

By the Committees on Rules; and 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, F.S.; conforming cross-
10 references; amending s. 496.404, F.S.; conforming
11 cross-references; amending s. 775.215, F.S.;
12 conforming cross-references; amending s. 984.151,
13 F.S.; 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; amending s. 1001.34, F.S.; establishing a

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30 process for modifying the membership of a district
31 school board; providing for a referendum; repealing
32 ss. 1001.47(7) and 1001.50(6), F.S., relating to
33 obsolete district school superintendent salary
34 provisions; repealing s. 1001.62, F.S., relating to
35 obsolete provisions for the transfer of benefits
36 arising under local or special acts; repealing s.
37 1001.73(3), F.S., relating to the abolished Board of
38 Regents as trustee; amending s. 1002.20, F.S.;
39 correcting cross-references and conforming provisions;
40 amending s. 1002.31, F.S.; revising provisions
41 relating to school district controlled open enrollment
42 plans; amending s. 1002.3105, F.S.; conforming
43 provisions; amending s. 1002.321, F.S.; conforming
44 provisions; amending s. 1002.33, F.S.; deleting
45 required training before charter school application;
46 conforming cross-references and provisions; amending
47 s. 1002.34, F.S.; conforming cross-references;
48 revising provisions relating to department assistance
49 to charter technical career centers; amending s.
50 1002.345, F.S.; revising provisions relating to
51 expedited review of deteriorating financial conditions
52 for a charter school or charter technical career
53 center; deleting an annual reporting requirement;
54 amending s. 1002.39, F.S.; deleting obsolete
55 provisions relating to eligibility for a John M. McKay
56 Scholarship; amending s. 1002.41, F.S.; correcting
57 cross-references; repealing s. 1002.415, F.S.,
58 relating to the K-8 Virtual School Program; amending

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59 s. 1002.45, F.S.; conforming cross-references;
60 amending s. 1002.455, F.S.; conforming provisions;
61 repealing s. 1002.65, F.S., relating to aspirational
62 goals for credentials of prekindergarten instructors;
63 amending s. 1003.01, F.S.; conforming cross-
64 references; amending s. 1003.02, F.S.; requiring
65 instructional materials to be consistent with course
66 descriptions; amending s. 1003.03, F.S.; conforming
67 cross-references; amending s. 1003.41, F.S.; deleting
68 an obsolete cost analysis requirement relating to a
69 separate financial literacy course; amending s.
70 1003.4156, F.S.; revising course and assessment
71 requirements for middle grades students for promotion
72 to high school; providing an exemption for transfer
73 students from certain course grade and assessment
74 requirements; repealing s. 1003.428, F.S., relating to
75 obsolete requirements for high school graduation;
76 amending s. 1003.4281, F.S.; conforming cross-
77 references; amending s. 1003.4282, F.S.; revising
78 course and assessment requirements for the award of a
79 standard high school diploma; providing requirements
80 for a student in an adult general education program to
81 be awarded a standard high school diploma; revising
82 requirements for award of a certificate of completion;
83 providing an exemption for transfer students from
84 certain course grade and assessment requirements;
85 providing specificity regarding course and assessment
86 requirements for graduation for certain cohorts of
87 high school students transitioning to new graduation

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88 requirements; providing for future repeal of
89 transition requirements; amending s. 1003.4285, F.S.;
90 revising requirements for standard high school diploma
91 designations; amending s. 1003.438, F.S.; conforming
92 cross-references; repealing s. 1003.451(5), F.S.,
93 relating to State Board of Education rulemaking;
94 amending s. 1003.49, F.S.; conforming cross-
95 references; amending s. 1003.493, F.S.; conforming a
96 cross-reference; amending s. 1003.4935, F.S.;
97 conforming a cross-reference; amending s. 1003.57,
98 F.S., relating to exceptional student instruction;
99 amending s. 1003.621, F.S.; revising audit criteria
100 for academically high-performing school districts;
101 repealing s. 1004.02(4), F.S., relating to the
102 definition of the term "adult high school credit
103 program"; amending s. 1004.0961, F.S.; providing for
104 Board of Governors regulations; repealing s.
105 1004.3825, F.S., relating to authorization for a
106 medical degree program; repealing s. 1004.387, F.S.,
107 relating to authorization for a pharmacy degree
108 program; repealing s. 1004.445(2), F.S., relating to
109 the board of directors of the Johnnie B. Byrd, Sr.
110 Alzheimer's Center and Research Institute; repealing
111 s. 1004.75, F.S., relating to training school
112 consolidation pilot projects; amending s. 1004.935,
113 F.S.; revising the effective date of the Adults with
114 Disabilities Workforce Education Pilot Program;
115 increasing the age limitation for a program
116 participant; conforming cross-references; repealing s.

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117 1006.141, F.S., relating to a statewide school safety
118 hotline; amending s. 1006.147, F.S.; deleting obsolete
119 provisions relating to school district bullying and
120 harassment policies; repealing s. 1006.148(2), F.S.,
121 relating to a department-developed model dating
122 violence and abuse policy; amending s. 1006.15, F.S.;
123 conforming cross-references; amending s. 1006.28,
124 F.S.; conforming provisions relating to instructional
125 materials; amending s. 1006.31, F.S.; conforming
126 provisions relating to duties of an instructional
127 materials reviewer; amending s. 1006.34, F.S.;
128 revising provisions relating to standards used in the
129 selection of instructional materials; amending s.
130 1006.40, F.S.; revising provisions relating to
131 district school board purchase of instructional
132 materials; amending s. 1006.42, F.S.; conforming
133 provisions relating to the responsibility of parents
134 for instructional materials; amending s. 1007.02,
135 F.S.; deleting a popular name and providing
136 applicability for the term "student with a
137 disability"; amending s. 1007.2615, F.S.; deleting
138 obsolete provisions relating to an American Sign
139 Language task force; amending s. 1007.263, F.S.;
140 conforming cross-references; amending ss. 1007.264 and
141 1007.265, F.S.; conforming provisions; amending s.
142 1007.271, F.S.; correcting cross-references; amending
143 s. 1008.22, F.S.; conforming and revising provisions
144 relating to the implementation of statewide,
145 standardized comprehensive assessments, end-of-course

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

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175 s. 1011.62, F.S.; deleting an obsolete provision;
176 repealing s. 1011.71(3)(b) and (c), F.S., relating to
177 expired authorization for certain millage levy;
178 repealing s. 1011.76(4), F.S., relating to best
179 financial management practices review under the Small
180 School District Stabilization Program; amending s.
181 1011.80, F.S.; correcting a cross-reference; amending
182 s. 1012.05, F.S.; deleting department and commissioner
183 duties relating to teacher recruitment and retention;
184 amending s. 1012.22, F.S.; conforming provisions;
185 repealing s. 1012.33(9), F.S., relating to obsolete
186 provisions for payment of professional service
187 contracts; amending s. 1012.34, F.S.; correcting
188 cross-references relating to measuring student
189 performance in personnel evaluations; amending s.
190 1012.44, F.S.; deleting obsolete provisions; amending
191 s. 1012.561, F.S.; deleting an obsolete provision;
192 repealing s. 1012.595, F.S., relating to an obsolete
193 saving clause for educator certificates; amending s.
194 1012.885, F.S.; deleting certain provisions relating
195 to remuneration of Florida College System institution
196 presidents; amending s. 1012.975, F.S.; deleting
197 certain provisions relating to remuneration of state
198 university presidents; amending s. 1012.98, F.S.;
199 requiring continuing education training for
200 kindergarten teachers; amending s. 1013.35, F.S.;
201 revising audit requirements for school district
202 educational planning and construction activities;
203 amending s. 1013.47, F.S.; deleting provisions

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204 relating to payment of wages of certain persons
205 employed by contractors; repealing s. 1013.49, F.S.,
206 relating to toxic substances in educational
207 facilities; repealing s. 1013.512, F.S., relating to
208 the Land Acquisition and Facilities Advisory Board;
209 repealing s. 20 of chapter 2010-24, Laws of Florida,
210 relating to Department of Revenue authorization to
211 adopt emergency rules; providing an effective date.
212

213 Be It Enacted by the Legislature of the State of Florida:
214

215 Section 1. Paragraph (j) of subsection (7) of section
216 11.45, Florida Statutes, is amended to read:

217 11.45 Definitions; duties; authorities; reports; rules.—

218 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

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

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

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233 2. If the committee determines that the written statement
234 is not sufficient, the committee may require the chair of the
235 district school board or the chair of the governing body of the
236 state university or Florida College System institution, or the
237 chair's designee, to appear before the committee.

238 3. If the committee determines that the district school
239 board, state university, or Florida College System institution
240 has failed to take full corrective action for which there is no
241 justifiable reason or has failed to comply with committee
242 requests made pursuant to this section, the committee shall
243 refer the matter to the State Board of Education or the Board of
244 Governors, as appropriate, to proceed in accordance with s.
245 1008.32 or s. 1008.322, respectively.

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

248 120.74 Agency review, revision, and report.—

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

251 Section 3. Paragraph (c) of subsection (1) of section
252 120.81, Florida Statutes, is amended to read:

253 120.81 Exceptions and special requirements; general areas.—

254 (1) EDUCATIONAL UNITS.—

255 (c) Notwithstanding s. 120.52(16), any tests, test scoring
256 criteria, or testing procedures relating to student assessment
257 which are developed or administered by the Department of
258 Education pursuant to s. 1003.4282 ~~1003.428~~, ~~s. 1003.429~~, s.
259 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
260 educational tests required by law, are not rules.

261 Section 4. Paragraph (a) of subsection (2) of section

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262 409.1451, Florida Statutes, is amended to read:

263 409.1451 The Road-to-Independence Program.—

264 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

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

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

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

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

289 5. Has reached 18 years of age but is not yet 23 years of
290 age;

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291 6. Has applied, with assistance from the young adult's
292 caregiver and the community-based lead agency, for any other
293 grants and scholarships for which he or she may qualify;

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

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

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

300 496.404 Definitions.—As used in ss. 496.401-496.424:

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

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320 consumer certificate of exemption and that are either an
321 educational institution as defined in this subsection or
322 qualified as a nonprofit organization pursuant to s. 501(c)(3)
323 of the Internal Revenue Code.

324 Section 6. Paragraph (d) of subsection (1) of section
325 775.215, Florida Statutes, is amended to read:

326 775.215 Residency restriction for persons convicted of
327 certain sex offenses.—

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

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

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

340 984.151 Truancy petition; prosecution; disposition.—

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

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349 Section 8. Subsection (5) of section 1000.01, Florida
350 Statutes, is repealed.

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

353 1000.21 Systemwide definitions.—As used in the Florida K-20
354 Education Code:

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

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

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

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

363 1001.10 Commissioner of Education; general powers and
364 duties.—

365 (6) Additionally, the commissioner has the following
366 general powers and duties:

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

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378 ~~committee to review the proposed plan.~~

379 ~~(k)(1) To prepare, publish, and disseminate maintain a~~
380 ~~Citizen Information Center responsible for the preparation,~~
381 ~~publication, and dissemination of user-friendly materials~~
382 ~~relating to the state's education system, including the state's~~
383 ~~K-12 scholarship programs and the Voluntary Prekindergarten~~
384 ~~Education Program.~~

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

386 Section 14. Section 1001.26, Florida Statutes, is amended
387 to read:

388 1001.26 Public broadcasting program system.—

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

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

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

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

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

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

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

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

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436 ~~Education rules necessary to provide such services.~~

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

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

464 (b) A violation of a prohibition contained in this

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465 subsection is a misdemeanor of the second degree, punishable as
466 provided in s. 775.082 or s. 775.083.

467 Section 15. Section 1001.34, Florida Statutes, is amended
468 to read:

469 1001.34 Membership of district school board.—

470 (1) Each district school board shall be composed of not
471 less than five members. Each member of the district school board
472 shall be a qualified elector of the district in which she or he
473 serves, shall be a resident of the district school board member
474 residence area from which she or he is elected, and shall
475 maintain said residency throughout her or his term of office.

476 (2) A district school board may modify the number of
477 members on its board by adopting a resolution that establishes
478 the total number of members on the board, which may not be less
479 than five, and the number of members who shall be elected by
480 residence areas or elected at large. The resolution must specify
481 an orderly method and procedure for modifying the membership of
482 the board, including staggering terms of additional members as
483 necessary. If the resolution is adopted, the district school
484 board shall submit to the electors for approval at a referendum
485 held at the next primary or general election the question of
486 whether the number of board members should be modified in
487 accordance with the resolution adopted by the district school
488 board. If the referendum is approved, election of additional
489 school board members may occur at any primary, general, or
490 otherwise-called special election.

491 Section 16. Subsection (7) of section 1001.47, Florida
492 Statutes, is repealed.

493 Section 17. Subsection (6) of section 1001.50, Florida

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494 Statutes, is repealed.

495 Section 18. Section 1001.62, Florida Statutes, is repealed.

496 Section 19. Subsection (3) of section 1001.73, Florida
497 Statutes, is repealed.

498 Section 20. Subsections (8), (16), and (21) of section
499 1002.20, Florida Statutes, are amended to read:

500 1002.20 K-12 student and parent rights.—Parents of public
501 school students must receive accurate and timely information
502 regarding their child's academic progress and must be informed
503 of ways they can help their child to succeed in school. K-12
504 students and their parents are afforded numerous statutory
505 rights including, but not limited to, the following:

506 (8) STUDENTS WITH DISABILITIES.—Parents of public school
507 students with disabilities and parents of public school students
508 in residential care facilities are entitled to notice and due
509 process in accordance with the provisions of ss. 1003.57 and
510 1003.58. Public school students with disabilities must be
511 provided the opportunity to meet the graduation requirements for
512 a standard high school diploma as set forth in s. 1003.4282 in
513 accordance with the provisions of ss. 1003.57 and 1008.22 ~~s.~~
514 ~~1003.428(3)~~. Pursuant to s. 1003.438, certain public school
515 students with disabilities may be awarded a special diploma upon
516 high school graduation.

517 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
518 REPORTS.—Parents of public school students are entitled to an
519 easy-to-read report card about the school's grade designation
520 or, if applicable under s. 1008.341, the school's improvement
521 rating, and the school's ~~school~~ accountability report, including
522 the school financial report as required under s. 1010.215, ~~and~~

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523 ~~school improvement rating of their child's school in accordance~~
524 ~~with the provisions of ss. 1008.22, 1003.02(3), and 1010.215(5).~~

525 (21) PARENTAL INPUT AND MEETINGS.—

526 (a) *Meetings with school district personnel.*—Parents of
527 public school students may be accompanied by another adult of
528 their choice at a ~~any~~ meeting with school district personnel.
529 School district personnel may not object to the attendance of
530 such adult or discourage or attempt to discourage, through an
531 ~~any~~ action, statement, or other means, the parents of students
532 with disabilities from inviting another person of their choice
533 to attend a ~~any~~ meeting. Such prohibited actions include, but
534 are not limited to, attempted or actual coercion or harassment
535 of parents or students or retaliation or threats of consequences
536 to parents or students.

537 1. Such meetings include, but are not limited to, meetings
538 related to: the eligibility for exceptional student education or
539 related services; the development of an individual family
540 support plan (IFSP); the development of an individual education
541 plan (IEP); the development of a 504 accommodation plan issued
542 under s. 504 of the Rehabilitation Act of 1973; the transition
543 of a student from early intervention services to other services;
544 the development of postsecondary goals for a student with a
545 disability and the transition services needed to reach those
546 goals; and other issues that may affect the a student's
547 educational environment, discipline, or placement of a student
548 with a disability.

549 2. The parents and school district personnel attending the
550 meeting shall sign a document at the meeting's conclusion which
551 states whether any school district personnel have prohibited,

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552 discouraged, or attempted to discourage the parents from
553 inviting a person of their choice to the meeting.

554 ~~(b) School district best financial management practice~~
555 ~~reviews. Public school students and their parents may provide~~
556 ~~input regarding their concerns about the operations and~~
557 ~~management of the school district both during and after the~~
558 ~~conduct of a school district best financial management practices~~
559 ~~review, in accordance with the provisions of s. 1008.35.~~

560 ~~(b)(e) District school board educational facilities~~
561 ~~programs.—Parents of public school students and other members of~~
562 ~~the public have the right to receive proper public notice and~~
563 ~~opportunity for public comment regarding the district school~~
564 ~~board's educational facilities work program, in accordance with~~
565 ~~the provisions of s. 1013.35.~~

566 Section 21. Subsections (2) through (8) of section 1002.31,
567 Florida Statutes, are amended to read:

568 1002.31 Controlled open enrollment; public school parental
569 choice.—

570 (2) Each district school board may offer controlled open
571 enrollment within the public schools which is. ~~The controlled~~
572 ~~open enrollment program shall be offered~~ in addition to the
573 existing choice programs such as virtual instruction programs,
574 magnet schools, alternative schools, special programs, advanced
575 placement, and dual enrollment.

576 (3) Each district school board offering controlled open
577 enrollment shall adopt by rule and post on its website ~~develop~~ a
578 controlled open enrollment plan which must: ~~describes the~~
579 ~~implementation of subsection (2).~~

580 ~~(a)(4) School districts shall~~ Adhere to federal

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581 ~~desegregation requirements. No controlled open enrollment plan~~
582 ~~that conflicts with federal desegregation orders shall be~~
583 ~~implemented.~~

584 ~~(5) Each school district shall develop a system of~~
585 ~~priorities for its plan that includes consideration of the~~
586 ~~following:~~

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

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

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

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

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

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

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

600 (f) ~~(g)~~ Address the availability of transportation.

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

603 ~~(i)~~ A strategy that establishes a clearinghouse of
604 information designed to assist parents in making informed
605 choices.

606 ~~(6) Plans shall be submitted to the Commissioner of~~
607 ~~Education. The Commissioner of Education shall develop an annual~~
608 ~~report on the status of school choice and deliver the report to~~
609 ~~the Governor, the President of the Senate, and the Speaker of~~

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610 ~~the House of Representatives at least 90 days prior to the~~
611 ~~convening of the regular session of the Legislature.~~

612 ~~(7) Notwithstanding any provision of this section, a school~~
613 ~~district with schools operating on both multiple session~~
614 ~~schedules and single session schedules shall afford parents of~~
615 ~~students in multiple session schools preferred access to the~~
616 ~~controlled open enrollment program of the school district.~~

617 (4)(8) In accordance with the reporting requirements of s.
618 1011.62, each district school board shall annually report the
619 number of students ~~applying for and~~ attending the various types
620 of public schools of choice in the district, including schools
621 such as virtual instruction programs, magnet schools, and public
622 charter schools, according to rules adopted by the State Board
623 of Education.

624 Section 22. Subsection (5) of section 1002.3105, Florida
625 Statutes, is amended to read:

626 1002.3105 Academically Challenging Curriculum to Enhance
627 Learning (ACCEL) options.—

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

635 Section 23. Subsection (3) of section 1002.321, Florida
636 Statutes, is amended to read:

637 1002.321 Digital learning.—

638 (3) DIGITAL PREPARATION.—As required under s. 1003.4282, a

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639 ~~Each~~ student entering grade 9 in the 2011-2012 school year and
640 thereafter who seeks a high school diploma must take graduate
641 ~~from high school having taken~~ at least one online course, ~~as~~
642 ~~provided in s. 1003.428.~~

643 Section 24. Paragraph (a) of subsection (6), paragraph (a)
644 of subsection (7), and subsection (25) of section 1002.33,
645 Florida Statutes, are amended to read:

646 1002.33 Charter schools.—

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

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

652 1. Demonstrates how the school will use the guiding
653 principles and meet the statutorily defined purpose of a charter
654 school.

655 2. Provides a detailed curriculum plan that illustrates how
656 students will be provided services to attain the Sunshine State
657 Standards.

658 3. Contains goals and objectives for improving student
659 learning and measuring that improvement. These goals and
660 objectives must indicate how much academic improvement students
661 are expected to show each year, how success will be evaluated,
662 and the specific results to be attained through instruction.

663 4. Describes the reading curriculum and differentiated
664 strategies that will be used for students reading at grade level
665 or higher and a separate curriculum and strategies for students
666 who are reading below grade level. A sponsor shall deny a
667 charter if the school does not propose a reading curriculum that

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668 is consistent with effective teaching strategies that are
669 grounded in scientifically based reading research.

670 5. Contains an annual financial plan for each year
671 requested by the charter for operation of the school for up to 5
672 years. This plan must contain anticipated fund balances based on
673 revenue projections, a spending plan based on projected revenues
674 and expenses, and a description of controls that will safeguard
675 finances and projected enrollment trends.

676 6. Contains Documents that the applicant has participated
677 ~~in the training required in subparagraph (f)2. A sponsor may~~
678 ~~require an applicant to provide~~ additional information a sponsor
679 may require, which shall be attached as an addendum to the
680 charter school application described in this paragraph.

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

684 (7) CHARTER.—The major issues involving the operation of a
685 charter school shall be considered in advance and written into
686 the charter. The charter shall be signed by the governing board
687 of the charter school and the sponsor, following a public
688 hearing to ensure community input.

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

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

693 2. The focus of the curriculum, the instructional methods
694 to be used, any distinctive instructional techniques to be
695 employed, and identification and acquisition of appropriate
696 technologies needed to improve educational and administrative

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697 performance which include a means for promoting safe, ethical,
698 and appropriate uses of technology which comply with legal and
699 professional standards.

700 a. The charter shall ensure that reading is a primary focus
701 of the curriculum and that resources are provided to identify
702 and provide specialized instruction for students who are reading
703 below grade level. The curriculum and instructional strategies
704 for reading must be consistent with the Next Generation Sunshine
705 State Standards and grounded in scientifically based reading
706 research.

707 b. In order to provide students with access to diverse
708 instructional delivery models, to facilitate the integration of
709 technology within traditional classroom instruction, and to
710 provide students with the skills they need to compete in the
711 21st century economy, the Legislature encourages instructional
712 methods for blended learning courses consisting of both
713 traditional classroom and online instructional techniques.
714 Charter schools may implement blended learning courses which
715 combine traditional classroom instruction and virtual
716 instruction. Students in a blended learning course must be full-
717 time students of the charter school and receive the online
718 instruction in a classroom setting at the charter school.
719 Instructional personnel certified pursuant to s. 1012.55 who
720 provide virtual instruction for blended learning courses may be
721 employees of the charter school or may be under contract to
722 provide instructional services to charter school students. At a
723 minimum, such instructional personnel must hold an active state
724 or school district adjunct certification under s. 1012.57 for
725 the subject area of the blended learning course. The funding and

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726 performance accountability requirements for blended learning
727 courses are the same as those for traditional courses.

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

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

734 b. How these baseline rates will be compared to rates of
735 academic progress achieved by these same students while
736 attending the charter school.

737 c. To the extent possible, how these rates of progress will
738 be evaluated and compared with rates of progress of other
739 closely comparable student populations.

740

741 The district school board is required to provide academic
742 student performance data to charter schools for each of their
743 students coming from the district school system, as well as
744 rates of academic progress of comparable student populations in
745 the district school system.

746 4. The methods used to identify the educational strengths
747 and needs of students and how well educational goals and
748 performance standards are met by students attending the charter
749 school. The methods shall provide a means for the charter school
750 to ensure accountability to its constituents by analyzing
751 student performance data and by evaluating the effectiveness and
752 efficiency of its major educational programs. Students in
753 charter schools shall, at a minimum, participate in the
754 statewide assessment program created under s. 1008.22.

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

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

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

762 8. The ways by which the school will achieve a
763 racial/ethnic balance reflective of the community it serves or
764 within the racial/ethnic range of other public schools in the
765 same school district.

766 9. The financial and administrative management of the
767 school, including a reasonable demonstration of the professional
768 experience or competence of those individuals or organizations
769 applying to operate the charter school or those hired or
770 retained to perform such professional services and the
771 description of clearly delineated responsibilities and the
772 policies and practices needed to effectively manage the charter
773 school. A description of internal audit procedures and
774 establishment of controls to ensure that financial resources are
775 properly managed must be included. Both public sector and
776 private sector professional experience shall be equally valid in
777 such a consideration.

778 10. The asset and liability projections required in the
779 application which are incorporated into the charter and shall be
780 compared with information provided in the annual report of the
781 charter school.

782 11. A description of procedures that identify various risks
783 and provide for a comprehensive approach to reduce the impact of

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784 losses; plans to ensure the safety and security of students and
785 staff; plans to identify, minimize, and protect others from
786 violent or disruptive student behavior; and the manner in which
787 the school will be insured, including whether or not the school
788 will be required to have liability insurance, and, if so, the
789 terms and conditions thereof and the amounts of coverage.

790 12. The term of the charter which shall provide for
791 cancellation of the charter if insufficient progress has been
792 made in attaining the student achievement objectives of the
793 charter and if it is not likely that such objectives can be
794 achieved before expiration of the charter. The initial term of a
795 charter shall be for 4 or 5 years. In order to facilitate access
796 to long-term financial resources for charter school
797 construction, charter schools that are operated by a
798 municipality or other public entity as provided by law are
799 eligible for up to a 15-year charter, subject to approval by the
800 district school board. A charter lab school is eligible for a
801 charter for a term of up to 15 years. In addition, to facilitate
802 access to long-term financial resources for charter school
803 construction, charter schools that are operated by a private,
804 not-for-profit, s. 501(c)(3) status corporation are eligible for
805 up to a 15-year charter, subject to approval by the district
806 school board. Such long-term charters remain subject to annual
807 review and may be terminated during the term of the charter, but
808 only according to the provisions set forth in subsection (8).

809 13. The facilities to be used and their location. The
810 sponsor may not require a charter school to have a certificate
811 of occupancy or a temporary certificate of occupancy for such a
812 facility earlier than 15 calendar days before the first day of

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813 school.

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

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

820 16. A timetable for implementing the charter which
821 addresses the implementation of each element thereof and the
822 date by which the charter shall be awarded in order to meet this
823 timetable.

824 17. In the case of an existing public school that is being
825 converted to charter status, alternative arrangements for
826 current students who choose not to attend the charter school and
827 for current teachers who choose not to teach in the charter
828 school after conversion in accordance with the existing
829 collective bargaining agreement or district school board rule in
830 the absence of a collective bargaining agreement. However,
831 alternative arrangements shall not be required for current
832 teachers who choose not to teach in a charter lab school, except
833 as authorized by the employment policies of the state university
834 which grants the charter to the lab school.

835 18. Full disclosure of the identity of all relatives
836 employed by the charter school who are related to the charter
837 school owner, president, chairperson of the governing board of
838 directors, superintendent, governing board member, principal,
839 assistant principal, or any other person employed by the charter
840 school who has equivalent decisionmaking authority. For the
841 purpose of this subparagraph, the term "relative" means father,

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842 mother, son, daughter, brother, sister, uncle, aunt, first
843 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
844 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
845 stepfather, stepmother, stepson, stepdaughter, stepbrother,
846 stepsister, half brother, or half sister.

847 19. Implementation of the activities authorized under s.
848 1002.331 by the charter school when it satisfies the eligibility
849 requirements for a high-performing charter school. A high-
850 performing charter school shall notify its sponsor in writing by
851 March 1 if it intends to increase enrollment or expand grade
852 levels the following school year. The written notice shall
853 specify the amount of the enrollment increase and the grade
854 levels that will be added, as applicable.

855 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
856 SCHOOL SYSTEMS.—A charter school system's governing board ~~system~~
857 shall be designated a local educational agency for the purpose
858 of receiving federal funds, the same as though the charter
859 school system were a school district, if the governing board of
860 the charter school system has adopted and filed a resolution
861 with its sponsoring district school board and the Department of
862 Education in which the governing board of the charter school
863 system accepts the full responsibility for all local education
864 agency requirements and the charter school system meets all of
865 the following:

866 (a) Includes both conversion charter schools and
867 nonconversion charter schools;

868 (b) Has all schools located in the same county;

869 (c) Has a total enrollment exceeding the total enrollment
870 of at least one school district in the state;

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871 (d) Has the same governing board; and

872 (e) Does not contract with a for-profit service provider
873 for management of school operations.

874

875 Such designation does not apply to other provisions unless
876 specifically provided in law.

877 Section 25. Paragraph (g) of subsection (4) and paragraph
878 (d) of subsection (6) of section 1002.34, Florida Statutes, are
879 amended to read:

880 1002.34 Charter technical career centers.—

881 (4) CHARTER.—A sponsor may designate centers as provided in
882 this section. An application to establish a center may be
883 submitted by a sponsor or another organization that is
884 determined, by rule of the State Board of Education, to be
885 appropriate. However, an independent school is not eligible for
886 status as a center. The charter must be signed by the governing
887 body of the center and the sponsor and must be approved by the
888 district school board and Florida College System institution
889 board of trustees in whose geographic region the facility is
890 located. If a charter technical career center is established by
891 the conversion to charter status of a public technical center
892 formerly governed by a district school board, the charter status
893 of that center takes precedence in any question of governance.
894 The governance of the center or of any program within the center
895 remains with its board of directors unless the board agrees to a
896 change in governance or its charter is revoked as provided in
897 subsection (15). Such a conversion charter technical career
898 center is not affected by a change in the governance of public
899 technical centers or of programs within other centers that are

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900 or have been governed by district school boards. A charter
 901 technical career center, or any program within such a center,
 902 that was governed by a district school board and transferred to
 903 a Florida College System institution prior to the effective date
 904 of this act is not affected by this provision. An applicant who
 905 wishes to establish a center must submit to the district school
 906 board or Florida College System institution board of trustees,
 907 or a consortium of one or more of each, an application on a form
 908 developed by the Department of Education which includes:

909 (g) A method for determining whether a student has
 910 satisfied the requirements for graduation specified in s.
 911 1002.3105(5), s. 1003.4281, or s. 1003.4282 ~~1003.428 or s.~~
 912 ~~1003.429~~ and for completion of a postsecondary certificate or
 913 degree.

914
 915 Students at a center must meet the same testing and academic
 916 performance standards as those established by law and rule for
 917 students at public schools and public technical centers. The
 918 students must also meet any additional assessment indicators
 919 that are included within the charter approved by the district
 920 school board or Florida College System institution board of
 921 trustees.

922 (6) SPONSOR.—A district school board or Florida College
 923 System institution board of trustees or a consortium of one or
 924 more of each may sponsor a center in the county in which the
 925 board has jurisdiction.

926 (d)1. The Department of Education shall offer or arrange
 927 for training and technical assistance to centers which must
 928 include applicants in developing and amending business plans,

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929 ~~and~~ estimating and accounting for costs and income, complying
930 with state and federal grant and student performance
931 accountability reporting requirements, implementing good
932 business practices. ~~This assistance shall address estimating~~
933 ~~startup costs, projecting enrollment, and identifying the types~~
934 ~~and amounts of state and federal financial aid assistance the~~
935 ~~center may be eligible to receive. The training shall include~~
936 ~~instruction in accurate financial planning and good business~~
937 ~~practices.~~

938 2. An applicant must participate in the training provided
939 by the department after approval of its ~~of Education before~~
940 ~~filing an application~~ but at least 30 days before the first day
941 of classes at the center. The department ~~of Education~~ may
942 provide technical assistance to an applicant upon written
943 request.

944 Section 26. Paragraphs (a) and (b) of subsection (1) and
945 subsection (3) of section 1002.345, Florida Statutes, are
946 amended to read:

947 1002.345 Determination of deteriorating financial
948 conditions and financial emergencies for charter schools and
949 charter technical career centers.—This section applies to
950 charter schools operating pursuant to s. 1002.33 and to charter
951 technical career centers operating pursuant to s. 1002.34.

952 (1) EXPEDITED REVIEW; REQUIREMENTS.—

953 (a) A charter school or a charter technical career center
954 is subject to an expedited review by the sponsor if one of the
955 following occurs:

- 956 1. Failure to provide for an audit required by s. 218.39.
- 957 2. Failure to comply with reporting requirements pursuant

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958 to s. 1002.33(9) or s. 1002.34(11)(f) or (14).

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

963 "Deteriorating financial condition" means a circumstance that
964 significantly impairs the ability of a charter school or a
965 charter technical career center to generate enough revenues to
966 meet its expenditures without causing the occurrence of a
967 condition described in s. 218.503(1).

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

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

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

979 Section 27. Paragraph (a) of subsection (2) of section
980 1002.39, Florida Statutes, is amended to read:

981 1002.39 The John M. McKay Scholarships for Students with
982 Disabilities Program.—There is established a program that is
983 separate and distinct from the Opportunity Scholarship Program
984 and is named the John M. McKay Scholarships for Students with
985 Disabilities Program.

986 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a

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987 student with a disability may request and receive from the state
988 a John M. McKay Scholarship for the child to enroll in and
989 attend a private school in accordance with this section if:

990 (a) The student has:

991 1. Received specialized instructional services under the
992 Voluntary Prekindergarten Education Program pursuant to s.
993 1002.66 during the previous school year and the student has a
994 current individual educational plan developed by the local
995 school board in accordance with rules of the State Board of
996 Education for the John M. McKay Scholarships for Students with
997 Disabilities Program or a 504 accommodation plan has been issued
998 under s. 504 of the Rehabilitation Act of 1973; or

999 2. Spent the prior school year in attendance at a Florida
1000 public school or the Florida School for the Deaf and the Blind.
1001 For purposes of this subparagraph, prior school year in
1002 attendance means that the student was enrolled and reported by:

1003 a. A school district for funding during the preceding
1004 October and February Florida Education Finance Program surveys
1005 in kindergarten through grade 12, which includes time spent in a
1006 Department of Juvenile Justice commitment program if funded
1007 under the Florida Education Finance Program;

1008 b. The Florida School for the Deaf and the Blind during
1009 the preceding October and February student membership surveys in
1010 kindergarten through grade 12; or

1011 c. A school district for funding during the preceding
1012 October and February Florida Education Finance Program surveys,
1013 was at least 4 years of age when so enrolled and reported, and
1014 was eligible for services under s. 1003.21(1)(e); ~~or~~

1015 ~~3. Been enrolled and reported by a school district for~~

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1016 ~~funding, during the October and February Florida Education~~
1017 ~~Finance Program surveys, in any of the 5 years prior to the~~
1018 ~~2010-2011 fiscal year; has a current individualized educational~~
1019 ~~plan developed by the district school board in accordance with~~
1020 ~~rules of the State Board of Education for the John M. McKay~~
1021 ~~Scholarship Program no later than June 30, 2011; and receives a~~
1022 ~~first-time John M. McKay scholarship for the 2011-2012 school~~
1023 ~~year. Upon request of the parent, the local school district~~
1024 ~~shall complete a matrix of services as required in subparagraph~~
1025 ~~(5)(b)1. for a student requesting a current individualized~~
1026 ~~educational plan in accordance with the provisions of this~~
1027 ~~subparagraph.~~

1028
1029 However, a dependent child of a member of the United States
1030 Armed Forces who transfers to a school in this state from out of
1031 state or from a foreign country due to a parent's permanent
1032 change of station orders is exempt from this paragraph but must
1033 meet all other eligibility requirements to participate in the
1034 program.

1035 Section 28. Subsection (5) of section 1002.41, Florida
1036 Statutes, is amended to read:

1037 1002.41 Home education programs.—

1038 (5) Home education students may participate in the Bright
1039 Futures Scholarship Program in accordance with the provisions of
1040 ss. 1009.53-1009.538 ~~1009.53-1009.539~~.

1041 Section 29. Section 1002.415, Florida Statutes, is
1042 repealed.

1043 Section 30. Paragraph (b) of subsection (4) and subsection
1044 (10) of section 1002.45, Florida Statutes, are amended to read:

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1045 1002.45 Virtual instruction programs.—

1046 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
1047 provider must at minimum:

1048 (b) Provide a method for determining that a student has
1049 satisfied the requirements for graduation in s. 1002.3105(5), s.
1050 1003.4281, ~~1003.428~~ or s. 1003.4282 if the contract is for the
1051 provision of a full-time virtual instruction program to students
1052 in grades 9 through 12.

1053 (10) MARKETING.—Each school district shall provide
1054 information to parents and students about the ~~parent's and~~
1055 student's right to participate in a virtual instruction program
1056 under this section and in courses offered by the Florida Virtual
1057 School under s. 1002.37.

1058 Section 31. Paragraph (c) of subsection (2) of section
1059 1002.455, Florida Statutes, is amended to read:

1060 1002.455 Student eligibility for K-12 virtual instruction.—

1061 (2) A student is eligible to participate in virtual
1062 instruction if:

1063 (c) The student was enrolled during the prior school year
1064 in a virtual instruction program under s. 1002.45, ~~the K-8~~
1065 ~~Virtual School Program under s. 1002.415~~, or a full-time Florida
1066 Virtual School program under s. 1002.37(8)(a);

1067 Section 32. Section 1002.65, Florida Statutes, is repealed.

1068 Section 33. Subsection (14) of section 1003.01, Florida
1069 Statutes, is amended to read:

1070 1003.01 Definitions.—As used in this chapter, the term:

1071 (14) "Core-curricula courses" means:

1072 (a) Courses in language arts/reading, mathematics, social
1073 studies, and science in prekindergarten through grade 3,

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1074 excluding ~~any~~ extracurricular courses pursuant to subsection
1075 (15);

1076 (b) Courses in grades 4 through 8 in subjects that are
1077 measured by state assessment at any grade level and courses
1078 required for middle school promotion, excluding ~~any~~
1079 extracurricular courses pursuant to subsection (15);

1080 (c) Courses in grades 9 through 12 in subjects that are
1081 measured by state assessment at any grade level and courses that
1082 are specifically identified by name in statute as required for
1083 high school graduation and that are not measured by state
1084 assessment, excluding ~~any~~ extracurricular courses pursuant to
1085 subsection (15);

1086 (d) Exceptional student education courses; and

1087 (e) English for Speakers of Other Languages courses.

1088

1089 The term is limited in meaning and used for the sole purpose of
1090 designating classes that are subject to the maximum class size
1091 requirements established in s. 1, Art. IX of the State
1092 Constitution. This term does not include courses offered under
1093 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, ~~1002.415,~~
1094 1002.45, and 1003.499.

1095 Section 34. Paragraph (d) of subsection (1) of section
1096 1003.02, Florida Statutes, is amended to read:

1097 1003.02 District school board operation and control of
1098 public K-12 education within the school district.—As provided in
1099 part II of chapter 1001, district school boards are
1100 constitutionally and statutorily charged with the operation and
1101 control of public K-12 education within their school district.
1102 The district school boards must establish, organize, and operate

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1103 their public K-12 schools and educational programs, employees,
1104 and facilities. Their responsibilities include staff
1105 development, public K-12 school student education including
1106 education for exceptional students and students in juvenile
1107 justice programs, special programs, adult education programs,
1108 and career education programs. Additionally, district school
1109 boards must:

1110 (1) Provide for the proper accounting for all students of
1111 school age, for the attendance and control of students at
1112 school, and for proper attention to health, safety, and other
1113 matters relating to the welfare of students in the following
1114 fields:

1115 (d) *Courses of study and instructional materials.*—

1116 1. Provide adequate instructional materials for all
1117 students as follows and in accordance with the requirements of
1118 chapter 1006, in the core courses of mathematics, language arts,
1119 social studies, science, reading, and literature, except for
1120 instruction for which the school advisory council approves the
1121 use of a program that does not include a textbook as a major
1122 tool of instruction.

1123 2. Adopt courses of study for use in the schools of the
1124 district.

1125 3. Provide for proper requisitioning, distribution,
1126 accounting, storage, care, and use of all instructional
1127 materials as may be needed, and ensure that instructional
1128 materials used in the district are consistent with the district
1129 goals and objectives and the course descriptions ~~curriculum~~
1130 ~~frameworks~~ approved by the State Board of Education, as well as
1131 with the state and school district performance standards

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1132 required by law and state board rule.

1133 Section 35. Paragraph (c) of subsection (3) and subsection
1134 (6) of section 1003.03, Florida Statutes, are amended to read:

1135 1003.03 Maximum class size.—

1136 (3) IMPLEMENTATION OPTIONS.—District school boards must
1137 consider, but are not limited to, implementing the following
1138 items in order to meet the constitutional class size maximums
1139 described in subsection (1):

1140 (c)1. Repeal district school board policies that require
1141 students to earn more than the 24 credits ~~required under s.~~
1142 ~~1003.428~~ to graduate from high school.

1143 2. Implement the early graduation options ~~option~~ provided
1144 in ss. 1002.3105(5) and ~~s.~~ 1003.4281.

1145 (6) COURSES FOR COMPLIANCE.—Consistent with s. ~~the~~
1146 ~~provisions in ss.~~ 1003.01(14) and ~~1003.428~~, the Department of
1147 Education shall identify from the Course Code Directory the
1148 core-curricula courses for the purpose of satisfying the maximum
1149 class size requirement in this section. The department may adopt
1150 rules to implement this subsection, if necessary.

1151 Section 36. Subsection (3) of section 1003.41, Florida
1152 Statutes, is amended to read:

1153 1003.41 Next Generation Sunshine State Standards.—

1154 (3) The Commissioner of Education, as needed, shall develop
1155 and submit proposed revisions to the standards for review and
1156 comment by Florida educators, school administrators,
1157 representatives of the Florida College System institutions and
1158 state universities who have expertise in the content knowledge
1159 and skills necessary to prepare a student for postsecondary
1160 education and careers, business and industry leaders, and the

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1161 public. The commissioner, after considering reviews and
1162 comments, shall submit the proposed revisions to the State Board
1163 of Education for adoption. ~~In addition, the commissioner shall~~
1164 ~~prepare an analysis of the costs associated with implementing a~~
1165 ~~separate, one-half credit course in financial literacy,~~
1166 ~~including estimated costs for instructional personnel, training,~~
1167 ~~and the development or purchase of instructional materials. The~~
1168 ~~commissioner shall work with one or more nonprofit organizations~~
1169 ~~with proven expertise in the area of personal finance, consider~~
1170 ~~free resources that can be utilized for instructional materials,~~
1171 ~~and provide data on the implementation of such a course in other~~
1172 ~~states. The commissioner shall provide the cost analysis to the~~
1173 ~~President of the Senate and the Speaker of the House of~~
1174 ~~Representatives by October 1, 2013.~~

1175 Section 37. Paragraphs (b) and (c) of subsection (1) and
1176 subsections (2) and (3) of section 1003.4156, Florida Statutes,
1177 are amended to read:

1178 1003.4156 General requirements for middle grades
1179 promotion.—

1180 (1) In order for a student to be promoted to high school
1181 from a school that includes middle grades 6, 7, and 8, the
1182 student must successfully complete the following courses:

1183 (b) Three middle grades or higher courses in mathematics.
1184 Each school that includes middle grades must offer at least one
1185 high school level mathematics course for which students may earn
1186 high school credit. Successful completion of a high school level
1187 Algebra I or Geometry course is not contingent upon the
1188 student's performance on the statewide, standardized end-of-
1189 course (EOC) assessment ~~or, upon transition to common core~~

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1190 ~~assessments, the common core Algebra I or geometry assessments~~
1191 ~~required under s. 1008.22. However, beginning with the 2011-2012~~
1192 ~~school year,~~ To earn high school credit for Algebra I, a middle
1193 grades student must take the statewide, standardized Algebra I
1194 EOC assessment and pass the course, and in addition, beginning
1195 with the 2013-2014 school year and thereafter, a student's
1196 performance on the Algebra I EOC assessment constitutes 30
1197 percent of the student's final course grade. ~~pass the Algebra I~~
1198 ~~statewide, standardized assessment, and beginning with the 2012-~~
1199 ~~2013 school year,~~ To earn high school credit for a Geometry
1200 course, a middle grades student must take the statewide,
1201 standardized Geometry EOC assessment, which constitutes 30
1202 percent of the student's final course grade, and earn a passing
1203 grade in the course.

1204 (c) Three middle grades or higher courses in social
1205 studies. Beginning with students entering grade 6 in the 2012-
1206 2013 school year, one of these courses must be at least a one-
1207 semester civics education course that includes the roles and
1208 responsibilities of federal, state, and local governments; the
1209 structures and functions of the legislative, executive, and
1210 judicial branches of government; and the meaning and
1211 significance of historic documents, such as the Articles of
1212 Confederation, the Declaration of Independence, and the
1213 Constitution of the United States. Beginning with the 2013-2014
1214 school year, each student's performance on the statewide,
1215 standardized EOC assessment in civics education required under
1216 s. 1008.22 constitutes 30 percent of the student's final course
1217 grade. A middle grades student who transfers into the state's
1218 public school system from out of country, out of state, a

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1219 private school, or a home education program after the beginning
1220 of the second term of grade 8 is not required to meet the civics
1221 education requirement for promotion from the middle grades if
1222 the student's transcript documents passage of three courses in
1223 social studies or two year-long courses in social studies that
1224 include coverage of civics education.

1225

1226 Each school must inform parents about the course curriculum and
1227 activities. Each student shall complete a personal education
1228 plan that must be signed by the student and the student's
1229 parent. The Department of Education shall develop course
1230 frameworks and professional development materials for the career
1231 and education planning course. The course may be implemented as
1232 a stand-alone course or integrated into another course or
1233 courses. The Commissioner of Education shall collect
1234 longitudinal high school course enrollment data by student
1235 ethnicity in order to analyze course-taking patterns.

1236 (2) If a middle grades student scores Level 1 or Level 2 on
1237 the statewide, standardized FCAT Reading assessment or, when
1238 implemented, the state transitions to common core assessments on
1239 the English Language Arts (ELA) assessment ~~assessments required~~
1240 ~~under s. 1008.22~~, the following year the student must enroll in
1241 and complete a remedial course or a content area course in which
1242 remediation strategies are incorporated into course content
1243 delivery. The department shall provide guidance on appropriate
1244 strategies for diagnosing and meeting the varying instructional
1245 needs of students performing below grade level.

1246 (3) If a middle grades student scores Level 1 or Level 2 on
1247 the statewide, standardized FCAT Mathematics assessment ~~or, when~~

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1248 ~~the state transitions to common core assessments, on the~~
 1249 ~~mathematics common core assessments required under s. 1008.22,~~
 1250 the following year the student must receive remediation, which
 1251 may be integrated into the student's required mathematics
 1252 courses.

1253 Section 38. Section 1003.428, Florida Statutes, is
 1254 repealed.

1255 Section 39. Subsection (1) of section 1003.4281, Florida
 1256 Statutes, is amended to read:

1257 1003.4281 Early high school graduation.—

1258 (1) The purpose of this section is to provide a student the
 1259 option of early graduation and receipt of a standard high school
 1260 diploma if the student earns 24 credits and meets the graduation
 1261 requirements set forth in ~~s. 1003.428 or s. 1003.4282, as~~
 1262 ~~applicable~~. For purposes of this section, the term "early
 1263 graduation" means graduation from high school in less than 8
 1264 semesters or the equivalent.

1265 Section 40. Paragraphs (a), (b), (c), and (f) of subsection
 1266 (3), subsections (4), (5), (7), and (8), and paragraphs (a) and
 1267 (c) of subsection (9) of section 1003.4282, Florida Statutes,
 1268 are amended, subsection (10) is renumbered as subsection (11),
 1269 and a new subsection (10) is added to that section, to read:

1270 1003.4282 Requirements for a standard high school diploma.—

1271 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 1272 REQUIREMENTS.—

1273 (a) *Four credits in English Language Arts (ELA).*—The four
 1274 credits must be in ELA I, II, III, and IV. A student must pass
 1275 the statewide, standardized 10th grade 10 FCAT Reading
 1276 assessment or, when implemented, the ~~until the state transitions~~

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1277 ~~to a common core 10th grade 10~~ ELA assessment, or earn a
1278 concordant score, ~~after which time a student must pass the ELA~~
1279 ~~assessment~~ in order to earn a standard high school diploma.

1280 (b) *Four credits in mathematics.*—A student must earn one
1281 credit in Algebra I and one credit in Geometry. A student's
1282 performance on the statewide, standardized Algebra I end-of-
1283 course (EOC) assessment ~~or common core assessment, as~~
1284 ~~applicable,~~ constitutes 30 percent of the student's final course
1285 grade. A student must pass the statewide, standardized Algebra I
1286 EOC assessment, or earn a comparative score, ~~until the state~~
1287 ~~transitions to a common core Algebra I assessment after which~~
1288 ~~time a student must pass the common core assessment~~ in order to
1289 earn a standard high school diploma. A student's performance on
1290 the statewide, standardized Geometry EOC assessment ~~or common~~
1291 ~~core assessment, as applicable,~~ constitutes 30 percent of the
1292 student's final course grade. If ~~When~~ the state administers a
1293 statewide, standardized common core Algebra II assessment, a
1294 student selecting Algebra II must take the assessment, and the
1295 student's performance on the assessment constitutes 30 percent
1296 of the student's final course grade. A student who earns an
1297 industry certification for which there is a statewide college
1298 credit articulation agreement approved by the State Board of
1299 Education may substitute the certification for one mathematics
1300 credit. Substitution may occur for up to two mathematics
1301 credits, except for Algebra I and Geometry. Industry
1302 ~~certification courses that lead to college credit may substitute~~
1303 ~~for up to two math credits.~~

1304 (c) *Three credits in science.*—Two of the three required
1305 credits must have a laboratory component. A student must earn

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1306 one credit in Biology I and two credits in equally rigorous
1307 courses. The statewide, standardized Biology I EOC assessment
1308 constitutes 30 percent of the student's final course grade. A
1309 student who earns an industry certification for which there is a
1310 statewide college credit articulation agreement approved by the
1311 State Board of Education may substitute the certification for
1312 one science credit, except for Biology I. Industry certification
1313 courses that lead to college credit may substitute for up to one
1314 science credit.

1315 (f) *One credit in physical education.*—Physical education
1316 must include the integration of health. Participation in an
1317 interscholastic sport at the junior varsity or varsity level for
1318 two full seasons shall satisfy the one-credit requirement in
1319 physical education if the student passes a competency test on
1320 personal fitness with a score of "C" or better. The competency
1321 test on personal fitness developed by the Department of
1322 Education must be used. A district school board may not require
1323 that the one credit in physical education be taken during the
1324 9th grade year. Completion of one semester with a grade of "C"
1325 or better in a marching band class, in a physical activity class
1326 that requires participation in marching band activities as an
1327 extracurricular activity, or in a dance class shall satisfy one-
1328 half credit in physical education or one-half credit in
1329 performing arts. This credit may not be used to satisfy the
1330 personal fitness requirement or the requirement for adaptive
1331 physical education under an individual education plan (IEP) or
1332 504 plan. Completion of 2 years in a Reserve Officer Training
1333 Corps (R.O.T.C.) class, a significant component of which is
1334 drills, shall satisfy the one-credit requirement in physical

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1335 education and the one-credit requirement in performing arts.
1336 This credit may not be used to satisfy the personal fitness
1337 requirement or the requirement for adaptive physical education
1338 under an IEP or 504 plan. ~~This requirement is subject to all of~~
1339 ~~the provisions in s. 1003.428(2)(a)6.~~

1340 (4) ONLINE COURSE REQUIREMENT. ~~Excluding a driver education~~
1341 ~~course,~~ At least one course within the 24 credits required under
1342 this section must be completed through online learning.
1343 Beginning with students entering grade 9 in the 2013-2014 school
1344 year, the required online course may not be a driver education
1345 course. A school district may not require a student to take the
1346 online course outside the school day or in addition to a
1347 student's courses for a given semester. An online course taken
1348 in grade 6, grade 7, or grade 8 fulfills this requirement. This
1349 requirement is met through an online course offered by the
1350 Florida Virtual School, a virtual education provider approved by
1351 the State Board of Education, a high school, or an online dual
1352 enrollment course. A student who is enrolled in a full-time or
1353 part-time virtual instruction program under s. 1002.45 meets
1354 this requirement. This requirement does not apply to a student
1355 who has an individual education plan under s. 1003.57 which
1356 indicates that an online course would be inappropriate or to an
1357 out-of-state transfer student who is enrolled in a Florida high
1358 school and has 1 academic year or less remaining in high school.

1359 (5) REMEDIATION FOR HIGH SCHOOL STUDENTS.-

1360 (a) Each year a student scores Level 1 or Level 2 on the
1361 statewide, standardized 9th grade 9 or 10th grade 10 FCAT
1362 Reading assessment or, when implemented, the 9th grade 9, 10th
1363 grade 10, or 11th grade 11 ELA assessment ~~common core English~~

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1364 ~~Language Arts (ELA) assessments,~~ the student must be enrolled in
1365 and complete an intensive remedial course the following year or
1366 be placed in a content area course that includes remediation of
1367 skills not acquired by the student.

1368 (b) Each year a student scores Level 1 or Level 2 on the
1369 statewide, standardized Algebra I EOC assessment, ~~or upon~~
1370 ~~transition to the common core Algebra I assessment,~~ the student
1371 must be enrolled in and complete an intensive remedial course
1372 the following year or be placed in a content area course that
1373 includes remediation of skills not acquired by the student.

1374 (7) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

1375 (a) A student who earns a cumulative grade point average
1376 (GPA) of 2.0 on a 4.0 scale and meets the requirements of this
1377 section or s. 1002.3105(5) shall be awarded a standard high
1378 school diploma in a form prescribed by the State Board of
1379 Education.

1380 (b) An adult student in an adult general education program
1381 as provided under s. 1004.93 shall be awarded a standard high
1382 school diploma if the student meets the requirements of this
1383 section or s. 1002.3105(5), except that:

1384 1. One elective credit may be substituted for the one-
1385 credit requirement in fine or performing arts, speech and
1386 debate, or practical arts.

1387 2. The requirement that two of the science credits include
1388 a laboratory component may be waived by the district school
1389 board.

1390 3. The one credit in physical education may be substituted
1391 with an elective credit. ~~Notwithstanding any other law to the~~
1392 ~~contrary, all students enrolled in high school as of the 2012-~~

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1393 ~~2013 school year who earned a passing grade in Biology I or~~
1394 ~~geometry before the 2013-2014 school year shall be awarded a~~
1395 ~~credit in that course if the student passed the course. The~~
1396 ~~student's performance on the EOC assessment is not required to~~
1397 ~~constitute 30 percent of the student's final course grade.~~

1398 (c) A student who earns fails to earn the required 24
1399 credits, or the required 18 credits under s. 1002.3105(5), but
1400 fails to pass the assessments required under s. 1008.22(3) or
1401 achieve a 2.0 GPA shall be awarded a certificate of completion
1402 in a form prescribed by the State Board of Education. However, a
1403 student who is otherwise entitled to a certificate of completion
1404 may elect to remain in high school either as a full-time student
1405 or a part-time student for up to 1 additional year and receive
1406 special instruction designed to remedy his or her identified
1407 deficiencies.

1408 (8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with
1409 the 2012-2013 school year, if a student transfers to a Florida
1410 public high school from out of country, out of state, a private
1411 school, or a home education program and the student's transcript
1412 shows a ~~mathematics~~ credit in Algebra I ~~a course that requires~~
1413 ~~passage of a statewide, standardized assessment in order to earn~~
1414 ~~a standard high school diploma~~, the student must pass the
1415 statewide, standardized Algebra I EOC assessment in order to
1416 earn a standard high school diploma unless the student earned a
1417 comparative score pursuant to s. 1008.22, passed a statewide
1418 assessment in Algebra I ~~that subject~~ administered by the
1419 transferring entity, or passed the statewide mathematics
1420 assessment the transferring entity uses to satisfy the
1421 requirements of the Elementary and Secondary Education Act, 20

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1422 U.S.C. s. 6301. If a student's transcript shows a credit in high
1423 school reading or English Language Arts II or III, in order to
1424 earn a standard high school diploma, the student must take and
1425 pass the statewide, standardized grade 10 ~~FCAT~~ Reading
1426 assessment or, when implemented, the grade 10 ELA assessment, or
1427 earn a concordant score ~~on the SAT or ACT as specified by state~~
1428 ~~board rule or, when the state transitions to common core English~~
1429 ~~Language Arts assessments, earn a passing score on the English~~
1430 ~~Language Arts assessment as required under this section.~~ If a
1431 transfer student's transcript shows a final course grade and
1432 course credit in Algebra I, Geometry, Biology I, or United
1433 States History, the transferring course final grade and credit
1434 shall be honored without the student taking the requisite
1435 statewide, standardized EOC assessment and without the
1436 assessment results constituting 30 percent of the student's
1437 final course grade.

1438 (9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
1439 CREDIT REQUIREMENTS.—

1440 (a) Participation in career education courses engages
1441 students in their high school education, increases academic
1442 achievement, enhances employability, and increases postsecondary
1443 success. By July 1, 2014, the department shall develop, for
1444 approval by the State Board of Education, multiple, additional
1445 career education courses or a series of courses that meet the
1446 requirements set forth in s. 1003.493(2), (4), and (5) and this
1447 subsection and allow students to earn credit in both the career
1448 education course and courses required for high school graduation
1449 under this section and s. ss. 1003.428 and 1003.4281.

1450 1. The state board must determine if sufficient academic

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1451 standards are covered to warrant the award of academic credit.

1452 2. Career education courses must include workforce and
1453 digital literacy skills and the integration of required course
1454 content with practical applications and designated rigorous
1455 coursework that results in one or more industry certifications
1456 or clearly articulated credit or advanced standing in a 2-year
1457 or 4-year certificate or degree program, which may include high
1458 school junior and senior year work-related internships or
1459 apprenticeships. The department shall negotiate state licenses
1460 for material and testing for industry certifications. The
1461 instructional methodology used in these courses must be
1462 comprised of authentic projects, problems, and activities for
1463 contextually learning the academics.

1464 (c) Regional consortium service organizations established
1465 pursuant to s. 1001.451 shall work with school districts, local
1466 workforce boards, postsecondary institutions, and local business
1467 and industry leaders to create career education courses that
1468 meet the requirements set forth in s. 1003.493(2), (4), and (5)
1469 and this subsection that students can take to earn required high
1470 school course credits. The regional consortium shall submit
1471 course recommendations to the department, on behalf of the
1472 consortium member districts, for state board approval. A strong
1473 emphasis should be placed on online coursework, digital
1474 literacy, and workforce literacy as defined in s. 1004.02(26)
1475 ~~1004.02(27)~~. For purposes of providing students the opportunity
1476 to earn industry certifications, consortiums must secure the
1477 necessary site licenses and testing contracts for use by member
1478 districts.

1479 (10) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The

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1480 requirements of this section, in addition to applying to
1481 students entering grade 9 in the 2013-2014 school year and
1482 thereafter, shall also apply to students entering grade 9 before
1483 the 2013-2014 school year, except as otherwise provided in this
1484 subsection.

1485 (a) A student entering grade 9 before the 2010-2011 school
1486 year must earn:

1487 1. Four credits in English/ELA. A student must pass the
1488 statewide, standardized grade 10 Reading assessment, or earn a
1489 concordant score, in order to graduate with a standard high
1490 school diploma.

1491 2. Four credits in mathematics, which must include Algebra
1492 I. A student must pass grade 10 FCAT Mathematics, or earn a
1493 concordant score, in order to graduate with a standard high
1494 school diploma. A student who takes Algebra I or Geometry after
1495 the 2010-2011 school year must take the statewide, standardized
1496 EOC assessment for the course but is not required to pass the
1497 assessment in order to earn course credit. A student's
1498 performance on the Algebra I or Geometry EOC assessment is not
1499 required to constitute 30 percent of the student's final course
1500 grade. A student who earns an industry certification for which
1501 there is a statewide college credit articulation agreement
1502 approved by the State Board of Education may substitute the
1503 certification for one mathematics credit. Substitution may occur
1504 for up to two mathematics credits, except for Algebra I.

1505 3. Three credits in science, two of which must have a
1506 laboratory component. A student who takes Biology I after the
1507 2010-2011 school year must take the statewide, standardized
1508 Biology I EOC assessment but is not required to pass the

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1509 assessment in order to earn course credit. A student's
1510 performance on the assessment is not required to constitute 30
1511 percent of the student's final course grade. A student who earns
1512 an industry certification for which there is a statewide college
1513 credit articulation agreement approved by the State Board of
1514 Education may substitute the certification for one science
1515 credit.

1516 4. Three credits in social studies of which one credit in
1517 World History, one credit in United States History, one-half
1518 credit in United States Government, and one-half credit in
1519 economics is required. A student who takes United States History
1520 after the 2011-2012 school year must take the statewide,
1521 standardized United States History EOC assessment but the
1522 student's performance on the assessment is not required to
1523 constitute 30 percent of the student's final course grade.

1524 5. One credit in fine or performing arts, speech and
1525 debate, or practical arts as provided in paragraph (3) (e).

1526 6. One credit in physical education as provided in
1527 paragraph (3) (f).

1528 7. Eight credits in electives.

1529 (b) A student entering grade 9 in the 2010-2011 school year
1530 must earn:

1531 1. Four credits in English/ELA. A student must pass the
1532 statewide, standardized grade 10 Reading assessment, or earn a
1533 concordant score, in order to graduate with a standard high
1534 school diploma.

1535 2. Four credits in mathematics, which must include Algebra
1536 I and Geometry. The statewide, standardized Algebra I EOC
1537 assessment constitutes 30 percent of the student's final course

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1538 grade. A student who takes Algebra I or Geometry after the 2010-
1539 2011 school year must take the statewide, standardized EOC
1540 assessment for the course but is not required to pass the
1541 assessment in order to earn course credit. A student's
1542 performance on the Geometry EOC assessment is not required to
1543 constitute 30 percent of the student's final course grade. A
1544 student who earns an industry certification for which there is a
1545 statewide college credit articulation agreement approved by the
1546 State Board of Education may substitute the certification for
1547 one mathematics credit. Substitution may occur for up to two
1548 mathematics credits, except for Algebra I and Geometry.

1549 3. Three credits in science, two of which must have a
1550 laboratory component. A student who takes Biology I after the
1551 2010-2011 school year must take the statewide, standardized
1552 Biology I EOC assessment but is not required to pass the
1553 assessment in order to earn course credit. A student's
1554 performance on the assessment is not required to constitute 30
1555 percent of the student's final course grade. A student who earns
1556 an industry certification for which there is a statewide college
1557 credit articulation agreement approved by the State Board of
1558 Education may substitute the certification for one science
1559 credit, except for Biology I.

1560 4. Three credits in social studies of which one credit in
1561 World History, one credit in United States History, one-half
1562 credit in United States Government, and one-half credit in
1563 economics is required. A student who takes United States History
1564 after the 2011-2012 school year must take the statewide,
1565 standardized United States History EOC assessment but the
1566 student's performance on the assessment is not required to

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1567 constitute 30 percent of the student's final course grade.

1568 5. One credit in fine or performing arts, speech and
1569 debate, or practical arts as provided in paragraph (3)(e).

1570 6. One credit in physical education as provided in
1571 paragraph (3)(f).

1572 7. Eight credits in electives.

1573 (c) A student entering grade 9 in the 2011-2012 school year
1574 must earn:

1575 1. Four credits in English/ELA. A student must pass the
1576 statewide, standardized grade 10 Reading assessment, or earn a
1577 concordant score, in order to graduate with a standard high
1578 school diploma.

1579 2. Four credits in mathematics, which must include Algebra
1580 I and Geometry. A student who takes Algebra I after the 2010-
1581 2011 school year must pass the statewide, standardized Algebra I
1582 EOC assessment, or earn a comparative score, in order to earn a
1583 standard high school diploma. A student who takes Algebra I or
1584 Geometry after the 2010-2011 school year must take the
1585 statewide, standardized EOC assessment but is not required to
1586 pass the Algebra I or Geometry EOC assessment in order to earn
1587 course credit. A student's performance on the Algebra I or
1588 Geometry EOC assessment is not required to constitute 30 percent
1589 of the student's final course grade. A student who earns an
1590 industry certification for which there is a statewide college
1591 credit articulation agreement approved by the State Board of
1592 Education may substitute the certification for one mathematics
1593 credit. Substitution may occur for up to two mathematics
1594 credits, except for Algebra I and Geometry.

1595 3. Three credits in science, two of which must have a

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1596 laboratory component. One of the science credits must be Biology
1597 I. A student who takes Biology I after the 2010-2011 school year
1598 must take the statewide, standardized Biology I EOC assessment
1599 but is not required to pass the assessment in order to earn
1600 course credit. A student's performance on the assessment is not
1601 required to constitute 30 percent of the student's final course
1602 grade. A student who earns an industry certification for which
1603 there is a statewide college credit articulation agreement
1604 approved by the State Board of Education may substitute the
1605 certification for one science credit, except for Biology I.

1606 4. Three credits in social studies of which one credit in
1607 World History, one credit in United States History, one-half
1608 credit in United States Government, and one-half credit in
1609 economics is required. A student who takes United States History
1610 after the 2011-2012 school year student must take the statewide,
1611 standardized United States History EOC assessment but the
1612 student's performance on the assessment is not required to
1613 constitute 30 percent of the student's final course grade.

1614 5. One credit in fine or performing arts, speech and
1615 debate, or practical arts as provided in paragraph (3) (e).

1616 6. One credit in physical education as provided in
1617 paragraph (3) (f).

1618 7. Eight credits in electives.

1619 8. One online course as provided in subsection (4).

1620 (d) A student entering grade 9 in the 2012-2013 school year
1621 must earn:

1622 1. Four credits in English/ELA. A student must pass the
1623 statewide, standardized grade 10 Reading assessment, or earn a
1624 concordant score, in order to graduate with a standard high

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1625 school diploma.

1626 2. Four credits in mathematics, which must include Algebra
1627 I and Geometry. A student who takes Algebra I after the 2010-
1628 2011 school year must pass the statewide, standardized Algebra I
1629 EOC assessment, or earn a comparative score, in order to earn a
1630 standard high school diploma. A student who takes Geometry after
1631 the 2010-2011 school year must take the statewide, standardized
1632 Geometry EOC assessment. A student is not required to pass the
1633 statewide, standardized EOC assessment in Algebra I or Geometry
1634 in order to earn course credit. A student's performance on the
1635 Algebra I or Geometry EOC assessment is not required to
1636 constitute 30 percent of the student's final course grade. A
1637 student who earns an industry certification for which there is a
1638 statewide college credit articulation agreement approved by the
1639 State Board of Education may substitute the certification for
1640 one mathematics credit. Substitution may occur for up to two
1641 mathematics credits, except for Algebra I and Geometry.

1642 3. Three credits in science, two of which must have a
1643 laboratory component. One of the science credits must be Biology
1644 I. A student who takes Biology I after the 2010-2011 school year
1645 must take the statewide, standardized Biology I EOC assessment
1646 but is not required to pass the assessment to earn course
1647 credit. A student's performance on the assessment is not
1648 required to constitute 30 percent of the student's final course
1649 grade. A student who earns an industry certification for which
1650 there is a statewide college credit articulation agreement
1651 approved by the State Board of Education may substitute the
1652 certification for one science credit, except for Biology I.

1653 4. Three credits in social studies of which one credit in

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1654 World History, one credit in United States History, one-half
1655 credit in United States Government, and one-half credit in
1656 economics is required. The statewide, standardized United States
1657 History EOC assessment constitutes 30 percent of the student's
1658 final course grade.

1659 5. One credit in fine or performing arts, speech and
1660 debate, or practical arts as provided in paragraph (3) (e).

1661 6. One credit in physical education as provided in
1662 paragraph (3) (f).

1663 7. Eight credits in electives.

1664 8. One online course as provided in subsection (4).

1665 (e) Policy adopted in rule by the district school board may
1666 require for any cohort of students that performance on a
1667 statewide, standardized EOC assessment constitute 30 percent of
1668 a student's final course grade.

1669 (f) This subsection is repealed July 1, 2020.

1670 Section 41. Subsection (1) of section 1003.4285, Florida
1671 Statutes, is amended to read:

1672 1003.4285 Standard high school diploma designations.—

1673 (1) Each standard high school diploma shall include, as
1674 applicable, the following designations if the student meets the
1675 criteria set forth for the designation:

1676 (a) *Scholar designation.*—In addition to the requirements of
1677 s. ~~ss. 1003.428~~ and 1003.4282, as applicable, in order to earn
1678 the Scholar designation, a student must satisfy the following
1679 requirements:

1680 1. English Language Arts (ELA).—When implemented the state
1681 transitions to common core assessments, pass the statewide,
1682 standardized 11th grade 11 ELA common core assessment.

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1683 2. Mathematics.—Earn one credit in Algebra II and one
1684 credit in statistics or an equally rigorous course. When
1685 implemented the state transitions to common core assessments,
1686 students must pass the statewide, standardized Algebra II common
1687 core assessment. Beginning with students entering grade 9 in the
1688 2014-2015 school year, a student must also pass the statewide,
1689 standardized Geometry end-of-course (EOC) assessment.

1690 3. Science.—Pass the statewide, standardized Biology I EOC
1691 end-of-course assessment and earn one credit in chemistry or
1692 physics and one credit in a course equally rigorous to chemistry
1693 or physics. However, a student enrolled in an Advanced Placement
1694 (AP), International Baccalaureate (IB), or Advanced
1695 International Certificate of Education (AICE) Biology course who
1696 takes the respective AP, IB, or AICE Biology assessment and
1697 earns the minimum score necessary to earn college credit as
1698 identified pursuant to s. 1007.27(2) meets the requirement of
1699 this subparagraph without having to take the statewide,
1700 standardized Biology I EOC assessment.

1701 4. Social studies.—Pass the statewide, standardized United
1702 States History EOC end-of-course assessment. However, a student
1703 enrolled in an AP, IB, or AICE course that includes United
1704 States History topics who takes the respective AP, IB, or AICE
1705 assessment and earns the minimum score necessary to earn college
1706 credit as identified pursuant to s. 1007.27(2) meets the
1707 requirement of this subparagraph without having to take the
1708 statewide, standardized United States History EOC assessment.

1709 5. Foreign language.—Earn two credits in the same foreign
1710 language.

1711 6. Electives.—Earn at least one credit in an Advanced

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1712 Placement, an International Baccalaureate, an Advanced
1713 International Certificate of Education, or a dual enrollment
1714 course.

1715 (b) *Merit designation.*—In addition to the requirements of
1716 s. ~~ss. 1003.428~~ and 1003.4282, ~~as applicable,~~ in order to earn
1717 the Merit designation, a student must attain one or more
1718 industry certifications from the list established under s.
1719 1003.492.

1720 Section 42. Section 1003.438, Florida Statutes, is amended
1721 to read:

1722 1003.438 Special high school graduation requirements for
1723 certain exceptional students.—A student who has been identified,
1724 in accordance with rules established by the State Board of
1725 Education, as a student with disabilities who has an
1726 intellectual disability; an autism spectrum disorder; a language
1727 impairment; an orthopedic impairment; an other health
1728 impairment; a traumatic brain injury; an emotional or behavioral
1729 disability; a specific learning disability, including, but not
1730 limited to, dyslexia, dyscalculia, or developmental aphasia; or
1731 students who are deaf or hard of hearing or dual sensory
1732 impaired shall not be required to meet all requirements of s.
1733 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 and shall,
1734 upon meeting all applicable requirements prescribed by the
1735 district school board pursuant to s. 1008.25, be awarded a
1736 special diploma in a form prescribed by the commissioner;
1737 however, such special graduation requirements prescribed by the
1738 district school board must include minimum graduation
1739 requirements as prescribed by the commissioner. Any such student
1740 who meets all special requirements of the district school board,

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1741 but is unable to meet the appropriate special state minimum
1742 requirements, shall be awarded a special certificate of
1743 completion in a form prescribed by the commissioner. However,
1744 this section does not limit or restrict the right of an
1745 exceptional student solely to a special diploma or special
1746 certificate of completion. Any such student shall, upon proper
1747 request, be afforded the opportunity to fully meet all
1748 requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s.
1749 1003.4282 through the standard procedures established therein
1750 and thereby to qualify for a standard diploma upon graduation.

1751 Section 43. Subsection (5) of section 1003.451, Florida
1752 Statutes, is repealed.

1753 Section 44. Subsection (1) of section 1003.49, Florida
1754 Statutes, is amended to read:

1755 1003.49 Graduation and promotion requirements for publicly
1756 operated schools.—

1757 (1) Each state or local public agency, including the
1758 Department of Children and Family Services, the Department of
1759 Corrections, the boards of trustees of universities and Florida
1760 College System institutions, and the Board of Trustees of the
1761 Florida School for the Deaf and the Blind, which agency is
1762 authorized to operate educational programs for students at any
1763 level of grades kindergarten through 12, shall be subject to all
1764 applicable requirements of ss. 1002.3105(5), 1003.4281,
1765 1003.4282 ~~1003.428~~, ~~1003.429~~, 1008.23, and 1008.25. Within the
1766 content of these cited statutes each such state or local public
1767 agency or entity shall be considered a "district school board."

1768 Section 45. Paragraph (e) of subsection (4) of section
1769 1003.493, Florida Statutes, is amended to read:

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1770 1003.493 Career and professional academies and career-
1771 themed courses.—

1772 (4) Each career and professional academy and secondary
1773 school providing a career-themed course must:

1774 (e) Deliver academic content through instruction relevant
1775 to the career, including intensive reading and mathematics
1776 intervention required by s. 1003.4282 ~~1003.428~~, with an emphasis
1777 on strengthening reading for information skills.

1778 Section 46. Subsection (2) of section 1003.4935, Florida
1779 Statutes, is amended to read:

1780 1003.4935 Middle grades career and professional academy
1781 courses and career-themed courses.—

1782 (2) Each middle grades career and professional academy or
1783 career-themed course must be aligned with at least one high
1784 school career and professional academy or career-themed course
1785 offered in the district and maintain partnerships with local
1786 business and industry and economic development boards. Middle
1787 grades career and professional academies and career-themed
1788 courses must:

1789 (a) Lead to careers in occupations designated as high-
1790 skill, high-wage, and high-demand in the Industry Certification
1791 Funding List approved under rules adopted by the State Board of
1792 Education;

1793 (b) Integrate content from core subject areas;

1794 (c) Integrate career and professional academy or career-
1795 themed course content with intensive reading, English Language
1796 Arts, and mathematics pursuant to s. ss. 1003.428 and 1003.4282;

1797 (d) Coordinate with high schools to maximize opportunities
1798 for middle grades students to earn high school credit;

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1799 (e) Provide access to virtual instruction courses provided
1800 by virtual education providers legislatively authorized to
1801 provide part-time instruction to middle grades students. The
1802 virtual instruction courses must be aligned to state curriculum
1803 standards for middle grades career and professional academy
1804 courses or career-themed courses, with priority given to
1805 students who have required course deficits;

1806 (f) Provide instruction from highly skilled professionals
1807 who hold industry certificates in the career area in which they
1808 teach;

1809 (g) Offer externships; and

1810 (h) Provide personalized student advisement that includes a
1811 parent-participation component.

1812 Section 47. Paragraph (a) of subsection (1) of section
1813 1003.57, Florida Statutes, is amended to read:

1814 1003.57 Exceptional students instruction.—

1815 (1) (a) For purposes of providing exceptional student
1816 instruction under this section:

1817 1. A school district shall use the following terms to
1818 describe the instructional setting for a student with a
1819 disability, 6 through 21 years of age, who is not educated in a
1820 setting accessible to all children who are together at all
1821 times:

1822 a. "Exceptional student education center" or "special day
1823 school" means a separate public school to which nondisabled
1824 peers do not have access.

1825 b. "Other separate environment" means a separate private
1826 school, residential facility, or hospital or homebound program.

1827 c. "Regular class" means a class in which a student spends

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1828 80 percent or more of the school week with nondisabled peers.

1829 d. "Resource room" means a classroom in which a student
1830 spends between 40 percent to 80 percent of the school week with
1831 nondisabled peers.

1832 e. "Separate class" means a class in which a student spends
1833 less than 40 percent of the school week with nondisabled peers.

1834 2. A school district shall use the term "inclusion" to mean
1835 that a student is receiving education in a general education
1836 regular class setting, reflecting natural proportions and age-
1837 appropriate heterogeneous groups in core academic and elective
1838 or special areas within the school community; a student with a
1839 disability is a valued member of the classroom and school
1840 community; the teachers and administrators support universal
1841 education and have knowledge and support available to enable
1842 them to effectively teach all children; and a teacher ~~student~~ is
1843 provided access to technical assistance in best practices,
1844 instructional methods, and supports tailored to the student's
1845 needs based on current research.

1846 Section 48. Paragraph (a) of subsection (1) of section
1847 1003.621, Florida Statutes, is amended to read:

1848 1003.621 Academically high-performing school districts.—It
1849 is the intent of the Legislature to recognize and reward school
1850 districts that demonstrate the ability to consistently maintain
1851 or improve their high-performing status. The purpose of this
1852 section is to provide high-performing school districts with
1853 flexibility in meeting the specific requirements in statute and
1854 rules of the State Board of Education.

1855 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

1856 (a) A school district is an academically high-performing

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1857 school district if it meets the following criteria:

1858 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a
1859 grade of "A" under s. 1008.34(7) for 2 consecutive years; and

1860 b. Has no district-operated school that earns a grade of
1861 "F" under s. 1008.34;

1862 2. Complies with all class size requirements in s. 1, Art.
1863 IX of the State Constitution and s. 1003.03; and

1864 3. Has no material weaknesses or instances of material
1865 noncompliance noted in the annual financial audit conducted
1866 pursuant to s. 11.45 or s. 218.39.

1867
1868 However, a district in which a district-operated school earns a
1869 grade of "F" under s. 1008.34 during the 3-year period may not
1870 continue to be designated as an academically high-performing
1871 school district during the remainder of that 3-year period. The
1872 district must meet the criteria in paragraph (a) in order to be
1873 redesignated as an academically high-performing school district.

1874 Section 49. Subsection (4) of section 1004.02, Florida
1875 Statutes, is repealed.

1876 Section 50. Section 1004.0961, Florida Statutes, is amended
1877 to read:

1878 1004.0961 Credit for online courses.—Beginning in the 2015-
1879 2016 school year, the State Board of Education shall adopt rules
1880 and the Board of Governors shall adopt regulations ~~rules~~ that
1881 enable students to earn academic credit for online courses,
1882 including massive open online courses, before ~~prior to~~ initial
1883 enrollment at a postsecondary institution. The rules of the
1884 State Board of Education and regulations ~~rules~~ of the Board of
1885 Governors must include procedures for credential evaluation and

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1886 the award of credit, including, but not limited to,
1887 recommendations for credit by the American Council on Education;
1888 equivalency and alignment of coursework with appropriate
1889 courses; course descriptions; type and amount of credit that may
1890 be awarded; and transfer of credit.

1891 Section 51. Section 1004.3825, Florida Statutes, is
1892 repealed.

1893 Section 52. Section 1004.387, Florida Statutes, is
1894 repealed.

1895 Section 53. Subsection (2) of section 1004.445, Florida
1896 Statutes, is repealed.

1897 Section 54. Section 1004.75, Florida Statutes, is repealed.

1898 Section 55. Subsections (1), (2), and (7) of section
1899 1004.935, Florida Statutes, are amended to read:

1900 1004.935 Adults with Disabilities Workforce Education Pilot
1901 Program.—

1902 (1) The Adults with Disabilities Workforce Education Pilot
1903 Program is established in the Department of Education through
1904 June 30, 2016, for 2 years in Hardee, DeSoto, Manatee, and
1905 Sarasota Counties to provide the option of receiving a
1906 scholarship for instruction at private schools for up to 30
1907 students who:

1908 (a) Have a disability;

1909 (b) Are 22 years of age;

1910 (c) Are receiving instruction from an instructor in a
1911 private school to meet the high school graduation requirements
1912 in s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282;

1913 (d) Do not have a standard high school diploma or a special
1914 high school diploma; and

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1915 (e) Receive "supported employment services," which means
1916 employment that is located or provided in an integrated work
1917 setting with earnings paid on a commensurate wage basis and for
1918 which continued support is needed for job maintenance.

1919
1920 As used in this section, the term "student with a disability"
1921 includes a student who is documented as having an intellectual
1922 disability; a speech impairment; a language impairment; a
1923 hearing impairment, including deafness; a visual impairment,
1924 including blindness; a dual sensory impairment; an orthopedic
1925 impairment; another health impairment; an emotional or
1926 behavioral disability; a specific learning disability,
1927 including, but not limited to, dyslexia, dyscalculia, or
1928 developmental aphasia; a traumatic brain injury; a developmental
1929 delay; or autism spectrum disorder.

1930 (2) A student participating in the pilot program may
1931 continue to participate in the program until the student
1932 graduates from high school or reaches the age of 40 ~~30~~ years,
1933 whichever occurs first.

1934 (7) Funds for the scholarship shall be provided from the
1935 appropriation from the school district's Workforce Development
1936 Fund in the General Appropriations Act for students who reside
1937 in the Hardee County School District, the DeSoto County School
1938 District, the Manatee County School District, or the Sarasota
1939 County School District. During the ~~2-year~~ pilot program, the
1940 scholarship amount granted for an eligible student with a
1941 disability shall be equal to the cost per unit of a full-time
1942 equivalent adult general education student, multiplied by the
1943 adult general education funding factor, and multiplied by the

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1944 district cost differential pursuant to the formula required by
1945 s. 1011.80(6)(a) for the district in which the student resides.

1946 Section 56. Section 1006.141, Florida Statutes, is
1947 repealed.

1948 Section 57. Subsections (4), (5), and (8) of section
1949 1006.147, Florida Statutes, are amended to read:

1950 1006.147 Bullying and harassment prohibited.—

1951 (4) ~~By December 1, 2008,~~ Each school district shall adopt a
1952 policy prohibiting bullying and harassment of a ~~any~~ student or
1953 employee of a public K-12 educational institution. Each school
1954 district's policy shall be in substantial conformity with the
1955 Department of Education's model policy ~~mandated in subsection~~
1956 ~~(5)~~. The school district bullying and harassment policy shall
1957 afford all students the same protection regardless of their
1958 status under the law. The school district may establish separate
1959 discrimination policies that include categories of students. The
1960 school district shall involve students, parents, teachers,
1961 administrators, school staff, school volunteers, community
1962 representatives, and local law enforcement agencies in the
1963 process of adopting the policy. The school district policy must
1964 be implemented in a manner that is ongoing throughout the school
1965 year and integrated with a school's curriculum, a school's
1966 discipline policies, and other violence prevention efforts. The
1967 school district policy must contain, at a minimum, the following
1968 components:

1969 (a) A statement prohibiting bullying and harassment.

1970 (b) A definition of bullying and a definition of harassment
1971 that include the definitions listed in this section.

1972 (c) A description of the type of behavior expected from

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1973 each student and employee of a public K-12 educational
1974 institution.

1975 (d) The consequences for a student or employee of a public
1976 K-12 educational institution who commits an act of bullying or
1977 harassment.

1978 (e) The consequences for a student or employee of a public
1979 K-12 educational institution who is found to have wrongfully and
1980 intentionally accused another of an act of bullying or
1981 harassment.

1982 (f) A procedure for reporting an act of bullying or
1983 harassment, including provisions that permit a person to
1984 anonymously report such an act. However, this paragraph does not
1985 permit formal disciplinary action to be based solely on an
1986 anonymous report.

1987 (g) A procedure for the prompt investigation of a report of
1988 bullying or harassment and the persons responsible for the
1989 investigation. The investigation of a reported act of bullying
1990 or harassment is deemed to be a school-related activity and
1991 begins with a report of such an act. Incidents that require a
1992 reasonable investigation when reported to appropriate school
1993 authorities shall include alleged incidents of bullying or
1994 harassment allegedly committed against a child while the child
1995 is en route to school aboard a school bus or at a school bus
1996 stop.

1997 (h) A process to investigate whether a reported act of
1998 bullying or harassment is within the scope of the district
1999 school system and, if not, a process for referral of such an act
2000 to the appropriate jurisdiction. Computers without web-filtering
2001 software or computers with web-filtering software that is

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2002 disabled shall be used when complaints of cyberbullying are
2003 investigated.

2004 (i) A procedure for providing immediate notification to the
2005 parents of a victim of bullying or harassment and the parents of
2006 the perpetrator of an act of bullying or harassment, as well as
2007 notification to all local agencies where criminal charges may be
2008 pursued against the perpetrator.

2009 (j) A procedure to refer victims and perpetrators of
2010 bullying or harassment for counseling.

2011 (k) A procedure for including incidents of bullying or
2012 harassment in the school's report of data concerning school
2013 safety and discipline required under s. 1006.09(6). The report
2014 must include each incident of bullying or harassment and the
2015 resulting consequences, including discipline and referrals. The
2016 report must include in a separate section each reported incident
2017 of bullying or harassment that does not meet the criteria of a
2018 prohibited act under this section with recommendations regarding
2019 such incidents. The Department of Education shall aggregate
2020 information contained in the reports.

2021 (l) A procedure for providing instruction to students,
2022 parents, teachers, school administrators, counseling staff, and
2023 school volunteers on identifying, preventing, and responding to
2024 bullying or harassment, including instruction on recognizing
2025 behaviors that lead to bullying and harassment and taking
2026 appropriate preventive action based on those observations.

2027 (m) A procedure for regularly reporting to a victim's
2028 parents the actions taken to protect the victim.

2029 (n) A procedure for publicizing the policy, which must
2030 include its publication in the code of student conduct required

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2031 under s. 1006.07(2) and in all employee handbooks.

2032 ~~(5) To assist school districts in developing policies~~
2033 ~~prohibiting bullying and harassment, the Department of Education~~
2034 ~~shall develop a model policy that shall be provided to school~~
2035 ~~districts no later than October 1, 2008.~~

2036 ~~(7)~~~~(8) Distribution of safe schools funds to a school~~
2037 ~~district provided in the 2009-2010 General Appropriations Act is~~
2038 ~~contingent upon and payable to the school district upon the~~
2039 ~~Department of Education's approval of the school district's~~
2040 ~~bullying and harassment policy. The department's approval of~~
2041 ~~each school district's bullying and harassment policy shall be~~
2042 ~~granted upon certification by the department that the school~~
2043 ~~district's policy has been submitted to the department and is in~~
2044 ~~substantial conformity with the department's model bullying and~~
2045 ~~harassment policy as mandated in subsection (5). Distribution of~~
2046 ~~safe schools funds provided to a school district in fiscal year~~
2047 ~~2010-2011 and thereafter shall be contingent upon and payable to~~
2048 ~~the school district upon the school district's compliance with~~
2049 ~~all reporting procedures contained in this section.~~

2050 Section 58. Subsection (2) of section 1006.148, Florida
2051 Statutes, is repealed.

2052 Section 59. Paragraph (a) of subsection (3) of section
2053 1006.15, Florida Statutes, is amended to read:

2054 1006.15 Student standards for participation in
2055 interscholastic and intrascholastic extracurricular student
2056 activities; regulation.—

2057 (3) (a) To be eligible to participate in interscholastic
2058 extracurricular student activities, a student must:

2059 1. Maintain a grade point average of 2.0 or above on a 4.0

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2060 scale, or its equivalent, in the previous semester or a
2061 cumulative grade point average of 2.0 or above on a 4.0 scale,
2062 or its equivalent, in the courses required by s. 1002.3105(5)
2063 ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.

2064 2. Execute and fulfill the requirements of an academic
2065 performance contract between the student, the district school
2066 board, the appropriate governing association, and the student's
2067 parents, if the student's cumulative grade point average falls
2068 below 2.0, or its equivalent, on a 4.0 scale in the courses
2069 required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.
2070 At a minimum, the contract must require that the student attend
2071 summer school, or its graded equivalent, between grades 9 and 10
2072 or grades 10 and 11, as necessary.

2073 3. Have a cumulative grade point average of 2.0 or above on
2074 a 4.0 scale, or its equivalent, in the courses required by s.
2075 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~ during his or her
2076 junior or senior year.

2077 4. Maintain satisfactory conduct, including adherence to
2078 appropriate dress and other codes of student conduct policies
2079 described in s. 1006.07(2). If a student is convicted of, or is
2080 found to have committed, a felony or a delinquent act that would
2081 have been a felony if committed by an adult, regardless of
2082 whether adjudication is withheld, the student's participation in
2083 interscholastic extracurricular activities is contingent upon
2084 established and published district school board policy.

2085 Section 60. Subsection (1) and paragraph (a) of subsection
2086 (2) of section 1006.28, Florida Statutes, are amended to read:

2087 1006.28 Duties of district school board, district school
2088 superintendent; and school principal regarding K-12

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2089 instructional materials.—

2090 (1) DISTRICT SCHOOL BOARD.—The district school board has
2091 the duty to provide adequate instructional materials for all
2092 students in accordance with the requirements of this part. The
2093 term “adequate instructional materials” means a sufficient
2094 number of student or site licenses or sets of materials that are
2095 available in bound, unbound, kit, or package form and may
2096 consist of hardbacked or softbacked textbooks, electronic
2097 content, consumables, learning laboratories, manipulatives,
2098 electronic media, and computer courseware or software that serve
2099 as the basis for instruction for each student in the core
2100 subject areas ~~courses~~ of mathematics, language arts, social
2101 studies, science, reading, and literature. The district school
2102 board has the following specific duties:

2103 (a) *Courses of study; adoption.*—Adopt courses of study for
2104 use in the schools of the district.

2105 (b) *Instructional materials.*—Provide for proper
2106 requisitioning, distribution, accounting, storage, care, and use
2107 of all instructional materials and furnish such other
2108 instructional materials as may be needed. ~~The district school~~
2109 ~~board shall ensure that~~ Instructional materials used must be in
2110 ~~the district are~~ consistent with the district goals and
2111 objectives and the course descriptions established in rule of
2112 the State Board of Education, as well as with the applicable
2113 Next Generation Sunshine State and district performance
2114 Standards provided for in s. 1003.41 ~~1001.03(1)~~.

2115 (c) *Other instructional materials.*—Provide such other
2116 teaching accessories and aids as are needed for the school
2117 district’s educational program.

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2118 (d) *School library media services; establishment and*
2119 *maintenance.*—Establish and maintain a program of school library
2120 media services for all public schools in the district, including
2121 school library media centers, or school library media centers
2122 open to the public, and, in addition such traveling or
2123 circulating libraries as may be needed for the proper operation
2124 of the district school system.

2125 (2) DISTRICT SCHOOL SUPERINTENDENT.—

2126 (a) The district school superintendent has the duty to
2127 recommend such plans for improving, providing, distributing,
2128 accounting for, and caring for instructional materials and other
2129 instructional aids as will result in general improvement of the
2130 district school system, as prescribed in this part, in
2131 accordance with adopted district school board rules prescribing
2132 the duties and responsibilities of the district school
2133 superintendent regarding the requisition, purchase, receipt,
2134 storage, distribution, use, conservation, records, and reports
2135 of, and management practices and property accountability
2136 concerning, instructional materials, and providing for an
2137 evaluation of any instructional materials to be requisitioned
2138 that have not been used previously in the district's schools.
2139 The district school superintendent must keep adequate records
2140 and accounts for all financial transactions for funds collected
2141 pursuant to subsection (3), ~~as a component of the educational~~
2142 ~~service delivery scope in a school district best financial~~
2143 ~~management practices review under s. 1008.35.~~

2144 Section 61. Subsection (2) of section 1006.31, Florida
2145 Statutes, is amended to read:

2146 1006.31 Duties of the Department of Education and school

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2147 district instructional materials reviewer.—The duties of the
2148 instructional materials reviewer are:

2149 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use evaluate
2150 ~~carefully all instructional materials submitted, in order to~~
2151 ~~ascertain which instructional materials, if any, submitted for~~
2152 ~~consideration~~ implement the selection criteria listed in s.
2153 1006.34(2)(b) developed by the department and recommend for
2154 adoption only those instructional materials aligned with the
2155 Next Generation Sunshine State those curricular objectives
2156 ~~included within applicable performance~~ Standards provided for in
2157 s. 1003.41 ~~1001.03(1)~~.

2158 (a) When recommending instructional materials for use in
2159 the schools, each reviewer shall include only instructional
2160 materials that accurately portray the ethnic, socioeconomic,
2161 cultural, and racial diversity of our society, including men and
2162 women in professional, career, and executive roles, and the role
2163 and contributions of the entrepreneur and labor in the total
2164 development of this state and the United States.

2165 (b) When recommending instructional materials for use in
2166 the schools, each reviewer shall include only materials that
2167 accurately portray, whenever appropriate, humankind's place in
2168 ecological systems, including the necessity for the protection
2169 of our environment and conservation of our natural resources and
2170 the effects on the human system of the use of tobacco, alcohol,
2171 controlled substances, and other dangerous substances.

2172 (c) When recommending instructional materials for use in
2173 the schools, each reviewer shall require such materials as he or
2174 she deems necessary and proper to encourage thrift, fire
2175 prevention, and humane treatment of people and animals.

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2176 (d) When recommending instructional materials for use in
2177 the schools, each reviewer shall require, when appropriate to
2178 the comprehension of students, that materials for social
2179 science, history, or civics classes contain the Declaration of
2180 Independence and the Constitution of the United States. A
2181 reviewer may not recommend any instructional materials for use
2182 in the schools which contain any matter reflecting unfairly upon
2183 persons because of their race, color, creed, national origin,
2184 ancestry, gender, or occupation.

2185 (e) Any instructional material recommended by each reviewer
2186 for use in the schools shall be, to the satisfaction of each
2187 reviewer, accurate, objective, and current and suited to the
2188 needs and comprehension of students at their respective grade
2189 levels. Reviewers shall consider for adoption materials
2190 developed for academically talented students such as those
2191 enrolled in advanced placement courses.

2192 Section 62. Paragraph (b) of subsection (2) of section
2193 1006.34, Florida Statutes, is amended to read:

2194 1006.34 Powers and duties of the commissioner and the
2195 department in selecting and adopting instructional materials.—

2196 (2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

2197 (b) In the selection of instructional materials, library
2198 media, and other reading material used in the public school
2199 system, the standards used to determine the propriety of the
2200 material shall include:

2201 1. The age of the students who normally could be expected
2202 to have access to the material.

2203 2. The educational purpose to be served by the material. ~~In~~
2204 ~~considering instructional materials for classroom use,~~ Priority

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2205 shall be given to the selection of materials that align with the
2206 Next Generation Sunshine State Standards as provided for in s.
2207 1003.41 ~~which encompass the state and district school board~~
2208 ~~performance standards provided for in s. 1001.03(1)~~ and which
2209 include the instructional objectives contained within the
2210 curriculum frameworks for career and technical education and
2211 adult and adult general education adopted ~~approved~~ by rule of
2212 the State Board of Education under s. 1004.92.

2213 3. The degree to which the material would be supplemented
2214 and explained by mature classroom instruction as part of a
2215 normal classroom instructional program.

2216 4. The consideration of the broad racial, ethnic,
2217 socioeconomic, and cultural diversity of the students of this
2218 state.

2219

2220 Any instructional material containing pornography or otherwise
2221 prohibited by s. 847.012 may not be used or made available
2222 within any public school.

2223 Section 63. Subsection (2) and paragraph (a) of subsection
2224 (3) of section 1006.40, Florida Statutes, are amended, and
2225 subsection (8) is added to that section, to read:

2226 1006.40 Use of instructional materials allocation;
2227 instructional materials, library books, and reference books;
2228 repair of books.—

2229 (2) Each district school board must purchase current
2230 instructional materials to provide each student with a major
2231 tool of instruction in core courses of the subject areas of
2232 mathematics, language arts, science, social studies, reading,
2233 and literature for kindergarten through grade 12. Such purchase

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2234 must be made within the first 3 years after the effective date
2235 of the adoption cycle unless a district school board or a
2236 consortium of school districts has implemented an instructional
2237 materials program pursuant to s. 1006.283. ~~For the 2012-2013~~
2238 ~~mathematics adoption, a district using a comprehensive~~
2239 ~~mathematics instructional materials program adopted in the 2009-~~
2240 ~~2010 adoption shall be deemed in compliance with this subsection~~
2241 ~~if it provides each student with such additional state-adopted~~
2242 ~~materials as may be necessary to align the previously adopted~~
2243 ~~comprehensive program to common core standards and the other~~
2244 ~~criteria of the 2012-2013 mathematics adoption.~~

2245 (3) (a) Beginning with ~~By~~ the 2015-2016 fiscal year, each
2246 district school board shall use at least 50 percent of the
2247 annual allocation for the purchase of digital or electronic
2248 instructional materials that align with state standards included
2249 on the state-adopted list, except as otherwise authorized in
2250 paragraphs (b) and (c). ~~This section does not apply to a~~
2251 ~~district school board or a consortium of school districts which~~
2252 ~~implements an instructional materials program pursuant to s.~~
2253 ~~1006.283, except that by the 2015-2016 fiscal year, each~~
2254 ~~district school board shall use at least 50 percent of the~~
2255 ~~annual allocation for the purchase of digital or electronic~~
2256 ~~instructional materials that align with state standards.~~

2257 (8) Subsections (3), (4), and (6) do not apply to a
2258 district school board or a consortium of school districts that
2259 implements an instructional materials program pursuant to s.
2260 1006.283 except that, by the 2015-2016 fiscal year, each
2261 district school board shall use at least 50 percent of the
2262 annual instructional materials allocation for the purchase of

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2263 digital or electronic instructional materials that align with
2264 state standards adopted by the State Board of Education pursuant
2265 to s. 1003.41.

2266 Section 64. Section 1006.42, Florida Statutes, is amended
2267 to read:

2268 1006.42 Responsibility of students and parents for
2269 instructional materials.—

2270 ~~(1)~~ All instructional materials purchased under the
2271 provisions of this part are the property of the district school
2272 board. When distributed to the students, these instructional
2273 materials are on loan to the students while they are pursuing
2274 their courses of study and are to be returned at the direction
2275 of the school principal or the teacher in charge. Each parent of
2276 a student to whom or for whom instructional materials have been
2277 issued, is liable for any loss or destruction of, or unnecessary
2278 damage to, the instructional materials or for failure of the
2279 student to return the instructional materials when directed by
2280 the school principal or the teacher in charge, and shall pay for
2281 such loss, destruction, or unnecessary damage as provided under
2282 s. 1006.28(3) by law.

2283 ~~(2) Nothing in this part shall be construed to prohibit~~
2284 ~~parents from exercising their right to purchase instructional~~
2285 ~~materials from the district school board.~~

2286 Section 65. Section 1007.02, Florida Statutes, is amended
2287 to read:

2288 1007.02 ~~Access to postsecondary education and meaningful~~
2289 ~~careers for~~ Students with disabilities; ~~popular name;~~
2290 definition.—

2291 ~~(1) This section shall be known by the popular name the~~

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2292 ~~"Enhanced New Needed Opportunity for Better Life and Education~~
2293 ~~for Students with Disabilities (ENNOBLES) Act."~~

2294 ~~(2)~~ For the purposes of this chapter ~~act~~, the term "student
2295 with a disability" means a ~~any~~ student who is documented as
2296 having an intellectual disability; a hearing impairment,
2297 including deafness; a speech or language impairment; a visual
2298 impairment, including blindness; an emotional or behavioral
2299 disability; an orthopedic or other health impairment; an autism
2300 spectrum disorder; a traumatic brain injury; or a specific
2301 learning disability, including, but not limited to, dyslexia,
2302 dyscalculia, or developmental aphasia.

2303 Section 66. Paragraph (a) of subsection (1) and subsection
2304 (3) of section 1007.2615, Florida Statutes, are amended to read:

2305 1007.2615 American Sign Language; findings; foreign-
2306 language credits authorized; teacher licensing.-

2307 (1) LEGISLATIVE FINDINGS; PURPOSE.-

2308 (a) The Legislature finds that:

2309 1. American Sign Language (ASL) is a fully developed
2310 visual-gestural language with distinct grammar, syntax, and
2311 symbols and is one of hundreds of signed languages of the world.

2312 2. ASL is recognized as the language of the American deaf
2313 community and is the fourth most commonly used language in the
2314 United States and Canada.

2315 3. The American deaf community is a group of citizens who
2316 are members of a unique culture who share ASL as their common
2317 language.

2318 ~~4. Thirty three state legislatures have adopted legislation~~
2319 ~~recognizing ASL as a language that should be taught in schools.~~

2320 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF

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2321 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
2322 FOR POSTSECONDARY EDUCATION PROVIDERS.—

2323 ~~(a) The Commissioner of Education shall appoint a seven-~~
2324 ~~member task force that includes representatives from two state~~
2325 ~~universities and one private college or university located~~
2326 ~~within this state which currently offer a 4-year deaf education~~
2327 ~~or sign language interpretation program as a part of their~~
2328 ~~respective curricula, two representatives from the Florida~~
2329 ~~American Sign Language Teachers' Association (FASLTA), and two~~
2330 ~~representatives from Florida College System institutions located~~
2331 ~~within this state which have established Interpreter Training~~
2332 ~~Programs (ITPs). This task force shall develop and submit to the~~
2333 ~~Commissioner of Education a report that contains the most up-to-~~
2334 ~~date information about American Sign Language (ASL) and~~
2335 ~~guidelines for developing and maintaining ASL courses as a part~~
2336 ~~of the curriculum. This information must be made available to~~
2337 ~~any administrator of a public or an independent school upon~~
2338 ~~request of the administrator.~~

2339 (a) ~~(b)~~ By January 1, 2005, The State Board of Education
2340 shall adopt rules establishing licensing/certification standards
2341 to be applied to teachers who teach American Sign Language (ASL)
2342 ASL as part of a school curriculum. ~~In developing the rules, the~~
2343 ~~state board shall consult with the task force established under~~
2344 ~~paragraph (a).~~

2345 (b) ~~(c)~~ An ASL teacher must be certified by the Department
2346 of Education by ~~July 1, 2009~~.

2347 (c) ~~(d)~~ The Commissioner of Education shall work with
2348 providers of postsecondary education, except for state
2349 universities, to develop and implement a plan to ensure that

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2350 these institutions in this state will accept secondary school
2351 credits in ASL as credits in a foreign language and to encourage
2352 postsecondary institutions to offer ASL courses to students as a
2353 fulfillment of the requirement for studying a foreign language.

2354 Section 67. Subsection (4) of section 1007.263, Florida
2355 Statutes, is amended to read:

2356 1007.263 Florida College System institutions; admissions of
2357 students.—Each Florida College System institution board of
2358 trustees is authorized to adopt rules governing admissions of
2359 students subject to this section and rules of the State Board of
2360 Education. These rules shall include the following:

2361 (4) A student who has been awarded a special diploma under
2362 ~~as defined in s. 1003.438~~ or a certificate of completion under
2363 ~~as defined in s. 1003.4282 1003.428(7)(b)~~ is eligible to enroll
2364 in certificate career education programs.

2365
2366 Each board of trustees shall establish policies that notify
2367 students about developmental education options for improving
2368 their communication or computation skills that are essential to
2369 performing college-level work, including tutoring, extended time
2370 in gateway courses, free online courses, adult basic education,
2371 adult secondary education, or private provider instruction.

2372 Section 68. Subsection (1) of section 1007.264, Florida
2373 Statutes, is amended to read:

2374 1007.264 Persons with disabilities; admission to
2375 postsecondary educational institutions; substitute requirements;
2376 rules and regulations.—

2377 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
2378 ~~1007.02(2)~~, who is otherwise eligible shall be eligible for

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2379 reasonable substitution for any requirement for admission into a
 2380 public postsecondary educational institution where documentation
 2381 can be provided that the person's failure to meet the admission
 2382 requirement is related to the disability.

2383 Section 69. Subsection (1) of section 1007.265, Florida
 2384 Statutes, is amended to read:

2385 1007.265 Persons with disabilities; graduation, study
 2386 program admission, and upper-division entry; substitute
 2387 requirements; rules and regulations.—

2388 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
 2389 ~~1007.02(2),~~ in a public postsecondary educational institution
 2390 shall be eligible for reasonable substitution for any
 2391 requirement for graduation, for admission into a program of
 2392 study, or for entry into the upper division where documentation
 2393 can be provided that the person's failure to meet the
 2394 requirement is related to the disability and where failure to
 2395 meet the graduation requirement or program admission requirement
 2396 does not constitute a fundamental alteration in the nature of
 2397 the program.

2398 Section 70. Subsections (2) and (9) of section 1007.271,
 2399 Florida Statutes, are amended to read:

2400 1007.271 Dual enrollment programs.—

2401 (2) For the purpose of this section, an eligible secondary
 2402 student is a student who is enrolled in any of grades 6 through
 2403 12 in a Florida public ~~secondary~~ school or in a Florida private
 2404 ~~secondary~~ school that ~~which~~ is in compliance with s. 1002.42(2)
 2405 and provides a secondary curriculum pursuant to ~~s. 1003.428 or~~
 2406 s. 1003.4282. Students who are eligible for dual enrollment
 2407 pursuant to this section may enroll in dual enrollment courses

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2408 conducted during school hours, after school hours, and during
2409 the summer term. However, if the student is projected to
2410 graduate from high school before the scheduled completion date
2411 of a postsecondary course, the student may not register for that
2412 course through dual enrollment. The student may apply to the
2413 postsecondary institution and pay the required registration,
2414 tuition, and fees if the student meets the postsecondary
2415 institution's admissions requirements under s. 1007.263.
2416 Instructional time for dual enrollment may vary from 900 hours;
2417 however, the full-time equivalent student membership value shall
2418 be subject to the provisions in s. 1011.61(4). A ~~Any~~ student
2419 enrolled as a dual enrollment student is exempt from the payment
2420 of registration, tuition, and laboratory fees. Applied academics
2421 for adult education instruction, developmental education, and
2422 other forms of precollegiate instruction, as well as physical
2423 education courses that focus on the physical execution of a
2424 skill rather than the intellectual attributes of the activity,
2425 are ineligible for inclusion in the dual enrollment program.
2426 Recreation and leisure studies courses shall be evaluated
2427 individually in the same manner as physical education courses
2428 for potential inclusion in the program.

2429 (9) The Commissioner of Education shall appoint faculty
2430 committees representing public school, Florida College System
2431 institution, and university faculties to identify postsecondary
2432 courses that meet the high school graduation requirements of ~~s.~~
2433 ~~1003.428~~ ~~or~~ s. 1003.4282 and to establish the number of
2434 postsecondary semester credit hours of instruction and
2435 equivalent high school credits earned through dual enrollment
2436 pursuant to this section that are necessary to meet high school

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2437 graduation requirements. Such equivalencies shall be determined
 2438 solely on comparable course content and not on seat time
 2439 traditionally allocated to such courses in high school. The
 2440 Commissioner of Education shall recommend to the State Board of
 2441 Education those postsecondary courses identified to meet high
 2442 school graduation requirements, based on mastery of course
 2443 outcomes, by their course numbers, and all high schools shall
 2444 accept these postsecondary education courses toward meeting the
 2445 requirements of ~~s. 1003.428~~ or s. 1003.4282.

2446 Section 71. Subsections (3), (7), and (8) of section
 2447 1008.22, Florida Statutes, are amended to read:

2448 1008.22 Student assessment program for public schools.—

2449 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 2450 Commissioner of Education shall design and implement a
 2451 statewide, standardized assessment program aligned to the core
 2452 curricular content established in the Next Generation Sunshine
 2453 State Standards. The commissioner also must develop or select
 2454 and implement a common battery of assessment tools that will be
 2455 used in all juvenile justice education programs in the state.
 2456 These tools must accurately measure the core curricular content
 2457 established in the Next Generation Sunshine State Standards.
 2458 Participation in the assessment program is mandatory for all
 2459 school districts and all students attending public schools,
 2460 including adult students seeking a standard ~~an adult~~ high school
 2461 diploma under s. 1003.4282 and students in Department of
 2462 Juvenile Justice education programs, except as otherwise
 2463 provided by law ~~prescribed by the commissioner~~. If a student
 2464 does not participate in the assessment program, the school
 2465 district must notify the student's parent and provide the parent

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2466 with information regarding the implications of such
2467 nonparticipation. The statewide, standardized assessment program
2468 shall be designed and implemented as follows:

2469 (a) Statewide, standardized comprehensive assessments
2470 ~~Florida Comprehensive Assessment Test (FCAT) until replaced by~~
2471 ~~common core assessments.~~ The statewide, standardized FCAT
2472 Reading assessment shall be administered annually in grades 3
2473 through 10. The statewide, standardized Writing assessment shall
2474 be administered annually at least once at the elementary,
2475 middle, and high school levels. When the Reading and Writing
2476 assessments are replaced by English Language Arts (ELA)
2477 assessments, ELA assessments shall be administered to students
2478 in grades 3 through 11. Retake opportunities for the grade 10
2479 Reading assessment or, upon implementation, the grade 10 ELA
2480 assessment must be provided. Students taking the ELA assessments
2481 shall not take the statewide, standardized assessments in
2482 Reading or Writing. ELA assessments shall be administered
2483 online. The statewide, standardized; FCAT Mathematics
2484 assessments shall be administered annually in grades 3 through
2485 8. Students taking a revised Mathematics assessment shall not
2486 take the discontinued assessment. The statewide, standardized;
2487 ~~FCAT Writing shall be administered annually at least once at the~~
2488 ~~elementary, middle, and high school levels; and FCAT Science~~
2489 assessment shall be administered annually at least once at the
2490 elementary and middle grades levels. In order to earn a standard
2491 high school diploma, a student who has not earned a passing
2492 score on the grade 10 FCAT Reading assessment or, upon
2493 implementation, the grade 10 ELA assessment must earn a passing
2494 score on the assessment retake or earn a concordant score as

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2495 ~~authorized under subsection (7) must participate in each retake~~
2496 ~~of the assessment until the student earns a passing score. The~~
2497 ~~commissioner shall recommend and the State Board of Education~~
2498 ~~must adopt a score on both the SAT and ACT that is concordant to~~
2499 ~~a passing score on grade 10 FCAT Reading that, if achieved by a~~
2500 ~~student, meets the must pass requirement for grade 10 FCAT~~
2501 ~~Reading.~~

2502 (b) *End-of-course (EOC) assessments.*—EOC assessments must
2503 be statewide, standardized, and developed or approved by the
2504 Department of Education as follows:

2505 1. Statewide, standardized EOC assessments in mathematics
2506 shall be administered according to this subparagraph. Beginning
2507 with the 2010-2011 school year, all students enrolled in Algebra
2508 I must take the Algebra I EOC assessment. Except as otherwise
2509 provided in paragraph (c) this section, beginning with students
2510 entering grade 9 in the 2011-2012 school year, a student who is
2511 enrolled in Algebra I must earn a passing score on the Algebra I
2512 EOC assessment or attain a comparative score as authorized under
2513 subsection (8) in order to earn a standard high school diploma.
2514 In order to earn a standard high school diploma, a student who
2515 has not earned a passing score on the Algebra I EOC assessment
2516 must earn a passing score on the assessment retake or a
2517 comparative score as authorized under subsection (8) ~~must~~
2518 ~~participate in each retake of the assessment until the student~~
2519 ~~earns a passing score.~~ Beginning with the 2011-2012 school year,
2520 all students enrolled in Geometry must take the Geometry EOC
2521 assessment. Middle grades students enrolled in Algebra I, ~~or~~
2522 Geometry, or Biology I must take the statewide, standardized EOC
2523 assessment for those courses and shall ~~are not required to~~ take

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2524 the corresponding subject and grade-level statewide,
2525 standardized assessment ~~FCAT~~. When a statewide, standardized EOC
2526 assessment in Algebra II is administered, all students enrolled
2527 in Algebra II must take the EOC assessment. Pursuant to the
2528 commissioner's implementation schedule, student performance on
2529 the Algebra II EOC assessment constitutes 30 percent of a
2530 student's final course grade.

2531 2. Statewide, standardized EOC assessments in science shall
2532 be administered according to this subparagraph. Beginning with
2533 the 2011-2012 school year, all students enrolled in Biology I
2534 must take the Biology I EOC assessment. Beginning with students
2535 entering grade 9 in the 2013-2014 school year, performance on
2536 the Biology I EOC assessment constitutes 30 percent of the
2537 student's final course grade.

2538 3. ~~During the 2012-2013 school year, an EOC assessment in~~
2539 ~~civics education shall be administered as a field test at the~~
2540 ~~middle grades level.~~ Beginning with the 2013-2014 school year,
2541 each student's performance on the statewide, standardized middle
2542 grades Civics EOC assessment ~~in civics education~~ constitutes 30
2543 percent of the student's final course grade in civics education.

2544 4. The commissioner may select one or more nationally
2545 developed comprehensive examinations, which may include
2546 examinations for a College Board Advanced Placement course,
2547 International Baccalaureate course, or Advanced International
2548 Certificate of Education course, or industry-approved
2549 examinations to earn national industry certifications identified
2550 in the Industry Certification Funding List, for use as EOC
2551 assessments under this paragraph if the commissioner determines
2552 that the content knowledge and skills assessed by the

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2553 examinations meet or exceed the grade-level expectations for the
2554 core curricular content established for the course in the Next
2555 Generation Sunshine State Standards. Use of any such examination
2556 as an EOC assessment must be approved by the state board in
2557 rule.

2558 5. Contingent upon funding provided in the General
2559 Appropriations Act, including the appropriation of funds
2560 received through federal grants, the commissioner may establish
2561 an implementation schedule for the development and
2562 administration of additional statewide, standardized EOC
2563 assessments that must be approved by the state board, in rule.
2564 If approved by the state board, student performance on such
2565 assessments constitutes 30 percent of a student's final course
2566 grade.

2567 6. All statewide, standardized EOC assessments must be
2568 administered online except as otherwise provided in paragraph
2569 (c).

2570 (c) *Students with disabilities; Florida Alternate*
2571 *Assessment.*—

2572 1. Each district school board must provide instruction to
2573 prepare students with disabilities in the core content knowledge
2574 and skills necessary for successful grade-to-grade progression
2575 and high school graduation.

2576 2. A student with a disability, as defined in s. 1007.02
2577 ~~1007.02(2)~~, for whom the individual education plan (IEP) team
2578 determines that the statewide, standardized assessments under
2579 this section cannot accurately measure the student's abilities,
2580 taking into consideration all allowable accommodations, shall
2581 have assessment results waived for the purpose of receiving a

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2582 course grade and a standard high school diploma. Such waiver
2583 shall be designated on the student's transcript. The statement
2584 of waiver shall be limited to a statement that performance on an
2585 assessment was waived for the purpose of receiving a course
2586 grade or a standard high school diploma, as applicable.

2587 3. The State Board of Education shall adopt rules, based
2588 upon recommendations of the commissioner, for the provision of
2589 assessment accommodations for students with disabilities and for
2590 students who have limited English proficiency.

2591 a. Accommodations that negate the validity of a statewide,
2592 standardized assessment are not allowed during the
2593 administration of the assessment. However, instructional
2594 accommodations are allowed in the classroom if identified in a
2595 student's IEP. Students using instructional accommodations in
2596 the classroom that are not allowed on a statewide, standardized
2597 assessment may have assessment results waived if the IEP team
2598 determines that the assessment cannot accurately measure the
2599 student's abilities.

2600 b. If a student is provided with instructional
2601 accommodations in the classroom that are not allowed as
2602 accommodations for statewide, standardized assessments, the
2603 district must inform the parent in writing and provide the
2604 parent with information regarding the impact on the student's
2605 ability to meet expected performance levels. A parent must
2606 provide signed consent for a student to receive classroom
2607 instructional accommodations that would not be available or
2608 permitted on a statewide, standardized assessment and
2609 acknowledge in writing that he or she understands the
2610 implications of such instructional accommodations.

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2611 c. If a student's IEP states that online administration of
2612 a statewide, standardized assessment will significantly impair
2613 the student's ability to perform, the assessment shall be
2614 administered in hard copy.

2615 4. For students with significant cognitive disabilities,
2616 the Department of Education shall provide for implementation of
2617 the Florida Alternate Assessment to accurately measure the core
2618 curricular content established in the Next Generation Sunshine
2619 State Standards.

2620 (d) Implementation schedule ~~Common core assessments in~~
2621 ~~English Language Arts (ELA) and mathematics.~~

2622 1. ~~Contingent upon funding, common core assessments in ELA~~
2623 ~~shall be administered to students in grades 3 through 11. Retake~~
2624 ~~opportunities for the grade 10 assessment must be provided.~~
2625 ~~Students taking the ELA assessments are not required to take the~~
2626 ~~assessments in FCAT Reading or FCAT Writing. Common core ELA~~
2627 ~~assessments shall be administered online.~~

2628 2. ~~Contingent upon funding, common core assessments in~~
2629 ~~mathematics shall be administered to all students in grades 3~~
2630 ~~through 8, and common core assessments in Algebra I, Geometry,~~
2631 ~~and Algebra II shall be administered to students enrolled in~~
2632 ~~those courses. Retake opportunities must be provided for the~~
2633 ~~Algebra I assessment. Students may take the common core~~
2634 ~~mathematics assessments pursuant to the Credit Acceleration~~
2635 ~~Program (CAP) under s. 1003.4295(3). Students taking common core~~
2636 ~~assessments in mathematics are not required to take FCAT~~
2637 ~~Mathematics or statewide, standardized EOC assessments in~~
2638 ~~mathematics. Common core mathematics assessments shall be~~
2639 ~~administered online.~~

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2640 ~~1.3.~~ The Commissioner State Board of Education shall
2641 establish and publish on the department's website ~~adopt rules~~
2642 ~~establishing~~ an implementation schedule to transition from the
2643 statewide, standardized FCAT Reading and, FCAT Writing
2644 assessments to the ELA assessments and to the revised, FCAT
2645 Mathematics assessments, including the, and Algebra I and
2646 Geometry EOC assessments to common core assessments in English
2647 Language Arts and mathematics. The schedule must take into
2648 consideration funding, sufficient field and baseline data,
2649 access to assessments, instructional alignment, and school
2650 district readiness to administer the ~~common core~~ assessments
2651 online. ~~Until the 10th grade common core ELA and Algebra I~~
2652 ~~assessments become must-pass assessments, students must pass~~
2653 ~~10th grade FCAT Reading and the Algebra I EOC assessment, or~~
2654 ~~achieve a concordant or comparative score as authorized under~~
2655 ~~this section, in order to earn a standard high school diploma~~
2656 ~~under s. 1003.4282. Students taking 10th grade FCAT Reading or~~
2657 ~~the Algebra I EOC assessment are not required to take the~~
2658 ~~respective common core assessments.~~

2659 ~~2.4.~~ The Department of Education shall publish minimum and
2660 recommended technology requirements that include specifications
2661 for hardware, software, networking, security, and broadband
2662 capacity to facilitate school district compliance with the
2663 requirement that ~~common core~~ assessments be administered online.

2664 (e) *Assessment scores and achievement levels.*—

2665 1. All statewide, standardized EOC assessments and ~~FCAT~~
2666 Reading, FCAT Writing, and FCAT Science assessments shall use
2667 scaled scores and achievement levels. Achievement levels shall
2668 range from 1 through 5, with level 1 being the lowest

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2669 achievement level, level 5 being the highest achievement level,
2670 and level 3 indicating satisfactory performance on an
2671 assessment. For purposes of the statewide, standardized FCAT
2672 Writing assessment, student achievement shall be scored using a
2673 scale of 1 through 6.

2674 2. The state board shall designate by rule a passing score
2675 for each statewide, standardized ~~EOC and FCAT~~ assessment. ~~In~~
2676 ~~addition, the state board shall designate a score for each~~
2677 ~~statewide, standardized EOC assessment that indicates that a~~
2678 ~~student is high achieving and has the potential to meet college-~~
2679 ~~readiness standards by the time the student graduates from high~~
2680 ~~school.~~

2681 3. If the commissioner seeks to revise a statewide,
2682 standardized assessment and the revisions require the state
2683 board to modify performance level scores, including the passing
2684 score, the commissioner shall provide a copy of the proposed
2685 scores and implementation plan to the President of the Senate
2686 and the Speaker of the House of Representatives at least 90 days
2687 before submission to the state board for review. Until the state
2688 board adopts the modifications by rule, the commissioner shall
2689 use calculations for scoring the assessment that adjust student
2690 scores on the revised assessment for statistical equivalence to
2691 student scores on the former assessment. The state board shall
2692 adopt by rule the passing score for the revised assessment that
2693 is statistically equivalent to the passing score on the
2694 discontinued assessment for a student who is required to attain
2695 a passing score on the discontinued assessment. The commissioner
2696 may, with approval of the state board, discontinue
2697 administration of the former assessment upon the graduation,

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2698 based on normal student progression, of students participating
2699 in the final regular administration of the former assessment. If
2700 the commissioner revises a statewide, standardized assessment
2701 and the revisions require the state board to modify the passing
2702 score, only students taking the assessment for the first time
2703 after the rule is adopted are affected.

2704 (f) *Assessment schedules and reporting of results.*—The
2705 Commissioner of Education shall establish schedules for the
2706 administration of assessments and the reporting of student
2707 assessment results. The commissioner shall consider the
2708 observance of religious and school holidays when developing the
2709 schedule. By August 1 of each year, the commissioner shall
2710 notify each school district in writing and publish on the
2711 department's website the assessment and reporting schedules for,
2712 at a minimum, the school year following the upcoming school
2713 year. The assessment and reporting schedules must provide the
2714 earliest possible reporting of student assessment results to the
2715 school districts. Assessment results for the statewide,
2716 standardized FCAT Reading assessments, or upon implementation
2717 the ELA assessments, and FCAT Mathematics assessments, including
2718 the EOC assessments in Algebra I and Geometry, must be made
2719 available no later than the week of June 8. The administration
2720 of the statewide, standardized FCAT Writing assessment and the
2721 Florida Alternate Assessment may be no earlier than the week of
2722 March 1. School districts shall administer assessments in
2723 accordance with the schedule established by the commissioner.

2724 (g) *Prohibited activities.*—A district school board shall
2725 prohibit each public school from suspending a regular program of
2726 curricula for purposes of administering practice assessments or

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2727 engaging in other assessment-preparation activities for a
2728 statewide, standardized assessment. However, a district school
2729 board may authorize a public school to engage in the following
2730 assessment-preparation activities:

2731 1. Distributing to students sample assessment books and
2732 answer keys published by the Department of Education.

2733 2. Providing individualized instruction in assessment-
2734 taking strategies, without suspending the school's regular
2735 program of curricula, for a student who scores Level 1 or Level
2736 2 on a prior administration of an assessment.

2737 3. Providing individualized instruction in the content
2738 knowledge and skills assessed, without suspending the school's
2739 regular program of curricula, for a student who scores Level 1
2740 or Level 2 on a prior administration of an assessment or a
2741 student who, through a diagnostic assessment administered by the
2742 school district, is identified as having a deficiency in the
2743 content knowledge and skills assessed.

2744 4. Administering a practice assessment or engaging in other
2745 assessment-preparation activities that are determined necessary
2746 to familiarize students with the organization of the assessment,
2747 the format of assessment items, and the assessment directions or
2748 that are otherwise necessary for the valid and reliable
2749 administration of the assessment, as set forth in rules adopted
2750 by the State Board of Education with specific reference to this
2751 paragraph.

2752 (h) *Contracts for assessments.*—The commissioner shall
2753 provide for the assessments to be developed or obtained, as
2754 appropriate, through contracts and project agreements with
2755 private vendors, public vendors, public agencies, postsecondary

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2756 educational institutions, or school districts. The commissioner
2757 may enter into contracts for the continued administration of the
2758 assessments authorized and funded by the Legislature. Contracts
2759 may be initiated in 1 fiscal year and continue into the next
2760 fiscal year and may be paid from the appropriations of either or
2761 both fiscal years. The commissioner may negotiate for the sale
2762 or lease of tests, scoring protocols, test scoring services, and
2763 related materials developed pursuant to law.

2764 (7) CONCORDANT SCORES FOR ~~10TH GRADE FCAT READING.~~ ~~Until~~
2765 ~~the state transitions to common core English Language Arts~~
2766 ~~assessments,~~ The Commissioner of Education must identify scores
2767 on the SAT and ACT that if achieved satisfy the graduation
2768 requirement that a student pass the grade 10 statewide,
2769 standardized 10th grade FCAT Reading assessment or, upon
2770 implementation, the grade 10 ELA assessment. The commissioner
2771 may identify concordant scores on ~~other~~ assessments other than
2772 the SAT and ACT as well. If the content or scoring procedures
2773 change for the grade 10 Reading assessment or, upon
2774 implementation, the grade 10 ELA assessment ~~10th grade FCAT~~
2775 ~~Reading,~~ new concordant scores must be determined. If new
2776 concordant scores are not timely adopted, the last-adopted
2777 concordant scores remain in effect until such time as new scores
2778 are adopted. The state board shall adopt concordant scores in
2779 rule.

2780 (8) COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT
2781 ASSESSMENTS. ~~The Commissioner of Education must identify one or~~
2782 ~~more comparative scores for the Algebra I EOC assessment and may~~
2783 ~~identify comparative scores for the other EOC assessments.~~ If
2784 the content or scoring procedures change for the EOC assessment

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2785 ~~assessments~~, new comparative scores must be determined. If new
2786 comparative scores are not timely adopted, the last-adopted
2787 comparative scores remain in effect until such time as new
2788 scores are adopted. The state board shall adopt comparative
2789 scores in rule.

2790 Section 72. Paragraph (h) of subsection (2), paragraph (a)
2791 of subsection (4), paragraph (b) of subsection (6), and
2792 paragraph (b) of subsection (7) of section 1008.25, Florida
2793 Statutes, are amended to read:

2794 1008.25 Public school student progression; remedial
2795 instruction; reporting requirements.—

2796 (2) COMPREHENSIVE STUDENT PROGRESSION PLAN.—Each district
2797 school board shall establish a comprehensive plan for student
2798 progression which must:

2799 (h) Provide instructional sequences by which students in
2800 kindergarten through high school may attain progressively higher
2801 levels of skill in the use of digital tools and applications.
2802 The instructional sequences must include participation in
2803 curricular and instructional options and the demonstration of
2804 competence of standards required pursuant to ss. 1003.41 and
2805 1003.4203 through attainment of industry certifications and
2806 other means of demonstrating credit requirements identified
2807 under ss. 1002.3105, 1003.4203, ~~1003.4287~~, and 1003.4282.

2808 (4) ASSESSMENT AND REMEDIATION.—

2809 (a) Each student must participate in the statewide,
2810 standardized assessment program required by s. 1008.22. Each
2811 student who does not meet specific levels of performance on the
2812 required assessments as determined by the district school board
2813 or who scores below Level 3 on the statewide, standardized

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2814 Reading assessment or, upon implementation, the English Language
 2815 Arts assessment or on the statewide, standardized Mathematics
 2816 assessments in grades 3 through 8 and the Algebra I EOC
 2817 assessment ~~FCAT Reading or FCAT Mathematics or on the common~~
 2818 ~~core English Language Arts or mathematics assessments as~~
 2819 ~~applicable under s. 1008.22~~ must be provided with additional
 2820 diagnostic assessments to determine the nature of the student's
 2821 difficulty, the areas of academic need, and strategies for
 2822 appropriate intervention and instruction as described in
 2823 paragraph (b).

2824 (6) ELIMINATION OF SOCIAL PROMOTION.-

2825 (b) The district school board may only exempt students from
 2826 mandatory retention, as provided in paragraph (5) (b), for good
 2827 cause. Good cause exemptions shall be limited to the following:

2828 1. Limited English proficient students who have had less
 2829 than 2 years of instruction in an English for Speakers of Other
 2830 Languages program.

2831 2. Students with disabilities whose individual education
 2832 plan indicates that participation in the statewide assessment
 2833 program is not appropriate, consistent with the requirements of
 2834 s. 1008.212 ~~State Board of Education rule.~~

2835 3. Students who demonstrate an acceptable level of
 2836 performance on an alternative standardized reading or English
 2837 Language Arts assessment approved by the State Board of
 2838 Education.

2839 4. A student who demonstrates through a student portfolio
 2840 that he or she is performing at least at Level 2 on the
 2841 statewide, standardized ~~FCAT Reading~~ assessment or, upon
 2842 implementation, the ~~common core~~ English Language Arts

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2843 assessment, ~~as applicable under s. 1008.22.~~

2844 5. Students with disabilities who take the statewide,
2845 standardized participate in FCAT Reading assessment or, upon
2846 implementation, the ~~common core~~ English Language Arts
2847 assessment, ~~as applicable under s. 1008.22,~~ and who have an
2848 individual education plan or a Section 504 plan that reflects
2849 that the student has received intensive remediation in reading
2850 or and English Language Arts for more than 2 years but still
2851 demonstrates a deficiency and was previously retained in
2852 kindergarten, grade 1, grade 2, or grade 3.

2853 6. Students who have received intensive remediation in
2854 reading or and English Language Arts, ~~as applicable under s.~~
2855 ~~1008.22,~~ for 2 or more years but still demonstrate a deficiency
2856 and who were previously retained in kindergarten, grade 1, grade
2857 2, or grade 3 for a total of 2 years. Intensive instruction for
2858 students so promoted must include an altered instructional day
2859 that includes specialized diagnostic information and specific
2860 reading strategies for each student. The district school board
2861 shall assist schools and teachers to implement reading
2862 strategies that research has shown to be successful in improving
2863 reading among low-performing readers.

2864 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
2865 STUDENTS.—

2866 (b) Each school district shall:

2867 1. Provide third grade students who are retained under the
2868 provisions of paragraph (5) (b) with intensive instructional
2869 services and supports to remediate the identified areas of
2870 reading deficiency, including participation in the school
2871 district's summer reading camp as required under paragraph (a)

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2872 and a minimum of 90 minutes of daily, uninterrupted,
2873 scientifically research-based reading instruction which includes
2874 phonemic awareness, phonics, fluency, vocabulary, and
2875 comprehension and other strategies prescribed by the school
2876 district, which may include, but are not limited to:

2877 a. Integration of science and social studies content within
2878 the 90-minute block.

2879 b. Small group instruction.

2880 c. Reduced teacher-student ratios.

2881 d. More frequent progress monitoring.

2882 e. Tutoring or mentoring.

2883 f. Transition classes containing 3rd and 4th grade
2884 students.

2885 g. Extended school day, week, or year.

2886 2. Provide written notification to the parent of a any
2887 student who is retained under the provisions of paragraph (5)(b)
2888 that his or her child has not met the proficiency level required
2889 for promotion and the reasons the child is not eligible for a
2890 good cause exemption as provided in paragraph (6)(b). The
2891 notification must comply with the provisions of s. 1002.20(15)
2892 and must include a description of proposed interventions and
2893 supports that will be provided to the child to remediate the
2894 identified areas of reading deficiency.

2895 3. Implement a policy for the midyear promotion of a any
2896 student retained under the provisions of paragraph (5)(b) who
2897 can demonstrate that he or she is a successful and independent
2898 reader and performing at or above grade level in reading or,
2899 upon implementation of ~~and~~ English Language Arts assessments,
2900 performing at or above grade level in English Language Arts, ~~as~~

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2901 ~~applicable under s. 1008.22.~~ Tools that school districts may use
2902 in reevaluating a any student retained may include subsequent
2903 assessments, alternative assessments, and portfolio reviews, in
2904 accordance with rules of the State Board of Education.

2905 4. Provide students who are retained under the provisions
2906 of paragraph (5) (b) with a highly effective teacher as
2907 determined by the teacher's performance evaluation under s.
2908 1012.34.

2909 5. Establish at each school, when applicable, an Intensive
2910 Acceleration Class for retained grade 3 students who
2911 subsequently score Level 1 on the required statewide,
2912 standardized assessment identified in s. 1008.22. The focus of
2913 the Intensive Acceleration Class shall be to increase a child's
2914 reading and English Language Arts skill level at least two grade
2915 levels in 1 school year. The Intensive Acceleration Class shall:

2916 a. Be provided to a any student in grade 3 who scores Level
2917 1 on the statewide, standardized FCAT Reading assessment or,
2918 upon implementation, the common-core English Language Arts
2919 ~~assessment, as applicable under s. 1008.22,~~ and who was retained
2920 in grade 3 the prior year because of scoring Level 1.

2921 b. Have a reduced teacher-student ratio.

2922 c. Provide uninterrupted reading instruction for the
2923 majority of student contact time each day and incorporate
2924 opportunities to master the grade 4 Next Generation Sunshine
2925 State Standards in other core subject areas.

2926 d. Use a reading program that is scientifically research-
2927 based and has proven results in accelerating student reading
2928 achievement within the same school year.

2929 e. Provide intensive language and vocabulary instruction

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2930 using a scientifically research-based program, including use of
2931 a speech-language therapist.

2932 Section 73. Paragraphs (b) and (c) of subsection (4) and
2933 subsections (5) and (7) of section 1008.33, Florida Statutes,
2934 are amended to read:

2935 1008.33 Authority to enforce public school improvement.—
2936 (4)

2937 (b) ~~Except as provided in subsection (5),~~ The turnaround
2938 options available to a school district to address a school that
2939 earns a grade of "F" are:

2940 1. Convert the school to a district-managed turnaround
2941 school;

2942 2. Reassign students to another school and monitor the
2943 progress of each reassigned student;

2944 3. Close the school and reopen the school as one or more
2945 charter schools, each with a governing board that has a
2946 demonstrated record of effectiveness;

2947 4. Contract with an outside entity that has a demonstrated
2948 record of effectiveness to operate the school; or

2949 5. Implement a hybrid of turnaround options set forth in
2950 subparagraphs 1.-4. or other turnaround models that have a
2951 demonstrated record of effectiveness.

2952 (c) ~~Except for schools required to implement a turnaround~~
2953 ~~option pursuant to subsection (5),~~ A school earning a grade of
2954 "F" shall have a planning year followed by 2 full school years
2955 to implement the initial turnaround option selected by the
2956 school district and approved by the state board. Implementation
2957 of the turnaround option is no longer required if the school
2958 improves by at least one letter grade.

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2959 ~~(5) A school that earns a grade of "F" within 2 years after~~
2960 ~~raising its grade from a grade of "F" or that earns a grade of~~
2961 ~~"F" within 2 years after exiting the lowest-performing category~~
2962 ~~under s. 3, chapter 2009-144, Laws of Florida, must implement~~
2963 ~~one of the turnaround options in subparagraphs (4)(b)2.-5.~~

2964 ~~(7) A school classified in the lowest-performing category~~
2965 ~~under s. 3, chapter 2009-144, Laws of Florida, before July 1,~~
2966 ~~2012, is not required to continue implementing any turnaround~~
2967 ~~option unless the school earns a grade of "F" or a third~~
2968 ~~consecutive "D" for the 2011-2012 school year. A school earning~~
2969 ~~a grade of "F" or a third consecutive "D" for the 2011-2012~~
2970 ~~school year may not restart the number of years it has been low~~
2971 ~~performing by virtue of the 2012 amendments to this section.~~

2972 Section 74. Section 1008.331, Florida Statutes, is
2973 repealed.

2974 Section 75. Subsection (2) of section 1008.3415, Florida
2975 Statutes, is amended to read:

2976 1008.3415 School grade or school improvement rating for
2977 exceptional student education centers.—

2978 (2) Notwithstanding s. 1008.34(3)(c)3., the achievement
2979 scores and learning gains of a student with a disability who
2980 attends an exceptional student education center and has not been
2981 enrolled in or attended a public school other than an
2982 exceptional student education center for grades K-12 within the
2983 school district shall not be included in the calculation of the
2984 home school's grade if the student is identified as an emergent
2985 student on the alternate assessment ~~tool~~ described in s.

2986 1008.22(3)(c) 1008.22(3)(c)13.

2987 Section 76. Section 1008.35, Florida Statutes, is repealed.

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2988 Section 77. Subsection (3) of section 1009.22, Florida
2989 Statutes, is amended to read:

2990 1009.22 Workforce education postsecondary student fees.—

2991 (3) (a) Except as otherwise provided by law, fees for
2992 students who are nonresidents for tuition purposes must offset
2993 the full cost of instruction. Residency of students shall be
2994 determined as required in s. 1009.21. Fee-nonexempt students
2995 enrolled in applied academics for adult education instruction
2996 shall be charged fees equal to the fees charged for adult
2997 general education programs. Each Florida College System
2998 institution that conducts developmental education and applied
2999 academics for adult education instruction in the same class
3000 section may charge a single fee for both types of instruction.

3001 (b) Fees for continuing workforce education shall be
3002 locally determined by the district school board or Florida
3003 College System institution board of trustees. Expenditures for
3004 the continuing workforce education program provided by the
3005 Florida College System institution or school district must be
3006 fully supported by fees. Enrollments in continuing workforce
3007 education courses may not be counted for purposes of funding
3008 full-time equivalent enrollment.

3009 (c) ~~Effective July 1, 2011,~~ For programs leading to a
3010 career certificate or an applied technology diploma, the
3011 standard tuition shall be \$2.22 per contact hour for residents
3012 and nonresidents and the out-of-state fee shall be \$6.66 per
3013 contact hour. For adult general education programs, a block
3014 tuition of \$45 per half year or \$30 per term shall be assessed
3015 for residents and nonresidents, and the out-of-state fee shall
3016 be \$135 per half year or \$90 per term. Each district school

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3017 board and Florida College System institution board of trustees
3018 shall adopt policies and procedures for the collection of and
3019 accounting for the expenditure of the block tuition. All funds
3020 received from the block tuition shall be used only for adult
3021 general education programs. Students enrolled in adult general
3022 education programs may not be assessed the fees authorized in
3023 subsection (5), subsection (6), or subsection (7).

3024 (d) ~~Beginning with the 2008-2009 fiscal year and each year~~
3025 ~~thereafter,~~ The tuition and the out-of-state fee per contact
3026 hour shall increase at the beginning of each fall semester at a
3027 rate equal to inflation, unless otherwise provided in the
3028 General Appropriations Act. The Office of Economic and
3029 Demographic Research shall report the rate of inflation to the
3030 President of the Senate, the Speaker of the House of
3031 Representatives, the Governor, and the State Board of Education
3032 each year prior to March 1. For purposes of this paragraph, the
3033 rate of inflation shall be defined as the rate of the 12-month
3034 percentage change in the Consumer Price Index for All Urban
3035 Consumers, U.S. City Average, All Items, or successor reports as
3036 reported by the United States Department of Labor, Bureau of
3037 Labor Statistics, or its successor for December of the previous
3038 year. In the event the percentage change is negative, the
3039 tuition and out-of-state fee shall remain at the same level as
3040 the prior fiscal year.

3041 (e) Each district school board and each Florida College
3042 System institution board of trustees may adopt tuition and out-
3043 of-state fees that ~~may~~ vary no more than 5 percent below or ~~and~~
3044 5 percent above the combined total of the standard tuition and
3045 out-of-state fees established in paragraph (c).

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3046 ~~(f) The maximum increase in resident tuition for any school~~
3047 ~~district or Florida College System institution during the 2007-~~
3048 ~~2008 fiscal year shall be 5 percent over the tuition charged~~
3049 ~~during the 2006-2007 fiscal year.~~

3050 (f)~~(g)~~ The State Board of Education may adopt, by rule, the
3051 definitions and procedures that district school boards and
3052 Florida College System institution boards of trustees shall use
3053 in the calculation of cost borne by students.

3054 Section 78. Paragraph (a) of subsection (1) of section
3055 1009.40, Florida Statutes, is amended to read:

3056 1009.40 General requirements for student eligibility for
3057 state financial aid awards and tuition assistance grants.—

3058 (1) (a) The general requirements for eligibility of students
3059 for state financial aid awards and tuition assistance grants
3060 consist of the following:

3061 1. Achievement of the academic requirements of and
3062 acceptance at a state university or Florida College System
3063 institution; a nursing diploma school approved by the Florida
3064 Board of Nursing; a Florida college or university which is
3065 accredited by an accrediting agency recognized by the State
3066 Board of Education; a any Florida institution the credits of
3067 which are acceptable for transfer to state universities; a any
3068 career center; or a any private career institution accredited by
3069 an accrediting agency recognized by the State Board of
3070 Education.

3071 2. Residency in this state for no less than 1 year
3072 preceding the award of aid or a tuition assistance grant for a
3073 program established pursuant to s. 1009.50, s. 1009.505, s.
3074 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.56~~, s. 1009.60, s.

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3075 1009.62, s. 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s.
3076 1009.891. Residency in this state must be for purposes other
3077 than to obtain an education. Resident status for purposes of
3078 receiving state financial aid awards shall be determined in the
3079 same manner as resident status for tuition purposes pursuant to
3080 s. 1009.21.

3081 3. Submission of certification attesting to the accuracy,
3082 completeness, and correctness of information provided to
3083 demonstrate a student's eligibility to receive state financial
3084 aid awards or tuition assistance grants. Falsification of such
3085 information shall result in the denial of a ~~any~~ pending
3086 application and revocation of an ~~any~~ award or grant currently
3087 held to the extent that no further payments shall be made.
3088 Additionally, students who knowingly make false statements in
3089 order to receive state financial aid awards or tuition
3090 assistance grants commit a misdemeanor of the second degree
3091 subject to the provisions of s. 837.06 and shall be required to
3092 return all state financial aid awards or tuition assistance
3093 grants wrongfully obtained.

3094 Section 79. Subsection (1) of section 1009.531, Florida
3095 Statutes, is amended to read:

3096 1009.531 Florida Bright Futures Scholarship Program;
3097 student eligibility requirements for initial awards.-

3098 (1) ~~Effective January 1, 2008,~~ In order to be eligible for
3099 an initial award from any of the three types of scholarships
3100 under the Florida Bright Futures Scholarship Program, a student
3101 must:

3102 (a) Be a Florida resident as defined in s. 1009.40 and
3103 rules of the State Board of Education.

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3104 (b) Earn a standard Florida high school diploma pursuant to
3105 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school
3106 equivalency diploma ~~its equivalent~~ pursuant to ~~s. 1003.428, s.~~
3107 ~~1003.4281, s. 1003.4282, or~~ s. 1003.435 unless:

3108 1. The student completes a home education program according
3109 to s. 1002.41; or

3110 2. The student earns a high school diploma from a non-
3111 Florida school while living with a parent or guardian who is on
3112 military or public service assignment away from Florida.

3113 (c) Be accepted by and enroll in an eligible Florida public
3114 or independent postsecondary education institution.

3115 (d) Be enrolled for at least 6 semester credit hours or the
3116 equivalent in quarter hours or clock hours.

3117 (e) Not have been found guilty of, or entered a plea of
3118 nolo contendere to, a felony charge, unless the student has been
3119 granted clemency by the Governor and Cabinet sitting as the
3120 Executive Office of Clemency.

3121 (f) Apply for a scholarship from the program by high school
3122 graduation. However, a student who graduates from high school
3123 midyear must apply no later than August 31 of the student's
3124 graduation year in order to be evaluated for and, if eligible,
3125 receive an award for the current academic year.

3126 Section 80. Paragraph (c) of subsection (3) of section
3127 1009.532, Florida Statutes, is amended to read:

3128 1009.532 Florida Bright Futures Scholarship Program;
3129 student eligibility requirements for renewal awards.-

3130 (3)

3131 (c) A student who is initially eligible in the 2012-2013
3132 academic year and thereafter may receive an award for a maximum

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3133 of 100 percent of the number of credit hours required to
3134 complete an associate degree program, a baccalaureate degree
3135 program, or a postsecondary career certificate program or, for a
3136 Florida Gold Seal Vocational Scholars award, may receive an
3137 award for a maximum of 100 percent of the number of credit hours
3138 or equivalent clock hours required to complete one of the
3139 following at a Florida public or nonpublic education institution
3140 that offers these specific programs: for an applied technology
3141 diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60
3142 credit hours or equivalent clock hours; for a technical degree
3143 education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up
3144 to the number of hours required for a specific degree not to
3145 exceed 72 credit hours or equivalent clock hours; or for a
3146 career certificate program as defined in s. 1004.02(20)
3147 ~~1004.02(21)~~, up to the number of hours required for a specific
3148 certificate not to exceed 72 credit hours or equivalent clock
3149 hours. A student who transfers from one of these program levels
3150 to another program level becomes eligible for the higher of the
3151 two credit hour limits.

3152 Section 81. Paragraph (c) of subsection (4) of section
3153 1009.536, Florida Statutes, is amended to read:

3154 1009.536 Florida Gold Seal Vocational Scholars award.—The
3155 Florida Gold Seal Vocational Scholars award is created within
3156 the Florida Bright Futures Scholarship Program to recognize and
3157 reward academic achievement and career preparation by high
3158 school students who wish to continue their education.

3159 (4)

3160 (c) A student who is initially eligible in the 2012-2013
3161 academic year and thereafter may earn a Florida Gold Seal

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3162 Vocational Scholarship for a maximum of 100 percent of the
 3163 number of credit hours or equivalent clock hours required to
 3164 complete one of the following at a Florida public or nonpublic
 3165 education institution that offers these specific programs: for
 3166 an applied technology diploma program as defined in s.
 3167 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock
 3168 hours; for a technical degree education program as defined in s.
 3169 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for
 3170 a specific degree not to exceed 72 credit hours or equivalent
 3171 clock hours; or for a career certificate program as defined in
 3172 s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required
 3173 for a specific certificate not to exceed 72 credit hours or
 3174 equivalent clock hours.

3175 Section 82. Section 1009.56, Florida Statutes, is repealed.

3176 Section 83. Section 1009.69, Florida Statutes, is repealed.

3177 Section 84. Subsection (1) of section 1009.91, Florida
 3178 Statutes, is amended to read:

3179 1009.91 Assistance programs and activities of the
 3180 department.—

3181 (1) The department may contract for the administration of
 3182 the student financial assistance programs as specifically
 3183 provided in ss. 295.01, 1009.29, ~~1009.56~~, and 1009.78.

3184 Section 85. Paragraph (c) of subsection (2) of section
 3185 1009.94, Florida Statutes, is amended to read:

3186 1009.94 Student financial assistance database.—

3187 (2) For purposes of this section, financial assistance
 3188 includes:

3189 (c) Any financial assistance provided under s. 1009.50, s.
 3190 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, ~~s.~~

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3191 ~~1009.56~~, s. 1009.60, s. 1009.62, s. 1009.70, s. 1009.701, s.
3192 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s.
3193 1009.891.

3194 Section 86. Part V of chapter 1009, Florida Statutes,
3195 consisting of sections 1009.99, 1009.991, 1009.992, 1009.993,
3196 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975,
3197 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981,
3198 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986,
3199 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991,
3200 1009.9992, 1009.9993, and 1009.9994, is repealed.

3201 Section 87. Paragraph (b) of subsection (13) of section
3202 1011.62, Florida Statutes, is amended to read:

3203 1011.62 Funds for operation of schools.—If the annual
3204 allocation from the Florida Education Finance Program to each
3205 district for operation of schools is not determined in the
3206 annual appropriations act or the substantive bill implementing
3207 the annual appropriations act, it shall be determined as
3208 follows:

3209 (13) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
3210 CURRENT OPERATION.—The total annual state allocation to each
3211 district for current operation for the FEFP shall be distributed
3212 periodically in the manner prescribed in the General
3213 Appropriations Act.

3214 (b) The amount thus obtained shall be the net annual
3215 allocation to each school district. However, if it is determined
3216 that any school district received an underallocation or
3217 overallocation for any prior year because of an arithmetical
3218 error, assessment roll change required by final judicial
3219 decision, full-time equivalent student membership error, or any

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3220 allocation error revealed in an audit report, the allocation to
3221 that district shall be appropriately adjusted. ~~Beginning with~~
3222 ~~audits for the 2001-2002 fiscal year, if the adjustment is the~~
3223 ~~result of an audit finding in which group 2 FTE are reclassified~~
3224 ~~to the basic program and the district weighted FTE are over the~~
3225 ~~weighted enrollment ceiling for group 2 programs, the adjustment~~
3226 ~~shall not result in a gain of state funds to the district.~~
3227 Beginning with the 2011-2012 fiscal year, if a special program
3228 cost factor is less than the basic program cost factor, an audit
3229 adjustment may not result in the reclassification of the special
3230 program FTE to the basic program FTE. If the Department of
3231 Education audit adjustment recommendation is based upon
3232 controverted findings of fact, the Commissioner of Education is
3233 authorized to establish the amount of the adjustment based on
3234 the best interests of the state.

3235 Section 88. Paragraphs (b) and (c) of subsection (3) of
3236 section 1011.71, Florida Statutes, are repealed.

3237 Section 89. Subsection (4) of section 1011.76, Florida
3238 Statutes, is repealed.

3239 Section 90. Paragraph (b) of subsection (1) of section
3240 1011.80, Florida Statutes, is amended to read:

3241 1011.80 Funds for operation of workforce education
3242 programs.—

3243 (1) As used in this section, the terms "workforce
3244 education" and "workforce education program" include:

3245 (b) Career certificate programs, as defined in s.
3246 1004.02(20) ~~1004.02(21)~~.

3247 Section 91. Paragraphs (b), (f), (j), (m), and (p) of
3248 subsection (2) and subsection (6) of section 1012.05, Florida

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3249 Statutes, are amended to read:

3250 1012.05 Teacher recruitment and retention.—

3251 (2) The Department of Education shall:

3252 (b) Advertise in major newspapers, national professional
3253 publications, and other professional publications and in public
3254 and nonpublic postsecondary educational institutions, if needed.

3255 (f) Develop and distribute promotional materials related to
3256 teaching as a career, if needed.

3257 ~~(j) Develop, in consultation with school district staff~~
3258 ~~including, but not limited to, district school superintendents,~~
3259 ~~district school board members, and district human resources~~
3260 ~~personnel, a long-range plan for educator recruitment and~~
3261 ~~retention.~~

3262 ~~(m) Develop and implement a First Response Center to~~
3263 ~~provide educator candidates one-stop shopping for information on~~
3264 ~~teaching careers in Florida and establish the Teacher Lifeline~~
3265 ~~Network to provide online support to beginning teachers and~~
3266 ~~those needing assistance.~~

3267 ~~(n)~~ (p) Notify each teacher, via e-mail, of each item in the
3268 General Appropriations Act and legislation that affects
3269 teachers, including, but not limited to, ~~the Excellent Teaching~~
3270 ~~Program,~~ the Florida Teachers Classroom Supply Assistance
3271 Program, ~~liability insurance protection for teachers,~~ death
3272 benefits for teachers, substantive legislation, rules of the
3273 State Board of Education, and issues concerning student
3274 achievement.

3275 ~~(6) The Commissioner of Education shall take steps that~~
3276 ~~provide flexibility and consistency in meeting the highly~~
3277 ~~qualified teacher criteria as defined in the No Child Left~~

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3278 ~~Behind Act of 2001 through a High, Objective, Uniform State~~
3279 ~~Standard of Evaluation (HOUSSE).~~

3280 Section 92. Paragraph (b) of subsection (1) of section
3281 1012.22, Florida Statutes, is amended to read:

3282 1012.22 Public school personnel; powers and duties of the
3283 district school board.—The district school board shall:

3284 (1) Designate positions to be filled, prescribe
3285 qualifications for those positions, and provide for the
3286 appointment, compensation, promotion, suspension, and dismissal
3287 of employees as follows, subject to the requirements of this
3288 chapter:

3289 (b) *Time to act on nominations.*—The district school board
3290 shall act no ~~not~~ later than 3 weeks following the receipt of
3291 statewide, standardized assessment scores and data under s.
3292 1008.22 and, ~~including~~ school grades, or June 30, whichever is
3293 later, on the district school superintendent's nominations of
3294 supervisors, principals, and members of the instructional staff.

3295 Section 93. Subsection (9) of section 1012.33, Florida
3296 Statutes, is repealed.

3297 Section 94. Paragraph (b) of subsection (1), paragraph (a)
3298 of subsection (3), and subsection (6) of section 1012.34,
3299 Florida Statutes, are amended to read:

3300 1012.34 Personnel evaluation procedures and criteria.—

3301 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

3302 (b) The department must approve each school district's
3303 instructional personnel and school administrator evaluation
3304 systems. The department shall monitor each district's
3305 implementation of its instructional personnel and school
3306 administrator evaluation systems for compliance with the

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3307 requirements of this section and s. 1012.3401.

3308 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
3309 personnel and school administrator performance evaluations must
3310 be based upon the performance of students assigned to their
3311 classrooms or schools, as provided in this section. Pursuant to
3312 this section, a school district's performance evaluation is not
3313 limited to basing unsatisfactory performance of instructional
3314 personnel and school administrators solely upon student
3315 performance, but may include other criteria approved to evaluate
3316 instructional personnel and school administrators' performance,
3317 or any combination of student performance and other approved
3318 criteria. Evaluation procedures and criteria must comply with,
3319 but are not limited to, the following:

3320 (a) A performance evaluation must be conducted for each
3321 employee at least once a year, except that a classroom teacher,
3322 as defined in s. 1012.01(2)(a), excluding substitute teachers,
3323 who is newly hired by the district school board must be observed
3324 and evaluated at least twice in the first year of teaching in
3325 the school district. The performance evaluation must be based
3326 upon sound educational principles and contemporary research in
3327 effective educational practices. The evaluation criteria must
3328 include:

3329 1. Performance of students.—At least 50 percent of a
3330 performance evaluation must be based upon data and indicators of
3331 student learning growth assessed annually by statewide
3332 assessments or, for subjects and grade levels not measured by
3333 statewide assessments, by school district assessments as
3334 provided in s. 1008.22(6) ~~1008.22(8)~~. Each school district must
3335 use the formula adopted pursuant to paragraph (7)(a) for

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3336 measuring student learning growth in all courses associated with
3337 statewide assessments and must select an equally appropriate
3338 formula for measuring student learning growth for all other
3339 grades and subjects, except as otherwise provided in subsection
3340 (7).

3341 a. For classroom teachers, as defined in s. 1012.01(2)(a),
3342 excluding substitute teachers, the student learning growth
3343 portion of the evaluation must include growth data for students
3344 assigned to the teacher over the course of at least 3 years. If
3345 less than 3 years of data are available, the years for which
3346 data are available must be used and the percentage of the
3347 evaluation based upon student learning growth may be reduced to
3348 not less than 40 percent.

3349 b. For instructional personnel who are not classroom
3350 teachers, the student learning growth portion of the evaluation
3351 must include growth data on statewide assessments for students
3352 assigned to the instructional personnel over the course of at
3353 least 3 years, or may include a combination of student learning
3354 growth data and other measurable student outcomes that are
3355 specific to the assigned position, provided that the student
3356 learning growth data accounts for not less than 30 percent of
3357 the evaluation. If less than 3 years of student growth data are
3358 available, the years for which data are available must be used
3359 and the percentage of the evaluation based upon student learning
3360 growth may be reduced to not less than 20 percent.

3361 c. For school administrators, the student learning growth
3362 portion of the evaluation must include growth data for students
3363 assigned to the school over the course of at least 3 years. If
3364 less than 3 years of data are available, the years for which

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3365 data are available must be used and the percentage of the
3366 evaluation based upon student learning growth may be reduced to
3367 not less than 40 percent.

3368 2. Instructional practice.—Evaluation criteria used when
3369 annually observing classroom teachers, as defined in s.
3370 1012.01(2)(a), excluding substitute teachers, must include
3371 indicators based upon each of the Florida Educator Accomplished
3372 Practices adopted by the State Board of Education. For
3373 instructional personnel who are not classroom teachers,
3374 evaluation criteria must be based upon indicators of the Florida
3375 Educator Accomplished Practices and may include specific job
3376 expectations related to student support.

3377 3. Instructional leadership.—For school administrators,
3378 evaluation criteria must include indicators based upon each of
3379 the leadership standards adopted by the State Board of Education
3380 under s. 1012.986, including performance measures related to the
3381 effectiveness of classroom teachers in the school, the
3382 administrator's appropriate use of evaluation criteria and
3383 procedures, recruitment and retention of effective and highly
3384 effective classroom teachers, improvement in the percentage of
3385 instructional personnel evaluated at the highly effective or
3386 effective level, and other leadership practices that result in
3387 student learning growth. The system may include a means to give
3388 parents and instructional personnel an opportunity to provide
3389 input into the administrator's performance evaluation.

3390 4. Professional and job responsibilities.—For instructional
3391 personnel and school administrators, other professional and job
3392 responsibilities must be included as adopted by the State Board
3393 of Education. The district school board may identify additional

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3394 professional and job responsibilities.

3395 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
3396 EVALUATION SYSTEMS.—The district school board shall establish a
3397 procedure for annually reviewing instructional personnel and
3398 school administrator evaluation systems to determine compliance
3399 with this section and s. 1012.3401. All substantial revisions to
3400 an approved system must be reviewed and approved by the district
3401 school board before being used to evaluate instructional
3402 personnel or school administrators. Upon request by a school
3403 district, the department shall provide assistance in developing,
3404 improving, or reviewing an evaluation system.

3405 Section 95. Section 1012.44, Florida Statutes, is amended
3406 to read:

3407 1012.44 Qualifications for certain persons providing
3408 speech-language services.—The State Board of Education shall
3409 adopt rules for speech-language services to school districts
3410 that qualify for the sparsity supplement as described in s.
3411 1011.62(7). These services may be provided by baccalaureate
3412 degree level persons for a period of 3 years. The rules shall
3413 authorize the delivery of speech-language services by
3414 baccalaureate degree level persons under the direction of a
3415 certified speech-language pathologist with a master's degree or
3416 higher. ~~By October 1, 2003, these rules shall be reviewed by the~~
3417 ~~State Board of Education.~~

3418 Section 96. Section 1012.561, Florida Statutes, is amended
3419 to read:

3420 1012.561 Address of record.—Each certified educator or
3421 applicant for certification is solely responsible for
3422 maintaining his or her current address with the Department of

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3423 Education and for notifying the department in writing of a
3424 change of address. ~~By January 1, 2005, each educator and~~
3425 ~~applicant for certification must have on file with the~~
3426 ~~department a current mailing address. Thereafter,~~ A certified
3427 educator or applicant for certification who is employed by a
3428 district school board shall notify his or her employing school
3429 district within 10 days after a change of address. At a minimum,
3430 the employing district school board shall notify the department
3431 monthly of the addresses of the certified educators or
3432 applicants for certification in the manner prescribed by the
3433 department. A certified educator or applicant for certification
3434 who is not employed by a district school board shall personally
3435 notify the department in writing within 30 days after a change
3436 of address. The department shall permit electronic notification;
3437 however, it is the responsibility of the certified educator or
3438 applicant for certification to ensure that the department has
3439 received the electronic notification.

3440 Section 97. Section 1012.595, Florida Statutes, is
3441 repealed.

3442 Section 98. Subsections (2), (3), and (4) of section
3443 1012.885, Florida Statutes, are amended to read:

3444 1012.885 Remuneration of Florida College System institution
3445 presidents; limitations.—

3446 ~~(2) LIMITATION ON COMPENSATION. Notwithstanding any other~~
3447 ~~law, resolution, or rule to the contrary, a Florida College~~
3448 ~~System institution president may not receive more than \$225,000~~
3449 ~~in remuneration annually from appropriated state funds. Only~~
3450 ~~compensation, as defined in s. 121.021(22), provided to a~~
3451 ~~Florida College System institution president may be used in~~

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3452 ~~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 appropriated state funds to a Florida College
 3456 System institution president in excess of the limit in
 3457 subsection (3) ~~(2)~~. If a party is unable or unwilling to fulfill
 3458 an obligation to provide cash or cash-equivalent compensation to
 3459 a Florida College System institution president as permitted
 3460 under this subsection, appropriated state funds may not be used
 3461 to fulfill such obligation.

3462 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
 3463 resolution, or rule to the contrary ~~the provisions of this~~
 3464 ~~section~~, a Florida College System institution president may not
 3465 receive more than \$200,000 in remuneration from appropriated
 3466 state funds. Only compensation, as defined in s. 121.021(22),
 3467 provided to a Florida College System institution president may
 3468 be used in calculating benefits under chapter 121.

3469 Section 99. Subsections (2), (3), and (4) of section
 3470 1012.975, Florida Statutes, are amended to read:

3471 1012.975 Remuneration of state university presidents;
 3472 limitations.—

3473 ~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other~~
 3474 ~~law, resolution, or rule to the contrary, a state university~~
 3475 ~~president may not receive more than \$225,000 in remuneration~~
 3476 ~~annually from public funds. Only compensation, as such term is~~
 3477 ~~defined in s. 121.021(22), provided to a state university~~
 3478 ~~president may be used in calculating benefits under chapter 121.~~

3479 (2)~~(3)~~ EXCEPTIONS.—This section does not prohibit a ~~any~~
 3480 party from providing cash or cash-equivalent compensation from

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3481 funds that are not public funds to a state university president
3482 in excess of the limit in subsection (3) ~~(2)~~. If a party is
3483 unable or unwilling to fulfill an obligation to provide cash or
3484 cash-equivalent compensation to a state university president as
3485 permitted under this subsection, public funds may not be used to
3486 fulfill such obligation.

3487 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
3488 resolution, or rule to the contrary ~~the provisions of this~~
3489 ~~section~~, a state university president may not receive more than
3490 \$200,000 in remuneration from public funds. Only compensation,
3491 as defined in s. 121.021(22), provided to a state university
3492 president may be used in calculating benefits under chapter 121.

3493 Section 100. Subsection (12) of section 1012.98, Florida
3494 Statutes, is amended to read:

3495 1012.98 School Community Professional Development Act.—

3496 (12) The department shall require teachers in grades K-12
3497 ~~1-12~~ to participate in continuing education training provided by
3498 the Department of Children and Family Services on identifying
3499 and reporting child abuse and neglect.

3500 Section 101. Paragraph (f) of subsection (2) of section
3501 1013.35, Florida Statutes, is amended to read:

3502 1013.35 School district educational facilities plan;
3503 definitions; preparation, adoption, and amendment; long-term
3504 work programs.—

3505 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
3506 FACILITIES PLAN.—

3507 (f) Not less than once every 5 years, the district school
3508 board shall have an ~~a financial management and performance~~ audit
3509 conducted of the district's educational planning and

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3510 construction activities ~~of the district~~. An operational audit
3511 conducted by ~~the Office of Program Policy Analysis and~~
3512 ~~Government Accountability and~~ the Auditor General pursuant to s.
3513 11.45 ~~1008.35~~ satisfies this requirement.

3514 Section 102. Section 1013.47, Florida Statutes, is amended
3515 to read:

3516 1013.47 Substance of contract; contractors to give bond;
3517 penalties.—Each board shall develop contracts consistent with
3518 this chapter and statutes governing public facilities. Such a
3519 contract must contain the drawings and specifications of the
3520 work to be done and the material to be furnished, the time limit
3521 in which the construction is to be completed, the time and
3522 method by which payments are to be made upon the contract, and
3523 the penalty to be paid by the contractor for a ~~any~~ failure to
3524 comply with the terms of the contract. The board may require the
3525 contractor to pay a penalty for any failure to comply with the
3526 terms of the contract and may provide an incentive for early
3527 completion. Upon accepting a satisfactory bid, the board shall
3528 enter into a contract with the party or parties whose bid has
3529 been accepted. The contractor shall furnish the board with a
3530 performance and payment bond as set forth in s. 255.05. A board
3531 or other public entity may not require a contractor to secure a
3532 surety bond under s. 255.05 from a specific agent or bonding
3533 company. ~~Notwithstanding any other provision of this section, if~~
3534 ~~25 percent or more of the costs of any construction project is~~
3535 ~~paid out of a trust fund established pursuant to 31 U.S.C. s.~~
3536 ~~1243(a)(1), laborers and mechanics employed by contractors or~~
3537 ~~subcontractors on such construction will be paid wages not less~~
3538 ~~than those prevailing on similar construction projects in the~~

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3539 ~~locality, as determined by the Secretary of Labor in accordance~~
3540 ~~with the Davis-Bacon Act, as amended.~~ A person, firm, or
3541 corporation that constructs any part of any educational plant,
3542 or addition thereto, on the basis of any unapproved plans or in
3543 violation of any plans approved in accordance with the
3544 provisions of this chapter and rules of the State Board of
3545 Education or regulations of the Board of Governors relating to
3546 building standards or specifications is subject to forfeiture of
3547 the surety bond and unpaid compensation in an amount sufficient
3548 to reimburse the board for any costs that will need to be
3549 incurred in making any changes necessary to assure that all
3550 requirements are met and is also guilty of a misdemeanor of the
3551 second degree, punishable as provided in s. 775.082 or s.
3552 775.083, for each separate violation.

3553 Section 103. Section 1013.49, Florida Statutes, is
3554 repealed.

3555 Section 104. Section 1013.512, Florida Statutes, is
3556 repealed.

3557 Section 105. Section 20 of chapter 2010-24, Laws of
3558 Florida, is repealed.

3559 Section 106. This act shall take effect upon becoming a
3560 law.