

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 effective dates.

92 |
 93 | Be It Enacted by the Legislature of the State of Florida:

94 |
 95 | Section 1. Subsection (3) of section 403.7032, Florida
 96 | Statutes, is amended to read:

97 | 403.7032 Recycling.—

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

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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. Effective July 1, 2013, subsection (7) of
 218 section 1013.64, Florida 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

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

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

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

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

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

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

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

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

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

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.

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

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.

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

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

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

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. Except as otherwise expressly provided in this
1712 | act, this act shall take effect upon becoming a law.