

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Trujillo offered the following:

Amendment (with title amendment)

Remove 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.—

(d) Parent empowerment.—Parents of eligible students who are assigned to a public school that has earned a school grade of "F" and is required to select a turnaround option pursuant to

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17 s. 1008.33 may submit a petition to the school district
18 requesting implementation of a turnaround option pursuant to s.
19 1003.07.

20 Section 2. Section 1003.07, Florida Statutes, is created
21 to 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
27 school in which a turnaround option will be selected or a
28 student who, under the school district's enrollment policy, is
29 scheduled for assignment to that school the following school
30 year.

31 (b) "Parental vote" means the signature of one parent of
32 an eligible student.

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

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

41 (3) Each school district shall notify, in writing, the
42 parents of eligible students and the school advisory council
43 when a public school has earned a school grade of "F" and is
44 required to select a turnaround option pursuant to s. 1008.33.

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

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

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

58 (c) The date and location for submission of the petition;

59 (d) The date and location of the publicly noticed district
60 school board meeting required in this section at which the
61 school board will consider the available turnaround options; and

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

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

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

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

81 (6) The petition process must provide that:

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

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

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

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

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

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

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

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

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

116 (7) (a) The turnaround option selected by parents must be
117 considered for implementation by the school district at the
118 publicly noticed district school board meeting pursuant to
119 subsection (3) (d). The district school board must adopt the
120 turnaround option selected by parents unless the district school
121 board votes to reject the parent option at the school board
122 meeting based solely on the criterion that the parent-selected
123 option would not lead to improved academic performance of
124 students. The school district must submit an implementation plan
125 for the adopted turnaround option pursuant to s. 1008.33.

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

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129 (8) In addition to the petition rules described in
130 subsection (5), the State Board of Education shall adopt rules
131 pursuant to ss. 120.536(1) and 120.54 to administer this
132 section.

133 Section 3. Subsection (4) of section 1008.33, Florida
134 Statutes, is amended to read:

135 1008.33 Authority to enforce public school improvement.—

136 (4) (a) The state board shall apply the most intense
137 intervention and support strategies to schools earning a grade
138 of "F." In the first full school year after a school initially
139 earns a grade of "F," the school district must implement
140 intervention and support strategies prescribed in rule under
141 paragraph (3) (c), select a turnaround option from those provided
142 in subparagraphs (b)1.-5., and submit a plan for implementing
143 the turnaround option to the department for approval by the
144 state board. Upon approval by the state board, the turnaround
145 option must be implemented in the following school year.

146 (b) Except as provided in subsection (5), the turnaround
147 options available to a school district to address a school that
148 earns a grade of "F" are:

149 1. Convert the school to a district-managed turnaround
150 school;

151 2. Reassign students to another school and monitor the
152 progress of each reassigned student;

153 3. Close the school and reopen the school as one or more
154 charter schools, each with a governing board that has a
155 demonstrated record of effectiveness;

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156 4. Contract with an outside entity that has a demonstrated
157 record of effectiveness to operate the school; or

158 5. Implement a hybrid of turnaround options set forth in
159 subparagraphs 1.-4. or other turnaround models that have a
160 demonstrated record of effectiveness.

161 (c) Parents of students who are assigned to a public
162 school that is required by the State Board of Education to
163 select a turnaround option may petition the school district to
164 implement one of the turnaround options in paragraph (b)
165 selected by the parents pursuant to s. 1003.07.

166 (d)-(e) Except for schools required to implement a
167 turnaround option pursuant to subsection (5), a school earning a
168 grade of "F" shall have a planning year followed by 2 full
169 school years to implement the initial turnaround option selected
170 by the school district and approved by the state board.

171 Implementation of the turnaround option is no longer required if
172 the school improves by at least one letter grade.

173 (e)-(d) A school earning a grade of "F" that improves its
174 letter grade must continue to implement strategies identified in
175 its school improvement plan pursuant to s. 1001.42(18)(a). The
176 department must annually review implementation of the school
177 improvement plan for 3 years to monitor the school's continued
178 improvement.

179 (f)-(e) If a school earning a grade of "F" does not improve
180 by at least one letter grade after 2 full school years of
181 implementing the turnaround option selected by the school
182 district under paragraph (b), the school district must select a
183 different option and submit another implementation plan to the

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184 department for approval by the state board. Implementation of
185 the approved plan must begin the school year following the
186 implementation period of the existing turnaround option, unless
187 the state board determines that the school is likely to improve
188 a letter grade if additional time is provided to implement the
189 existing turnaround option.

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

192 1012.2315 Assignment of teachers.—

193 (6) ASSIGNMENT OF TEACHERS BASED UPON PERFORMANCE
194 EVALUATIONS.—

195 (a) If a high school or middle school student is currently
196 taught by a classroom teacher who, during that school year,
197 receives a performance evaluation rating of "needs improvement"
198 or "unsatisfactory" under s. 1012.34, the student may not be
199 assigned the following school year to a classroom teacher in the
200 same subject area who received a performance evaluation rating
201 of "needs improvement" or "unsatisfactory" in the preceding
202 school year.

203 (b) If an elementary school student is currently taught by
204 a classroom teacher who, during that school year, receives a
205 performance evaluation rating of "needs improvement" or
206 "unsatisfactory" under s. 1012.34, the student may not be
207 assigned the following school year to a classroom teacher who
208 received a performance evaluation rating of "needs improvement"
209 or "unsatisfactory" in the preceding school year.

210 Section 5. This act shall take effect July 1, 2013.
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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to parent empowerment in education;
amending s. 1002.20, F.S.; providing that parents who
have a student in a public school that is implementing
a turnaround option may petition to have a particular
turnaround option implemented; creating s. 1003.07,
F.S.; creating the Parent Empowerment Act; specifying
what constitutes an eligible student and a parental
vote; requiring that a school district send a written
notice to parents of public school students regarding
the parents' options to petition the school for a
particular turnaround option; requiring the notice to
include certain information; authorizing up to one
parental vote per eligible student; establishing the
process to solicit signatures for a petition;
prohibiting a person from being paid for signatures;
prohibiting a for-profit education management company
from soliciting signatures or paying a person to
solicit signatures; establishing criteria to verify
the signatures on a petition; requiring the State
Board of Education to adopt rules for filing a
petition; specifying that a petition is valid if it is
signed and dated by a majority of the parental votes
of eligible students and those signatures are

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240 verified; requiring the school district to consider
241 the turnaround option on the valid petition with the
242 most signatures at a publicly noticed school board
243 meeting; requiring the school district to submit an
244 implementation plan to the state board; requiring the
245 State Board of Education to adopt rules for certain
246 purposes; amending s. 1008.33, F.S.; authorizing a
247 parent to petition the school district to implement a
248 turnaround option selected by the parent; amending s.
249 1012.2315, F.S.; providing that a student may not be
250 assigned to a teacher with a performance evaluation
251 rating of less than effective for a specified number
252 of consecutive school years; providing an effective
253 date.