

By the Committee on Education; and Senator Montford

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1 A bill to be entitled
2 An act relating to education; amending s. 11.45, F.S.;
3 requiring the Auditor General to notify the
4 Legislative Auditing Committee if a district school
5 board fails to take corrective action subsequent to an
6 audit; amending s. 120.74, F.S.; exempting educational
7 units from rule review and reporting requirements;
8 amending s. 120.81, F.S.; conforming cross-references;
9 amending s. 409.1451; conforming cross-references;
10 amending s. 496.404, F.S.; conforming cross-
11 references; amending s. 775.215, F.S.; conforming
12 cross-references; amending s. 984.151, F.S.;
13 authorizing a district school superintendent's
14 designee to submit a truancy petition; repealing s.
15 1000.01(5), F.S., relating to obsolete education
16 governance transfers; amending s. 1000.21, F.S.;
17 revising the definition of the term "Next Generation
18 Sunshine State Standards"; repealing ss. 1000.33 and
19 1000.37, F.S., relating to the distribution of copies
20 of educational compacts to other states; amending s.
21 1001.10, F.S.; deleting and revising certain duties of
22 the Commissioner of Education relating to educational
23 plans and programs; repealing s. 1001.25, F.S.,
24 relating to educational television; amending s.
25 1001.26, F.S.; revising Department of Education duties
26 relating to the public broadcasting program system;
27 prohibiting the use of educational television stations
28 for the advancement of political candidates; providing
29 penalties; repealing ss. 1001.47(7) and 1001.50(6),

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30 F.S., relating to obsolete district school
31 superintendent salary provisions; repealing s.
32 1001.62, F.S., relating to obsolete provisions for the
33 transfer of benefits arising under local or special
34 acts; repealing s. 1001.73(3), F.S., relating to the
35 abolished Board of Regents as trustee; amending s.
36 1002.20, F.S.; correcting cross-references and
37 conforming provisions; amending s. 1002.31, F.S.;
38 revising provisions relating to school district
39 controlled open enrollment plans; amending s.
40 1002.3105, F.S.; conforming provisions; amending s.
41 1002.321, F.S.; conforming provisions; amending s.
42 1002.33, F.S.; deleting required training before
43 charter school application; conforming cross-
44 references and provisions; amending s. 1002.34, F.S.;
45 conforming cross-references; revising provisions
46 relating to department assistance to charter technical
47 career centers; amending s. 1002.345, F.S.; revising
48 provisions relating to expedited review of
49 deteriorating financial conditions for a charter
50 school or charter technical career center; deleting an
51 annual reporting requirement; amending s. 1002.39,
52 F.S.; deleting obsolete provisions relating to
53 eligibility for a John M. McKay Scholarship; amending
54 s. 1002.41, F.S.; correcting cross-references;
55 repealing s. 1002.415, F.S., relating to the K-8
56 Virtual School Program; amending s. 1002.45, F.S.;
57 conforming cross-references; amending s. 1002.455,
58 F.S.; conforming provisions; repealing s. 1002.65,

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59 F.S., relating to aspirational goals for credentials
60 of prekindergarten instructors; amending s. 1003.01,
61 F.S.; conforming cross-references; amending s.
62 1003.02, F.S.; requiring instructional materials to be
63 consistent with course descriptions; amending s.
64 1003.03, F.S.; conforming cross-references; amending
65 s. 1003.41, F.S.; deleting an obsolete cost analysis
66 requirement relating to a separate financial literacy
67 course; amending s. 1003.4156, F.S.; revising course
68 and assessment requirements for middle grades students
69 for promotion to high school; providing an exemption
70 for transfer students from certain course grade and
71 assessment requirements; repealing s. 1003.428, F.S.,
72 relating to obsolete requirements for high school
73 graduation; amending s. 1003.4281, F.S.; conforming
74 cross-references; amending s. 1003.4282, F.S.;
75 revising course and assessment requirements for the
76 award of a standard high school diploma; providing
77 requirements for a student in an adult general
78 education program to be awarded a standard high school
79 diploma; revising requirements for award of a
80 certificate of completion; providing an exemption for
81 transfer students from certain course grade and
82 assessment requirements; providing specificity
83 regarding course and assessment requirements for
84 graduation for certain cohorts of high school students
85 transitioning to new graduation requirements;
86 providing for future repeal of transition
87 requirements; amending s. 1003.4285, F.S.; revising

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88 requirements for standard high school diploma
89 designations; amending s. 1003.438, F.S.; conforming
90 cross-references; repealing s. 1003.451(5), F.S.,
91 relating to State Board of Education rulemaking;
92 amending s. 1003.49, F.S.; conforming cross-
93 references; amending s. 1003.493, F.S.; conforming a
94 cross-reference; amending s. 1003.4935, F.S.;
95 conforming a cross-reference; amending s. 1003.57,
96 F.S., relating to exceptional student instruction;
97 amending s. 1003.621, F.S.; revising audit criteria
98 for academically high-performing school districts;
99 repealing s. 1004.02(4), F.S., relating to the
100 definition of the term "adult high school credit
101 program"; amending s. 1004.0961, F.S.; providing for
102 Board of Governors regulations; repealing s.
103 1004.3825, F.S., relating to authorization for a
104 medical degree program; repealing s. 1004.387, F.S.,
105 relating to authorization for a pharmacy degree
106 program; repealing s. 1004.445(2), F.S., relating to
107 the board of directors of the Johnnie B. Byrd, Sr.
108 Alzheimer's Center and Research Institute; repealing
109 s. 1004.75, F.S., relating to training school
110 consolidation pilot projects; amending s. 1004.935,
111 F.S.; revising the effective date of the Adults with
112 Disabilities Workforce Education Pilot Program;
113 increasing the age limitation for a program
114 participant; conforming cross-references; repealing s.
115 1006.141, F.S., relating to a statewide school safety
116 hotline; amending s. 1006.147, F.S.; deleting obsolete

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117 provisions relating to school district bullying and
118 harassment policies; repealing s. 1006.148(2), F.S.,
119 relating to a department-developed model dating
120 violence and abuse policy; amending s. 1006.15, F.S.;
121 conforming cross-references; amending s. 1006.28,
122 F.S.; conforming provisions relating to instructional
123 materials; amending s. 1006.31, F.S.; conforming
124 provisions relating to duties of an instructional
125 materials reviewer; amending s. 1006.34, F.S.;
126 revising provisions relating to standards used in the
127 selection of instructional materials; amending s.
128 1006.40, F.S.; revising provisions relating to
129 district school board purchase of instructional
130 materials; amending s. 1006.42, F.S.; conforming
131 provisions relating to the responsibility of parents
132 for instructional materials; amending s. 1007.02,
133 F.S.; deleting a popular name and providing
134 applicability for the term "student with a
135 disability"; amending s. 1007.2615, F.S.; deleting
136 obsolete provisions relating to an American Sign
137 Language task force; amending s. 1007.263, F.S.;
138 conforming cross-references; amending ss. 1007.264 and
139 1007.265, F.S.; conforming provisions; amending s.
140 1007.271, F.S.; correcting cross-references; amending
141 s. 1008.22, F.S.; conforming and revising provisions
142 relating to the implementation of statewide,
143 standardized comprehensive assessments, end-of-course
144 assessments, and waivers for students with
145 disabilities; requiring the commissioner to publish an

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146 implementation schedule for transition to new
147 assessments; conforming provisions relating to
148 concordant scores and comparative scores for
149 assessments; amending s. 1008.25, F.S.; conforming
150 assessment provisions for student progression;
151 amending s. 1008.33, F.S.; deleting obsolete
152 provisions relating to implementation of certain
153 school turnaround options; repealing s. 1008.331,
154 F.S., relating to supplemental educational services in
155 Title I schools; amending s. 1008.3415, F.S.;
156 correcting a cross-reference; repealing s. 1008.35,
157 F.S., relating to best financial management practices
158 for school districts; amending s. 1009.22, F.S.;
159 deleting obsolete provisions relating to workforce
160 education postsecondary student fees; amending s.
161 1009.40, F.S.; conforming cross-references; amending
162 s. 1009.531, F.S.; conforming cross-references;
163 amending s. 1009.532, F.S.; correcting cross-
164 references; amending s. 1009.536, F.S.; correcting
165 cross-references; repealing s. 1009.56, F.S., relating
166 to the Seminole and Miccosukee Indian Scholarship
167 Program; repealing s. 1009.69, F.S., relating to the
168 Virgil Hawkins Fellows Assistance Program; amending s.
169 1009.91, F.S.; conforming a cross-reference; amending
170 s. 1009.94, F.S.; conforming a cross-reference;
171 repealing part V of chapter 1009, F.S., relating to
172 the Florida Higher Education Loan Authority; amending
173 s. 1011.62, F.S.; deleting an obsolete provision;
174 repealing s. 1011.71(3)(b) and (c), F.S., relating to

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175 expired authorization for certain millage levy;
176 repealing s. 1011.76(4), F.S., relating to best
177 financial management practices review under the Small
178 School District Stabilization Program; amending s.
179 1011.80, F.S.; correcting a cross-reference; amending
180 s. 1012.05, F.S.; deleting department and commissioner
181 duties relating to teacher recruitment and retention;
182 amending s. 1012.22, F.S.; conforming provisions;
183 repealing s. 1012.33(9), F.S., relating to obsolete
184 provisions for payment of professional service
185 contracts; amending s. 1012.34, F.S.; correcting
186 cross-references relating to measuring student
187 performance in personnel evaluations; amending s.
188 1012.44, F.S.; deleting obsolete provisions; amending
189 s. 1012.561, F.S.; deleting an obsolete provision;
190 repealing s. 1012.595, F.S., relating to an obsolete
191 saving clause for educator certificates; amending s.
192 1012.885, F.S.; deleting certain provisions relating
193 to remuneration of Florida College System institution
194 presidents; amending s. 1012.975, F.S.; deleting
195 certain provisions relating to remuneration of state
196 university presidents; amending s. 1012.98, F.S.;
197 requiring continuing education training for
198 kindergarten teachers; amending s. 1013.35, F.S.;
199 revising audit requirements for school district
200 educational planning and construction activities;
201 amending s. 1013.47, F.S.; deleting provisions
202 relating to payment of wages of certain persons
203 employed by contractors; repealing s. 1013.49, F.S.,

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204 relating to toxic substances in educational
205 facilities; repealing s. 1013.512, F.S., relating to
206 the Land Acquisition and Facilities Advisory Board;
207 repealing s. 20 of chapter 2010-24, Laws of Florida,
208 relating to Department of Revenue authorization to
209 adopt emergency rules; providing an effective date.
210

211 Be It Enacted by the Legislature of the State of Florida:
212

213 Section 1. Paragraph (j) of subsection (7) of section
214 11.45, Florida Statutes, is amended to read:

215 11.45 Definitions; duties; authorities; reports; rules.—

216 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

217 (j) The Auditor General shall notify the Legislative
218 Auditing Committee of any financial or operational audit report
219 prepared pursuant to this section which indicates that a
220 district school board, state university, or Florida College
221 System institution has failed to take full corrective action in
222 response to a recommendation that was included in the two
223 preceding financial or operational audit reports.

224 1. The committee may direct the district school board or
225 the governing body of the state university or Florida College
226 System institution to provide a written statement to the
227 committee explaining why full corrective action has not been
228 taken or, if the governing body intends to take full corrective
229 action, describing the corrective action to be taken and when it
230 will occur.

231 2. If the committee determines that the written statement
232 is not sufficient, the committee may require the chair of the

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233 district school board or the chair of the governing body of the
234 state university or Florida College System institution, or the
235 chair's designee, to appear before the committee.

236 3. If the committee determines that the district school
237 board, state university, or Florida College System institution
238 has failed to take full corrective action for which there is no
239 justifiable reason or has failed to comply with committee
240 requests made pursuant to this section, the committee shall
241 refer the matter to the State Board of Education or the Board of
242 Governors, as appropriate, to proceed in accordance with s.
243 1008.32 or s. 1008.322, respectively.

244 Section 2. Subsection (5) is added to section 120.74,
245 Florida Statutes, to read:

246 120.74 Agency review, revision, and report.—

247 (5) An educational unit as defined in s. 120.52(6) is
248 exempt from this section.

249 Section 3. Paragraph (c) of subsection (1) of section
250 120.81, Florida Statutes, is amended to read:

251 120.81 Exceptions and special requirements; general areas.—

252 (1) EDUCATIONAL UNITS.—

253 (c) Notwithstanding s. 120.52(16), any tests, test scoring
254 criteria, or testing procedures relating to student assessment
255 which are developed or administered by the Department of
256 Education pursuant to s. 1003.4282 ~~1003.428~~, ~~s. 1003.429~~, s.
257 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
258 educational tests required by law, are not rules.

259 Section 4. Paragraph (a) of subsection (2) of section
260 409.1451, Florida Statutes, is amended to read:

261 409.1451 The Road-to-Independence Program.—

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262 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

263 (a) A young adult is eligible for services and support
264 under this subsection if he or she:

265 1. Was living in licensed care on his or her 18th birthday
266 or is currently living in licensed care; or was at least 16
267 years of age and was adopted from foster care or placed with a
268 court-approved dependency guardian after spending at least 6
269 months in licensed care within the 12 months immediately
270 preceding such placement or adoption;

271 2. Spent at least 6 months in licensed care before reaching
272 his or her 18th birthday;

273 3. Earned a standard high school diploma pursuant to s.
274 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
275 pursuant to s. 1003.428, s. 1003.4281, s. 1003.429, s. 1003.435,
276 or a special diploma pursuant to s. 1003.438;

277 4. Has been admitted for enrollment as a full-time student
278 or its equivalent in an eligible postsecondary educational
279 institution as provided in s. 1009.533. For purposes of this
280 section, the term "full-time" means 9 credit hours or the
281 vocational school equivalent. A student may enroll part-time if
282 he or she has a recognized disability or is faced with another
283 challenge or circumstance that would prevent full-time
284 attendance. A student needing to enroll part-time for any reason
285 other than having a recognized disability must get approval from
286 his or her academic advisor;

287 5. Has reached 18 years of age but is not yet 23 years of
288 age;

289 6. Has applied, with assistance from the young adult's
290 caregiver and the community-based lead agency, for any other

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291 grants and scholarships for which he or she may qualify;

292 7. Submitted a Free Application for Federal Student Aid
293 which is complete and error free; and

294 8. Signed an agreement to allow the department and the
295 community-based care lead agency access to school records.

296 Section 5. Subsection (8) of section 496.404, Florida
297 Statutes, is amended to read:

298 496.404 Definitions.—As used in ss. 496.401-496.424:

299 (8) "Educational institutions" means those institutions and
300 organizations described in s. 212.08(7)(cc)8.a. The term
301 includes private nonprofit organizations, the purpose of which
302 is to raise funds for schools teaching grades kindergarten
303 through grade 12, colleges, and universities, including a ~~any~~
304 nonprofit newspaper of free or paid circulation primarily on
305 university or college campuses which holds a current exemption
306 from federal income tax under s. 501(c)(3) of the Internal
307 Revenue Code, an ~~any~~ educational television network or system
308 established pursuant to ~~s. 1001.25~~ or s. 1001.26, and a ~~any~~
309 nonprofit television or radio station that is a part of such
310 network or system and that holds a current exemption from
311 federal income tax under s. 501(c)(3) of the Internal Revenue
312 Code. The term also includes a nonprofit educational cable
313 consortium that holds a current exemption from federal income
314 tax under s. 501(c)(3) of the Internal Revenue Code, whose
315 primary purpose is the delivery of educational and instructional
316 cable television programming and whose members are composed
317 exclusively of educational organizations that hold a valid
318 consumer certificate of exemption and that are either an
319 educational institution as defined in this subsection or

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320 qualified as a nonprofit organization pursuant to s. 501(c)(3)
321 of the Internal Revenue Code.

322 Section 6. Paragraph (d) of subsection (1) of section
323 775.215, Florida Statutes, is amended to read:

324 775.215 Residency restriction for persons convicted of
325 certain sex offenses.—

326 (1) As used in this section, the term:

327 (d) "School" has the same meaning as provided in s. 1003.01
328 and includes a private school as defined in s. 1002.01, a
329 voluntary prekindergarten education program as described in s.
330 1002.53(3), a public school as described in s. 402.3025(1), the
331 Florida School for the Deaf and the Blind, and the Florida
332 Virtual School ~~as established under s. 1002.37, and a K-8~~
333 ~~Virtual School as established under s. 1002.415,~~ but does not
334 include facilities dedicated exclusively to the education of
335 adults.

336 Section 7. Subsection (1) of section 984.151, Florida
337 Statutes, is amended to read:

338 984.151 Truancy petition; prosecution; disposition.—

339 (1) If the school determines that a student subject to
340 compulsory school attendance has had at least five unexcused
341 absences, or absences for which the reasons are unknown, within
342 a calendar month or 10 unexcused absences, or absences for which
343 the reasons are unknown, within a 90-calendar-day period
344 pursuant to s. 1003.26(1)(b), or has had more than 15 unexcused
345 absences in a 90-calendar-day period, the superintendent of
346 schools or his or her designee may file a truancy petition.

347 Section 8. Subsection (5) of section 1000.01, Florida
348 Statutes, is repealed.

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349 Section 9. Subsection (7) of section 1000.21, Florida
350 Statutes, is amended to read:

351 1000.21 Systemwide definitions.—As used in the Florida K-20
352 Education Code:

353 (7) "Next Generation Sunshine State Standards" means the
354 state's public K-12 curricular standards, ~~including common core~~
355 ~~standards in English Language Arts and mathematics,~~ adopted
356 under s. 1003.41.

357 Section 10. Section 1000.33, Florida Statutes, is repealed.

358 Section 11. Section 1000.37, Florida Statutes, is repealed.

359 Section 12. Paragraphs (h) and (l) of subsection (6) of
360 section 1001.10, Florida Statutes, are amended to read:

361 1001.10 Commissioner of Education; general powers and
362 duties.—

363 (6) Additionally, the commissioner has the following
364 general powers and duties:

365 ~~(h) To develop and implement a plan for cooperating with~~
366 ~~the Federal Government in carrying out any or all phases of the~~
367 ~~educational program and to recommend policies for administering~~
368 ~~funds that are appropriated by Congress and apportioned to the~~
369 ~~state for any or all educational purposes. The Commissioner of~~
370 ~~Education shall submit to the Legislature the proposed state~~
371 ~~plan for the reauthorization of the No Child Left Behind Act~~
372 ~~before the proposed plan is submitted to federal agencies. The~~
373 ~~President of the Senate and the Speaker of the House of~~
374 ~~Representatives shall appoint members of the appropriate~~
375 ~~education and appropriations committees to serve as a select~~
376 ~~committee to review the proposed plan.~~

377 (k) (l) To prepare, publish, and disseminate ~~maintain a~~

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378 ~~Citizen Information Center responsible for the preparation,~~
379 ~~publication, and dissemination of user-friendly materials~~
380 relating to the state's education system, including the state's
381 K-12 scholarship programs and the Voluntary Prekindergarten
382 Education Program.

383 Section 13. Section 1001.25, Florida Statutes, is repealed.

384 Section 14. Section 1001.26, Florida Statutes, is amended
385 to read:

386 1001.26 Public broadcasting program system.—

387 (1) There is created a public broadcasting program system
388 for the state. The department shall provide funds, as
389 specifically appropriated in the General Appropriations Act, to
390 educational television stations qualified by the Corporation for
391 Public Broadcasting that are part of the public broadcasting
392 program system ~~administer this program system pursuant to rules~~
393 ~~adopted by the State Board of Education. This program system~~
394 ~~must complement and share resources with the instructional~~
395 ~~programming service of the Department of Education and~~
396 ~~educational UHF, VHF, EBS, and FM stations in the state. The~~
397 program system must include:

398 (a) Support for existing Corporation for Public
399 Broadcasting qualified program system educational television
400 stations ~~and new stations meeting Corporation for Public~~
401 ~~Broadcasting qualifications and providing a first service to an~~
402 ~~audience that does not currently receive a broadcast signal or~~
403 ~~providing a significant new program service as defined by rule~~
404 ~~by the State Board of Education.~~

405 (b) Maintenance of quality broadcast capability for
406 educational stations that are part of the program system.

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407 (c) Interconnection of all educational stations that are
408 part of the program system for simultaneous broadcast and of
409 such stations with all universities and other institutions as
410 necessary for sharing of resources and delivery of programming.

411 (d) Establishment and maintenance of a capability for
412 statewide program distribution with facilities and staff,
413 provided such facilities and staff complement and strengthen
414 existing ~~or future~~ educational television stations ~~in accordance~~
415 ~~with paragraph (a) and s. 1001.25(2)(c).~~

416 (e) Provision of both statewide programming funds and
417 station programming support for educational television to meet
418 statewide priorities. Priorities for station programming need
419 not be the same as priorities for programming to be used
420 statewide. Station programming may include, but shall not be
421 limited to, citizens' participation programs, music and fine
422 arts programs, coverage of public hearings and governmental
423 meetings, equal air time for political candidates, and other
424 public interest programming.

425 ~~(2)(a) The Department of Education is responsible for~~
426 ~~implementing the provisions of this section pursuant to s.~~
427 ~~282.702 and may employ personnel, acquire equipment and~~
428 ~~facilities, and perform all duties necessary for carrying out~~
429 ~~the purposes and objectives of this section.~~

430 ~~(b) The department shall provide through educational~~
431 ~~television and other electronic media a means of extending~~
432 ~~educational services to all the state system of public~~
433 ~~education. The department shall recommend to the State Board of~~
434 ~~Education rules necessary to provide such services.~~

435 ~~(c) The department is authorized to provide equipment,~~

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436 ~~funds, and other services to extend and update both the existing~~
437 ~~and the proposed educational television systems of tax-supported~~
438 ~~and nonprofit, corporate-owned facilities. All stations funded~~
439 ~~must be qualified by the Corporation for Public Broadcasting.~~
440 ~~New stations eligible for funding shall provide a first service~~
441 ~~to an audience that is not currently receiving a broadcast~~
442 ~~signal or provide a significant new program service as defined~~
443 ~~by State Board of Education rules. Funds appropriated to the~~
444 ~~department for educational television may be used by the~~
445 ~~department for educational television only.~~

446 (3) (a) The facilities, plant, or personnel of an
447 educational television station that is supported in whole or in
448 part by state funds may not be used directly or indirectly for
449 the promotion, advertisement, or advancement of a political
450 candidate for a municipal, county, legislative, congressional,
451 or state office. However, fair, open, and free discussion
452 between political candidates for municipal, county, legislative,
453 congressional, or state office may be permitted in order to help
454 materially reduce the excessive cost of campaigns and to ensure
455 that the state's citizens are fully informed about issues and
456 candidates in campaigns. This paragraph applies to the advocacy
457 for, or opposition to, a specific existing or proposed program
458 of governmental action, which includes, but is not limited to,
459 constitutional amendments, tax referenda, and bond issues. This
460 paragraph shall be implemented in accordance with rules of the
461 State Board of Education.

462 (b) A violation of a prohibition contained in this
463 subsection is a misdemeanor of the second degree, punishable as
464 provided in s. 775.082 or s. 775.083.

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465 Section 15. Subsection (7) of section 1001.47, Florida
466 Statutes, is repealed.

467 Section 16. Subsection (6) of section 1001.50, Florida
468 Statutes, is repealed.

469 Section 17. Section 1001.62, Florida Statutes, is repealed.

470 Section 18. Subsection (3) of section 1001.73, Florida
471 Statutes, is repealed.

472 Section 19. Subsections (8), (16), and (21) of section
473 1002.20, Florida Statutes, are amended to read:

474 1002.20 K-12 student and parent rights.—Parents of public
475 school students must receive accurate and timely information
476 regarding their child's academic progress and must be informed
477 of ways they can help their child to succeed in school. K-12
478 students and their parents are afforded numerous statutory
479 rights including, but not limited to, the following:

480 (8) STUDENTS WITH DISABILITIES.—Parents of public school
481 students with disabilities and parents of public school students
482 in residential care facilities are entitled to notice and due
483 process in accordance with the provisions of ss. 1003.57 and
484 1003.58. Public school students with disabilities must be
485 provided the opportunity to meet the graduation requirements for
486 a standard high school diploma as set forth in s. 1003.4282 in
487 accordance with the provisions of ss. 1003.57 and 1008.22 ~~§.~~
488 ~~1003.428(3)~~. Pursuant to s. 1003.438, certain public school
489 students with disabilities may be awarded a special diploma upon
490 high school graduation.

491 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
492 REPORTS.—Parents of public school students are entitled to an
493 easy-to-read report card about the school's grade designation

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494 or, if applicable under s. 1008.341, the school's improvement
495 rating, and the school's school accountability report, including
496 the school financial report as required under s. 1010.215,~~and~~
497 ~~school improvement rating of their child's school in accordance~~
498 ~~with the provisions of ss. 1008.22, 1003.02(3), and 1010.215(5).~~

499 (21) PARENTAL INPUT AND MEETINGS.—

500 (a) *Meetings with school district personnel.*—Parents of
501 public school students may be accompanied by another adult of
502 their choice at a any meeting with school district personnel.
503 School district personnel may not object to the attendance of
504 such adult or discourage or attempt to discourage, through an
505 any action, statement, or other means, the parents of students
506 with disabilities from inviting another person of their choice
507 to attend a any meeting. Such prohibited actions include, but
508 are not limited to, attempted or actual coercion or harassment
509 of parents or students or retaliation or threats of consequences
510 to parents or students.

511 1. Such meetings include, but are not limited to, meetings
512 related to: the eligibility for exceptional student education or
513 related services; the development of an individual family
514 support plan (IFSP); the development of an individual education
515 plan (IEP); the development of a 504 accommodation plan issued
516 under s. 504 of the Rehabilitation Act of 1973; the transition
517 of a student from early intervention services to other services;
518 the development of postsecondary goals for a student with a
519 disability and the transition services needed to reach those
520 goals; and other issues that may affect the a student's
521 educational environment, discipline, or placement of a student
522 with a disability.

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523 2. The parents and school district personnel attending the
524 meeting shall sign a document at the meeting's conclusion which
525 states whether any school district personnel have prohibited,
526 discouraged, or attempted to discourage the parents from
527 inviting a person of their choice to the meeting.

528 ~~(b) School district best financial management practice~~
529 ~~reviews.—Public school students and their parents may provide~~
530 ~~input regarding their concerns about the operations and~~
531 ~~management of the school district both during and after the~~
532 ~~conduct of a school district best financial management practices~~
533 ~~review, in accordance with the provisions of s. 1008.35.~~

534 **(b)** ~~(e)~~ District school board educational facilities
535 programs.—Parents of public school students and other members of
536 the public have the right to receive proper public notice and
537 opportunity for public comment regarding the district school
538 board's educational facilities work program, in accordance with
539 the provisions of s. 1013.35.

540 Section 20. Subsections (2) through (8) of section 1002.31,
541 Florida Statutes, are amended to read:

542 1002.31 Controlled open enrollment; public school parental
543 choice.—

544 (2) Each district school board may offer controlled open
545 enrollment within the public schools which is. ~~The controlled~~
546 ~~open enrollment program shall be offered~~ in addition to the
547 existing choice programs such as virtual instruction programs,
548 magnet schools, alternative schools, special programs, advanced
549 placement, and dual enrollment.

550 (3) Each district school board offering controlled open
551 enrollment shall adopt by rule and post on its website ~~develop~~ a

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552 controlled open enrollment plan which must: ~~describes the~~
553 ~~implementation of subsection (2).~~

554 (a)(4) ~~School districts shall~~ Adhere to federal
555 desegregation requirements. ~~No controlled open enrollment plan~~
556 ~~that conflicts with federal desegregation orders shall be~~
557 ~~implemented.~~

558 ~~(5) Each school district shall develop a system of~~
559 ~~priorities for its plan that includes consideration of the~~
560 ~~following:~~

561 (b)(a) Include an application process required to
562 participate in ~~the~~ controlled open enrollment ~~program.~~

563 ~~(b) A process that allows parents to declare school~~
564 ~~preferences, including-~~

565 ~~(c) A process that encourages placement of siblings within~~
566 ~~the same school.~~

567 (c)(d) Provide a lottery procedure ~~used by the school~~
568 ~~district to determine student assignment and establish-~~

569 ~~(e) an appeals process for hardship cases.~~

570 (d) Afford parents of students in multiple session schools
571 preferred access to controlled open enrollment.

572 (e)(f) ~~The procedures to~~ Maintain socioeconomic,
573 demographic, and racial balance.

574 (f)(g) Address the availability of transportation.

575 ~~(h) A process that promotes strong parental involvement,~~
576 ~~including the designation of a parent liaison.~~

577 ~~(i) A strategy that establishes a clearinghouse of~~
578 ~~information designed to assist parents in making informed~~
579 ~~choices.~~

580 ~~(6) Plans shall be submitted to the Commissioner of~~

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581 ~~Education. The Commissioner of Education shall develop an annual~~
582 ~~report on the status of school choice and deliver the report to~~
583 ~~the Governor, the President of the Senate, and the Speaker of~~
584 ~~the House of Representatives at least 90 days prior to the~~
585 ~~convening of the regular session of the Legislature.~~

586 ~~(7) Notwithstanding any provision of this section, a school~~
587 ~~district with schools operating on both multiple session~~
588 ~~schedules and single session schedules shall afford parents of~~
589 ~~students in multiple session schools preferred access to the~~
590 ~~controlled open enrollment program of the school district.~~

591 ~~(4)-(8)~~ In accordance with the reporting requirements of s.
592 1011.62, each district school board shall annually report the
593 number of students ~~applying for and~~ attending the various types
594 of public schools of choice in the district, including schools
595 such as virtual instruction programs, magnet schools, and public
596 charter schools, according to rules adopted by the State Board
597 of Education.

598 Section 21. Subsection (5) of section 1002.3105, Florida
599 Statutes, is amended to read:

600 1002.3105 Academically Challenging Curriculum to Enhance
601 Learning (ACCEL) options.—

602 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who
603 meets the applicable grade 9 cohort graduation requirements of
604 s. 1003.4282(3)(a)-(e) or s. 1003.4282(10)(a)1.-5., (b)1.-5.,
605 (c)1.-5., or (d)1.-5., earns three credits in electives, and
606 earns a cumulative grade point average (GPA) of 2.0 on a 4.0
607 scale shall be awarded a standard high school diploma in a form
608 prescribed by the State Board of Education.

609 Section 22. Subsection (3) of section 1002.321, Florida

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610 Statutes, is amended to read:

611 1002.321 Digital learning.—

612 (3) DIGITAL PREPARATION.—As required under s. 1003.4282, a
613 ~~Each~~ student entering grade 9 in the 2011-2012 school year and
614 thereafter who seeks a high school diploma must take graduate
615 ~~from high school having taken~~ at least one online course, ~~as~~
616 ~~provided in s. 1003.428.~~

617 Section 23. Paragraph (a) of subsection (6), paragraph (a)
618 of subsection (7), and subsection (25) of section 1002.33,
619 Florida Statutes, are amended to read:

620 1002.33 Charter schools.—

621 (6) APPLICATION PROCESS AND REVIEW.—Charter school
622 applications are subject to the following requirements:

623 (a) A person or entity wishing to open a charter school
624 shall prepare and submit an application on a model application
625 form prepared by the Department of Education which:

626 1. Demonstrates how the school will use the guiding
627 principles and meet the statutorily defined purpose of a charter
628 school.

629 2. Provides a detailed curriculum plan that illustrates how
630 students will be provided services to attain the Sunshine State
631 Standards.

632 3. Contains goals and objectives for improving student
633 learning and measuring that improvement. These goals and
634 objectives must indicate how much academic improvement students
635 are expected to show each year, how success will be evaluated,
636 and the specific results to be attained through instruction.

637 4. Describes the reading curriculum and differentiated
638 strategies that will be used for students reading at grade level

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639 or higher and a separate curriculum and strategies for students
640 who are reading below grade level. A sponsor shall deny a
641 charter if the school does not propose a reading curriculum that
642 is consistent with effective teaching strategies that are
643 grounded in scientifically based reading research.

644 5. Contains an annual financial plan for each year
645 requested by the charter for operation of the school for up to 5
646 years. This plan must contain anticipated fund balances based on
647 revenue projections, a spending plan based on projected revenues
648 and expenses, and a description of controls that will safeguard
649 finances and projected enrollment trends.

650 6. Contains Documents that the applicant has participated
651 in the training required in subparagraph (f)2. A sponsor may
652 require an applicant to provide additional information a sponsor
653 may require, which shall be attached as an addendum to the
654 charter school application described in this paragraph.

655 7. For the establishment of a virtual charter school,
656 documents that the applicant has contracted with a provider of
657 virtual instruction services pursuant to s. 1002.45(1)(d).

658 (7) CHARTER.—The major issues involving the operation of a
659 charter school shall be considered in advance and written into
660 the charter. The charter shall be signed by the governing board
661 of the charter school and the sponsor, following a public
662 hearing to ensure community input.

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

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

667 2. The focus of the curriculum, the instructional methods

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668 to be used, any distinctive instructional techniques to be
669 employed, and identification and acquisition of appropriate
670 technologies needed to improve educational and administrative
671 performance which include a means for promoting safe, ethical,
672 and appropriate uses of technology which comply with legal and
673 professional standards.

674 a. The charter shall ensure that reading is a primary focus
675 of the curriculum and that resources are provided to identify
676 and provide specialized instruction for students who are reading
677 below grade level. The curriculum and instructional strategies
678 for reading must be consistent with the Next Generation Sunshine
679 State Standards and grounded in scientifically based reading
680 research.

681 b. In order to provide students with access to diverse
682 instructional delivery models, to facilitate the integration of
683 technology within traditional classroom instruction, and to
684 provide students with the skills they need to compete in the
685 21st century economy, the Legislature encourages instructional
686 methods for blended learning courses consisting of both
687 traditional classroom and online instructional techniques.
688 Charter schools may implement blended learning courses which
689 combine traditional classroom instruction and virtual
690 instruction. Students in a blended learning course must be full-
691 time students of the charter school and receive the online
692 instruction in a classroom setting at the charter school.
693 Instructional personnel certified pursuant to s. 1012.55 who
694 provide virtual instruction for blended learning courses may be
695 employees of the charter school or may be under contract to
696 provide instructional services to charter school students. At a

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697 minimum, such instructional personnel must hold an active state
698 or school district adjunct certification under s. 1012.57 for
699 the subject area of the blended learning course. The funding and
700 performance accountability requirements for blended learning
701 courses are the same as those for traditional courses.

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

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

708 b. How these baseline rates will be compared to rates of
709 academic progress achieved by these same students while
710 attending the charter school.

711 c. To the extent possible, how these rates of progress will
712 be evaluated and compared with rates of progress of other
713 closely comparable student populations.

714

715 The district school board is required to provide academic
716 student performance data to charter schools for each of their
717 students coming from the district school system, as well as
718 rates of academic progress of comparable student populations in
719 the district school system.

720 4. The methods used to identify the educational strengths
721 and needs of students and how well educational goals and
722 performance standards are met by students attending the charter
723 school. The methods shall provide a means for the charter school
724 to ensure accountability to its constituents by analyzing
725 student performance data and by evaluating the effectiveness and

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726 efficiency of its major educational programs. Students in
727 charter schools shall, at a minimum, participate in the
728 statewide assessment program created under s. 1008.22.

729 5. In secondary charter schools, a method for determining
730 that a student has satisfied the requirements for graduation in
731 s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282.

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

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

736 8. The ways by which the school will achieve a
737 racial/ethnic balance reflective of the community it serves or
738 within the racial/ethnic range of other public schools in the
739 same school district.

740 9. The financial and administrative management of the
741 school, including a reasonable demonstration of the professional
742 experience or competence of those individuals or organizations
743 applying to operate the charter school or those hired or
744 retained to perform such professional services and the
745 description of clearly delineated responsibilities and the
746 policies and practices needed to effectively manage the charter
747 school. A description of internal audit procedures and
748 establishment of controls to ensure that financial resources are
749 properly managed must be included. Both public sector and
750 private sector professional experience shall be equally valid in
751 such a consideration.

752 10. The asset and liability projections required in the
753 application which are incorporated into the charter and shall be
754 compared with information provided in the annual report of the

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755 charter school.

756 11. A description of procedures that identify various risks
757 and provide for a comprehensive approach to reduce the impact of
758 losses; plans to ensure the safety and security of students and
759 staff; plans to identify, minimize, and protect others from
760 violent or disruptive student behavior; and the manner in which
761 the school will be insured, including whether or not the school
762 will be required to have liability insurance, and, if so, the
763 terms and conditions thereof and the amounts of coverage.

764 12. The term of the charter which shall provide for
765 cancellation of the charter if insufficient progress has been
766 made in attaining the student achievement objectives of the
767 charter and if it is not likely that such objectives can be
768 achieved before expiration of the charter. The initial term of a
769 charter shall be for 4 or 5 years. In order to facilitate access
770 to long-term financial resources for charter school
771 construction, charter schools that are operated by a
772 municipality or other public entity as provided by law are
773 eligible for up to a 15-year charter, subject to approval by the
774 district school board. A charter lab school is eligible for a
775 charter for a term of up to 15 years. In addition, to facilitate
776 access to long-term financial resources for charter school
777 construction, charter schools that are operated by a private,
778 not-for-profit, s. 501(c)(3) status corporation are eligible for
779 up to a 15-year charter, subject to approval by the district
780 school board. Such long-term charters remain subject to annual
781 review and may be terminated during the term of the charter, but
782 only according to the provisions set forth in subsection (8).

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

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784 sponsor may not require a charter school to have a certificate
785 of occupancy or a temporary certificate of occupancy for such a
786 facility earlier than 15 calendar days before the first day of
787 school.

788 14. The qualifications to be required of the teachers and
789 the potential strategies used to recruit, hire, train, and
790 retain qualified staff to achieve best value.

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

794 16. A timetable for implementing the charter which
795 addresses the implementation of each element thereof and the
796 date by which the charter shall be awarded in order to meet this
797 timetable.

798 17. In the case of an existing public school that is being
799 converted to charter status, alternative arrangements for
800 current students who choose not to attend the charter school and
801 for current teachers who choose not to teach in the charter
802 school after conversion in accordance with the existing
803 collective bargaining agreement or district school board rule in
804 the absence of a collective bargaining agreement. However,
805 alternative arrangements shall not be required for current
806 teachers who choose not to teach in a charter lab school, except
807 as authorized by the employment policies of the state university
808 which grants the charter to the lab school.

809 18. Full disclosure of the identity of all relatives
810 employed by the charter school who are related to the charter
811 school owner, president, chairperson of the governing board of
812 directors, superintendent, governing board member, principal,

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813 assistant principal, or any other person employed by the charter
814 school who has equivalent decisionmaking authority. For the
815 purpose of this subparagraph, the term "relative" means father,
816 mother, son, daughter, brother, sister, uncle, aunt, first
817 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
818 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
819 stepfather, stepmother, stepson, stepdaughter, stepbrother,
820 stepsister, half brother, or half sister.

821 19. Implementation of the activities authorized under s.
822 1002.331 by the charter school when it satisfies the eligibility
823 requirements for a high-performing charter school. A high-
824 performing charter school shall notify its sponsor in writing by
825 March 1 if it intends to increase enrollment or expand grade
826 levels the following school year. The written notice shall
827 specify the amount of the enrollment increase and the grade
828 levels that will be added, as applicable.

829 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
830 SCHOOL SYSTEMS.—A charter school system's governing board ~~system~~
831 shall be designated a local educational agency for the purpose
832 of receiving federal funds, the same as though the charter
833 school system were a school district, if the governing board of
834 the charter school system has adopted and filed a resolution
835 with its sponsoring district school board and the Department of
836 Education in which the governing board of the charter school
837 system accepts the full responsibility for all local education
838 agency requirements and the charter school system meets all of
839 the following:

840 (a) Includes both conversion charter schools and
841 nonconversion charter schools;

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- 842 (b) Has all schools located in the same county;
- 843 (c) Has a total enrollment exceeding the total enrollment
844 of at least one school district in the state;
- 845 (d) Has the same governing board; and
- 846 (e) Does not contract with a for-profit service provider
847 for management of school operations.

848

849 Such designation does not apply to other provisions unless
850 specifically provided in law.

851 Section 24. Paragraph (g) of subsection (4) and paragraph
852 (d) of subsection (6) of section 1002.34, Florida Statutes, are
853 amended to read:

854 1002.34 Charter technical career centers.—

855 (4) CHARTER.—A sponsor may designate centers as provided in
856 this section. An application to establish a center may be
857 submitted by a sponsor or another organization that is
858 determined, by rule of the State Board of Education, to be
859 appropriate. However, an independent school is not eligible for
860 status as a center. The charter must be signed by the governing
861 body of the center and the sponsor and must be approved by the
862 district school board and Florida College System institution
863 board of trustees in whose geographic region the facility is
864 located. If a charter technical career center is established by
865 the conversion to charter status of a public technical center
866 formerly governed by a district school board, the charter status
867 of that center takes precedence in any question of governance.
868 The governance of the center or of any program within the center
869 remains with its board of directors unless the board agrees to a
870 change in governance or its charter is revoked as provided in

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871 subsection (15). Such a conversion charter technical career
872 center is not affected by a change in the governance of public
873 technical centers or of programs within other centers that are
874 or have been governed by district school boards. A charter
875 technical career center, or any program within such a center,
876 that was governed by a district school board and transferred to
877 a Florida College System institution prior to the effective date
878 of this act is not affected by this provision. An applicant who
879 wishes to establish a center must submit to the district school
880 board or Florida College System institution board of trustees,
881 or a consortium of one or more of each, an application on a form
882 developed by the Department of Education which includes:

883 (g) A method for determining whether a student has
884 satisfied the requirements for graduation specified in s.
885 1002.3105(5), s. 1003.4281, or s. 1003.4282 ~~1003.428 or s.~~
886 ~~1003.429~~ and for completion of a postsecondary certificate or
887 degree.

888
889 Students at a center must meet the same testing and academic
890 performance standards as those established by law and rule for
891 students at public schools and public technical centers. The
892 students must also meet any additional assessment indicators
893 that are included within the charter approved by the district
894 school board or Florida College System institution board of
895 trustees.

896 (6) SPONSOR.—A district school board or Florida College
897 System institution board of trustees or a consortium of one or
898 more of each may sponsor a center in the county in which the
899 board has jurisdiction.

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900 (d)1. The Department of Education shall offer or arrange
901 for training and technical assistance to centers which must
902 include applicants in developing and amending business plans,
903 ~~and estimating and accounting for costs and income, complying~~
904 with state and federal grant and student performance
905 accountability reporting requirements, implementing good
906 business practices. ~~This assistance shall address estimating~~
907 ~~startup costs, projecting enrollment, and identifying the types~~
908 ~~and amounts of state and federal financial aid assistance the~~
909 ~~center may be eligible to receive. The training shall include~~
910 ~~instruction in accurate financial planning and good business~~
911 ~~practices.~~

912 2. An applicant must participate in the training provided
913 by the department after approval of its ~~of Education~~ before
914 filing an application but at least 30 days before the first day
915 of classes at the center. The department ~~of Education~~ may
916 provide technical assistance to an applicant upon written
917 request.

918 Section 25. Paragraphs (a) and (b) of subsection (1) and
919 subsection (3) of section 1002.345, Florida Statutes, are
920 amended to read:

921 1002.345 Determination of deteriorating financial
922 conditions and financial emergencies for charter schools and
923 charter technical career centers.—This section applies to
924 charter schools operating pursuant to s. 1002.33 and to charter
925 technical career centers operating pursuant to s. 1002.34.

926 (1) EXPEDITED REVIEW; REQUIREMENTS.—

927 (a) A charter school or a charter technical career center
928 is subject to an expedited review by the sponsor if one of the

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929 following occurs:

930 1. Failure to provide for an audit required by s. 218.39.

931 2. Failure to comply with reporting requirements pursuant
932 to s. 1002.33(9) or s. 1002.34(11) (f) or (14).

933 3. A deteriorating financial condition identified through
934 an annual audit pursuant to s. 218.39(5), ~~or~~ a monthly financial
935 statement pursuant to s. 1002.33(9) (g) or s. 1002.34(11) (f), or
936 a quarterly financial statement pursuant to s. 1002.331(2) (c).

937 "Deteriorating financial condition" means a circumstance that
938 significantly impairs the ability of a charter school or a
939 charter technical career center to generate enough revenues to
940 meet its expenditures without causing the occurrence of a
941 condition described in s. 218.503(1).

942 4. Notification pursuant to s. 218.503(2) that one or more
943 of the conditions specified in s. 218.503(1) have occurred or
944 will occur if action is not taken to assist the charter school
945 or charter technical career center.

946 (b) A sponsor shall notify the governing board and the
947 Commissioner of Education within 7 business days after one or
948 more of the conditions specified in paragraph (a) occur.

949 ~~(3) REPORT. The Commissioner of Education shall annually~~
950 ~~report to the State Board of Education each charter school and~~
951 ~~charter technical career center that is subject to a financial~~
952 ~~recovery plan or a corrective action plan under this section.~~

953 Section 26. Paragraph (a) of subsection (2) of section
954 1002.39, Florida Statutes, is amended to read:

955 1002.39 The John M. McKay Scholarships for Students with
956 Disabilities Program.—There is established a program that is
957 separate and distinct from the Opportunity Scholarship Program

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958 and is named the John M. McKay Scholarships for Students with
959 Disabilities Program.

960 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a
961 student with a disability may request and receive from the state
962 a John M. McKay Scholarship for the child to enroll in and
963 attend a private school in accordance with this section if:

964 (a) The student has:

965 1. Received specialized instructional services under the
966 Voluntary Prekindergarten Education Program pursuant to s.
967 1002.66 during the previous school year and the student has a
968 current individual educational plan developed by the local
969 school board in accordance with rules of the State Board of
970 Education for the John M. McKay Scholarships for Students with
971 Disabilities Program or a 504 accommodation plan has been issued
972 under s. 504 of the Rehabilitation Act of 1973; or

973 2. Spent the prior school year in attendance at a Florida
974 public school or the Florida School for the Deaf and the Blind.
975 For purposes of this subparagraph, prior school year in
976 attendance means that the student was enrolled and reported by:

977 a. A school district for funding during the preceding
978 October and February Florida Education Finance Program surveys
979 in kindergarten through grade 12, which includes time spent in a
980 Department of Juvenile Justice commitment program if funded
981 under the Florida Education Finance Program;

982 b. The Florida School for the Deaf and the Blind during
983 the preceding October and February student membership surveys in
984 kindergarten through grade 12; or

985 c. A school district for funding during the preceding
986 October and February Florida Education Finance Program surveys,

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987 was at least 4 years of age when so enrolled and reported, and
988 was eligible for services under s. 1003.21(1)(e), ~~or~~

989 ~~3. Been enrolled and reported by a school district for~~
990 ~~funding, during the October and February Florida Education~~
991 ~~Finance Program surveys, in any of the 5 years prior to the~~
992 ~~2010-2011 fiscal year; has a current individualized educational~~
993 ~~plan developed by the district school board in accordance with~~
994 ~~rules of the State Board of Education for the John M. McKay~~
995 ~~Scholarship Program no later than June 30, 2011; and receives a~~
996 ~~first-time John M. McKay scholarship for the 2011-2012 school~~
997 ~~year. Upon request of the parent, the local school district~~
998 ~~shall complete a matrix of services as required in subparagraph~~
999 ~~(5)(b)1. for a student requesting a current individualized~~
1000 ~~educational plan in accordance with the provisions of this~~
1001 ~~subparagraph.~~

1002
1003 However, a dependent child of a member of the United States
1004 Armed Forces who transfers to a school in this state from out of
1005 state or from a foreign country due to a parent's permanent
1006 change of station orders is exempt from this paragraph but must
1007 meet all other eligibility requirements to participate in the
1008 program.

1009 Section 27. Subsection (5) of section 1002.41, Florida
1010 Statutes, is amended to read:

1011 1002.41 Home education programs.—

1012 (5) Home education students may participate in the Bright
1013 Futures Scholarship Program in accordance with the provisions of
1014 ss. 1009.53-1009.538 ~~1009.53-1009.539~~.

1015 Section 28. Section 1002.415, Florida Statutes, is

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1016 repealed.

1017 Section 29. Paragraph (b) of subsection (4) and subsection
1018 (10) of section 1002.45, Florida Statutes, are amended to read:

1019 1002.45 Virtual instruction programs.—

1020 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
1021 provider must at minimum:

1022 (b) Provide a method for determining that a student has
1023 satisfied the requirements for graduation in s. 1002.3105(5), s.
1024 1003.4281, ~~1003.428~~ or s. 1003.4282 if the contract is for the
1025 provision of a full-time virtual instruction program to students
1026 in grades 9 through 12.

1027 (10) MARKETING.—Each school district shall provide
1028 information to parents and students about the ~~parent's and~~
1029 student's right to participate in a virtual instruction program
1030 under this section and in courses offered by the Florida Virtual
1031 School under s. 1002.37.

1032 Section 30. Paragraph (c) of subsection (2) of section
1033 1002.455, Florida Statutes, is amended to read:

1034 1002.455 Student eligibility for K-12 virtual instruction.—

1035 (2) A student is eligible to participate in virtual
1036 instruction if:

1037 (c) The student was enrolled during the prior school year
1038 in a virtual instruction program under s. 1002.45, ~~the K-8~~
1039 ~~Virtual School Program under s. 1002.415~~, or a full-time Florida
1040 Virtual School program under s. 1002.37(8)(a);

1041 Section 31. Section 1002.65, Florida Statutes, is repealed.

1042 Section 32. Subsection (14) of section 1003.01, Florida
1043 Statutes, is amended to read:

1044 1003.01 Definitions.—As used in this chapter, the term:

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- 1045 (14) "Core-curricula courses" means:
- 1046 (a) Courses in language arts/reading, mathematics, social
- 1047 studies, and science in prekindergarten through grade 3,
- 1048 excluding ~~any~~ extracurricular courses pursuant to subsection
- 1049 (15);
- 1050 (b) Courses in grades 4 through 8 in subjects that are
- 1051 measured by state assessment at any grade level and courses
- 1052 required for middle school promotion, excluding ~~any~~
- 1053 extracurricular courses pursuant to subsection (15);
- 1054 (c) Courses in grades 9 through 12 in subjects that are
- 1055 measured by state assessment at any grade level and courses that
- 1056 are specifically identified by name in statute as required for
- 1057 high school graduation and that are not measured by state
- 1058 assessment, excluding ~~any~~ extracurricular courses pursuant to
- 1059 subsection (15);
- 1060 (d) Exceptional student education courses; and
- 1061 (e) English for Speakers of Other Languages courses.

1062

1063 The term is limited in meaning and used for the sole purpose of

1064 designating classes that are subject to the maximum class size

1065 requirements established in s. 1, Art. IX of the State

1066 Constitution. This term does not include courses offered under

1067 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, ~~1002.415,~~

1068 1002.45, and 1003.499.

1069 Section 33. Paragraph (d) of subsection (1) of section

1070 1003.02, Florida Statutes, is amended to read:

1071 1003.02 District school board operation and control of

1072 public K-12 education within the school district.—As provided in

1073 part II of chapter 1001, district school boards are

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1074 constitutionally and statutorily charged with the operation and
1075 control of public K-12 education within their school district.
1076 The district school boards must establish, organize, and operate
1077 their public K-12 schools and educational programs, employees,
1078 and facilities. Their responsibilities include staff
1079 development, public K-12 school student education including
1080 education for exceptional students and students in juvenile
1081 justice programs, special programs, adult education programs,
1082 and career education programs. Additionally, district school
1083 boards must:

1084 (1) Provide for the proper accounting for all students of
1085 school age, for the attendance and control of students at
1086 school, and for proper attention to health, safety, and other
1087 matters relating to the welfare of students in the following
1088 fields:

1089 (d) *Courses of study and instructional materials.*—

1090 1. Provide adequate instructional materials for all
1091 students as follows and in accordance with the requirements of
1092 chapter 1006, in the core courses of mathematics, language arts,
1093 social studies, science, reading, and literature, except for
1094 instruction for which the school advisory council approves the
1095 use of a program that does not include a textbook as a major
1096 tool of instruction.

1097 2. Adopt courses of study for use in the schools of the
1098 district.

1099 3. Provide for proper requisitioning, distribution,
1100 accounting, storage, care, and use of all instructional
1101 materials as may be needed, and ensure that instructional
1102 materials used in the district are consistent with the district

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1103 goals and objectives and the course descriptions ~~curriculum~~
1104 ~~frameworks~~ approved by the State Board of Education, as well as
1105 with the state and school district performance standards
1106 required by law and state board rule.

1107 Section 34. Paragraph (c) of subsection (3) and subsection
1108 (6) of section 1003.03, Florida Statutes, are amended to read:
1109 1003.03 Maximum class size.—

1110 (3) IMPLEMENTATION OPTIONS.—District school boards must
1111 consider, but are not limited to, implementing the following
1112 items in order to meet the constitutional class size maximums
1113 described in subsection (1):

1114 (c)1. Repeal district school board policies that require
1115 students to earn more than the 24 credits ~~required under s.~~
1116 ~~1003.428~~ to graduate from high school.

1117 2. Implement the early graduation options ~~option~~ provided
1118 in ss. 1002.3105(5) and s. 1003.4281.

1119 (6) COURSES FOR COMPLIANCE.—Consistent with s. ~~the~~
1120 ~~provisions in ss.~~ 1003.01(14) and ~~1003.428~~, the Department of
1121 Education shall identify from the Course Code Directory the
1122 core-curricula courses for the purpose of satisfying the maximum
1123 class size requirement in this section. The department may adopt
1124 rules to implement this subsection, if necessary.

1125 Section 35. Subsection (3) of section 1003.41, Florida
1126 Statutes, is amended to read:

1127 1003.41 Next Generation Sunshine State Standards.—

1128 (3) The Commissioner of Education, as needed, shall develop
1129 and submit proposed revisions to the standards for review and
1130 comment by Florida educators, school administrators,
1131 representatives of the Florida College System institutions and

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1132 state universities who have expertise in the content knowledge
1133 and skills necessary to prepare a student for postsecondary
1134 education and careers, business and industry leaders, and the
1135 public. The commissioner, after considering reviews and
1136 comments, shall submit the proposed revisions to the State Board
1137 of Education for adoption. ~~In addition, the commissioner shall~~
1138 ~~prepare an analysis of the costs associated with implementing a~~
1139 ~~separate, one-half credit course in financial literacy,~~
1140 ~~including estimated costs for instructional personnel, training,~~
1141 ~~and the development or purchase of instructional materials. The~~
1142 ~~commissioner shall work with one or more nonprofit organizations~~
1143 ~~with proven expertise in the area of personal finance, consider~~
1144 ~~free resources that can be utilized for instructional materials,~~
1145 ~~and provide data on the implementation of such a course in other~~
1146 ~~states. The commissioner shall provide the cost analysis to the~~
1147 ~~President of the Senate and the Speaker of the House of~~
1148 ~~Representatives by October 1, 2013.~~

1149 Section 36. Paragraphs (b) and (c) of subsection (1) and
1150 subsections (2) and (3) of section 1003.4156, Florida Statutes,
1151 are amended to read:

1152 1003.4156 General requirements for middle grades
1153 promotion.—

1154 (1) In order for a student to be promoted to high school
1155 from a school that includes middle grades 6, 7, and 8, the
1156 student must successfully complete the following courses:

1157 (b) Three middle grades or higher courses in mathematics.
1158 Each school that includes middle grades must offer at least one
1159 high school level mathematics course for which students may earn
1160 high school credit. Successful completion of a high school level

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1161 Algebra I or Geometry course is not contingent upon the
1162 student's performance on the statewide, standardized end-of-
1163 course (EOC) assessment ~~or, upon transition to common core~~
1164 ~~assessments, the common core Algebra I or geometry assessments~~
1165 ~~required under s. 1008.22. However, beginning with the 2011-2012~~
1166 ~~school year,~~ To earn high school credit for Algebra I, a middle
1167 grades student must take the statewide, standardized Algebra I
1168 EOC assessment and pass the course, and in addition, beginning
1169 with the 2013-2014 school year and thereafter, a student's
1170 performance on the Algebra I EOC assessment constitutes 30
1171 percent of the student's final course grade. ~~pass the Algebra I~~
1172 ~~statewide, standardized assessment, and beginning with the 2012-~~
1173 ~~2013 school year,~~ To earn high school credit for a Geometry
1174 course, a middle grades student must take the statewide,
1175 standardized Geometry EOC assessment, which constitutes 30
1176 percent of the student's final course grade, and earn a passing
1177 grade in the course.

1178 (c) Three middle grades or higher courses in social
1179 studies. Beginning with students entering grade 6 in the 2012-
1180 2013 school year, one of these courses must be at least a one-
1181 semester civics education course that includes the roles and
1182 responsibilities of federal, state, and local governments; the
1183 structures and functions of the legislative, executive, and
1184 judicial branches of government; and the meaning and
1185 significance of historic documents, such as the Articles of
1186 Confederation, the Declaration of Independence, and the
1187 Constitution of the United States. Beginning with the 2013-2014
1188 school year, each student's performance on the statewide,
1189 standardized EOC assessment in civics education required under

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1190 s. 1008.22 constitutes 30 percent of the student's final course
1191 grade. A middle grades student who transfers into the state's
1192 public school system from out of country, out of state, a
1193 private school, or a home education program after the beginning
1194 of the second term of grade 8 is not required to meet the civics
1195 education requirement for promotion from the middle grades if
1196 the student's transcript documents passage of three courses in
1197 social studies or two year-long courses in social studies that
1198 include coverage of civics education.

1199
1200 Each school must inform parents about the course curriculum and
1201 activities. Each student shall complete a personal education
1202 plan that must be signed by the student and the student's
1203 parent. The Department of Education shall develop course
1204 frameworks and professional development materials for the career
1205 and education planning course. The course may be implemented as
1206 a stand-alone course or integrated into another course or
1207 courses. The Commissioner of Education shall collect
1208 longitudinal high school course enrollment data by student
1209 ethnicity in order to analyze course-taking patterns.

1210 (2) If a middle grades student scores Level 1 or Level 2 on
1211 the statewide, standardized FCAT Reading assessment or, when
1212 implemented, the state transitions to common core assessments on
1213 the English Language Arts (ELA) assessment assessments required
1214 under s. 1008.22, the following year the student must enroll in
1215 and complete a remedial course or a content area course in which
1216 remediation strategies are incorporated into course content
1217 delivery. The department shall provide guidance on appropriate
1218 strategies for diagnosing and meeting the varying instructional

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1219 needs of students performing below grade level.

1220 (3) If a middle grades student scores Level 1 or Level 2 on
1221 the statewide, standardized FCAT Mathematics assessment ~~or, when~~
1222 ~~the state transitions to common core assessments, on the~~
1223 ~~mathematics common core assessments required under s. 1008.22,~~
1224 the following year the student must receive remediation, which
1225 may be integrated into the student's required mathematics
1226 courses.

1227 Section 37. Section 1003.428, Florida Statutes, is
1228 repealed.

1229 Section 38. Subsection (1) of section 1003.4281, Florida
1230 Statutes, is amended to read:

1231 1003.4281 Early high school graduation.—

1232 (1) The purpose of this section is to provide a student the
1233 option of early graduation and receipt of a standard high school
1234 diploma if the student earns 24 credits and meets the graduation
1235 requirements set forth in ~~s. 1003.428 or s. 1003.4282, as~~
1236 ~~applicable~~. For purposes of this section, the term "early
1237 graduation" means graduation from high school in less than 8
1238 semesters or the equivalent.

1239 Section 39. Paragraphs (a), (b), (c), and (f) of subsection
1240 (3), subsections (4), (5), (7), and (8), and paragraphs (a) and
1241 (c) of subsection (9) of section 1003.4282, Florida Statutes,
1242 are amended, subsection (10) is renumbered as subsection (11),
1243 and a new subsection (10) is added to that section, to read:

1244 1003.4282 Requirements for a standard high school diploma.—

1245 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
1246 REQUIREMENTS.—

1247 (a) *Four credits in English Language Arts (ELA).*—The four

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1248 credits must be in ELA I, II, III, and IV. A student must pass
1249 the statewide, standardized 10th grade 10 FCAT Reading
1250 assessment or, when implemented, the ~~until the state transitions~~
1251 ~~to a common core 10th grade 10 ELA assessment, or earn a~~
1252 concordant score, after which time a student must pass the ELA
1253 ~~assessment~~ in order to earn a standard high school diploma.

1254 (b) *Four credits in mathematics.*—A student must earn one
1255 credit in Algebra I and one credit in Geometry. A student's
1256 performance on the statewide, standardized Algebra I end-of-
1257 course (EOC) assessment ~~or common core assessment, as~~
1258 ~~applicable,~~ constitutes 30 percent of the student's final course
1259 grade. A student must pass the statewide, standardized Algebra I
1260 EOC assessment, or earn a comparative score, ~~until the state~~
1261 ~~transitions to a common core Algebra I assessment after which~~
1262 ~~time a student must pass the common core assessment~~ in order to
1263 earn a standard high school diploma. A student's performance on
1264 the statewide, standardized Geometry EOC assessment ~~or common~~
1265 ~~core assessment, as applicable,~~ constitutes 30 percent of the
1266 student's final course grade. If ~~When~~ the state administers a
1267 statewide, standardized ~~common core~~ Algebra II assessment, a
1268 student selecting Algebra II must take the assessment, and the
1269 student's performance on the assessment constitutes 30 percent
1270 of the student's final course grade. A student who earns an
1271 industry certification for which there is a statewide college
1272 credit articulation agreement approved by the State Board of
1273 Education may substitute the certification for one mathematics
1274 credit. Substitution may occur for up to two mathematics
1275 credits, except for Algebra I and Geometry. Industry
1276 ~~certification courses that lead to college credit may substitute~~

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1277 ~~for up to two math credits.~~

1278 (c) *Three credits in science.*—Two of the three required
1279 credits must have a laboratory component. A student must earn
1280 one credit in Biology I and two credits in equally rigorous
1281 courses. The statewide, standardized Biology I EOC assessment
1282 constitutes 30 percent of the student's final course grade. A
1283 student who earns an industry certification for which there is a
1284 statewide college credit articulation agreement approved by the
1285 State Board of Education may substitute the certification for
1286 one science credit, except for Biology I. ~~Industry certification~~
1287 ~~courses that lead to college credit may substitute for up to one~~
1288 ~~science credit.~~

1289 (f) *One credit in physical education.*—Physical education
1290 must include the integration of health. Participation in an
1291 interscholastic sport at the junior varsity or varsity level for
1292 two full seasons shall satisfy the one-credit requirement in
1293 physical education if the student passes a competency test on
1294 personal fitness with a score of "C" or better. The competency
1295 test on personal fitness developed by the Department of
1296 Education must be used. A district school board may not require
1297 that the one credit in physical education be taken during the
1298 9th grade year. Completion of one semester with a grade of "C"
1299 or better in a marching band class, in a physical activity class
1300 that requires participation in marching band activities as an
1301 extracurricular activity, or in a dance class shall satisfy one-
1302 half credit in physical education or one-half credit in
1303 performing arts. This credit may not be used to satisfy the
1304 personal fitness requirement or the requirement for adaptive
1305 physical education under an individual education plan (IEP) or

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1306 504 plan. Completion of 2 years in a Reserve Officer Training
1307 Corps (R.O.T.C.) class, a significant component of which is
1308 drills, shall satisfy the one-credit requirement in physical
1309 education and the one-credit requirement in performing arts.
1310 This credit may not be used to satisfy the personal fitness
1311 requirement or the requirement for adaptive physical education
1312 under an IEP or 504 plan. This requirement is subject to all of
1313 the provisions in s. 1003.428(2)(a)6.

1314 (4) ONLINE COURSE REQUIREMENT. ~~Excluding a driver education~~
1315 ~~course,~~ At least one course within the 24 credits required under
1316 this section must be completed through online learning.
1317 Beginning with students entering grade 9 in the 2013-2014 school
1318 year, the required online course may not be a driver education
1319 course. A school district may not require a student to take the
1320 online course outside the school day or in addition to a
1321 student's courses for a given semester. An online course taken
1322 in grade 6, grade 7, or grade 8 fulfills this requirement. This
1323 requirement is met through an online course offered by the
1324 Florida Virtual School, a virtual education provider approved by
1325 the State Board of Education, a high school, or an online dual
1326 enrollment course. A student who is enrolled in a full-time or
1327 part-time virtual instruction program under s. 1002.45 meets
1328 this requirement. This requirement does not apply to a student
1329 who has an individual education plan under s. 1003.57 which
1330 indicates that an online course would be inappropriate or to an
1331 out-of-state transfer student who is enrolled in a Florida high
1332 school and has 1 academic year or less remaining in high school.

1333 (5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—

1334 (a) Each year a student scores Level 1 or Level 2 on the

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1335 statewide, standardized 9th grade 9 or 10th grade 10 FCAT
1336 Reading assessment or, when implemented, the 9th grade 9, 10th
1337 grade 10, or 11th grade 11 ELA assessment ~~common core English~~
1338 ~~Language Arts (ELA) assessments~~, the student must be enrolled in
1339 and complete an intensive remedial course the following year or
1340 be placed in a content area course that includes remediation of
1341 skills not acquired by the student.

1342 (b) Each year a student scores Level 1 or Level 2 on the
1343 statewide, standardized Algebra I EOC assessment, ~~or upon~~
1344 ~~transition to the common core Algebra I assessment~~, the student
1345 must be enrolled in and complete an intensive remedial course
1346 the following year or be placed in a content area course that
1347 includes remediation of skills not acquired by the student.

1348 (7) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

1349 (a) A student who earns a cumulative grade point average
1350 (GPA) of 2.0 on a 4.0 scale and meets the requirements of this
1351 section or s. 1002.3105(5) shall be awarded a standard high
1352 school diploma in a form prescribed by the State Board of
1353 Education.

1354 (b) An adult student in an adult general education program
1355 as provided under s. 1004.93 shall be awarded a standard high
1356 school diploma if the student meets the requirements of this
1357 section or s. 1002.3105(5), except that:

1358 1. One elective credit may be substituted for the one-
1359 credit requirement in fine or performing arts, speech and
1360 debate, or practical arts.

1361 2. The requirement that two of the science credits include
1362 a laboratory component may be waived by the district school
1363 board.

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1364 3. The one credit in physical education may be substituted
1365 with an elective credit. ~~Notwithstanding any other law to the~~
1366 ~~contrary, all students enrolled in high school as of the 2012-~~
1367 ~~2013 school year who earned a passing grade in Biology I or~~
1368 ~~geometry before the 2013-2014 school year shall be awarded a~~
1369 ~~credit in that course if the student passed the course. The~~
1370 ~~student's performance on the EOC assessment is not required to~~
1371 ~~constitute 30 percent of the student's final course grade.~~

1372 (c) A student who earns fails to earn the required 24
1373 credits, or the required 18 credits under s. 1002.3105(5), but
1374 fails to pass the assessments required under s. 1008.22(3) or
1375 achieve a 2.0 GPA shall be awarded a certificate of completion
1376 in a form prescribed by the State Board of Education. However, a
1377 student who is otherwise entitled to a certificate of completion
1378 may elect to remain in high school either as a full-time student
1379 or a part-time student for up to 1 additional year and receive
1380 special instruction designed to remedy his or her identified
1381 deficiencies.

1382 (8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with
1383 the 2012-2013 school year, if a student transfers to a Florida
1384 public high school from out of country, out of state, a private
1385 school, or a home education program and the student's transcript
1386 shows a ~~mathematics~~ credit in Algebra I ~~a course that requires~~
1387 ~~passage of a statewide, standardized assessment in order to earn~~
1388 ~~a standard high school diploma, the student must pass the~~
1389 statewide, standardized Algebra I EOC assessment in order to
1390 earn a standard high school diploma unless the student earned a
1391 comparative score pursuant to s. 1008.22, passed a statewide
1392 assessment in Algebra I that subject administered by the

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1393 transferring entity, or passed the statewide mathematics
1394 assessment the transferring entity uses to satisfy the
1395 requirements of the Elementary and Secondary Education Act, 20
1396 U.S.C. s. 6301. If a student's transcript shows a credit in high
1397 school reading or English Language Arts II or III, in order to
1398 earn a standard high school diploma, the student must take and
1399 pass the statewide, standardized grade 10 ~~FCAT~~ Reading
1400 assessment or, when implemented, the grade 10 ELA assessment, or
1401 earn a concordant score ~~on the SAT or ACT as specified by state~~
1402 ~~board rule or, when the state transitions to common core English~~
1403 ~~Language Arts assessments, earn a passing score on the English~~
1404 ~~Language Arts assessment as required under this section.~~ If a
1405 transfer student's transcript shows a final course grade and
1406 course credit in Algebra I, Geometry, Biology I, or United
1407 States History, the transferring course final grade and credit
1408 shall be honored without the student taking the requisite
1409 statewide, standardized EOC assessment and without the
1410 assessment results constituting 30 percent of the student's
1411 final course grade.

1412 (9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
1413 CREDIT REQUIREMENTS.—

1414 (a) Participation in career education courses engages
1415 students in their high school education, increases academic
1416 achievement, enhances employability, and increases postsecondary
1417 success. By July 1, 2014, the department shall develop, for
1418 approval by the State Board of Education, multiple, additional
1419 career education courses or a series of courses that meet the
1420 requirements set forth in s. 1003.493(2), (4), and (5) and this
1421 subsection and allow students to earn credit in both the career

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1422 education course and courses required for high school graduation
1423 under this section and s. ss. 1003.428 and 1003.4281.

1424 1. The state board must determine if sufficient academic
1425 standards are covered to warrant the award of academic credit.

1426 2. Career education courses must include workforce and
1427 digital literacy skills and the integration of required course
1428 content with practical applications and designated rigorous
1429 coursework that results in one or more industry certifications
1430 or clearly articulated credit or advanced standing in a 2-year
1431 or 4-year certificate or degree program, which may include high
1432 school junior and senior year work-related internships or
1433 apprenticeships. The department shall negotiate state licenses
1434 for material and testing for industry certifications. The
1435 instructional methodology used in these courses must be
1436 comprised of authentic projects, problems, and activities for
1437 contextually learning the academics.

1438 (c) Regional consortium service organizations established
1439 pursuant to s. 1001.451 shall work with school districts, local
1440 workforce boards, postsecondary institutions, and local business
1441 and industry leaders to create career education courses that
1442 meet the requirements set forth in s. 1003.493(2), (4), and (5)
1443 and this subsection that students can take to earn required high
1444 school course credits. The regional consortium shall submit
1445 course recommendations to the department, on behalf of the
1446 consortium member districts, for state board approval. A strong
1447 emphasis should be placed on online coursework, digital
1448 literacy, and workforce literacy as defined in s. 1004.02(26)
1449 ~~1004.02(27)~~. For purposes of providing students the opportunity
1450 to earn industry certifications, consortiums must secure the

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1451 necessary site licenses and testing contracts for use by member
1452 districts.

1453 (10) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The
1454 requirements of this section, in addition to applying to
1455 students entering grade 9 in the 2013-2014 school year and
1456 thereafter, shall also apply to students entering grade 9 before
1457 the 2013-2014 school year, except as otherwise provided in this
1458 subsection.

1459 (a) A student entering grade 9 before the 2010-2011 school
1460 year must earn:

1461 1. Four credits in English/ELA. A student must pass the
1462 statewide, standardized grade 10 Reading assessment, or earn a
1463 concordant score, in order to graduate with a standard high
1464 school diploma.

1465 2. Four credits in mathematics, which must include Algebra
1466 I. A student must pass grade 10 FCAT Mathematics, or earn a
1467 concordant score, in order to graduate with a standard high
1468 school diploma. A student who takes Algebra I or Geometry after
1469 the 2010-2011 school year must take the statewide, standardized
1470 EOC assessment for the course but is not required to pass the
1471 assessment in order to earn course credit. A student's
1472 performance on the Algebra I or Geometry EOC assessment is not
1473 required to constitute 30 percent of the student's final course
1474 grade. A student who earns an industry certification for which
1475 there is a statewide college credit articulation agreement
1476 approved by the State Board of Education may substitute the
1477 certification for one mathematics credit. Substitution may occur
1478 for up to two mathematics credits, except for Algebra I.

1479 3. Three credits in science, two of which must have a

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1480 laboratory component. A student who takes Biology I after the
1481 2010-2011 school year must take the statewide, standardized
1482 Biology I EOC assessment but is not required to pass the
1483 assessment in order to earn course credit. A student's
1484 performance on the assessment is not required to constitute 30
1485 percent of the student's final course grade. A student who earns
1486 an industry certification for which there is a statewide college
1487 credit articulation agreement approved by the State Board of
1488 Education may substitute the certification for one science
1489 credit.

1490 4. Three credits in social studies of which one credit in
1491 World History, one credit in United States History, one-half
1492 credit in United States Government, and one-half credit in
1493 economics is required. A student who takes United States History
1494 after the 2011-2012 school year must take the statewide,
1495 standardized United States History EOC assessment but the
1496 student's performance on the assessment is not required to
1497 constitute 30 percent of the student's final course grade.

1498 5. One credit in fine or performing arts, speech and
1499 debate, or practical arts as provided in paragraph (3) (e).

1500 6. One credit in physical education as provided in
1501 paragraph (3) (f).

1502 7. Eight credits in electives.

1503 (b) A student entering grade 9 in the 2010-2011 school year
1504 must earn:

1505 1. Four credits in English/ELA. A student must pass the
1506 statewide, standardized grade 10 Reading assessment, or earn a
1507 concordant score, in order to graduate with a standard high
1508 school diploma.

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1509 2. Four credits in mathematics, which must include Algebra
1510 I and Geometry. The statewide, standardized Algebra I EOC
1511 assessment constitutes 30 percent of the student's final course
1512 grade. A student who takes Algebra I or Geometry after the 2010-
1513 2011 school year must take the statewide, standardized EOC
1514 assessment for the course but is not required to pass the
1515 assessment in order to earn course credit. A student's
1516 performance on the Geometry EOC assessment is not required to
1517 constitute 30 percent of the student's final course grade. A
1518 student who earns an industry certification for which there is a
1519 statewide college credit articulation agreement approved by the
1520 State Board of Education may substitute the certification for
1521 one mathematics credit. Substitution may occur for up to two
1522 mathematics credits, except for Algebra I and Geometry.

1523 3. Three credits in science, two of which must have a
1524 laboratory component. A student who takes Biology I after the
1525 2010-2011 school year must take the statewide, standardized
1526 Biology I EOC assessment but is not required to pass the
1527 assessment in order to earn course credit. A student's
1528 performance on the assessment is not required to constitute 30
1529 percent of the student's final course grade. A student who earns
1530 an industry certification for which there is a statewide college
1531 credit articulation agreement approved by the State Board of
1532 Education may substitute the certification for one science
1533 credit, except for Biology I.

1534 4. Three credits in social studies of which one credit in
1535 World History, one credit in United States History, one-half
1536 credit in United States Government, and one-half credit in
1537 economics is required. A student who takes United States History

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1538 after the 2011-2012 school year must take the statewide,
1539 standardized United States History EOC assessment but the
1540 student's performance on the assessment is not required to
1541 constitute 30 percent of the student's final course grade.

1542 5. One credit in fine or performing arts, speech and
1543 debate, or practical arts as provided in paragraph (3)(e).

1544 6. One credit in physical education as provided in
1545 paragraph (3)(f).

1546 7. Eight credits in electives.

1547 (c) A student entering grade 9 in the 2011-2012 school year
1548 must earn:

1549 1. Four credits in English/ELA. A student must pass the
1550 statewide, standardized grade 10 Reading assessment, or earn a
1551 concordant score, in order to graduate with a standard high
1552 school diploma.

1553 2. Four credits in mathematics, which must include Algebra
1554 I and Geometry. A student who takes Algebra I after the 2010-
1555 2011 school year must pass the statewide, standardized Algebra I
1556 EOC assessment, or earn a comparative score, in order to earn a
1557 standard high school diploma. A student who takes Algebra I or
1558 Geometry after the 2010-2011 school year must take the
1559 statewide, standardized EOC assessment but is not required to
1560 pass the Algebra I or Geometry EOC assessment in order to earn
1561 course credit. A student's performance on the Algebra I or
1562 Geometry EOC assessment is not required to constitute 30 percent
1563 of the student's final course grade. A student who earns an
1564 industry certification for which there is a statewide college
1565 credit articulation agreement approved by the State Board of
1566 Education may substitute the certification for one mathematics

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1567 credit. Substitution may occur for up to two mathematics
1568 credits, except for Algebra I and Geometry.

1569 3. Three credits in science, two of which must have a
1570 laboratory component. One of the science credits must be Biology
1571 I. A student who takes Biology I after the 2010-2011 school year
1572 must take the statewide, standardized Biology I EOC assessment
1573 but is not required to pass the assessment in order to earn
1574 course credit. A student's performance on the assessment is not
1575 required to constitute 30 percent of the student's final course
1576 grade. A student who earns an industry certification for which
1577 there is a statewide college credit articulation agreement
1578 approved by the State Board of Education may substitute the
1579 certification for one science credit, except for Biology I.

1580 4. Three credits in social studies of which one credit in
1581 World History, one credit in United States History, one-half
1582 credit in United States Government, and one-half credit in
1583 economics is required. A student who takes United States History
1584 after the 2011-2012 school year student must take the statewide,
1585 standardized United States History EOC assessment but the
1586 student's performance on the assessment is not required to
1587 constitute 30 percent of the student's final course grade.

1588 5. One credit in fine or performing arts, speech and
1589 debate, or practical arts as provided in paragraph (3) (e).

1590 6. One credit in physical education as provided in
1591 paragraph (3) (f).

1592 7. Eight credits in electives.

1593 8. One online course as provided in subsection (4).

1594 (d) A student entering grade 9 in the 2012-2013 school year
1595 must earn:

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1596 1. Four credits in English/ELA. A student must pass the
1597 statewide, standardized grade 10 Reading assessment, or earn a
1598 concordant score, in order to graduate with a standard high
1599 school diploma.

1600 2. Four credits in mathematics, which must include Algebra
1601 I and Geometry. A student who takes Algebra I after the 2010-
1602 2011 school year must pass the statewide, standardized Algebra I
1603 EOC assessment, or earn a comparative score, in order to earn a
1604 standard high school diploma. A student who takes Geometry after
1605 the 2010-2011 school year must take the statewide, standardized
1606 Geometry EOC assessment. A student is not required to pass the
1607 statewide, standardized EOC assessment in Algebra I or Geometry
1608 in order to earn course credit. A student's performance on the
1609 Algebra I or Geometry EOC assessment is not required to
1610 constitute 30 percent of the student's final course grade. A
1611 student who earns an industry certification for which there is a
1612 statewide college credit articulation agreement approved by the
1613 State Board of Education may substitute the certification for
1614 one mathematics credit. Substitution may occur for up to two
1615 mathematics credits, except for Algebra I and Geometry.

1616 3. Three credits in science, two of which must have a
1617 laboratory component. One of the science credits must be Biology
1618 I. A student who takes Biology I after the 2010-2011 school year
1619 must take the statewide, standardized Biology I EOC assessment
1620 but is not required to pass the assessment to earn course
1621 credit. A student's performance on the assessment is not
1622 required to constitute 30 percent of the student's final course
1623 grade. A student who earns an industry certification for which
1624 there is a statewide college credit articulation agreement

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1625 approved by the State Board of Education may substitute the
1626 certification for one science credit, except for Biology I.

1627 4. Three credits in social studies of which one credit in
1628 World History, one credit in United States History, one-half
1629 credit in United States Government, and one-half credit in
1630 economics is required. The statewide, standardized United States
1631 History EOC assessment constitutes 30 percent of the student's
1632 final course grade.

1633 5. One credit in fine or performing arts, speech and
1634 debate, or practical arts as provided in paragraph (3) (e).

1635 6. One credit in physical education as provided in
1636 paragraph (3) (f).

1637 7. Eight credits in electives.

1638 8. One online course as provided in subsection (4).

1639 (e) Policy adopted in rule by the district school board may
1640 require for any cohort of students that performance on a
1641 statewide, standardized EOC assessment constitute 30 percent of
1642 a student's final course grade.

1643 (f) This subsection is repealed July 1, 2020.

1644 Section 40. Subsection (1) of section 1003.4285, Florida
1645 Statutes, is amended to read:

1646 1003.4285 Standard high school diploma designations.—

1647 (1) Each standard high school diploma shall include, as
1648 applicable, the following designations if the student meets the
1649 criteria set forth for the designation:

1650 (a) *Scholar designation.*—In addition to the requirements of
1651 s. ~~ss. 1003.428~~ and 1003.4282, as applicable, in order to earn
1652 the Scholar designation, a student must satisfy the following
1653 requirements:

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1654 1. English Language Arts (ELA).—When implemented ~~the state~~
1655 ~~transitions to common core assessments~~, pass the statewide,
1656 standardized 11th grade 11 ELA ~~common core~~ assessment.

1657 2. Mathematics.—Earn one credit in Algebra II and one
1658 credit in statistics or an equally rigorous course. When
1659 implemented ~~the state transitions to common core assessments~~,
1660 students must pass the statewide, standardized Algebra II ~~common~~
1661 ~~core~~ assessment. Beginning with students entering grade 9 in the
1662 2014-2015 school year, a student must also pass the statewide,
1663 standardized Geometry end-of-course (EOC) assessment.

1664 3. Science.—Pass the statewide, standardized Biology I EOC
1665 ~~end-of-course~~ assessment and earn one credit in chemistry or
1666 physics and one credit in a course equally rigorous to chemistry
1667 or physics. However, a student enrolled in an Advanced Placement
1668 (AP), International Baccalaureate (IB), or Advanced
1669 International Certificate of Education (AICE) Biology course who
1670 takes the respective AP, IB, or AICE Biology assessment and
1671 earns the minimum score necessary to earn college credit as
1672 identified pursuant to s. 1007.27(2) meets the requirement of
1673 this subparagraph without having to take the statewide,
1674 standardized Biology I EOC assessment.

1675 4. Social studies.—Pass the statewide, standardized United
1676 States History EOC ~~end-of-course~~ assessment. However, a student
1677 enrolled in an AP, IB, or AICE course that includes United
1678 States History topics who takes the respective AP, IB, or AICE
1679 assessment and earns the minimum score necessary to earn college
1680 credit as identified pursuant to s. 1007.27(2) meets the
1681 requirement of this subparagraph without having to take the
1682 statewide, standardized United States History EOC assessment.

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1683 5. Foreign language.—Earn two credits in the same foreign
1684 language.

1685 6. Electives.—Earn at least one credit in an Advanced
1686 Placement, an International Baccalaureate, an Advanced
1687 International Certificate of Education, or a dual enrollment
1688 course.

1689 (b) *Merit designation*.—In addition to the requirements of
1690 s. ss. 1003.428 and 1003.4282, ~~as applicable,~~ in order to earn
1691 the Merit designation, a student must attain one or more
1692 industry certifications from the list established under s.
1693 1003.492.

1694 Section 41. Section 1003.438, Florida Statutes, is amended
1695 to read:

1696 1003.438 Special high school graduation requirements for
1697 certain exceptional students.—A student who has been identified,
1698 in accordance with rules established by the State Board of
1699 Education, as a student with disabilities who has an
1700 intellectual disability; an autism spectrum disorder; a language
1701 impairment; an orthopedic impairment; an other health
1702 impairment; a traumatic brain injury; an emotional or behavioral
1703 disability; a specific learning disability, including, but not
1704 limited to, dyslexia, dyscalculia, or developmental aphasia; or
1705 students who are deaf or hard of hearing or dual sensory
1706 impaired shall not be required to meet all requirements of s.
1707 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 and shall,
1708 upon meeting all applicable requirements prescribed by the
1709 district school board pursuant to s. 1008.25, be awarded a
1710 special diploma in a form prescribed by the commissioner;
1711 however, such special graduation requirements prescribed by the

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1712 district school board must include minimum graduation
1713 requirements as prescribed by the commissioner. Any such student
1714 who meets all special requirements of the district school board,
1715 but is unable to meet the appropriate special state minimum
1716 requirements, shall be awarded a special certificate of
1717 completion in a form prescribed by the commissioner. However,
1718 this section does not limit or restrict the right of an
1719 exceptional student solely to a special diploma or special
1720 certificate of completion. Any such student shall, upon proper
1721 request, be afforded the opportunity to fully meet all
1722 requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s.
1723 1003.4282 through the standard procedures established therein
1724 and thereby to qualify for a standard diploma upon graduation.

1725 Section 42. Subsection (5) of section 1003.451, Florida
1726 Statutes, is repealed.

1727 Section 43. Subsection (1) of section 1003.49, Florida
1728 Statutes, is amended to read:

1729 1003.49 Graduation and promotion requirements for publicly
1730 operated schools.—

1731 (1) Each state or local public agency, including the
1732 Department of Children and Family Services, the Department of
1733 Corrections, the boards of trustees of universities and Florida
1734 College System institutions, and the Board of Trustees of the
1735 Florida School for the Deaf and the Blind, which agency is
1736 authorized to operate educational programs for students at any
1737 level of grades kindergarten through 12, shall be subject to all
1738 applicable requirements of ss. 1002.3105(5), 1003.4281,
1739 1003.4282 ~~1003.428~~, ~~1003.429~~, 1008.23, and 1008.25. Within the
1740 content of these cited statutes each such state or local public

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1741 agency or entity shall be considered a "district school board."

1742 Section 44. Paragraph (e) of subsection (4) of section
1743 1003.493, Florida Statutes, is amended to read:

1744 1003.493 Career and professional academies and career-
1745 themed courses.—

1746 (4) Each career and professional academy and secondary
1747 school providing a career-themed course must:

1748 (e) Deliver academic content through instruction relevant
1749 to the career, including intensive reading and mathematics
1750 intervention required by s. 1003.4282 ~~1003.428~~, with an emphasis
1751 on strengthening reading for information skills.

1752 Section 45. Paragraph (c) of subsection (2) of section
1753 1003.4935, Florida Statutes, is amended to read:

1754 1003.4935 Middle grades career and professional academy
1755 courses and career-themed courses.—

1756 (2) Each middle grades career and professional academy or
1757 career-themed course must be aligned with at least one high
1758 school career and professional academy or career-themed course
1759 offered in the district and maintain partnerships with local
1760 business and industry and economic development boards. Middle
1761 grades career and professional academies and career-themed
1762 courses must:

1763 (a) Lead to careers in occupations designated as high-
1764 skill, high-wage, and high-demand in the Industry Certification
1765 Funding List approved under rules adopted by the State Board of
1766 Education;

1767 (b) Integrate content from core subject areas;

1768 (c) Integrate career and professional academy or career-
1769 themed course content with intensive reading, English Language

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1770 Arts, and mathematics pursuant to s. ss. 1003.428 and 1003.4282;

1771 (d) Coordinate with high schools to maximize opportunities
1772 for middle grades students to earn high school credit;

1773 (e) Provide access to virtual instruction courses provided
1774 by virtual education providers legislatively authorized to
1775 provide part-time instruction to middle grades students. The
1776 virtual instruction courses must be aligned to state curriculum
1777 standards for middle grades career and professional academy
1778 courses or career-themed courses, with priority given to
1779 students who have required course deficits;

1780 (f) Provide instruction from highly skilled professionals
1781 who hold industry certificates in the career area in which they
1782 teach;

1783 (g) Offer externships; and

1784 (h) Provide personalized student advisement that includes a
1785 parent-participation component.

1786 Section 46. Paragraph (a) of subsection (1) of section
1787 1003.57, Florida Statutes, is amended to read:

1788 1003.57 Exceptional students instruction.—

1789 (1) (a) For purposes of providing exceptional student
1790 instruction under this section:

1791 1. A school district shall use the following terms to
1792 describe the instructional setting for a student with a
1793 disability, 6 through 21 years of age, who is not educated in a
1794 setting accessible to all children who are together at all
1795 times:

1796 a. "Exceptional student education center" or "special day
1797 school" means a separate public school to which nondisabled
1798 peers do not have access.

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1799 b. "Other separate environment" means a separate private
1800 school, residential facility, or hospital or homebound program.

1801 c. "Regular class" means a class in which a student spends
1802 80 percent or more of the school week with nondisabled peers.

1803 d. "Resource room" means a classroom in which a student
1804 spends between 40 percent to 80 percent of the school week with
1805 nondisabled peers.

1806 e. "Separate class" means a class in which a student spends
1807 less than 40 percent of the school week with nondisabled peers.

1808 2. A school district shall use the term "inclusion" to mean
1809 that a student is receiving education in a general education
1810 regular class setting, reflecting natural proportions and age-
1811 appropriate heterogeneous groups in core academic and elective
1812 or special areas within the school community; a student with a
1813 disability is a valued member of the classroom and school
1814 community; the teachers and administrators support universal
1815 education and have knowledge and support available to enable
1816 them to effectively teach all children; and a teacher ~~student~~ is
1817 provided access to technical assistance in best practices,
1818 instructional methods, and supports tailored to the student's
1819 needs based on current research.

1820 Section 47. Paragraph (a) of subsection (1) of section
1821 1003.621, Florida Statutes, is amended to read:

1822 1003.621 Academically high-performing school districts.—It
1823 is the intent of the Legislature to recognize and reward school
1824 districts that demonstrate the ability to consistently maintain
1825 or improve their high-performing status. The purpose of this
1826 section is to provide high-performing school districts with
1827 flexibility in meeting the specific requirements in statute and

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1828 rules of the State Board of Education.

1829 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

1830 (a) A school district is an academically high-performing
1831 school district if it meets the following criteria:

1832 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a
1833 grade of "A" under s. 1008.34(7) for 2 consecutive years; and

1834 b. Has no district-operated school that earns a grade of
1835 "F" under s. 1008.34;

1836 2. Complies with all class size requirements in s. 1, Art.
1837 IX of the State Constitution and s. 1003.03; and

1838 3. Has no material weaknesses or instances of material
1839 noncompliance noted in the annual financial audit conducted
1840 pursuant to s. 11.45 or s. 218.39.

1841
1842 However, a district in which a district-operated school earns a
1843 grade of "F" under s. 1008.34 during the 3-year period may not
1844 continue to be designated as an academically high-performing
1845 school district during the remainder of that 3-year period. The
1846 district must meet the criteria in paragraph (a) in order to be
1847 redesignated as an academically high-performing school district.

1848 Section 48. Subsection (4) of section 1004.02, Florida
1849 Statutes, is repealed.

1850 Section 49. Section 1004.0961, Florida Statutes, is amended
1851 to read:

1852 1004.0961 Credit for online courses.—Beginning in the 2015-
1853 2016 school year, the State Board of Education shall adopt rules
1854 and the Board of Governors shall adopt regulations ~~rules~~ that
1855 enable students to earn academic credit for online courses,
1856 including massive open online courses, before ~~prior to~~ initial

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1857 enrollment at a postsecondary institution. The rules of the
1858 State Board of Education and regulations ~~rules~~ of the Board of
1859 Governors must include procedures for credential evaluation and
1860 the award of credit, including, but not limited to,
1861 recommendations for credit by the American Council on Education;
1862 equivalency and alignment of coursework with appropriate
1863 courses; course descriptions; type and amount of credit that may
1864 be awarded; and transfer of credit.

1865 Section 50. Section 1004.3825, Florida Statutes, is
1866 repealed.

1867 Section 51. Section 1004.387, Florida Statutes, is
1868 repealed.

1869 Section 52. Subsection (2) of section 1004.445, Florida
1870 Statutes, is repealed.

1871 Section 53. Section 1004.75, Florida Statutes, is repealed.

1872 Section 54. Subsections (1), (2), and (7) of section
1873 1004.935, Florida Statutes, are amended to read:

1874 1004.935 Adults with Disabilities Workforce Education Pilot
1875 Program.—

1876 (1) The Adults with Disabilities Workforce Education Pilot
1877 Program is established in the Department of Education through
1878 June 30, 2016, for 2 years in Hardee, DeSoto, Manatee, and
1879 Sarasota Counties to provide the option of receiving a
1880 scholarship for instruction at private schools for up to 30
1881 students who:

1882 (a) Have a disability;

1883 (b) Are 22 years of age;

1884 (c) Are receiving instruction from an instructor in a
1885 private school to meet the high school graduation requirements

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1886 in s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282;

1887 (d) Do not have a standard high school diploma or a special
1888 high school diploma; and

1889 (e) Receive "supported employment services," which means
1890 employment that is located or provided in an integrated work
1891 setting with earnings paid on a commensurate wage basis and for
1892 which continued support is needed for job maintenance.

1893

1894 As used in this section, the term "student with a disability"
1895 includes a student who is documented as having an intellectual
1896 disability; a speech impairment; a language impairment; a
1897 hearing impairment, including deafness; a visual impairment,
1898 including blindness; a dual sensory impairment; an orthopedic
1899 impairment; another health impairment; an emotional or
1900 behavioral disability; a specific learning disability,
1901 including, but not limited to, dyslexia, dyscalculia, or
1902 developmental aphasia; a traumatic brain injury; a developmental
1903 delay; or autism spectrum disorder.

1904 (2) A student participating in the pilot program may
1905 continue to participate in the program until the student
1906 graduates from high school or reaches the age of 40 ~~30~~ years,
1907 whichever occurs first.

1908 (7) Funds for the scholarship shall be provided from the
1909 appropriation from the school district's Workforce Development
1910 Fund in the General Appropriations Act for students who reside
1911 in the Hardee County School District, the DeSoto County School
1912 District, the Manatee County School District, or the Sarasota
1913 County School District. During the ~~2-year~~ pilot program, the
1914 scholarship amount granted for an eligible student with a

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1915 disability shall be equal to the cost per unit of a full-time
1916 equivalent adult general education student, multiplied by the
1917 adult general education funding factor, and multiplied by the
1918 district cost differential pursuant to the formula required by
1919 s. 1011.80(6)(a) for the district in which the student resides.

1920 Section 55. Section 1006.141, Florida Statutes, is
1921 repealed.

1922 Section 56. Subsections (4), (5), and (8) of section
1923 1006.147, Florida Statutes, are amended to read:

1924 1006.147 Bullying and harassment prohibited.—

1925 (4) ~~By December 1, 2008,~~ Each school district shall adopt a
1926 policy prohibiting bullying and harassment of a ~~any~~ student or
1927 employee of a public K-12 educational institution. Each school
1928 district's policy shall be in substantial conformity with the
1929 Department of Education's model policy ~~mandated in subsection~~
1930 ~~(5)~~. The school district bullying and harassment policy shall
1931 afford all students the same protection regardless of their
1932 status under the law. The school district may establish separate
1933 discrimination policies that include categories of students. The
1934 school district shall involve students, parents, teachers,
1935 administrators, school staff, school volunteers, community
1936 representatives, and local law enforcement agencies in the
1937 process of adopting the policy. The school district policy must
1938 be implemented in a manner that is ongoing throughout the school
1939 year and integrated with a school's curriculum, a school's
1940 discipline policies, and other violence prevention efforts. The
1941 school district policy must contain, at a minimum, the following
1942 components:

1943 (a) A statement prohibiting bullying and harassment.

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1944 (b) A definition of bullying and a definition of harassment
1945 that include the definitions listed in this section.

1946 (c) A description of the type of behavior expected from
1947 each student and employee of a public K-12 educational
1948 institution.

1949 (d) The consequences for a student or employee of a public
1950 K-12 educational institution who commits an act of bullying or
1951 harassment.

1952 (e) The consequences for a student or employee of a public
1953 K-12 educational institution who is found to have wrongfully and
1954 intentionally accused another of an act of bullying or
1955 harassment.

1956 (f) A procedure for reporting an act of bullying or
1957 harassment, including provisions that permit a person to
1958 anonymously report such an act. However, this paragraph does not
1959 permit formal disciplinary action to be based solely on an
1960 anonymous report.

1961 (g) A procedure for the prompt investigation of a report of
1962 bullying or harassment and the persons responsible for the
1963 investigation. The investigation of a reported act of bullying
1964 or harassment is deemed to be a school-related activity and
1965 begins with a report of such an act. Incidents that require a
1966 reasonable investigation when reported to appropriate school
1967 authorities shall include alleged incidents of bullying or
1968 harassment allegedly committed against a child while the child
1969 is en route to school aboard a school bus or at a school bus
1970 stop.

1971 (h) A process to investigate whether a reported act of
1972 bullying or harassment is within the scope of the district

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1973 school system and, if not, a process for referral of such an act
1974 to the appropriate jurisdiction. Computers without web-filtering
1975 software or computers with web-filtering software that is
1976 disabled shall be used when complaints of cyberbullying are
1977 investigated.

1978 (i) A procedure for providing immediate notification to the
1979 parents of a victim of bullying or harassment and the parents of
1980 the perpetrator of an act of bullying or harassment, as well as
1981 notification to all local agencies where criminal charges may be
1982 pursued against the perpetrator.

1983 (j) A procedure to refer victims and perpetrators of
1984 bullying or harassment for counseling.

1985 (k) A procedure for including incidents of bullying or
1986 harassment in the school's report of data concerning school
1987 safety and discipline required under s. 1006.09(6). The report
1988 must include each incident of bullying or harassment and the
1989 resulting consequences, including discipline and referrals. The
1990 report must include in a separate section each reported incident
1991 of bullying or harassment that does not meet the criteria of a
1992 prohibited act under this section with recommendations regarding
1993 such incidents. The Department of Education shall aggregate
1994 information contained in the reports.

1995 (l) A procedure for providing instruction to students,
1996 parents, teachers, school administrators, counseling staff, and
1997 school volunteers on identifying, preventing, and responding to
1998 bullying or harassment, including instruction on recognizing
1999 behaviors that lead to bullying and harassment and taking
2000 appropriate preventive action based on those observations.

2001 (m) A procedure for regularly reporting to a victim's

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2002 parents the actions taken to protect the victim.

2003 (n) A procedure for publicizing the policy, which must
2004 include its publication in the code of student conduct required
2005 under s. 1006.07(2) and in all employee handbooks.

2006 ~~(5) To assist school districts in developing policies~~
2007 ~~prohibiting bullying and harassment, the Department of Education~~
2008 ~~shall develop a model policy that shall be provided to school~~
2009 ~~districts no later than October 1, 2008.~~

2010 ~~(7)(8) Distribution of safe schools funds to a school~~
2011 ~~district provided in the 2009-2010 General Appropriations Act is~~
2012 ~~contingent upon and payable to the school district upon the~~
2013 ~~Department of Education's approval of the school district's~~
2014 ~~bullying and harassment policy. The department's approval of~~
2015 ~~each school district's bullying and harassment policy shall be~~
2016 ~~granted upon certification by the department that the school~~
2017 ~~district's policy has been submitted to the department and is in~~
2018 ~~substantial conformity with the department's model bullying and~~
2019 ~~harassment policy as mandated in subsection (5).~~ Distribution of
2020 safe schools funds provided to a school district in fiscal year
2021 2010-2011 and thereafter shall be contingent upon and payable to
2022 the school district upon the school district's compliance with
2023 all reporting procedures contained in this section.

2024 Section 57. Subsection (2) of section 1006.148, Florida
2025 Statutes, is repealed.

2026 Section 58. Paragraph (a) of subsection (3) of section
2027 1006.15, Florida Statutes, is amended to read:

2028 1006.15 Student standards for participation in
2029 interscholastic and intrascholastic extracurricular student
2030 activities; regulation.-

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2031 (3) (a) To be eligible to participate in interscholastic
2032 extracurricular student activities, a student must:

2033 1. Maintain a grade point average of 2.0 or above on a 4.0
2034 scale, or its equivalent, in the previous semester or a
2035 cumulative grade point average of 2.0 or above on a 4.0 scale,
2036 or its equivalent, in the courses required by s. 1002.3105(5)
2037 ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.

2038 2. Execute and fulfill the requirements of an academic
2039 performance contract between the student, the district school
2040 board, the appropriate governing association, and the student's
2041 parents, if the student's cumulative grade point average falls
2042 below 2.0, or its equivalent, on a 4.0 scale in the courses
2043 required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.
2044 At a minimum, the contract must require that the student attend
2045 summer school, or its graded equivalent, between grades 9 and 10
2046 or grades 10 and 11, as necessary.

2047 3. Have a cumulative grade point average of 2.0 or above on
2048 a 4.0 scale, or its equivalent, in the courses required by s.
2049 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~ during his or her
2050 junior or senior year.

2051 4. Maintain satisfactory conduct, including adherence to
2052 appropriate dress and other codes of student conduct policies
2053 described in s. 1006.07(2). If a student is convicted of, or is
2054 found to have committed, a felony or a delinquent act that would
2055 have been a felony if committed by an adult, regardless of
2056 whether adjudication is withheld, the student's participation in
2057 interscholastic extracurricular activities is contingent upon
2058 established and published district school board policy.

2059 Section 59. Subsection (1) and paragraph (a) of subsection

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2060 (2) of section 1006.28, Florida Statutes, are amended to read:

2061 1006.28 Duties of district school board, district school
2062 superintendent; and school principal regarding K-12
2063 instructional materials.—

2064 (1) DISTRICT SCHOOL BOARD.—The district school board has
2065 the duty to provide adequate instructional materials for all
2066 students in accordance with the requirements of this part. The
2067 term “adequate instructional materials” means a sufficient
2068 number of student or site licenses or sets of materials that are
2069 available in bound, unbound, kit, or package form and may
2070 consist of hardbacked or softbacked textbooks, electronic
2071 content, consumables, learning laboratories, manipulatives,
2072 electronic media, and computer courseware or software that serve
2073 as the basis for instruction for each student in the core
2074 subject areas ~~courses~~ of mathematics, language arts, social
2075 studies, science, reading, and literature. The district school
2076 board has the following specific duties:

2077 (a) *Courses of study; adoption.*—Adopt courses of study for
2078 use in the schools of the district.

2079 (b) *Instructional materials.*—Provide for proper
2080 requisitioning, distribution, accounting, storage, care, and use
2081 of all instructional materials and furnish such other
2082 instructional materials as may be needed. ~~The district school~~
2083 ~~board shall ensure that~~ Instructional materials used must be in
2084 ~~the district~~ are consistent with the district goals and
2085 objectives and the course descriptions established in rule of
2086 the State Board of Education, as well as with the applicable
2087 Next Generation Sunshine State and district performance
2088 Standards provided for in s. 1003.41 ~~1001.03(1)~~.

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2089 (c) *Other instructional materials.*—Provide such other
2090 teaching accessories and aids as are needed for the school
2091 district's educational program.

2092 (d) *School library media services; establishment and*
2093 *maintenance.*—Establish and maintain a program of school library
2094 media services for all public schools in the district, including
2095 school library media centers, or school library media centers
2096 open to the public, and, in addition such traveling or
2097 circulating libraries as may be needed for the proper operation
2098 of the district school system.

2099 (2) DISTRICT SCHOOL SUPERINTENDENT.—

2100 (a) The district school superintendent has the duty to
2101 recommend such plans for improving, providing, distributing,
2102 accounting for, and caring for instructional materials and other
2103 instructional aids as will result in general improvement of the
2104 district school system, as prescribed in this part, in
2105 accordance with adopted district school board rules prescribing
2106 the duties and responsibilities of the district school
2107 superintendent regarding the requisition, purchase, receipt,
2108 storage, distribution, use, conservation, records, and reports
2109 of, and management practices and property accountability
2110 concerning, instructional materials, and providing for an
2111 evaluation of any instructional materials to be requisitioned
2112 that have not been used previously in the district's schools.
2113 The district school superintendent must keep adequate records
2114 and accounts for all financial transactions for funds collected
2115 pursuant to subsection (3), ~~as a component of the educational~~
2116 ~~service delivery scope in a school district best financial~~
2117 ~~management practices review under s. 1008.35.~~

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2118 Section 60. Subsection (2) of section 1006.31, Florida
2119 Statutes, is amended to read:

2120 1006.31 Duties of the Department of Education and school
2121 district instructional materials reviewer.—The duties of the
2122 instructional materials reviewer are:

2123 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use ~~evaluate~~
2124 ~~carefully all instructional materials submitted, in order to~~
2125 ~~ascertain which instructional materials, if any, submitted for~~
2126 ~~consideration implement~~ the selection criteria listed in s.
2127 1006.34(2)(b) developed by the department and recommend for
2128 adoption only those instructional materials aligned with the
2129 Next Generation Sunshine State ~~those curricular objectives~~
2130 ~~included within applicable performance Standards provided for in~~
2131 ~~s. 1003.41 1001.03(1).~~

2132 (a) When recommending instructional materials for use in
2133 the schools, each reviewer shall include only instructional
2134 materials that accurately portray the ethnic, socioeconomic,
2135 cultural, and racial diversity of our society, including men and
2136 women in professional, career, and executive roles, and the role
2137 and contributions of the entrepreneur and labor in the total
2138 development of this state and the United States.

2139 (b) When recommending instructional materials for use in
2140 the schools, each reviewer shall include only materials that
2141 accurately portray, whenever appropriate, humankind's place in
2142 ecological systems, including the necessity for the protection
2143 of our environment and conservation of our natural resources and
2144 the effects on the human system of the use of tobacco, alcohol,
2145 controlled substances, and other dangerous substances.

2146 (c) When recommending instructional materials for use in

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2147 the schools, each reviewer shall require such materials as he or
2148 she deems necessary and proper to encourage thrift, fire
2149 prevention, and humane treatment of people and animals.

2150 (d) When recommending instructional materials for use in
2151 the schools, each reviewer shall require, when appropriate to
2152 the comprehension of students, that materials for social
2153 science, history, or civics classes contain the Declaration of
2154 Independence and the Constitution of the United States. A
2155 reviewer may not recommend any instructional materials for use
2156 in the schools which contain any matter reflecting unfairly upon
2157 persons because of their race, color, creed, national origin,
2158 ancestry, gender, or occupation.

2159 (e) Any instructional material recommended by each reviewer
2160 for use in the schools shall be, to the satisfaction of each
2161 reviewer, accurate, objective, and current and suited to the
2162 needs and comprehension of students at their respective grade
2163 levels. Reviewers shall consider for adoption materials
2164 developed for academically talented students such as those
2165 enrolled in advanced placement courses.

2166 Section 61. Paragraph (b) of subsection (2) of section
2167 1006.34, Florida Statutes, is amended to read:

2168 1006.34 Powers and duties of the commissioner and the
2169 department in selecting and adopting instructional materials.—

2170 (2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

2171 (b) In the selection of instructional materials, library
2172 media, and other reading material used in the public school
2173 system, the standards used to determine the propriety of the
2174 material shall include:

2175 1. The age of the students who normally could be expected

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2176 to have access to the material.

2177 2. The educational purpose to be served by the material. ~~In~~
2178 ~~considering instructional materials for classroom use,~~ Priority
2179 shall be given to the selection of materials that align with the
2180 Next Generation Sunshine State Standards as provided for in s.
2181 1003.41 ~~which encompass the state and district school board~~
2182 ~~performance standards provided for in s. 1001.03(1) and which~~
2183 include the instructional objectives contained within the
2184 curriculum frameworks for career and technical education and
2185 adult and adult general education adopted ~~approved~~ by rule of
2186 the State Board of Education under s. 1004.92.

2187 3. The degree to which the material would be supplemented
2188 and explained by mature classroom instruction as part of a
2189 normal classroom instructional program.

2190 4. The consideration of the broad racial, ethnic,
2191 socioeconomic, and cultural diversity of the students of this
2192 state.

2193
2194 Any instructional material containing pornography or otherwise
2195 prohibited by s. 847.012 may not be used or made available
2196 within any public school.

2197 Section 62. Subsection (2) and paragraph (a) of subsection
2198 (3) of section 1006.40, Florida Statutes, are amended, and
2199 subsection (8) is added to that section, to read:

2200 1006.40 Use of instructional materials allocation;
2201 instructional materials, library books, and reference books;
2202 repair of books.—

2203 (2) Each district school board must purchase current
2204 instructional materials to provide each student with a major

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2205 tool of instruction in core courses of the subject areas of
2206 mathematics, language arts, science, social studies, reading,
2207 and literature for kindergarten through grade 12. Such purchase
2208 must be made within the first 3 years after the effective date
2209 of the adoption cycle unless a district school board or a
2210 consortium of school districts has implemented an instructional
2211 materials program pursuant to s. 1006.283. For the 2012-2013
2212 mathematics adoption, a district using a comprehensive
2213 mathematics instructional materials program adopted in the 2009-
2214 2010 adoption shall be deemed in compliance with this subsection
2215 if it provides each student with such additional state-adopted
2216 materials as may be necessary to align the previously adopted
2217 comprehensive program to common core standards and the other
2218 criteria of the 2012-2013 mathematics adoption.

2219 (3) (a) Beginning with ~~By~~ the 2015-2016 fiscal year, each
2220 district school board shall use at least 50 percent of the
2221 annual allocation for the purchase of digital or electronic
2222 instructional materials that align with state standards included
2223 on the state-adopted list, except as otherwise authorized in
2224 paragraphs (b) and (c). ~~This section does not apply to a~~
2225 ~~district school board or a consortium of school districts which~~
2226 ~~implements an instructional materials program pursuant to s.~~
2227 ~~1006.283, except that by the 2015-2016 fiscal year, each~~
2228 ~~district school board shall use at least 50 percent of the~~
2229 ~~annual allocation for the purchase of digital or electronic~~
2230 ~~instructional materials that align with state standards.~~

2231 (8) Subsections (3), (4), and (6) do not apply to a
2232 district school board or a consortium of school districts that
2233 implements an instructional materials program pursuant to s.

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2234 1006.283 except that, by the 2015-2016 fiscal year, each
2235 district school board shall use at least 50 percent of the
2236 annual instructional materials allocation for the purchase of
2237 digital or electronic instructional materials that align with
2238 state standards adopted by the State Board of Education pursuant
2239 to s. 1003.41.

2240 Section 63. Section 1006.42, Florida Statutes, is amended
2241 to read:

2242 1006.42 Responsibility of students and parents for
2243 instructional materials.—

2244 ~~(1)~~ All instructional materials purchased under the
2245 provisions of this part are the property of the district school
2246 board. When distributed to the students, these instructional
2247 materials are on loan to the students while they are pursuing
2248 their courses of study and are to be returned at the direction
2249 of the school principal or the teacher in charge. Each parent of
2250 a student to whom or for whom instructional materials have been
2251 issued, is liable for any loss or destruction of, or unnecessary
2252 damage to, the instructional materials or for failure of the
2253 student to return the instructional materials when directed by
2254 the school principal or the teacher in charge, and shall pay for
2255 such loss, destruction, or unnecessary damage as provided under
2256 s. 1006.28(3) by law.

2257 ~~(2) Nothing in this part shall be construed to prohibit~~
2258 ~~parents from exercising their right to purchase instructional~~
2259 ~~materials from the district school board.~~

2260 Section 64. Section 1007.02, Florida Statutes, is amended
2261 to read:

2262 1007.02 ~~Access to postsecondary education and meaningful~~

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2263 ~~careers for~~ Students with disabilities; ~~popular name,~~
 2264 definition.—

2265 ~~(1) This section shall be known by the popular name the~~
 2266 ~~“Enhanced New Needed Opportunity for Better Life and Education~~
 2267 ~~for Students with Disabilities (ENNOBLES) Act.”~~

2268 ~~(2)~~ For the purposes of this chapter ~~act~~, the term “student
 2269 with a disability” means a ~~any~~ student who is documented as
 2270 having an intellectual disability; a hearing impairment,
 2271 including deafness; a speech or language impairment; a visual
 2272 impairment, including blindness; an emotional or behavioral
 2273 disability; an orthopedic or other health impairment; an autism
 2274 spectrum disorder; a traumatic brain injury; or a specific
 2275 learning disability, including, but not limited to, dyslexia,
 2276 dyscalculia, or developmental aphasia.

2277 Section 65. Paragraph (a) of subsection (1) and subsection
 2278 (3) of section 1007.2615, Florida Statutes, are amended to read:
 2279 1007.2615 American Sign Language; findings; foreign-
 2280 language credits authorized; teacher licensing.—

2281 (1) LEGISLATIVE FINDINGS; PURPOSE.—

2282 (a) The Legislature finds that:

2283 1. American Sign Language (ASL) is a fully developed
 2284 visual-gestural language with distinct grammar, syntax, and
 2285 symbols and is one of hundreds of signed languages of the world.

2286 2. ASL is recognized as the language of the American deaf
 2287 community and is the fourth most commonly used language in the
 2288 United States and Canada.

2289 3. The American deaf community is a group of citizens who
 2290 are members of a unique culture who share ASL as their common
 2291 language.

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2292 ~~4. Thirty three state legislatures have adopted legislation~~
2293 ~~recognizing ASL as a language that should be taught in schools.~~

2294 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
2295 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
2296 FOR POSTSECONDARY EDUCATION PROVIDERS.—

2297 ~~(a) The Commissioner of Education shall appoint a seven-~~
2298 ~~member task force that includes representatives from two state~~
2299 ~~universities and one private college or university located~~
2300 ~~within this state which currently offer a 4-year deaf education~~
2301 ~~or sign language interpretation program as a part of their~~
2302 ~~respective curricula, two representatives from the Florida~~
2303 ~~American Sign Language Teachers' Association (FASLTA), and two~~
2304 ~~representatives from Florida College System institutions located~~
2305 ~~within this state which have established Interpreter Training~~
2306 ~~Programs (ITPs). This task force shall develop and submit to the~~
2307 ~~Commissioner of Education a report that contains the most up-to-~~
2308 ~~date information about American Sign Language (ASL) and~~
2309 ~~guidelines for developing and maintaining ASL courses as a part~~
2310 ~~of the curriculum. This information must be made available to~~
2311 ~~any administrator of a public or an independent school upon~~
2312 ~~request of the administrator.~~

2313 ~~(a)(b)~~ By January 1, 2005, The State Board of Education
2314 shall adopt rules establishing licensing/certification standards
2315 to be applied to teachers who teach American Sign Language (ASL)
2316 ASL as part of a school curriculum. ~~In developing the rules, the~~
2317 ~~state board shall consult with the task force established under~~
2318 ~~paragraph (a).~~

2319 ~~(b)(c)~~ An ASL teacher must be certified by the Department
2320 of Education by July 1, 2009.

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2321 (c)~~(d)~~ The Commissioner of Education shall work with
2322 providers of postsecondary education, except for state
2323 universities, to develop and implement a plan to ensure that
2324 these institutions in this state will accept secondary school
2325 credits in ASL as credits in a foreign language and to encourage
2326 postsecondary institutions to offer ASL courses to students as a
2327 fulfillment of the requirement for studying a foreign language.

2328 Section 66. Subsection (4) of section 1007.263, Florida
2329 Statutes, is amended to read:

2330 1007.263 Florida College System institutions; admissions of
2331 students.—Each Florida College System institution board of
2332 trustees is authorized to adopt rules governing admissions of
2333 students subject to this section and rules of the State Board of
2334 Education. These rules shall include the following:

2335 (4) A student who has been awarded a special diploma under
2336 ~~as defined in s. 1003.438~~ or a certificate of completion under
2337 ~~as defined in s. 1003.4282~~ ~~1003.428(7)(b)~~ is eligible to enroll
2338 in certificate career education programs.

2339
2340 Each board of trustees shall establish policies that notify
2341 students about developmental education options for improving
2342 their communication or computation skills that are essential to
2343 performing college-level work, including tutoring, extended time
2344 in gateway courses, free online courses, adult basic education,
2345 adult secondary education, or private provider instruction.

2346 Section 67. Subsection (1) of section 1007.264, Florida
2347 Statutes, is amended to read:

2348 1007.264 Persons with disabilities; admission to
2349 postsecondary educational institutions; substitute requirements;

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2350 rules and regulations.—

2351 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
2352 ~~1007.02(2)~~, who is otherwise eligible shall be eligible for
2353 reasonable substitution for any requirement for admission into a
2354 public postsecondary educational institution where documentation
2355 can be provided that the person's failure to meet the admission
2356 requirement is related to the disability.

2357 Section 68. Subsection (1) of section 1007.265, Florida
2358 Statutes, is amended to read:

2359 1007.265 Persons with disabilities; graduation, study
2360 program admission, and upper-division entry; substitute
2361 requirements; rules and regulations.—

2362 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
2363 ~~1007.02(2)~~, in a public postsecondary educational institution
2364 shall be eligible for reasonable substitution for any
2365 requirement for graduation, for admission into a program of
2366 study, or for entry into the upper division where documentation
2367 can be provided that the person's failure to meet the
2368 requirement is related to the disability and where failure to
2369 meet the graduation requirement or program admission requirement
2370 does not constitute a fundamental alteration in the nature of
2371 the program.

2372 Section 69. Subsections (2) and (9) of section 1007.271,
2373 Florida Statutes, are amended to read:

2374 1007.271 Dual enrollment programs.—

2375 (2) For the purpose of this section, an eligible secondary
2376 student is a student who is enrolled in any of grades 6 through
2377 12 in a Florida public ~~secondary~~ school or in a Florida private
2378 ~~secondary~~ school that ~~which~~ is in compliance with s. 1002.42(2)

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2379 and provides a secondary curriculum pursuant to ~~s. 1003.428~~ or
2380 s. 1003.4282. Students who are eligible for dual enrollment
2381 pursuant to this section may enroll in dual enrollment courses
2382 conducted during school hours, after school hours, and during
2383 the summer term. However, if the student is projected to
2384 graduate from high school before the scheduled completion date
2385 of a postsecondary course, the student may not register for that
2386 course through dual enrollment. The student may apply to the
2387 postsecondary institution and pay the required registration,
2388 tuition, and fees if the student meets the postsecondary
2389 institution's admissions requirements under s. 1007.263.
2390 Instructional time for dual enrollment may vary from 900 hours;
2391 however, the full-time equivalent student membership value shall
2392 be subject to the provisions in s. 1011.61(4). A ~~Any~~ student
2393 enrolled as a dual enrollment student is exempt from the payment
2394 of registration, tuition, and laboratory fees. Applied academics
2395 for adult education instruction, developmental education, and
2396 other forms of precollegiate instruction, as well as physical
2397 education courses that focus on the physical execution of a
2398 skill rather than the intellectual attributes of the activity,
2399 are ineligible for inclusion in the dual enrollment program.
2400 Recreation and leisure studies courses shall be evaluated
2401 individually in the same manner as physical education courses
2402 for potential inclusion in the program.

2403 (9) The Commissioner of Education shall appoint faculty
2404 committees representing public school, Florida College System
2405 institution, and university faculties to identify postsecondary
2406 courses that meet the high school graduation requirements of ~~s.~~
2407 ~~1003.428~~ or s. 1003.4282 and to establish the number of

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2408 postsecondary semester credit hours of instruction and
2409 equivalent high school credits earned through dual enrollment
2410 pursuant to this section that are necessary to meet high school
2411 graduation requirements. Such equivalencies shall be determined
2412 solely on comparable course content and not on seat time
2413 traditionally allocated to such courses in high school. The
2414 Commissioner of Education shall recommend to the State Board of
2415 Education those postsecondary courses identified to meet high
2416 school graduation requirements, based on mastery of course
2417 outcomes, by their course numbers, and all high schools shall
2418 accept these postsecondary education courses toward meeting the
2419 requirements of ~~s. 1003.428~~ or s. 1003.4282.

2420 Section 70. Subsections (3), (7), and (8) of section
2421 1008.22, Florida Statutes, are amended to read:

2422 1008.22 Student assessment program for public schools.—

2423 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
2424 Commissioner of Education shall design and implement a
2425 statewide, standardized assessment program aligned to the core
2426 curricular content established in the Next Generation Sunshine
2427 State Standards. The commissioner also must develop or select
2428 and implement a common battery of assessment tools that will be
2429 used in all juvenile justice education programs in the state.
2430 These tools must accurately measure the core curricular content
2431 established in the Next Generation Sunshine State Standards.
2432 Participation in the assessment program is mandatory for all
2433 school districts and all students attending public schools,
2434 including adult students seeking a standard ~~an adult~~ high school
2435 diploma under s. 1003.4282 and students in Department of
2436 Juvenile Justice education programs, except as otherwise

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2437 provided by law ~~prescribed by the commissioner~~. If a student
2438 does not participate in the assessment program, the school
2439 district must notify the student's parent and provide the parent
2440 with information regarding the implications of such
2441 nonparticipation. The statewide, standardized assessment program
2442 shall be designed and implemented as follows:

2443 (a) Statewide, standardized comprehensive assessments
2444 ~~Florida Comprehensive Assessment Test (FCAT) until replaced by~~
2445 ~~common core assessments.~~ The statewide, standardized FCAT
2446 Reading assessment shall be administered annually in grades 3
2447 through 10. The statewide, standardized Writing assessment shall
2448 be administered annually at least once at the elementary,
2449 middle, and high school levels. When the Reading and Writing
2450 assessments are replaced by English Language Arts (ELA)
2451 assessments, ELA assessments shall be administered to students
2452 in grades 3 through 11. Retake opportunities for the grade 10
2453 Reading assessment or, upon implementation, the grade 10 ELA
2454 assessment must be provided. Students taking the ELA assessments
2455 shall not take the statewide, standardized assessments in
2456 Reading or Writing. ELA assessments shall be administered
2457 online. The statewide, standardized; FCAT Mathematics
2458 assessments shall be administered annually in grades 3 through
2459 8. Students taking a revised Mathematics assessment shall not
2460 take the discontinued assessment. The statewide, standardized;
2461 ~~FCAT Writing shall be administered annually at least once at the~~
2462 ~~elementary, middle, and high school levels; and FCAT Science~~
2463 assessment shall be administered annually at least once at the
2464 elementary and middle grades levels. In order to earn a standard
2465 high school diploma, a student who has not earned a passing

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2466 score on the grade 10 ~~FCAT~~ Reading assessment or, upon
2467 implementation, the grade 10 ELA assessment must earn a passing
2468 score on the assessment retake or earn a concordant score as
2469 authorized under subsection (7) ~~must participate in each retake~~
2470 ~~of the assessment until the student earns a passing score. The~~
2471 ~~commissioner shall recommend and the State Board of Education~~
2472 ~~must adopt a score on both the SAT and ACT that is concordant to~~
2473 ~~a passing score on grade 10 FCAT Reading that, if achieved by a~~
2474 ~~student, meets the must-pass requirement for grade 10 FCAT~~
2475 ~~Reading.~~

2476 (b) *End-of-course (EOC) assessments.*—EOC assessments must
2477 be statewide, standardized, and developed or approved by the
2478 Department of Education as follows:

2479 1. Statewide, standardized EOC assessments in mathematics
2480 shall be administered according to this subparagraph. Beginning
2481 with the 2010-2011 school year, all students enrolled in Algebra
2482 I must take the Algebra I EOC assessment. Except as otherwise
2483 provided in paragraph (c) ~~this section~~, beginning with students
2484 entering grade 9 in the 2011-2012 school year, a student who is
2485 enrolled in Algebra I must earn a passing score on the Algebra I
2486 EOC assessment or attain a comparative score as authorized under
2487 subsection (8) in order to earn a standard high school diploma.
2488 In order to earn a standard high school diploma, a student who
2489 has not earned a passing score on the Algebra I EOC assessment
2490 must earn a passing score on the assessment retake or a
2491 comparative score as authorized under subsection (8) ~~must~~
2492 ~~participate in each retake of the assessment until the student~~
2493 ~~earns a passing score.~~ Beginning with the 2011-2012 school year,
2494 all students enrolled in Geometry must take the Geometry EOC

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2495 assessment. Middle grades students enrolled in Algebra I, ~~or~~
2496 Geometry, or Biology I must take the statewide, standardized EOC
2497 assessment for those courses and shall are not ~~required to~~ take
2498 the corresponding subject and grade-level statewide,
2499 standardized assessment FCAT. When a statewide, standardized EOC
2500 assessment in Algebra II is administered, all students enrolled
2501 in Algebra II must take the EOC assessment. Pursuant to the
2502 commissioner's implementation schedule, student performance on
2503 the Algebra II EOC assessment constitutes 30 percent of a
2504 student's final course grade.

2505 2. Statewide, standardized EOC assessments in science shall
2506 be administered according to this subparagraph. Beginning with
2507 the 2011-2012 school year, all students enrolled in Biology I
2508 must take the Biology I EOC assessment. Beginning with students
2509 entering grade 9 in the 2013-2014 school year, performance on
2510 the Biology I EOC assessment constitutes 30 percent of the
2511 student's final course grade.

2512 3. ~~During the 2012-2013 school year, an EOC assessment in~~
2513 ~~civics education shall be administered as a field test at the~~
2514 ~~middle grades level.~~ Beginning with the 2013-2014 school year,
2515 each student's performance on the statewide, standardized middle
2516 grades Civics EOC assessment ~~in civics education~~ constitutes 30
2517 percent of the student's final course grade in civics education.

2518 4. The commissioner may select one or more nationally
2519 developed comprehensive examinations, which may include
2520 examinations for a College Board Advanced Placement course,
2521 International Baccalaureate course, or Advanced International
2522 Certificate of Education course, or industry-approved
2523 examinations to earn national industry certifications identified

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2524 in the Industry Certification Funding List, for use as EOC
2525 assessments under this paragraph if the commissioner determines
2526 that the content knowledge and skills assessed by the
2527 examinations meet or exceed the grade-level expectations for the
2528 core curricular content established for the course in the Next
2529 Generation Sunshine State Standards. Use of any such examination
2530 as an EOC assessment must be approved by the state board in
2531 rule.

2532 5. Contingent upon funding provided in the General
2533 Appropriations Act, including the appropriation of funds
2534 received through federal grants, the commissioner may establish
2535 an implementation schedule for the development and
2536 administration of additional statewide, standardized EOC
2537 assessments that must be approved by the state board, in rule.
2538 If approved by the state board, student performance on such
2539 assessments constitutes 30 percent of a student's final course
2540 grade.

2541 6. All statewide, standardized EOC assessments must be
2542 administered online except as otherwise provided in paragraph
2543 (c).

2544 (c) *Students with disabilities; Florida Alternate*
2545 *Assessment.*—

2546 1. Each district school board must provide instruction to
2547 prepare students with disabilities in the core content knowledge
2548 and skills necessary for successful grade-to-grade progression
2549 and high school graduation.

2550 2. A student with a disability, as defined in s. 1007.02
2551 ~~1007.02(2)~~, for whom the individual education plan (IEP) team
2552 determines that the statewide, standardized assessments under

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2553 this section cannot accurately measure the student's abilities,
2554 taking into consideration all allowable accommodations, shall
2555 have assessment results waived for the purpose of receiving a
2556 course grade and a standard high school diploma. Such waiver
2557 shall be designated on the student's transcript. The statement
2558 of waiver shall be limited to a statement that performance on an
2559 assessment was waived for the purpose of receiving a course
2560 grade or a standard high school diploma, as applicable.

2561 3. The State Board of Education shall adopt rules, based
2562 upon recommendations of the commissioner, for the provision of
2563 assessment accommodations for students with disabilities and for
2564 students who have limited English proficiency.

2565 a. Accommodations that negate the validity of a statewide,
2566 standardized assessment are not allowed during the
2567 administration of the assessment. However, instructional
2568 accommodations are allowed in the classroom if identified in a
2569 student's IEP. Students using instructional accommodations in
2570 the classroom that are not allowed on a statewide, standardized
2571 assessment may have assessment results waived if the IEP team
2572 determines that the assessment cannot accurately measure the
2573 student's abilities.

2574 b. If a student is provided with instructional
2575 accommodations in the classroom that are not allowed as
2576 accommodations for statewide, standardized assessments, the
2577 district must inform the parent in writing and provide the
2578 parent with information regarding the impact on the student's
2579 ability to meet expected performance levels. A parent must
2580 provide signed consent for a student to receive classroom
2581 instructional accommodations that would not be available or

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2582 permitted on a statewide, standardized assessment and
2583 acknowledge in writing that he or she understands the
2584 implications of such instructional accommodations.

2585 c. If a student's IEP states that online administration of
2586 a statewide, standardized assessment will significantly impair
2587 the student's ability to perform, the assessment shall be
2588 administered in hard copy.

2589 4. For students with significant cognitive disabilities,
2590 the Department of Education shall provide for implementation of
2591 the Florida Alternate Assessment to accurately measure the core
2592 curricular content established in the Next Generation Sunshine
2593 State Standards.

2594 (d) Implementation schedule ~~Common core assessments in~~
2595 ~~English Language Arts (ELA) and mathematics.~~

2596 1. ~~Contingent upon funding, common core assessments in ELA~~
2597 ~~shall be administered to students in grades 3 through 11. Retake~~
2598 ~~opportunities for the grade 10 assessment must be provided.~~
2599 ~~Students taking the ELA assessments are not required to take the~~
2600 ~~assessments in FCAT Reading or FCAT Writing. Common core ELA~~
2601 ~~assessments shall be administered online.~~

2602 2. ~~Contingent upon funding, common core assessments in~~
2603 ~~mathematics shall be administered to all students in grades 3~~
2604 ~~through 8, and common core assessments in Algebra I, Geometry,~~
2605 ~~and Algebra II shall be administered to students enrolled in~~
2606 ~~those courses. Retake opportunities must be provided for the~~
2607 ~~Algebra I assessment. Students may take the common core~~
2608 ~~mathematics assessments pursuant to the Credit Acceleration~~
2609 ~~Program (CAP) under s. 1003.4295(3). Students taking common core~~
2610 ~~assessments in mathematics are not required to take FCAT~~

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2611 ~~Mathematics or statewide, standardized EOC assessments in~~
 2612 ~~mathematics. Common core mathematics assessments shall be~~
 2613 ~~administered online.~~

2614 1.3. The Commissioner State Board of Education shall
 2615 establish and publish on the department's website adopt rules
 2616 establishing an implementation schedule to transition from the
 2617 statewide, standardized FCAT Reading and, FCAT Writing
 2618 assessments to the ELA assessments and to the revised, FCAT
 2619 Mathematics assessments, including the, and Algebra I and
 2620 Geometry EOC assessments to common core assessments in English
 2621 Language Arts and mathematics. The schedule must take into
 2622 consideration funding, sufficient field and baseline data,
 2623 access to assessments, instructional alignment, and school
 2624 district readiness to administer the ~~common core~~ assessments
 2625 online. ~~Until the 10th grade common core ELA and Algebra I~~
 2626 ~~assessments become must-pass assessments, students must pass~~
 2627 ~~10th grade FCAT Reading and the Algebra I EOC assessment, or~~
 2628 ~~achieve a concordant or comparative score as authorized under~~
 2629 ~~this section, in order to earn a standard high school diploma~~
 2630 ~~under s. 1003.4282. Students taking 10th grade FCAT Reading or~~
 2631 ~~the Algebra I EOC assessment are not required to take the~~
 2632 ~~respective common core assessments.~~

2633 2.4. The Department of Education shall publish minimum and
 2634 recommended technology requirements that include specifications
 2635 for hardware, software, networking, security, and broadband
 2636 capacity to facilitate school district compliance with the
 2637 requirement that ~~common core~~ assessments be administered online.

2638 (e) *Assessment scores and achievement levels.*—

2639 1. All statewide, standardized EOC assessments and ~~FCAT~~

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2640 Reading, ~~FCAT~~ Writing, and ~~FCAT~~ Science assessments shall use
2641 scaled scores and achievement levels. Achievement levels shall
2642 range from 1 through 5, with level 1 being the lowest
2643 achievement level, level 5 being the highest achievement level,
2644 and level 3 indicating satisfactory performance on an
2645 assessment. For purposes of the statewide, standardized ~~FCAT~~
2646 Writing assessment, student achievement shall be scored using a
2647 scale of 1 through 6.

2648 2. The state board shall designate by rule a passing score
2649 for each statewide, standardized ~~EOC and FCAT~~ assessment. ~~In~~
2650 ~~addition, the state board shall designate a score for each~~
2651 ~~statewide, standardized EOC assessment that indicates that a~~
2652 ~~student is high achieving and has the potential to meet college-~~
2653 ~~readiness standards by the time the student graduates from high~~
2654 ~~school.~~

2655 3. If the commissioner seeks to revise a statewide,
2656 standardized assessment and the revisions require the state
2657 board to modify performance level scores, including the passing
2658 score, the commissioner shall provide a copy of the proposed
2659 scores and implementation plan to the President of the Senate
2660 and the Speaker of the House of Representatives at least 90 days
2661 before submission to the state board for review. Until the state
2662 board adopts the modifications by rule, the commissioner shall
2663 use calculations for scoring the assessment that adjust student
2664 scores on the revised assessment for statistical equivalence to
2665 student scores on the former assessment. The state board shall
2666 adopt by rule the passing score for the revised assessment that
2667 is statistically equivalent to the passing score on the
2668 discontinued assessment for a student who is required to attain

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2669 a passing score on the discontinued assessment. The commissioner
2670 may, with approval of the state board, discontinue
2671 administration of the former assessment upon the graduation,
2672 based on normal student progression, of students participating
2673 in the final regular administration of the former assessment. If
2674 the commissioner revises a statewide, standardized assessment
2675 and the revisions require the state board to modify the passing
2676 score, only students taking the assessment for the first time
2677 after the rule is adopted are affected.

2678 (f) *Assessment schedules and reporting of results.*—The
2679 Commissioner of Education shall establish schedules for the
2680 administration of assessments and the reporting of student
2681 assessment results. The commissioner shall consider the
2682 observance of religious and school holidays when developing the
2683 schedule. By August 1 of each year, the commissioner shall
2684 notify each school district in writing and publish on the
2685 department's website the assessment and reporting schedules for,
2686 at a minimum, the school year following the upcoming school
2687 year. The assessment and reporting schedules must provide the
2688 earliest possible reporting of student assessment results to the
2689 school districts. Assessment results for the statewide,
2690 standardized ~~FCAT~~ Reading assessments, or upon implementation
2691 the ELA assessments, and ~~FCAT~~ Mathematics assessments, including
2692 the EOC assessments in Algebra I and Geometry, must be made
2693 available no later than the week of June 8. The administration
2694 of the statewide, standardized ~~FCAT~~ Writing assessment and the
2695 Florida Alternate Assessment may be no earlier than the week of
2696 March 1. School districts shall administer assessments in
2697 accordance with the schedule established by the commissioner.

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2698 (g) *Prohibited activities.*—A district school board shall
2699 prohibit each public school from suspending a regular program of
2700 curricula for purposes of administering practice assessments or
2701 engaging in other assessment-preparation activities for a
2702 statewide, standardized assessment. However, a district school
2703 board may authorize a public school to engage in the following
2704 assessment-preparation activities:

2705 1. Distributing to students sample assessment books and
2706 answer keys published by the Department of Education.

2707 2. Providing individualized instruction in assessment-
2708 taking strategies, without suspending the school's regular
2709 program of curricula, for a student who scores Level 1 or Level
2710 2 on a prior administration of an assessment.

2711 3. Providing individualized instruction in the content
2712 knowledge and skills assessed, without suspending the school's
2713 regular program of curricula, for a student who scores Level 1
2714 or Level 2 on a prior administration of an assessment or a
2715 student who, through a diagnostic assessment administered by the
2716 school district, is identified as having a deficiency in the
2717 content knowledge and skills assessed.

2718 4. Administering a practice assessment or engaging in other
2719 assessment-preparation activities that are determined necessary
2720 to familiarize students with the organization of the assessment,
2721 the format of assessment items, and the assessment directions or
2722 that are otherwise necessary for the valid and reliable
2723 administration of the assessment, as set forth in rules adopted
2724 by the State Board of Education with specific reference to this
2725 paragraph.

2726 (h) *Contracts for assessments.*—The commissioner shall

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2727 provide for the assessments to be developed or obtained, as
2728 appropriate, through contracts and project agreements with
2729 private vendors, public vendors, public agencies, postsecondary
2730 educational institutions, or school districts. The commissioner
2731 may enter into contracts for the continued administration of the
2732 assessments authorized and funded by the Legislature. Contracts
2733 may be initiated in 1 fiscal year and continue into the next
2734 fiscal year and may be paid from the appropriations of either or
2735 both fiscal years. The commissioner may negotiate for the sale
2736 or lease of tests, scoring protocols, test scoring services, and
2737 related materials developed pursuant to law.

2738 (7) CONCORDANT SCORES ~~FOR 10TH GRADE FCAT READING.~~ ~~Until~~
2739 ~~the state transitions to common core English Language Arts~~
2740 ~~assessments,~~ The Commissioner of Education must identify scores
2741 on the SAT and ACT that if achieved satisfy the graduation
2742 requirement that a student pass the grade 10 statewide,
2743 standardized 10th grade FCAT Reading assessment or, upon
2744 implementation, the grade 10 ELA assessment. The commissioner
2745 may identify concordant scores on ~~other~~ assessments other than
2746 the SAT and ACT as well. If the content or scoring procedures
2747 change for the grade 10 Reading assessment or, upon
2748 implementation, the grade 10 ELA assessment ~~10th grade FCAT~~
2749 ~~Reading,~~ new concordant scores must be determined. If new
2750 concordant scores are not timely adopted, the last-adopted
2751 concordant scores remain in effect until such time as new scores
2752 are adopted. The state board shall adopt concordant scores in
2753 rule.

2754 (8) COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT
2755 ~~ASSESSMENTS.~~—The Commissioner of Education must identify one or

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2756 more comparative scores for the Algebra I EOC assessment ~~and may~~
2757 ~~identify comparative scores for the other EOC assessments.~~ If
2758 the content or scoring procedures change for the EOC assessment
2759 ~~assessments~~, new comparative scores must be determined. If new
2760 comparative scores are not timely adopted, the last-adopted
2761 comparative scores remain in effect until such time as new
2762 scores are adopted. The state board shall adopt comparative
2763 scores in rule.

2764 Section 71. Paragraph (h) of subsection (2), paragraph (a)
2765 of subsection (4), paragraph (b) of subsection (6), and
2766 paragraph (b) of subsection (7) of section 1008.25, Florida
2767 Statutes, are amended to read:

2768 1008.25 Public school student progression; remedial
2769 instruction; reporting requirements.—

2770 (2) COMPREHENSIVE STUDENT PROGRESSION PLAN.—Each district
2771 school board shall establish a comprehensive plan for student
2772 progression which must:

2773 (h) Provide instructional sequences by which students in
2774 kindergarten through high school may attain progressively higher
2775 levels of skill in the use of digital tools and applications.
2776 The instructional sequences must include participation in
2777 curricular and instructional options and the demonstration of
2778 competence of standards required pursuant to ss. 1003.41 and
2779 1003.4203 through attainment of industry certifications and
2780 other means of demonstrating credit requirements identified
2781 under ss. 1002.3105, 1003.4203, ~~1003.428~~, and 1003.4282.

2782 (4) ASSESSMENT AND REMEDIATION.—

2783 (a) Each student must participate in the statewide,
2784 standardized assessment program required by s. 1008.22. Each

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2785 student who does not meet specific levels of performance on the
2786 required assessments as determined by the district school board
2787 or who scores below Level 3 on the statewide, standardized
2788 Reading assessment or, upon implementation, the English Language
2789 Arts assessment or on the statewide, standardized Mathematics
2790 assessments in grades 3 through 8 and the Algebra I EOC
2791 assessment ~~FCAT Reading or FCAT Mathematics or on the common~~
2792 ~~core English Language Arts or mathematics assessments as~~
2793 ~~applicable under s. 1008.22~~ must be provided with additional
2794 diagnostic assessments to determine the nature of the student's
2795 difficulty, the areas of academic need, and strategies for
2796 appropriate intervention and instruction as described in
2797 paragraph (b).

2798 (6) ELIMINATION OF SOCIAL PROMOTION.—

2799 (b) The district school board may only exempt students from
2800 mandatory retention, as provided in paragraph (5) (b), for good
2801 cause. Good cause exemptions shall be limited to the following:

2802 1. Limited English proficient students who have had less
2803 than 2 years of instruction in an English for Speakers of Other
2804 Languages program.

2805 2. Students with disabilities whose individual education
2806 plan indicates that participation in the statewide assessment
2807 program is not appropriate, consistent with the requirements of
2808 s. 1008.212 ~~State Board of Education rule.~~

2809 3. Students who demonstrate an acceptable level of
2810 performance on an alternative standardized reading or English
2811 Language Arts assessment approved by the State Board of
2812 Education.

2813 4. A student who demonstrates through a student portfolio

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2814 that he or she is performing at least at Level 2 on the
2815 statewide, standardized FCAT Reading assessment or, upon
2816 implementation, the ~~common-core~~ English Language Arts
2817 assessment, ~~as applicable under s. 1008.22.~~

2818 5. Students with disabilities who take the statewide,
2819 standardized participate in FCAT Reading assessment or, upon
2820 implementation, the ~~common-core~~ English Language Arts
2821 assessment, ~~as applicable under s. 1008.22,~~ and who have an
2822 individual education plan or a Section 504 plan that reflects
2823 that the student has received intensive remediation in reading
2824 or and English Language Arts for more than 2 years but still
2825 demonstrates a deficiency and was previously retained in
2826 kindergarten, grade 1, grade 2, or grade 3.

2827 6. Students who have received intensive remediation in
2828 reading or and English Language Arts, ~~as applicable under s.~~
2829 ~~1008.22,~~ for 2 or more years but still demonstrate a deficiency
2830 and who were previously retained in kindergarten, grade 1, grade
2831 2, or grade 3 for a total of 2 years. Intensive instruction for
2832 students so promoted must include an altered instructional day
2833 that includes specialized diagnostic information and specific
2834 reading strategies for each student. The district school board
2835 shall assist schools and teachers to implement reading
2836 strategies that research has shown to be successful in improving
2837 reading among low-performing readers.

2838 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
2839 STUDENTS.—

2840 (b) Each school district shall:

2841 1. Provide third grade students who are retained under the
2842 provisions of paragraph (5) (b) with intensive instructional

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2843 services and supports to remediate the identified areas of
2844 reading deficiency, including participation in the school
2845 district's summer reading camp as required under paragraph (a)
2846 and a minimum of 90 minutes of daily, uninterrupted,
2847 scientifically research-based reading instruction which includes
2848 phonemic awareness, phonics, fluency, vocabulary, and
2849 comprehension and other strategies prescribed by the school
2850 district, which may include, but are not limited to:

2851 a. Integration of science and social studies content within
2852 the 90-minute block.

2853 b. Small group instruction.

2854 c. Reduced teacher-student ratios.

2855 d. More frequent progress monitoring.

2856 e. Tutoring or mentoring.

2857 f. Transition classes containing 3rd and 4th grade
2858 students.

2859 g. Extended school day, week, or year.

2860 2. Provide written notification to the parent of a ~~any~~
2861 student who is retained under the provisions of paragraph (5) (b)
2862 that his or her child has not met the proficiency level required
2863 for promotion and the reasons the child is not eligible for a
2864 good cause exemption as provided in paragraph (6) (b). The
2865 notification must comply with the provisions of s. 1002.20(15)
2866 and must include a description of proposed interventions and
2867 supports that will be provided to the child to remediate the
2868 identified areas of reading deficiency.

2869 3. Implement a policy for the midyear promotion of a ~~any~~
2870 student retained under the provisions of paragraph (5) (b) who
2871 can demonstrate that he or she is a successful and independent

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2872 reader and performing at or above grade level in reading or,
2873 upon implementation of ~~and~~ English Language Arts assessments,
2874 performing at or above grade level in English Language Arts, ~~as~~
2875 ~~applicable under s. 1008.22.~~ Tools that school districts may use
2876 in reevaluating a ~~any~~ student retained may include subsequent
2877 assessments, alternative assessments, and portfolio reviews, in
2878 accordance with rules of the State Board of Education.

2879 4. Provide students who are retained under the provisions
2880 of paragraph (5) (b) with a highly effective teacher as
2881 determined by the teacher's performance evaluation under s.
2882 1012.34.

2883 5. Establish at each school, when applicable, an Intensive
2884 Acceleration Class for retained grade 3 students who
2885 subsequently score Level 1 on the required statewide,
2886 standardized assessment identified in s. 1008.22. The focus of
2887 the Intensive Acceleration Class shall be to increase a child's
2888 reading and English Language Arts skill level at least two grade
2889 levels in 1 school year. The Intensive Acceleration Class shall:

2890 a. Be provided to a ~~any~~ student in grade 3 who scores Level
2891 1 on the statewide, standardized ~~FCAT~~ Reading assessment or,
2892 upon implementation, the ~~common-core~~ English Language Arts
2893 ~~assessment, as applicable under s. 1008.22,~~ and who was retained
2894 in grade 3 the prior year because of scoring Level 1.

2895 b. Have a reduced teacher-student ratio.

2896 c. Provide uninterrupted reading instruction for the
2897 majority of student contact time each day and incorporate
2898 opportunities to master the grade 4 Next Generation Sunshine
2899 State Standards in other core subject areas.

2900 d. Use a reading program that is scientifically research-

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2901 based and has proven results in accelerating student reading
2902 achievement within the same school year.

2903 e. Provide intensive language and vocabulary instruction
2904 using a scientifically research-based program, including use of
2905 a speech-language therapist.

2906 Section 72. Paragraphs (b) and (c) of subsection (4) and
2907 subsections (5) and (7) of section 1008.33, Florida Statutes,
2908 are amended to read:

2909 1008.33 Authority to enforce public school improvement.—
2910 (4)

2911 (b) ~~Except as provided in subsection (5),~~ The turnaround
2912 options available to a school district to address a school that
2913 earns a grade of "F" are:

2914 1. Convert the school to a district-managed turnaround
2915 school;

2916 2. Reassign students to another school and monitor the
2917 progress of each reassigned student;

2918 3. Close the school and reopen the school as one or more
2919 charter schools, each with a governing board that has a
2920 demonstrated record of effectiveness;

2921 4. Contract with an outside entity that has a demonstrated
2922 record of effectiveness to operate the school; or

2923 5. Implement a hybrid of turnaround options set forth in
2924 subparagraphs 1.-4. or other turnaround models that have a
2925 demonstrated record of effectiveness.

2926 (c) ~~Except for schools required to implement a turnaround~~
2927 ~~option pursuant to subsection (5),~~ A school earning a grade of
2928 "F" shall have a planning year followed by 2 full school years
2929 to implement the initial turnaround option selected by the

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2930 school district and approved by the state board. Implementation
2931 of the turnaround option is no longer required if the school
2932 improves by at least one letter grade.

2933 ~~(5) A school that earns a grade of "F" within 2 years after~~
2934 ~~raising its grade from a grade of "F" or that earns a grade of~~
2935 ~~"F" within 2 years after exiting the lowest performing category~~
2936 ~~under s. 3, chapter 2009-144, Laws of Florida, must implement~~
2937 ~~one of the turnaround options in subparagraphs (4) (b) 2.-5.~~

2938 ~~(7) A school classified in the lowest performing category~~
2939 ~~under s. 3, chapter 2009-144, Laws of Florida, before July 1,~~
2940 ~~2012, is not required to continue implementing any turnaround~~
2941 ~~option unless the school earns a grade of "F" or a third~~
2942 ~~consecutive "D" for the 2011-2012 school year. A school earning~~
2943 ~~a grade of "F" or a third consecutive "D" for the 2011-2012~~
2944 ~~school year may not restart the number of years it has been low~~
2945 ~~performing by virtue of the 2012 amendments to this section.~~

2946 Section 73. Section 1008.331, Florida Statutes, is
2947 repealed.

2948 Section 74. Subsection (2) of section 1008.3415, Florida
2949 Statutes, is amended to read:

2950 1008.3415 School grade or school improvement rating for
2951 exceptional student education centers.-

2952 (2) Notwithstanding s. 1008.34(3)(c)3., the achievement
2953 scores and learning gains of a student with a disability who
2954 attends an exceptional student education center and has not been
2955 enrolled in or attended a public school other than an
2956 exceptional student education center for grades K-12 within the
2957 school district shall not be included in the calculation of the
2958 home school's grade if the student is identified as an emergent

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2959 student on the alternate assessment ~~tool~~ described in s.
2960 1008.22(3)(c) ~~1008.22(3)(e)13~~.

2961 Section 75. Section 1008.35, Florida Statutes, is repealed.

2962 Section 76. Subsection (3) of section 1009.22, Florida
2963 Statutes, is amended to read:

2964 1009.22 Workforce education postsecondary student fees.—

2965 (3) (a) Except as otherwise provided by law, fees for
2966 students who are nonresidents for tuition purposes must offset
2967 the full cost of instruction. Residency of students shall be
2968 determined as required in s. 1009.21. Fee-nonexempt students
2969 enrolled in applied academics for adult education instruction
2970 shall be charged fees equal to the fees charged for adult
2971 general education programs. Each Florida College System
2972 institution that conducts developmental education and applied
2973 academics for adult education instruction in the same class
2974 section may charge a single fee for both types of instruction.

2975 (b) Fees for continuing workforce education shall be
2976 locally determined by the district school board or Florida
2977 College System institution board of trustees. Expenditures for
2978 the continuing workforce education program provided by the
2979 Florida College System institution or school district must be
2980 fully supported by fees. Enrollments in continuing workforce
2981 education courses may not be counted for purposes of funding
2982 full-time equivalent enrollment.

2983 (c) ~~Effective July 1, 2011,~~ For programs leading to a
2984 career certificate or an applied technology diploma, the
2985 standard tuition shall be \$2.22 per contact hour for residents
2986 and nonresidents and the out-of-state fee shall be \$6.66 per
2987 contact hour. For adult general education programs, a block

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2988 tuition of \$45 per half year or \$30 per term shall be assessed
2989 for residents and nonresidents, and the out-of-state fee shall
2990 be \$135 per half year or \$90 per term. Each district school
2991 board and Florida College System institution board of trustees
2992 shall adopt policies and procedures for the collection of and
2993 accounting for the expenditure of the block tuition. All funds
2994 received from the block tuition shall be used only for adult
2995 general education programs. Students enrolled in adult general
2996 education programs may not be assessed the fees authorized in
2997 subsection (5), subsection (6), or subsection (7).

2998 (d) ~~Beginning with the 2008-2009 fiscal year and each year~~
2999 ~~thereafter~~, The tuition and the out-of-state fee per contact
3000 hour shall increase at the beginning of each fall semester at a
3001 rate equal to inflation, unless otherwise provided in the
3002 General Appropriations Act. The Office of Economic and
3003 Demographic Research shall report the rate of inflation to the
3004 President of the Senate, the Speaker of the House of
3005 Representatives, the Governor, and the State Board of Education
3006 each year prior to March 1. For purposes of this paragraph, the
3007 rate of inflation shall be defined as the rate of the 12-month
3008 percentage change in the Consumer Price Index for All Urban
3009 Consumers, U.S. City Average, All Items, or successor reports as
3010 reported by the United States Department of Labor, Bureau of
3011 Labor Statistics, or its successor for December of the previous
3012 year. In the event the percentage change is negative, the
3013 tuition and out-of-state fee shall remain at the same level as
3014 the prior fiscal year.

3015 (e) Each district school board and each Florida College
3016 System institution board of trustees may adopt tuition and out-

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3017 of-state fees that ~~may~~ vary no more than 5 percent below or ~~and~~
3018 5 percent above the combined total of the standard tuition and
3019 out-of-state fees established in paragraph (c).

3020 ~~(f) The maximum increase in resident tuition for any school~~
3021 ~~district or Florida College System institution during the 2007-~~
3022 ~~2008 fiscal year shall be 5 percent over the tuition charged~~
3023 ~~during the 2006-2007 fiscal year.~~

3024 (f) ~~(g)~~ The State Board of Education may adopt, by rule, the
3025 definitions and procedures that district school boards and
3026 Florida College System institution boards of trustees shall use
3027 in the calculation of cost borne by students.

3028 Section 77. Paragraph (a) of subsection (1) of section
3029 1009.40, Florida Statutes, is amended to read:

3030 1009.40 General requirements for student eligibility for
3031 state financial aid awards and tuition assistance grants.-

3032 (1) (a) The general requirements for eligibility of students
3033 for state financial aid awards and tuition assistance grants
3034 consist of the following:

3035 1. Achievement of the academic requirements of and
3036 acceptance at a state university or Florida College System
3037 institution; a nursing diploma school approved by the Florida
3038 Board of Nursing; a Florida college or university which is
3039 accredited by an accrediting agency recognized by the State
3040 Board of Education; a any Florida institution the credits of
3041 which are acceptable for transfer to state universities; a any
3042 career center; or a any private career institution accredited by
3043 an accrediting agency recognized by the State Board of
3044 Education.

3045 2. Residency in this state for no less than 1 year

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3046 preceding the award of aid or a tuition assistance grant for a
3047 program established pursuant to s. 1009.50, s. 1009.505, s.
3048 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.56~~, s. 1009.60, s.
3049 1009.62, s. 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s.
3050 1009.891. Residency in this state must be for purposes other
3051 than to obtain an education. Resident status for purposes of
3052 receiving state financial aid awards shall be determined in the
3053 same manner as resident status for tuition purposes pursuant to
3054 s. 1009.21.

3055 3. Submission of certification attesting to the accuracy,
3056 completeness, and correctness of information provided to
3057 demonstrate a student's eligibility to receive state financial
3058 aid awards or tuition assistance grants. Falsification of such
3059 information shall result in the denial of a ~~any~~ pending
3060 application and revocation of an ~~any~~ award or grant currently
3061 held to the extent that no further payments shall be made.
3062 Additionally, students who knowingly make false statements in
3063 order to receive state financial aid awards or tuition
3064 assistance grants commit a misdemeanor of the second degree
3065 subject to the provisions of s. 837.06 and shall be required to
3066 return all state financial aid awards or tuition assistance
3067 grants wrongfully obtained.

3068 Section 78. Subsection (1) of section 1009.531, Florida
3069 Statutes, is amended to read:

3070 1009.531 Florida Bright Futures Scholarship Program;
3071 student eligibility requirements for initial awards.-

3072 (1) ~~Effective January 1, 2008,~~ In order to be eligible for
3073 an initial award from any of the three types of scholarships
3074 under the Florida Bright Futures Scholarship Program, a student

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3075 must:

3076 (a) Be a Florida resident as defined in s. 1009.40 and
3077 rules of the State Board of Education.

3078 (b) Earn a standard Florida high school diploma pursuant to
3079 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school
3080 equivalency diploma ~~its equivalent~~ pursuant to ~~s. 1003.428, s.~~
3081 ~~1003.4281, s. 1003.4282, or~~ s. 1003.435 unless:

3082 1. The student completes a home education program according
3083 to s. 1002.41; or

3084 2. The student earns a high school diploma from a non-
3085 Florida school while living with a parent or guardian who is on
3086 military or public service assignment away from Florida.

3087 (c) Be accepted by and enroll in an eligible Florida public
3088 or independent postsecondary education institution.

3089 (d) Be enrolled for at least 6 semester credit hours or the
3090 equivalent in quarter hours or clock hours.

3091 (e) Not have been found guilty of, or entered a plea of
3092 nolo contendere to, a felony charge, unless the student has been
3093 granted clemency by the Governor and Cabinet sitting as the
3094 Executive Office of Clemency.

3095 (f) Apply for a scholarship from the program by high school
3096 graduation. However, a student who graduates from high school
3097 midyear must apply no later than August 31 of the student's
3098 graduation year in order to be evaluated for and, if eligible,
3099 receive an award for the current academic year.

3100 Section 79. Paragraph (c) of subsection (3) of section
3101 1009.532, Florida Statutes, is amended to read:

3102 1009.532 Florida Bright Futures Scholarship Program;
3103 student eligibility requirements for renewal awards.-

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3104 (3)

3105 (c) A student who is initially eligible in the 2012-2013

3106 academic year and thereafter may receive an award for a maximum

3107 of 100 percent of the number of credit hours required to

3108 complete an associate degree program, a baccalaureate degree

3109 program, or a postsecondary career certificate program or, for a

3110 Florida Gold Seal Vocational Scholars award, may receive an

3111 award for a maximum of 100 percent of the number of credit hours

3112 or equivalent clock hours required to complete one of the

3113 following at a Florida public or nonpublic education institution

3114 that offers these specific programs: for an applied technology

3115 diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60

3116 credit hours or equivalent clock hours; for a technical degree

3117 education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up

3118 to the number of hours required for a specific degree not to

3119 exceed 72 credit hours or equivalent clock hours; or for a

3120 career certificate program as defined in s. 1004.02(20)

3121 ~~1004.02(21)~~, up to the number of hours required for a specific

3122 certificate not to exceed 72 credit hours or equivalent clock

3123 hours. A student who transfers from one of these program levels

3124 to another program level becomes eligible for the higher of the

3125 two credit hour limits.

3126 Section 80. Paragraph (c) of subsection (4) of section

3127 1009.536, Florida Statutes, is amended to read:

3128 1009.536 Florida Gold Seal Vocational Scholars award.—The

3129 Florida Gold Seal Vocational Scholars award is created within

3130 the Florida Bright Futures Scholarship Program to recognize and

3131 reward academic achievement and career preparation by high

3132 school students who wish to continue their education.

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3133 (4)

3134 (c) A student who is initially eligible in the 2012-2013

3135 academic year and thereafter may earn a Florida Gold Seal

3136 Vocational Scholarship for a maximum of 100 percent of the

3137 number of credit hours or equivalent clock hours required to

3138 complete one of the following at a Florida public or nonpublic

3139 education institution that offers these specific programs: for

3140 an applied technology diploma program as defined in s.

3141 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock

3142 hours; for a technical degree education program as defined in s.

3143 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for

3144 a specific degree not to exceed 72 credit hours or equivalent

3145 clock hours; or for a career certificate program as defined in

3146 s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required

3147 for a specific certificate not to exceed 72 credit hours or

3148 equivalent clock hours.

3149 Section 81. Section 1009.56, Florida Statutes, is repealed.

3150 Section 82. Section 1009.69, Florida Statutes, is repealed.

3151 Section 83. Subsection (1) of section 1009.91, Florida

3152 Statutes, is amended to read:

3153 1009.91 Assistance programs and activities of the

3154 department.—

3155 (1) The department may contract for the administration of

3156 the student financial assistance programs as specifically

3157 provided in ss. 295.01, 1009.29, ~~1009.56~~, and 1009.78.

3158 Section 84. Paragraph (c) of subsection (2) of section

3159 1009.94, Florida Statutes, is amended to read:

3160 1009.94 Student financial assistance database.—

3161 (2) For purposes of this section, financial assistance

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3162 includes:

3163 (c) Any financial assistance provided under s. 1009.50, s.
3164 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, ~~s.~~
3165 ~~1009.56~~, s. 1009.60, s. 1009.62, s. 1009.70, s. 1009.701, s.
3166 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s.
3167 1009.891.

3168 Section 85. Part V of chapter 1009, Florida Statutes,
3169 consisting of sections 1009.99, 1009.991, 1009.992, 1009.993,
3170 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975,
3171 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981,
3172 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986,
3173 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991,
3174 1009.9992, 1009.9993, and 1009.9994, is repealed.

3175 Section 86. Paragraph (b) of subsection (13) of section
3176 1011.62, Florida Statutes, is amended to read:

3177 1011.62 Funds for operation of schools.—If the annual
3178 allocation from the Florida Education Finance Program to each
3179 district for operation of schools is not determined in the
3180 annual appropriations act or the substantive bill implementing
3181 the annual appropriations act, it shall be determined as
3182 follows:

3183 (13) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
3184 CURRENT OPERATION.—The total annual state allocation to each
3185 district for current operation for the FEFP shall be distributed
3186 periodically in the manner prescribed in the General
3187 Appropriations Act.

3188 (b) The amount thus obtained shall be the net annual
3189 allocation to each school district. However, if it is determined
3190 that any school district received an underallocation or

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3191 overallocation for any prior year because of an arithmetical
3192 error, assessment roll change required by final judicial
3193 decision, full-time equivalent student membership error, or any
3194 allocation error revealed in an audit report, the allocation to
3195 that district shall be appropriately adjusted. ~~Beginning with~~
3196 ~~audits for the 2001-2002 fiscal year, if the adjustment is the~~
3197 ~~result of an audit finding in which group 2 FTE are reclassified~~
3198 ~~to the basic program and the district weighted FTE are over the~~
3199 ~~weighted enrollment ceiling for group 2 programs, the adjustment~~
3200 ~~shall not result in a gain of state funds to the district.~~
3201 Beginning with the 2011-2012 fiscal year, if a special program
3202 cost factor is less than the basic program cost factor, an audit
3203 adjustment may not result in the reclassification of the special
3204 program FTE to the basic program FTE. If the Department of
3205 Education audit adjustment recommendation is based upon
3206 controverted findings of fact, the Commissioner of Education is
3207 authorized to establish the amount of the adjustment based on
3208 the best interests of the state.

3209 Section 87. Paragraphs (b) and (c) of subsection (3) of
3210 section 1011.71, Florida Statutes, are repealed.

3211 Section 88. Subsection (4) of section 1011.76, Florida
3212 Statutes, is repealed.

3213 Section 89. Paragraph (b) of subsection (1) of section
3214 1011.80, Florida Statutes, is amended to read:

3215 1011.80 Funds for operation of workforce education
3216 programs.—

3217 (1) As used in this section, the terms "workforce
3218 education" and "workforce education program" include:

3219 (b) Career certificate programs, as defined in s.

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3220 1004.02(20) ~~1004.02(21)~~.

3221 Section 90. Paragraphs (b), (f), (j), (m), and (p) of
3222 subsection (2) and subsection (6) of section 1012.05, Florida
3223 Statutes, are amended to read:

3224 1012.05 Teacher recruitment and retention.—

3225 (2) The Department of Education shall:

3226 (b) Advertise in major newspapers, national professional
3227 publications, and other professional publications and in public
3228 and nonpublic postsecondary educational institutions, if needed.

3229 (f) Develop and distribute promotional materials related to
3230 teaching as a career, if needed.

3231 ~~(j) Develop, in consultation with school district staff
3232 including, but not limited to, district school superintendents,
3233 district school board members, and district human resources
3234 personnel, a long-range plan for educator recruitment and
3235 retention.~~

3236 ~~(m) Develop and implement a First Response Center to
3237 provide educator candidates one-stop shopping for information on
3238 teaching careers in Florida and establish the Teacher Lifeline
3239 Network to provide online support to beginning teachers and
3240 those needing assistance.~~

3241 (n) ~~(p)~~ Notify each teacher, via e-mail, of each item in the
3242 General Appropriations Act and legislation that affects
3243 teachers, including, but not limited to, ~~the Excellent Teaching
3244 Program~~, the Florida Teachers Classroom Supply Assistance
3245 Program, ~~liability insurance protection for teachers~~, death
3246 benefits for teachers, substantive legislation, rules of the
3247 State Board of Education, and issues concerning student
3248 achievement.

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3249 ~~(6) The Commissioner of Education shall take steps that~~
3250 ~~provide flexibility and consistency in meeting the highly~~
3251 ~~qualified teacher criteria as defined in the No Child Left~~
3252 ~~Behind Act of 2001 through a High, Objective, Uniform State~~
3253 ~~Standard of Evaluation (HOUSSE).~~

3254 Section 91. Paragraph (b) of subsection (1) of section
3255 1012.22, Florida Statutes, is amended to read:

3256 1012.22 Public school personnel; powers and duties of the
3257 district school board.—The district school board shall:

3258 (1) Designate positions to be filled, prescribe
3259 qualifications for those positions, and provide for the
3260 appointment, compensation, promotion, suspension, and dismissal
3261 of employees as follows, subject to the requirements of this
3262 chapter:

3263 (b) *Time to act on nominations.*—The district school board
3264 shall act no ~~not~~ later than 3 weeks following the receipt of
3265 statewide, standardized assessment scores and data under s.
3266 1008.22 and, ~~including~~ school grades, or June 30, whichever is
3267 later, on the district school superintendent's nominations of
3268 supervisors, principals, and members of the instructional staff.

3269 Section 92. Subsection (9) of section 1012.33, Florida
3270 Statutes, is repealed.

3271 Section 93. Paragraph (b) of subsection (1), paragraph (a)
3272 of subsection (3), and subsection (6) of section 1012.34,
3273 Florida Statutes, are amended to read:

3274 1012.34 Personnel evaluation procedures and criteria.—

3275 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

3276 (b) The department must approve each school district's
3277 instructional personnel and school administrator evaluation

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3278 systems. The department shall monitor each district's
3279 implementation of its instructional personnel and school
3280 administrator evaluation systems for compliance with the
3281 requirements of this section and s. 1012.3401.

3282 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
3283 personnel and school administrator performance evaluations must
3284 be based upon the performance of students assigned to their
3285 classrooms or schools, as provided in this section. Pursuant to
3286 this section, a school district's performance evaluation is not
3287 limited to basing unsatisfactory performance of instructional
3288 personnel and school administrators solely upon student
3289 performance, but may include other criteria approved to evaluate
3290 instructional personnel and school administrators' performance,
3291 or any combination of student performance and other approved
3292 criteria. Evaluation procedures and criteria must comply with,
3293 but are not limited to, the following:

3294 (a) A performance evaluation must be conducted for each
3295 employee at least once a year, except that a classroom teacher,
3296 as defined in s. 1012.01(2)(a), excluding substitute teachers,
3297 who is newly hired by the district school board must be observed
3298 and evaluated at least twice in the first year of teaching in
3299 the school district. The performance evaluation must be based
3300 upon sound educational principles and contemporary research in
3301 effective educational practices. The evaluation criteria must
3302 include:

3303 1. Performance of students.—At least 50 percent of a
3304 performance evaluation must be based upon data and indicators of
3305 student learning growth assessed annually by statewide
3306 assessments or, for subjects and grade levels not measured by

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3307 statewide assessments, by school district assessments as
3308 provided in s. 1008.22(6) ~~1008.22(8)~~. Each school district must
3309 use the formula adopted pursuant to paragraph (7)(a) for
3310 measuring student learning growth in all courses associated with
3311 statewide assessments and must select an equally appropriate
3312 formula for measuring student learning growth for all other
3313 grades and subjects, except as otherwise provided in subsection
3314 (7).

3315 a. For classroom teachers, as defined in s. 1012.01(2)(a),
3316 excluding substitute teachers, the student learning growth
3317 portion of the evaluation must include growth data for students
3318 assigned to the teacher over the course of at least 3 years. If
3319 less than 3 years of data are available, the years for which
3320 data are available must be used and the percentage of the
3321 evaluation based upon student learning growth may be reduced to
3322 not less than 40 percent.

3323 b. For instructional personnel who are not classroom
3324 teachers, the student learning growth portion of the evaluation
3325 must include growth data on statewide assessments for students
3326 assigned to the instructional personnel over the course of at
3327 least 3 years, or may include a combination of student learning
3328 growth data and other measurable student outcomes that are
3329 specific to the assigned position, provided that the student
3330 learning growth data accounts for not less than 30 percent of
3331 the evaluation. If less than 3 years of student growth data are
3332 available, the years for which data are available must be used
3333 and the percentage of the evaluation based upon student learning
3334 growth may be reduced to not less than 20 percent.

3335 c. For school administrators, the student learning growth

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3336 portion of the evaluation must include growth data for students
3337 assigned to the school over the course of at least 3 years. If
3338 less than 3 years of data are available, the years for which
3339 data are available must be used and the percentage of the
3340 evaluation based upon student learning growth may be reduced to
3341 not less than 40 percent.

3342 2. Instructional practice.—Evaluation criteria used when
3343 annually observing classroom teachers, as defined in s.
3344 1012.01(2)(a), excluding substitute teachers, must include
3345 indicators based upon each of the Florida Educator Accomplished
3346 Practices adopted by the State Board of Education. For
3347 instructional personnel who are not classroom teachers,
3348 evaluation criteria must be based upon indicators of the Florida
3349 Educator Accomplished Practices and may include specific job
3350 expectations related to student support.

3351 3. Instructional leadership.—For school administrators,
3352 evaluation criteria must include indicators based upon each of
3353 the leadership standards adopted by the State Board of Education
3354 under s. 1012.986, including performance measures related to the
3355 effectiveness of classroom teachers in the school, the
3356 administrator's appropriate use of evaluation criteria and
3357 procedures, recruitment and retention of effective and highly
3358 effective classroom teachers, improvement in the percentage of
3359 instructional personnel evaluated at the highly effective or
3360 effective level, and other leadership practices that result in
3361 student learning growth. The system may include a means to give
3362 parents and instructional personnel an opportunity to provide
3363 input into the administrator's performance evaluation.

3364 4. Professional and job responsibilities.—For instructional

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3365 personnel and school administrators, other professional and job
3366 responsibilities must be included as adopted by the State Board
3367 of Education. The district school board may identify additional
3368 professional and job responsibilities.

3369 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
3370 EVALUATION SYSTEMS.—The district school board shall establish a
3371 procedure for annually reviewing instructional personnel and
3372 school administrator evaluation systems to determine compliance
3373 with this section and s. 1012.3401. All substantial revisions to
3374 an approved system must be reviewed and approved by the district
3375 school board before being used to evaluate instructional
3376 personnel or school administrators. Upon request by a school
3377 district, the department shall provide assistance in developing,
3378 improving, or reviewing an evaluation system.

3379 Section 94. Section 1012.44, Florida Statutes, is amended
3380 to read:

3381 1012.44 Qualifications for certain persons providing
3382 speech-language services.—The State Board of Education shall
3383 adopt rules for speech-language services to school districts
3384 that qualify for the sparsity supplement as described in s.
3385 1011.62(7). These services may be provided by baccalaureate
3386 degree level persons for a period of 3 years. The rules shall
3387 authorize the delivery of speech-language services by
3388 baccalaureate degree level persons under the direction of a
3389 certified speech-language pathologist with a master's degree or
3390 higher. ~~By October 1, 2003, these rules shall be reviewed by the~~
3391 ~~State Board of Education.~~

3392 Section 95. Section 1012.561, Florida Statutes, is amended
3393 to read:

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3394 1012.561 Address of record.—Each certified educator or
3395 applicant for certification is solely responsible for
3396 maintaining his or her current address with the Department of
3397 Education and for notifying the department in writing of a
3398 change of address. ~~By January 1, 2005, each educator and~~
3399 ~~applicant for certification must have on file with the~~
3400 ~~department a current mailing address. Thereafter,~~ A certified
3401 educator or applicant for certification who is employed by a
3402 district school board shall notify his or her employing school
3403 district within 10 days after a change of address. At a minimum,
3404 the employing district school board shall notify the department
3405 monthly of the addresses of the certified educators or
3406 applicants for certification in the manner prescribed by the
3407 department. A certified educator or applicant for certification
3408 who is not employed by a district school board shall personally
3409 notify the department in writing within 30 days after a change
3410 of address. The department shall permit electronic notification;
3411 however, it is the responsibility of the certified educator or
3412 applicant for certification to ensure that the department has
3413 received the electronic notification.

3414 Section 96. Section 1012.595, Florida Statutes, is
3415 repealed.

3416 Section 97. Subsections (2), (3), and (4) of section
3417 1012.885, Florida Statutes, are amended to read:

3418 1012.885 Remuneration of Florida College System institution
3419 presidents; limitations.—

3420 ~~(2) LIMITATION ON COMPENSATION. Notwithstanding any other~~
3421 ~~law, resolution, or rule to the contrary, a Florida College~~
3422 ~~System institution president may not receive more than \$225,000~~

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3423 ~~in remuneration annually from appropriated state funds. Only~~
3424 ~~compensation, as defined in s. 121.021(22), provided to a~~
3425 ~~Florida College System institution president may be used in~~
3426 ~~calculating benefits under chapter 121.~~

3427 (2) ~~(3)~~ EXCEPTIONS.—This section does not prohibit a ~~any~~
3428 party from providing cash or cash-equivalent compensation from
3429 funds that are not appropriated state funds to a Florida College
3430 System institution president in excess of the limit in
3431 subsection (3) ~~(2)~~. If a party is unable or unwilling to fulfill
3432 an obligation to provide cash or cash-equivalent compensation to
3433 a Florida College System institution president as permitted
3434 under this subsection, appropriated state funds may not be used
3435 to fulfill such obligation.

3436 (3) ~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
3437 resolution, or rule to the contrary ~~the provisions of this~~
3438 ~~section~~, a Florida College System institution president may not
3439 receive more than \$200,000 in remuneration from appropriated
3440 state funds. Only compensation, as defined in s. 121.021(22),
3441 provided to a Florida College System institution president may
3442 be used in calculating benefits under chapter 121.

3443 Section 98. Subsections (2), (3), and (4) of section
3444 1012.975, Florida Statutes, are amended to read:

3445 1012.975 Remuneration of state university presidents;
3446 limitations.—

3447 ~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other~~
3448 ~~law, resolution, or rule to the contrary, a state university~~
3449 ~~president may not receive more than \$225,000 in remuneration~~
3450 ~~annually from public funds. Only compensation, as such term is~~
3451 ~~defined in s. 121.021(22), provided to a state university~~

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3452 ~~president may be used in calculating benefits under chapter 121.~~

3453 (2)~~(3)~~ EXCEPTIONS.—This section does not prohibit a ~~any~~
3454 party from providing cash or cash-equivalent compensation from
3455 funds that are not public funds to a state university president
3456 in excess of the limit in subsection (3) ~~(2)~~. If a party is
3457 unable or unwilling to fulfill an obligation to provide cash or
3458 cash-equivalent compensation to a state university president as
3459 permitted under this subsection, public funds may not be used to
3460 fulfill such obligation.

3461 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
3462 resolution, or rule to the contrary ~~the provisions of this~~
3463 ~~section~~, a state university president may not receive more than
3464 \$200,000 in remuneration from public funds. Only compensation,
3465 as defined in s. 121.021(22), provided to a state university
3466 president may be used in calculating benefits under chapter 121.

3467 Section 99. Subsection (12) of section 1012.98, Florida
3468 Statutes, is amended to read:

3469 1012.98 School Community Professional Development Act.—

3470 (12) The department shall require teachers in grades K-12
3471 ~~1-12~~ to participate in continuing education training provided by
3472 the Department of Children and Family Services on identifying
3473 and reporting child abuse and neglect.

3474 Section 100. Paragraph (f) of subsection (2) of section
3475 1013.35, Florida Statutes, is amended to read:

3476 1013.35 School district educational facilities plan;
3477 definitions; preparation, adoption, and amendment; long-term
3478 work programs.—

3479 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
3480 FACILITIES PLAN.—

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3481 (f) Not less than once every 5 years, the district school
3482 board shall have an ~~a financial management and performance~~ audit
3483 conducted of the district's educational planning and
3484 construction activities ~~of the district~~. An operational audit
3485 conducted by ~~the Office of Program Policy Analysis and~~
3486 ~~Government Accountability~~ and the Auditor General pursuant to s.
3487 11.45 ~~1008.35~~ satisfies this requirement.

3488 Section 101. Section 1013.47, Florida Statutes, is amended
3489 to read:

3490 1013.47 Substance of contract; contractors to give bond;
3491 penalties.—Each board shall develop contracts consistent with
3492 this chapter and statutes governing public facilities. Such a
3493 contract must contain the drawings and specifications of the
3494 work to be done and the material to be furnished, the time limit
3495 in which the construction is to be completed, the time and
3496 method by which payments are to be made upon the contract, and
3497 the penalty to be paid by the contractor for a ~~any~~ failure to
3498 comply with the terms of the contract. The board may require the
3499 contractor to pay a penalty for any failure to comply with the
3500 terms of the contract and may provide an incentive for early
3501 completion. Upon accepting a satisfactory bid, the board shall
3502 enter into a contract with the party or parties whose bid has
3503 been accepted. The contractor shall furnish the board with a
3504 performance and payment bond as set forth in s. 255.05. A board
3505 or other public entity may not require a contractor to secure a
3506 surety bond under s. 255.05 from a specific agent or bonding
3507 company. ~~Notwithstanding any other provision of this section, if~~
3508 ~~25 percent or more of the costs of any construction project is~~
3509 ~~paid out of a trust fund established pursuant to 31 U.S.C. s.~~

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3510 ~~1243(a)(1), laborers and mechanics employed by contractors or~~
3511 ~~subcontractors on such construction will be paid wages not less~~
3512 ~~than those prevailing on similar construction projects in the~~
3513 ~~locality, as determined by the Secretary of Labor in accordance~~
3514 ~~with the Davis-Bacon Act, as amended.~~ A person, firm, or
3515 corporation that constructs any part of any educational plant,
3516 or addition thereto, on the basis of any unapproved plans or in
3517 violation of any plans approved in accordance with the
3518 provisions of this chapter and rules of the State Board of
3519 Education or regulations of the Board of Governors relating to
3520 building standards or specifications is subject to forfeiture of
3521 the surety bond and unpaid compensation in an amount sufficient
3522 to reimburse the board for any costs that will need to be
3523 incurred in making any changes necessary to assure that all
3524 requirements are met and is also guilty of a misdemeanor of the
3525 second degree, punishable as provided in s. 775.082 or s.
3526 775.083, for each separate violation.

3527 Section 102. Section 1013.49, Florida Statutes, is
3528 repealed.

3529 Section 103. Section 1013.512, Florida Statutes, is
3530 repealed.

3531 Section 104. Section 20 of chapter 2010-24, Laws of
3532 Florida, is repealed.

3533 Section 105. This act shall take effect upon becoming a
3534 law.