assessments.  
1309 | The field testing process and psychometric analyses for the  
1310 | statewide assessment program must include an appropriate  
1311 | percentage of students with disabilities and an evaluation or  
1312 | determination of the effect of test items on such students.

1313 | Section 56. Section 1008.23, Florida Statutes, is amended  
1314 | to read:

1315 | 1008.23 Confidentiality of assessment instruments.—All  
1316 | examination and assessment instruments, including developmental

1317 materials and workpapers directly related thereto, which are  
 1318 prepared, prescribed, or administered pursuant to ss. ~~1003.43,~~  
 1319 1008.22~~7~~ and 1008.25 shall be confidential and exempt from the  
 1320 provisions of s. 119.07(1) and from s. 1001.52. Provisions  
 1321 governing access, maintenance, and destruction of such  
 1322 instruments and related materials shall be prescribed by rules  
 1323 of the State Board of Education.

1324 Section 57. Paragraph (a) of subsection (1) of section  
 1325 1009.40, Florida Statutes, is amended to read:

1326 1009.40 General requirements for student eligibility for  
 1327 state financial aid awards and tuition assistance grants.-

1328 (1) (a) The general requirements for eligibility of  
 1329 students for state financial aid awards and tuition assistance  
 1330 grants consist of the following:

1331 1. Achievement of the academic requirements of and  
 1332 acceptance at a state university or Florida College System  
 1333 institution; a nursing diploma school approved by the Florida  
 1334 Board of Nursing; a Florida college or university which is  
 1335 accredited by an accrediting agency recognized by the State  
 1336 Board of Education; any Florida institution the credits of which  
 1337 are acceptable for transfer to state universities; any career  
 1338 center; or any private career institution accredited by an  
 1339 accrediting agency recognized by the State Board of Education.

1340 2. Residency in this state for no less than 1 year  
 1341 preceding the award of aid or a tuition assistance grant for a  
 1342 program established pursuant to s. 1009.50, s. 1009.505, s.  
 1343 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.  
 1344 1009.62, ~~s. 1009.68,~~ s. 1009.72, s. 1009.73, s. 1009.77, s.



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1345 1009.89, or s. 1009.891. Residency in this state must be for  
1346 purposes other than to obtain an education. Resident status for  
1347 purposes of receiving state financial aid awards shall be  
1348 determined in the same manner as resident status for tuition  
1349 purposes pursuant to s. 1009.21.

1350 3. Submission of certification attesting to the accuracy,  
1351 completeness, and correctness of information provided to  
1352 demonstrate a student's eligibility to receive state financial  
1353 aid awards or tuition assistance grants. Falsification of such  
1354 information shall result in the denial of any pending  
1355 application and revocation of any award or grant currently held  
1356 to the extent that no further payments shall be made.  
1357 Additionally, students who knowingly make false statements in  
1358 order to receive state financial aid awards or tuition  
1359 assistance grants commit a misdemeanor of the second degree  
1360 subject to the provisions of s. 837.06 and shall be required to  
1361 return all state financial aid awards or tuition assistance  
1362 grants wrongfully obtained.

1363 Section 58. Paragraph (b) of subsection (1) of section  
1364 1009.531, Florida Statutes, is amended to read:

1365 1009.531 Florida Bright Futures Scholarship Program;  
1366 student eligibility requirements for initial awards.—

1367 (1) Effective January 1, 2008, in order to be eligible for  
1368 an initial award from any of the three types of scholarships  
1369 under the Florida Bright Futures Scholarship Program, a student  
1370 must:

1371 (b) Earn a standard Florida high school diploma or its  
1372 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,

1373 | ~~s. 1003.43~~, or s. 1003.435 unless:

1374 |       1. The student completes a home education program  
1375 | according to s. 1002.41; or

1376 |       2. The student earns a high school diploma from a non-  
1377 | Florida school while living with a parent or guardian who is on  
1378 | military or public service assignment away from Florida.

1379 |       Section 59. Paragraph (c) of subsection (2) of section  
1380 | 1009.94, Florida Statutes, is amended to read:

1381 |       1009.94 Student financial assistance database.—

1382 |       (2) For purposes of this section, financial assistance  
1383 | includes:

1384 |       (c) Any financial assistance provided under s. 1009.50, s.  
1385 | 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.  
1386 | 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.  
1387 | 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.  
1388 | 1009.89, or s. 1009.891.

1389 |       Section 60. Paragraph (c) of subsection (1) of section  
1390 | 1011.61, Florida Statutes, is amended to read:

1391 |       1011.61 Definitions.—Notwithstanding the provisions of s.  
1392 | 1000.21, the following terms are defined as follows for the  
1393 | purposes of the Florida Education Finance Program:

1394 |       (1) A "full-time equivalent student" in each program of  
1395 | the district is defined in terms of full-time students and part-  
1396 | time students as follows:

1397 |       (c)1. A "full-time equivalent student" is:

1398 |       a. A full-time student in any one of the programs listed  
1399 | in s. 1011.62(1)(c); or

1400 |       b. A combination of full-time or part-time students in any

1401 one of the programs listed in s. 1011.62(1)(c) which is the  
1402 equivalent of one full-time student based on the following  
1403 calculations:

1404 (I) A full-time student in a combination of programs  
1405 listed in s. 1011.62(1)(c) shall be a fraction of a full-time  
1406 equivalent membership in each program equal to the number of net  
1407 hours per school year for which he or she is a member, divided  
1408 by the appropriate number of hours set forth in subparagraph  
1409 (a)1. or subparagraph (a)2. The sum of the fractions for each  
1410 program may not exceed the maximum value set forth in subsection  
1411 (4).

1412 (II) A prekindergarten student with a disability shall  
1413 meet the requirements specified for kindergarten students.

1414 (III) A full-time equivalent student for students in  
1415 kindergarten through grade 12 in a full-time virtual instruction  
1416 program under s. 1002.45 or a virtual charter school under s.  
1417 1002.33 shall consist of six full-credit completions or the  
1418 prescribed level of content that counts toward promotion to the  
1419 next grade in programs listed in s. 1011.62(1)(c). Credit  
1420 completions may be a combination of full-credit courses or half-  
1421 credit courses. Beginning in the 2014-2015 fiscal year, when s.  
1422 1008.22(3)(g) is implemented, the reported full-time equivalent  
1423 students and associated funding of students enrolled in courses  
1424 requiring passage of an end-of-course assessment shall be  
1425 adjusted after the student completes the end-of-course  
1426 assessment.

1427 (IV) A full-time equivalent student for students in  
1428 kindergarten through grade 12 in a part-time virtual instruction

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1429 program under s. 1002.45 shall consist of six full-credit  
1430 completions in programs listed in s. 1011.62(1)(c)1. and 3.  
1431 Credit completions may be a combination of full-credit courses  
1432 or half-credit courses. Beginning in the 2014-2015 fiscal year,  
1433 when s. 1008.22(3)(g) is implemented, the reported full-time  
1434 equivalent students and associated funding of students enrolled  
1435 in courses requiring passage of an end-of-course assessment  
1436 shall be adjusted after the student completes the end-of-course  
1437 assessment.

1438 (V) A Florida Virtual School full-time equivalent student  
1439 shall consist of six full-credit completions or the prescribed  
1440 level of content that counts toward promotion to the next grade  
1441 in the programs listed in s. 1011.62(1)(c)1. and 3. for students  
1442 participating in kindergarten through grade 12 part-time virtual  
1443 instruction and the programs listed in s. 1011.62(1)(c) for  
1444 students participating in kindergarten through grade 12 full-  
1445 time virtual instruction. Credit completions may be a  
1446 combination of full-credit courses or half-credit courses.  
1447 Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is  
1448 implemented, the reported full-time equivalent students and  
1449 associated funding of students enrolled in courses requiring  
1450 passage of an end-of-course assessment shall be adjusted after  
1451 the student completes the end-of-course assessment.

1452 (VI) Each successfully completed full-credit course earned  
1453 through an online course delivered by a district other than the  
1454 one in which the student resides shall be calculated as 1/6  
1455 FTE.

1456 ~~(VII) Each successfully completed credit earned under the~~

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1457 ~~alternative high school course credit requirements authorized in~~  
1458 ~~s. 1002.375, which is not reported as a portion of the 900 net~~  
1459 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~  
1460 ~~calculated as 1/6 FTE.~~

1461 (VII) ~~(VIII)~~(A) A full-time equivalent student for courses  
1462 requiring a statewide, standardized end-of-course assessment  
1463 pursuant to s. 1008.22(3)(c)2.a. shall be defined and reported  
1464 based on the number of instructional hours as provided in this  
1465 subsection for the first 3 years of administering the end-of-  
1466 course assessment. Beginning in the fourth year of administering  
1467 the end-of-course assessment, the FTE shall be credit-based and  
1468 each course shall be equal to 1/6 FTE. The reported FTE shall  
1469 be adjusted after the student successfully completes the end-of-  
1470 course assessment pursuant to s. 1008.22(3)(c)2.a.

1471 (B) For students enrolled in a school district as a full-  
1472 time student, the district may report 1/6 FTE for each student  
1473 who passes a statewide, standardized end-of-course assessment  
1474 without being enrolled in the corresponding course.

1475 (C) The FTE earned under this sub-sub-subparagraph and any  
1476 FTE for courses or programs listed in s. 1011.62(1)(c) that do  
1477 not require passing a statewide, standardized end-of-course  
1478 assessment are subject to the requirements in subsection (4).

1479 2. A student in membership in a program scheduled for more  
1480 or less than 180 school days or the equivalent on an hourly  
1481 basis as specified by rules of the State Board of Education is a  
1482 fraction of a full-time equivalent membership equal to the  
1483 number of instructional hours in membership divided by the  
1484 appropriate number of hours set forth in subparagraph (a)1.;

1485 | however, for the purposes of this subparagraph, membership in  
 1486 | programs scheduled for more than 180 days is limited to students  
 1487 | enrolled in juvenile justice education programs and the Florida  
 1488 | Virtual School.

1489 |  
 1490 | The department shall determine and implement an equitable method  
 1491 | of equivalent funding for experimental schools and for schools  
 1492 | operating under emergency conditions, which schools have been  
 1493 | approved by the department to operate for less than the minimum  
 1494 | school day.

1495 |         Section 61. Paragraph (b) of subsection (2) of section  
 1496 | 1013.35, Florida Statutes, is amended to read:

1497 |             1013.35 School district educational facilities plan;  
 1498 | definitions; preparation, adoption, and amendment; long-term  
 1499 | work programs.—

1500 |             (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL  
 1501 | FACILITIES PLAN.—

1502 |             (b) The plan must also include a financially feasible  
 1503 | district facilities work program for a 5-year period. The work  
 1504 | program must include:

1505 |             1. A schedule of major repair and renovation projects  
 1506 | necessary to maintain the educational facilities and ancillary  
 1507 | facilities of the district.

1508 |             2. A schedule of capital outlay projects necessary to  
 1509 | ensure the availability of satisfactory student stations for the  
 1510 | projected student enrollment in K-12 programs. This schedule  
 1511 | shall consider:

1512 |             a. The locations, capacities, and planned utilization

1513 rates of current educational facilities of the district. The  
1514 capacity of existing satisfactory facilities, as reported in the  
1515 Florida Inventory of School Houses must be compared to the  
1516 capital outlay full-time-equivalent student enrollment as  
1517 determined by the department, including all enrollment used in  
1518 the calculation of the distribution formula in s. 1013.64.

1519 b. The proposed locations of planned facilities, whether  
1520 those locations are consistent with the comprehensive plans of  
1521 all affected local governments, and recommendations for  
1522 infrastructure and other improvements to land adjacent to  
1523 existing facilities. The provisions of ss. 1013.33(6), (7), and  
1524 (8) and 1013.36 must be addressed for new facilities planned  
1525 within the first 3 years of the work plan, as appropriate.

1526 c. Plans for the use and location of relocatable  
1527 facilities, leased facilities, and charter school facilities.

1528 d. Plans for multitrack scheduling, grade level  
1529 organization, block scheduling, or other alternatives that  
1530 reduce the need for additional permanent student stations.

1531 e. Information concerning average class size and  
1532 utilization rate by grade level within the district which will  
1533 result if the tentative district facilities work program is  
1534 fully implemented.

1535 f. The number and percentage of district students planned  
1536 to be educated in relocatable facilities during each year of the  
1537 tentative district facilities work program. For determining  
1538 future needs, student capacity may not be assigned to any  
1539 relocatable classroom that is scheduled for elimination or  
1540 replacement with a permanent educational facility in the current

1541 year of the adopted district educational facilities plan and in  
1542 the district facilities work program adopted under this section.  
1543 Those relocatable classrooms clearly identified and scheduled  
1544 for replacement in a school-board-adopted, financially feasible,  
1545 5-year district facilities work program shall be counted at zero  
1546 capacity at the time the work program is adopted and approved by  
1547 the school board. However, if the district facilities work  
1548 program is changed and the relocatable classrooms are not  
1549 replaced as scheduled in the work program, the classrooms must  
1550 be reentered into the system and be counted at actual capacity.  
1551 Relocatable classrooms may not be perpetually added to the work  
1552 program or continually extended for purposes of circumventing  
1553 this section. All relocatable classrooms not identified and  
1554 scheduled for replacement, including those owned, lease-  
1555 purchased, or leased by the school district, must be counted at  
1556 actual student capacity. The district educational facilities  
1557 plan must identify the number of relocatable student stations  
1558 scheduled for replacement during the 5-year survey period and  
1559 the total dollar amount needed for that replacement.

1560 g. Plans for the closure of any school, including plans  
1561 for disposition of the facility or usage of facility space, and  
1562 anticipated revenues.

1563 h. Projects for which capital outlay and debt service  
1564 funds accruing under s. 9(d), Art. XII of the State Constitution  
1565 are to be used shall be identified separately in priority order  
1566 on a project priority list within the district facilities work  
1567 program.

1568 3. The projected cost for each project identified in the



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1569 district facilities work program. For proposed projects for new  
1570 student stations, a schedule shall be prepared comparing the  
1571 planned cost and square footage for each new student station, by  
1572 elementary, middle, and high school levels, to the low, average,  
1573 and high cost of facilities constructed throughout the state  
1574 during the most recent fiscal year for which data is available  
1575 from the Department of Education.

1576 4. A schedule of estimated capital outlay revenues from  
1577 each currently approved source which is estimated to be  
1578 available for expenditure on the projects included in the  
1579 district facilities work program.

1580 5. A schedule indicating which projects included in the  
1581 district facilities work program will be funded from current  
1582 revenues projected in subparagraph 4.

1583 6. A schedule of options for the generation of additional  
1584 revenues by the district for expenditure on projects identified  
1585 in the district facilities work program which are not funded  
1586 under subparagraph 5. Additional anticipated revenues may  
1587 include ~~effort index grants, SIT Program awards, and Classrooms~~  
1588 First funds.

1589 Section 62. Subsection (2) of section 1013.356, Florida  
1590 Statutes, is amended to read:

1591 1013.356 Local funding for educational facilities benefit  
1592 districts or community development districts.—Upon confirmation  
1593 by a district school board of the commitment of revenues by an  
1594 educational facilities benefit district or community development  
1595 district necessary to construct and maintain an educational  
1596 facility contained within an individual district facilities work

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1597 program or proposed by an approved charter school or a charter  
1598 school applicant, the following funds shall be provided to the  
1599 educational facilities benefit district or community development  
1600 district annually, beginning with the next fiscal year after  
1601 confirmation until the district's financial obligations are  
1602 completed:

1603 (2) For construction and capital maintenance costs not  
1604 covered by the funds provided under subsection (1), an annual  
1605 amount contributed by the district school board equal to one-  
1606 half of the remaining costs of construction and capital  
1607 maintenance of the educational facility. Any construction costs  
1608 above the cost-per-student criteria established in s.  
1609 1013.64(6)(b)1. ~~for the SIT Program in s. 1013.72(2)~~ shall be  
1610 funded exclusively by the educational facilities benefit  
1611 district or the community development district. Funds  
1612 contributed by a district school board shall not be used to fund  
1613 operational costs.

1614  
1615 Educational facilities funded pursuant to this act may be  
1616 constructed on land that is owned by any person after the  
1617 district school board has acquired from the owner of the land a  
1618 long-term lease for the use of this land for a period of not  
1619 less than 40 years or the life expectancy of the permanent  
1620 facilities constructed thereon, whichever is longer. All  
1621 interlocal agreements entered into pursuant to this act shall  
1622 provide for ownership of educational facilities funded pursuant  
1623 to this act to revert to the district school board if such  
1624 facilities cease to be used for public educational purposes

1625 prior to 40 years after construction or prior to the end of the  
 1626 life expectancy of the educational facilities, whichever is  
 1627 longer.

1628 Section 63. Subsections (4), (5), and (6) of section  
 1629 1013.41, Florida Statutes, are amended to read:

1630 1013.41 SMART schools; Classrooms First; legislative  
 1631 purpose.—

1632 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of  
 1633 the Legislature to require the Office of Educational Facilities  
 1634 to assist school districts in building SMART schools utilizing  
 1635 functional and frugal practices. The Office of Educational  
 1636 Facilities must review district facilities work programs and  
 1637 projects and ~~identify districts qualified for incentive funding~~  
 1638 ~~available through School Infrastructure Thrift Program awards;~~  
 1639 identify opportunities to maximize design and construction  
 1640 savings; develop school district facilities work program  
 1641 performance standards; and provide for review and  
 1642 recommendations to the Governor, the Legislature, and the State  
 1643 Board of Education.

1644 ~~(5) EFFORT INDEX GRANTS.—It is the purpose of the~~  
 1645 ~~Legislature to create s. 1013.73, in order to provide grants~~  
 1646 ~~from state funds to assist school districts that have provided a~~  
 1647 ~~specified level of local effort funding.~~

1648 ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS.—It~~  
 1649 ~~is the purpose of the Legislature to convert the SIT Program~~  
 1650 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~  
 1651 ~~program to encourage functional, frugal facilities and~~  
 1652 ~~practices.~~

1653 Section 64. Paragraph (b) of subsection (6) of section  
 1654 1013.64, Florida Statutes, is amended to read:

1655 1013.64 Funds for comprehensive educational plant needs;  
 1656 construction cost maximums for school district capital  
 1657 projects.—Allocations from the Public Education Capital Outlay  
 1658 and Debt Service Trust Fund to the various boards for capital  
 1659 outlay projects shall be determined as follows:

1660 (6)

1661 (b)1. A district school board must not use funds from the  
 1662 following sources: Public Education Capital Outlay and Debt  
 1663 Service Trust Fund; School District and Community College  
 1664 District Capital Outlay and Debt Service Trust Fund; Classrooms  
 1665 First Program funds provided in s. 1013.68; ~~effort index grant~~  
 1666 ~~funds provided in s. 1013.73;~~ nonvoted 1.5-mill levy of ad  
 1667 valorem property taxes provided in s. 1011.71(2); Classrooms for  
 1668 Kids Program funds provided in s. 1013.735; District Effort  
 1669 Recognition Program funds provided in s. 1013.736; or High  
 1670 Growth District Capital Outlay Assistance Grant Program funds  
 1671 provided in s. 1013.738 for any new construction of educational  
 1672 plant space with a total cost per student station, including  
 1673 change orders, that equals more than:

- 1674 a. \$17,952 for an elementary school,
- 1675 b. \$19,386 for a middle school, or
- 1676 c. \$25,181 for a high school,

1677  
 1678 (January 2006) as adjusted annually to reflect increases or  
 1679 decreases in the Consumer Price Index.

1680 2. A district school board must not use funds from the

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1681 Public Education Capital Outlay and Debt Service Trust Fund or  
 1682 the School District and Community College District Capital  
 1683 Outlay and Debt Service Trust Fund for any new construction of  
 1684 an ancillary plant that exceeds 70 percent of the average cost  
 1685 per square foot of new construction for all schools.

1686 Section 65. Section 1013.69, Florida Statutes, is amended  
 1687 to read:

1688 1013.69 Full bonding required to participate in programs.—  
 1689 Any district with unused bonding capacity in its Capital Outlay  
 1690 and Debt Service Trust Fund allocation that certifies in its  
 1691 district educational facilities plan that it will not be able to  
 1692 meet all of its need for new student stations within existing  
 1693 revenues must fully bond its Capital Outlay and Debt Service  
 1694 Trust Fund allocation before it may participate in Classrooms  
 1695 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~  
 1696 ~~Effort Index Grants Program.~~

1697 Section 66. Paragraph (b) of subsection (2) of section  
 1698 1013.738, Florida Statutes, is amended to read:

1699 1013.738 High Growth District Capital Outlay Assistance  
 1700 Grant Program.—

1701 (2) In order to qualify for a grant, a school district  
 1702 must meet the following criteria:

1703 (b) Fifty percent of the revenue derived from the 2-mill  
 1704 nonvoted discretionary capital outlay millage for the past 4  
 1705 fiscal years, when divided by the district's growth in capital  
 1706 outlay FTE students over this period, produces a value that is  
 1707 less than the average cost per student station calculated  
 1708 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by

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1709 | statewide growth in capital outlay FTE students in elementary,  
1710 | middle, and high schools for the past 4 fiscal years.

1711 |       Section 67. This act shall take effect upon becoming a  
1712 | law.