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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/01/2013	.	
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The Committee on Education (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (d) is added to subsection (21) of
section 1002.20, Florida Statutes, to read:

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

(21) PARENTAL INPUT AND MEETINGS.—



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14 (d) Parent empowerment.—Parents of eligible students who
15 are assigned to a public school that has earned a grade of “F”
16 and that is required to select a turnaround option pursuant to
17 s. 1008.33 may submit a petition to the school district
18 requesting implementation of a particular turnaround option
19 pursuant to s. 1003.07.

20 Section 2. Section 1003.07, Florida Statutes, is created to
21 read:

22 1003.07 Parent empowerment.—

23 (1) This section may be cited as the “Parent Empowerment
24 Act.”

25 (2) As used in this section, the term:

26 (a) “Eligible student” means a student enrolled in a school
27 in which a turnaround option will be selected or a student who,
28 under the school district’s enrollment policy, is scheduled for
29 assignment to that school the following school year.

30 (b) “Parental vote” means the signature of one parent of an
31 eligible student.

32 1. If the other parent objects in writing to the parental
33 vote before the date the petition is scheduled to be submitted,
34 and if the parents have equal parental rights, each parental
35 vote counts for one-half of a vote.

36 2. If one parent has sole parental responsibility or holds
37 the right to make educational decisions for the student pursuant
38 to s. 61.13, only that parent can vote regarding the eligible
39 student.

40 (3) Each school district shall notify, in writing, the
41 parents of eligible students and the school advisory council
42 when a public school has earned a grade of “F” and is required



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43 to select a turnaround option pursuant to s. 1008.33. The
44 written notice must inform parents that, before the district
45 school board selects a turnaround option, parents may petition
46 for implementation of a particular turnaround option by the
47 school the following school year. The notice must be provided to
48 parents within 30 calendar days after the school district
49 receives notice from the department that the school is required
50 to implement a turnaround option. The notice must include:

51 (a) A description of each turnaround option available for
52 selection under s. 1008.33.

53 (b) A description of the process for implementing a
54 turnaround option, including the date by which the school
55 district must submit its implementation plan to the State Board
56 of Education.

57 (c) The date and location for submission of the petition.

58 (d) The date and location of the publicly noticed district
59 school board meeting required under subsection (7) at which the
60 school board will consider the available turnaround options.

61 (e) The contact information of the district school board.

62 (4) A person who solicits signatures may not offer monetary
63 compensation, a promise of employment, or any other reward to a
64 parent for signing a petition. A person who solicits signatures
65 may not be paid per signature and, if asked, must disclose the
66 organization he or she represents. A for-profit education
67 management organization is prohibited from gathering signatures
68 or paying others to solicit signatures.

69 (5) The State Board of Education shall adopt rules to
70 establish a petition format, the petition submission process,
71 standards for verifying signatures, a denominator for



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72 calculating the percentage of parental votes of eligible
73 students, and timeframes for the verification and consideration
74 of a petition at a publicly noticed meeting. Petition forms must
75 be easily accessible to parents. Each petition form must clearly
76 identify only one turnaround option on the front page of the
77 petition and on each page thereafter. The school district shall
78 provide clear instructions and a sample petition form for each
79 turnaround option available for selection under s. 1008.33.

80 (6) The petition process must provide that:

81 (a) Parents of eligible students have at least 30 days
82 after initial notification to gather petition signatures.

83 (b) The school district shall verify signatures no more
84 than 30 days after the date the petition is submitted.

85 (c) The district school board may not meet on the subject
86 sooner than 30 days after the petition is submitted.

87 (d) A submitted petition may list only one turnaround
88 option identified in s. 1008.33 which is not currently being
89 implemented at the school. A parent may sign more than one
90 petition for a turnaround option.

91 (e) A school district may not reject a parent's signature
92 on a petition on the basis that the parent signed the petition
93 before the initial notice.

94 (f) The school district shall verify at least a majority of
95 the signatures on the petition using existing student enrollment
96 documentation or other records containing parent signatures. A
97 school district may not reject a parent's signature on a
98 petition based on a lack of conformity to signatures in school
99 records if the parent's identity and signature can be easily
100 validated with a photographic identification or a notarized



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101 signature verifying the identity of the signer, or by the
102 personal knowledge of a school employee. The school district is
103 not required to verify notarized signatures, and signatures not
104 verified within the established verification period are valid.

105 (g) For a petition to be valid, it must bear the dated
106 signatures of a majority of the parental votes of eligible
107 students. For purposes of this section, a majority is more than
108 one-half of the parental votes of eligible students. Only one
109 parental vote per eligible student may be counted with respect
110 to each petition.

111 (h) If valid petitions for more than one turnaround option
112 are submitted, the petition having the most signatures is the
113 official turnaround option selected by parents.

114 (7) The turnaround option selected by parents must be
115 considered for implementation by the school district at a
116 publicly noticed district school board meeting. The district
117 school board must adopt the turnaround option selected by
118 parents unless the district school board votes to reject the
119 parent option at the school board meeting based solely on the
120 criterion that the parent-selected option would not lead to
121 improved academic performance of students. The school district
122 must submit to the department for approval by the State Board of
123 Education an implementation plan for the selected turnaround
124 option pursuant to s. 1008.33.

125 (8) If the school improves by at least one letter grade,
126 implementation of a turnaround option is no longer required in
127 accordance with s. 1008.33(4) (d).

128 (9) In addition to the petition rules described in
129 subsection (5), the State Board of Education shall adopt rules



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130 pursuant to ss. 120.536(1) and 120.54 to administer this
131 section.

132 Section 3. Paragraphs (c) through (e) of subsection (4) of
133 section 1008.33, Florida Statutes, are redesignated as
134 paragraphs (d) through (f), respectively, and a new paragraph
135 (c) is added to that subsection, to read:

136 1008.33 Authority to enforce public school improvement.-

137 (4)

138 (c) Parents of students who are assigned to a public school
139 that is required by the State Board of Education to select a
140 turnaround option may petition the school district to implement
141 one of the turnaround options in paragraph (b) selected by the
142 parents pursuant to s. 1003.07.

143 Section 4. Subsection (6) is added to section 1012.2315,
144 Florida Statutes, to read:

145 1012.2315 Assignment of teachers.-

146 (6) ASSIGNMENT OF TEACHERS BASED UPON PERFORMANCE
147 EVALUATIONS.-

148 (a) If a high school or middle school student who is
149 currently taught by a classroom teacher who, during that school
150 year, receives a performance evaluation rating of "needs
151 improvement" or "unsatisfactory" under s. 1012.34, the student
152 may not be assigned the following school year to a classroom
153 teacher in the same subject area who received a performance
154 evaluation rating of "needs improvement" or "unsatisfactory" in
155 the preceding school year.

156 (b) If an elementary school student is currently taught by
157 a classroom teacher who, during that school year, receives a
158 performance evaluation rating of "needs improvement" or



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159 "unsatisfactory" under s. 1012.34, the student may not be
160 assigned the following school year to a classroom teacher who
161 received a performance evaluation rating of "needs improvement"
162 or "unsatisfactory" in the preceding school year.

163 Section 5. This act shall take effect July 1, 2013.

164
165 ===== T I T L E A M E N D M E N T =====

166 And the title is amended as follows:

167 Delete everything before the enacting clause
168 and insert:

169 A bill to be entitled
170 An act relating to parent empowerment in education;
171 amending s. 1002.20, F.S.; providing that parents who
172 have a student in a public school that is implementing
173 a turnaround option may petition to have a particular
174 turnaround option implemented; creating s. 1003.07,
175 F.S.; creating the Parent Empowerment Act; specifying
176 what constitutes an eligible student and a parental
177 vote; authorizing up to one parental vote per eligible
178 student; requiring that a school district send a
179 written notice to parents of public school students
180 regarding the parents' options to petition the school
181 board for a particular turnaround option; requiring
182 the notice to include certain information; prohibiting
183 a person from being paid for signatures; prohibiting a
184 for-profit education management organization from
185 soliciting signatures or paying a person to solicit
186 signatures; requiring the State Board of Education to
187 adopt rules for filing a petition; establishing the



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188 process to solicit signatures for a petition;
189 establishing criteria to verify the signatures on a
190 petition; specifying that a petition is valid if it is
191 signed and dated by a majority of the parents of
192 eligible students and those signatures are verified;
193 requiring the school district to consider the
194 turnaround option on the valid petition with the most
195 signatures at a publicly noticed school board meeting;
196 requiring the school district to submit an
197 implementation plan to the Department of Education for
198 approval by the State Board of Education; providing
199 that implementation of a turnaround option is no
200 longer required if a school improves by at least one
201 letter grade; providing for the adoption of rules;
202 amending s. 1008.33, F.S.; authorizing a parent to
203 petition the school district to implement a turnaround
204 option selected by the parent; amending s. 1012.2315,
205 F.S.; providing that a student may not be assigned to
206 an unsatisfactory teacher, particularly in a single
207 subject if the student is in high school or middle
208 school, for two consecutive school years; providing an
209 effective date.