

HB 7031

2014

1 A bill to be entitled
2 An act relating to education; amending s. 11.45, F.S.;
3 requiring the Auditor General to notify the
4 Legislative Auditing Committee if a district school
5 board fails to take corrective action subsequent to an
6 audit; amending s. 120.74, F.S.; exempting educational
7 units from rule review and reporting requirements;
8 amending s. 120.81, F.S.; conforming cross-references;
9 amending s. 409.1451; conforming cross-references;
10 repealing ss. 411.226, 411.227, and 411.228, F.S.,
11 relating to the Learning Gateway program; amending s.
12 496.404, F.S.; conforming cross-references; amending
13 s. 775.215 F.S.; conforming cross-references; amending
14 s. 984.151, F.S.; authorizing a district school
15 superintendent's designee to submit a truancy
16 petition; repealing s. 1000.01(5), F.S., relating to
17 obsolete education governance transfers; amending s.
18 1000.21, F.S.; revising the definition of the term
19 "Next Generation Sunshine State Standards"; repealing
20 ss. 1000.33 and 1000.37, F.S., relating to the
21 distribution of copies of educational compacts to
22 other states; amending s. 1001.10, F.S.; deleting and
23 revising certain duties of the Commissioner of
24 Education relating to educational plans and programs;
25 repealing s. 1001.25, F.S., relating to educational
26 television; amending s. 1001.26, F.S.; revising
27 Department of Education duties relating to the public

HB 7031

2014

28 broadcasting program system; prohibiting the use of
29 educational television stations for the advancement of
30 political candidates; providing penalties; repealing
31 ss. 1001.47(7) and 1001.50(6), F.S., relating to
32 obsolete district school superintendent salary
33 provisions; repealing s. 1001.62, F.S., relating to
34 obsolete provisions for the transfer of benefits
35 arising under local or special acts; repealing s.
36 1001.73(3), F.S., relating to the abolished Board of
37 Regents as trustee; amending s. 1002.20, F.S.;
38 correcting cross-references and conforming provisions;
39 amending s. 1002.31, F.S.; revising provisions
40 relating to school district controlled open enrollment
41 plans; amending s. 1002.3105, F.S.; conforming
42 provisions; amending s. 1002.321, F.S.; conforming
43 provisions; amending s. 1002.33, F.S.; deleting
44 required training before charter school application;
45 conforming cross-references and provisions; amending
46 s. 1002.34, F.S.; conforming cross-references;
47 revising provisions relating to department assistance
48 to charter technical career centers; amending s.
49 1002.345, F.S.; revising provisions relating to
50 expedited review of deteriorating financial conditions
51 for a charter school or charter technical career
52 center; deleting an annual reporting requirement;
53 amending s. 1002.39, F.S.; deleting obsolete
54 provisions relating to eligibility for a John M. McKay

HB 7031

2014

55 Scholarship; amending s. 1002.41, F.S.; correcting
56 cross-references; repealing s. 1002.415, F.S.,
57 relating to the K-8 Virtual School Program; amending
58 s. 1002.45, F.S.; conforming cross-references;
59 amending s. 1002.455, F.S.; conforming provisions;
60 repealing s. 1002.65, F.S., relating to aspirational
61 goals for credentials of prekindergarten instructors;
62 amending s. 1003.01, F.S.; conforming cross-
63 references; amending s. 1003.02, F.S.; requiring
64 instructional materials to be consistent with course
65 descriptions; amending a. 1003.03, F.S.; conforming
66 cross-references; amending s. 1003.41, F.S.; deleting
67 an obsolete cost analysis requirement relating to a
68 separate financial literacy course; amending s.
69 1003.4156, F.S.; revising course and assessment
70 requirements for middle grades students for promotion
71 to high school; providing an exemption for transfer
72 students from certain course grade and assessment
73 requirements; repealing s. 1003.428, F.S., relating to
74 obsolete requirements for high school graduation;
75 amending s. 1003.4281, F.S.; conforming cross-
76 references; amending s. 1003.4282, F.S.; revising
77 course and assessment requirements for the award of a
78 standard high school diploma; providing requirements
79 for a student in an adult general education program to
80 be awarded a standard high school diploma; revising
81 requirements for award of a certificate of completion;

HB 7031

2014

82 providing an exemption for transfer students from
83 certain course grade and assessment requirements;
84 providing specificity regarding course and assessment
85 requirements for graduation for certain cohorts of
86 high school students transitioning to new graduation
87 requirements; providing for future repeal of
88 transition requirements; amending s. 1003.4285, F.S.;
89 revising requirements for standard high school diploma
90 designations; amending s. 1003.438, F.S.; conforming
91 cross-references; repealing s. 1003.451(5), F.S.,
92 relating to State Board of Education rulemaking;
93 amending s. 1003.49, F.S.; conforming cross-
94 references; amending s. 1003.493, F.S.; conforming a
95 cross-reference; amending s. 1003.4935, F.S.;
96 conforming a cross-reference; amending s. 1003.57,
97 F.S., relating to exceptional student instruction;
98 amending s. 1003.621, F.S.; revising audit criteria
99 for academically high-performing school districts;
100 repealing s. 1004.02(4), F.S., relating to the
101 definition of the term "adult high school credit
102 program"; amending s. 1004.0961, F.S.; providing for
103 Board of Governors regulations; repealing s.
104 1004.3825, F.S., relating to authorization for a
105 medical degree program; repealing s. 1004.387, F.S.,
106 relating to authorization for a pharmacy degree
107 program; repealing s. 1004.445(2), F.S., relating to
108 the board of directors of the Johnnie B. Byrd, Sr.,

HB 7031

2014

109 Alzheimer's Center and Research Institute; repealing
110 s. 1004.75, F.S., relating to training school
111 consolidation pilot projects; amending s. 1004.935,
112 F.S.; conforming cross-references; repealing s.
113 1006.141, F.S., relating to a statewide school safety
114 hotline; amending s. 1006.147, F.S.; deleting obsolete
115 provisions relating to school district bullying and
116 harassment policies; repealing s. 1006.148(2), F.S.,
117 relating to a department-developed model dating
118 violence and abuse policy; amending s. 1006.15, F.S.;
119 conforming cross-references; amending s. 1006.28,
120 F.S.; conforming provisions relating to instructional
121 materials; amending s. 1006.31, F.S.; conforming
122 provisions relating to duties of an instructional
123 materials reviewer; amending s. 1006.34, F.S.;
124 revising provisions relating to standards used in the
125 selection of instructional materials; amending s.
126 1006.40, F.S.; revising provisions relating to
127 district school board purchase of instructional
128 materials; amending s. 1006.42, F.S.; conforming
129 provisions relating to the responsibility of parents
130 for instructional materials; amending s. 1007.02,
131 F.S.; deleting a popular name and providing
132 applicability for the term "student with a
133 disability"; amending s. 1007.2615, F.S.; deleting
134 obsolete provisions relating to an American Sign
135 Language task force; amending s. 1007.263, F.S.;

136 conforming cross-references; amending ss. 1007.264 and
 137 1007.265, F.S.; conforming provisions; amending s.
 138 1007.271, F.S.; correcting cross-references; amending
 139 s. 1008.22, F.S.; conforming and revising provisions
 140 relating to the implementation of statewide,
 141 standardized comprehensive assessments, end-of-course
 142 assessments, and waivers for students with
 143 disabilities; requiring the commissioner to publish an
 144 implementation schedule for transition to new
 145 assessments; conforming provisions relating to
 146 concordant scores and comparative scores for
 147 assessments; amending s. 1008.25, F.S.; conforming
 148 assessment provisions for student progression;
 149 amending s. 1008.33, F.S.; deleting obsolete
 150 provisions relating to implementation of certain
 151 school turnaround options; repealing s. 1008.331,
 152 F.S., relating to supplemental educational services in
 153 Title I schools; amending s. 1008.3415, F.S.;
 154 correcting a cross-reference; repealing s. 1008.35,
 155 F.S., relating to best financial management practices
 156 for school districts; amending s. 1009.22, F.S.;
 157 deleting obsolete provisions relating to workforce
 158 education postsecondary student fees; amending s.
 159 1009.40, F.S.; conforming cross-references; amending
 160 s. 1009.531, F.S.; conforming cross-references;
 161 amending s. 1009.532, F.S.; correcting cross-
 162 references; amending s. 1009.536, F.S.; correcting

HB 7031

2014

163 cross-references; repealing s. 1009.56, F.S., relating
164 to the Seminole and Miccosukee Indian Scholarship
165 Program; repealing s. 1009.69, F.S., relating to the
166 Virgil Hawkins Fellows Assistance Program; amending s.
167 1009.91, F.S.; conforming a cross-reference; amending
168 s. 1009.94, F.S.; conforming a cross-reference;
169 repealing part V of chapter 1009, F.S., relating to
170 the Florida Higher Education Loan Authority; repealing
171 s. 1011.71(3)(b) and (c), F.S., relating to expired
172 authorization for certain millage levy; repealing s.
173 1011.76(4), F.S., relating to best financial
174 management practices review under the Small School
175 District Stabilization Program; amending s. 1011.80,
176 F.S.; correcting a cross-reference; amending s.
177 1012.05, F.S.; deleting department and commissioner
178 duties relating to teacher recruitment and retention;
179 amending s. 1012.22, F.S.; conforming provisions;
180 repealing s. 1012.33(9), F.S., relating to obsolete
181 provisions for payment of professional service
182 contracts; amending s. 1012.34, F.S.; correcting
183 cross-references relating to measuring student
184 performance in personnel evaluations; amending s.
185 1012.44, F.S.; deleting obsolete provisions; amending
186 s. 1012.561, F.S.; deleting an obsolete provision;
187 repealing s. 1012.595, F.S., relating to an obsolete
188 saving clause for educator certificates; amending s.
189 1012.885, F.S.; deleting certain provisions relating

190 to remuneration of Florida College System institution
 191 presidents; amending s. 1012.975, F.S.; deleting
 192 certain provisions relating to remuneration of state
 193 university presidents; amending s. 1012.98, F.S.;
 194 requiring continuing education training for
 195 kindergarten teachers; amending s. 1013.35, F.S.;
 196 revising audit requirements for school district
 197 educational planning and construction activities;
 198 amending s. 1013.47, F.S.; deleting provisions
 199 relating to payment of wages of certain persons
 200 employed by contractors; repealing s. 1013.49, F.S.,
 201 relating to toxic substances in educational
 202 facilities; repealing s. 1013.512, F.S., relating to
 203 the Land Acquisition and Facilities Advisory Board;
 204 repealing s. 1013.54, F.S., relating to the
 205 cooperative development and use of satellite
 206 educational facilities; repealing s. 20 of chapter
 207 2010-24, Laws of Florida, relating to Department of
 208 Revenue authorization to adopt emergency rules;
 209 providing an effective date.

210
 211 Be It Enacted by the Legislature of the State of Florida:

212
 213 Section 1. Paragraph (j) of subsection (7) of section
 214 11.45, Florida Statutes, is amended to read:
 215 11.45 Definitions; duties; authorities; reports; rules.—
 216 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

HB 7031

2014

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

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

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

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

HB 7031

2014

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

246 120.74 Agency review, revision, and report.—

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

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

251 120.81 Exceptions and special requirements; general
 252 areas.—

253 (1) EDUCATIONAL UNITS.—

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

260 Section 4. Paragraph (a) of subsection (2) of section
 261 409.1451, Florida Statutes, is amended to read:

262 409.1451 The Road-to-Independence Program.—

263 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

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

271 preceding such placement or adoption;

272 2. Spent at least 6 months in licensed care before

273 reaching his or her 18th birthday;

274 3. Earned a standard high school diploma pursuant to s.

275 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent

276 pursuant to ~~s. 1003.428, s. 1003.4281, s. 1003.429,~~ s. 1003.435,

277 or a special diploma pursuant to s. 1003.438;

278 4. Has been admitted for enrollment as a full-time student

279 or its equivalent in an eligible postsecondary educational

280 institution as provided in s. 1009.533. For purposes of this

281 section, the term "full-time" means 9 credit hours or the

282 vocational school equivalent. A student may enroll part-time if

283 he or she has a recognized disability or is faced with another

284 challenge or circumstance that would prevent full-time

285 attendance. A student needing to enroll part-time for any reason

286 other than having a recognized disability must get approval from

287 his or her academic advisor;

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

289 age;

290 6. Has applied, with assistance from the young adult's

291 caregiver and the community-based lead agency, for any other

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

293 7. Submitted a Free Application for Federal Student Aid

294 which is complete and error free; and

295 8. Signed an agreement to allow the department and the

296 community-based care lead agency access to school records.

297 Section 5. Section 411.226, Florida Statutes, is repealed.

HB 7031

2014

298 Section 6. Section 411.227, Florida Statutes, is repealed.

299 Section 7. Section 411.228, Florida Statutes, is repealed.

300 Section 8. Subsection (8) of section 496.404, Florida
 301 Statutes, is amended to read:

302 496.404 Definitions.—As used in ss. 496.401-496.424:

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

HB 7031

2014

325 of the Internal Revenue Code.

326 Section 9. Paragraph (d) of subsection (1) of section
 327 775.215, Florida Statutes, is amended to read:

328 775.215 Residency restriction for persons convicted of
 329 certain sex offenses.—

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

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

340 Section 10. Subsection (1) of section 984.151, Florida
 341 Statutes, is amended to read:

342 984.151 Truancy petition; prosecution; disposition.—

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

351 Section 11. Subsection (5) of section 1000.01, Florida

HB 7031

2014

352 Statutes, is repealed.

353 Section 12. Subsection (7) of section 1000.21, Florida
354 Statutes, is amended to read:

355 1000.21 Systemwide definitions.—As used in the Florida K-
356 20 Education Code:

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

361 Section 13. Section 1000.33, Florida Statutes, is
362 repealed.

363 Section 14. Section 1000.37, Florida Statutes, is
364 repealed.

365 Section 15. Paragraphs (h) and (l) of subsection (6) of
366 section 1001.10, Florida Statutes, are amended to read:

367 1001.10 Commissioner of Education; general powers and
368 duties.—

369 (6) Additionally, the commissioner has the following
370 general powers and duties:

371 ~~(h) To develop and implement a plan for cooperating with~~
372 ~~the Federal Government in carrying out any or all phases of the~~
373 ~~educational program and to recommend policies for administering~~
374 ~~funds that are appropriated by Congress and apportioned to the~~
375 ~~state for any or all educational purposes. The Commissioner of~~
376 ~~Education shall submit to the Legislature the proposed state~~
377 ~~plan for the reauthorization of the No Child Left Behind Act~~
378 ~~before the proposed plan is submitted to federal agencies. The~~

HB 7031

2014

379 ~~President of the Senate and the Speaker of the House of~~
 380 ~~Representatives shall appoint members of the appropriate~~
 381 ~~education and appropriations committees to serve as a select~~
 382 ~~committee to review the proposed plan.~~

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

389 Section 16. Section 1001.25, Florida Statutes, is
 390 repealed.

391 Section 17. Section 1001.26, Florida Statutes, is amended
 392 to read:

393 1001.26 Public broadcasting program system.—

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

405 (a) Support for existing Corporation for Public

HB 7031

2014

406 Broadcasting qualified program system educational television
407 stations ~~and new stations meeting Corporation for Public~~
408 ~~Broadcasting qualifications and providing a first service to an~~
409 ~~audience that does not currently receive a broadcast signal or~~
410 ~~providing a significant new program service as defined by rule~~
411 ~~by the State Board of Education.~~

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

414 (c) Interconnection of all educational stations that are
415 part of the program system for simultaneous broadcast and of
416 such stations with all universities and other institutions as
417 necessary for sharing of resources and delivery of programming.

418 (d) Establishment and maintenance of a capability for
419 statewide program distribution with facilities and staff,
420 provided such facilities and staff complement and strengthen
421 existing ~~or future~~ educational television stations ~~in accordance~~
422 ~~with paragraph (a) and s. 1001.25(2)(e).~~

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

432 (2) ~~(a)~~ The Department of Education ~~is responsible for~~

HB 7031

2014

433 ~~implementing the provisions of this section pursuant to s.~~
434 ~~282.702 and may employ personnel, acquire equipment and~~
435 ~~facilities, and perform all duties necessary for carrying out~~
436 ~~the purposes and objectives of this section.~~

437 ~~(b) The department shall provide through educational~~
438 ~~television and other electronic media a means of extending~~
439 ~~educational services to all the state system of public~~
440 ~~education. The department shall recommend to the State Board of~~
441 ~~Education rules necessary to provide such services.~~

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

453 (3) (a) The facilities, plant, or personnel of an
454 educational television station that is supported in whole or in
455 part by state funds may not be used directly or indirectly for
456 the promotion, advertisement, or advancement of a political
457 candidate for a municipal, county, legislative, congressional,
458 or state office. However, fair, open, and free discussion
459 between political candidates for municipal, county, legislative,

HB 7031

2014

460 congressional, or state office may be permitted in order to help
461 materially reduce the excessive cost of campaigns and to ensure
462 that the state's citizens are fully informed about issues and
463 candidates in campaigns. This paragraph applies to the advocacy
464 for, or opposition to, a specific existing or proposed program
465 of governmental action, which includes, but is not limited to,
466 constitutional amendments, tax referenda, and bond issues. This
467 paragraph shall be implemented in accordance with rules of the
468 State Board of Education.

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

472 Section 18. Subsection (7) of section 1001.47, Florida
473 Statutes, is repealed.

474 Section 19. Subsection (6) of section 1001.50, Florida
475 Statutes, is repealed.

476 Section 20. Section 1001.62, Florida Statutes, is
477 repealed.

478 Section 21. Subsection (3) of section 1001.73, Florida
479 Statutes, is repealed.

480 Section 22. Subsections (8), (16), and (21) of section
481 1002.20, Florida Statutes, are amended to read:

482 1002.20 K-12 student and parent rights.—Parents of public
483 school students must receive accurate and timely information
484 regarding their child's academic progress and must be informed
485 of ways they can help their child to succeed in school. K-12
486 students and their parents are afforded numerous statutory

HB 7031

2014

487 rights including, but not limited to, the following:

488 (8) STUDENTS WITH DISABILITIES.—Parents of public school
489 students with disabilities and parents of public school students
490 in residential care facilities are entitled to notice and due
491 process in accordance with the provisions of ss. 1003.57 and
492 1003.58. Public school students with disabilities must be
493 provided the opportunity to meet the graduation requirements for
494 a standard high school diploma as set forth in s. 1003.4282 in
495 accordance with the provisions of ss. 1003.57 and 1008.22 ~~s.~~
496 ~~1003.428(3)~~. Pursuant to s. 1003.438, certain public school
497 students with disabilities may be awarded a special diploma upon
498 high school graduation.

499 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
500 REPORTS.—Parents of public school students are entitled to an
501 easy-to-read report card about the school's grade designation
502 or, if applicable under s. 1008.341, the school's improvement
503 rating, and the school's ~~school~~ accountability report, including
504 the school financial report as required under s. 1010.215, ~~and~~
505 ~~school improvement rating of their child's school in accordance~~
506 ~~with the provisions of ss. 1008.22, 1003.02(3), and 1010.215(5)~~.

507 (21) PARENTAL INPUT AND MEETINGS.—

508 (a) Meetings with school district personnel.—Parents of
509 public school students may be accompanied by another adult of
510 their choice at a ~~any~~ meeting with school district personnel.
511 School district personnel may not object to the attendance of
512 such adult or discourage or attempt to discourage, through an
513 ~~any~~ action, statement, or other means, the parents of students

HB 7031

2014

514 with disabilities from inviting another person of their choice
515 to attend a ~~any~~ meeting. Such prohibited actions include, but
516 are not limited to, attempted or actual coercion or harassment
517 of parents or students or retaliation or threats of consequences
518 to parents or students.

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

531 2. The parents and school district personnel attending the
532 meeting shall sign a document at the meeting's conclusion which
533 states whether any school district personnel have prohibited,
534 discouraged, or attempted to discourage the parents from
535 inviting a person of their choice to the meeting.

536 ~~(b) School district best financial management practice~~
537 ~~reviews. Public school students and their parents may provide~~
538 ~~input regarding their concerns about the operations and~~
539 ~~management of the school district both during and after the~~
540 ~~conduct of a school district best financial management practices~~

HB 7031

2014

541 ~~review, in accordance with the provisions of s. 1008.35.~~

542 ~~(b)(e)~~ District school board educational facilities
543 programs.—Parents of public school students and other members of
544 the public have the right to receive proper public notice and
545 opportunity for public comment regarding the district school
546 board's educational facilities work program, in accordance with
547 the provisions of s. 1013.35.

548 Section 23. Subsections (2) through (8) of section
549 1002.31, Florida Statutes, are amended to read:

550 1002.31 Controlled open enrollment; public school parental
551 choice.—

552 (2) Each district school board may offer controlled open
553 enrollment within the public schools which is. ~~The controlled~~
554 ~~open enrollment program shall be offered~~ in addition to the
555 existing choice programs such as virtual instruction programs,
556 magnet schools, alternative schools, special programs, advanced
557 placement, and dual enrollment.

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

562 ~~(a)(4)~~ ~~School districts shall~~ Adhere to federal
563 desegregation requirements. ~~No controlled open enrollment plan~~
564 ~~that conflicts with federal desegregation orders shall be~~
565 ~~implemented.~~

566 ~~(5)~~ ~~Each school district shall develop a system of~~
567 ~~priorities for its plan that includes consideration of the~~

568 ~~following:~~

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

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

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

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

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

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

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

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

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

585 ~~(i)~~ ~~A strategy that establishes a clearinghouse of~~
 586 ~~information designed to assist parents in making informed~~
 587 ~~choices.~~

588 ~~(6)~~ ~~Plans shall be submitted to the Commissioner of~~
 589 ~~Education. The Commissioner of Education shall develop an annual~~
 590 ~~report on the status of school choice and deliver the report to~~
 591 ~~the Governor, the President of the Senate, and the Speaker of~~
 592 ~~the House of Representatives at least 90 days prior to the~~
 593 ~~convening of the regular session of the Legislature.~~

594 ~~(7)~~ ~~Notwithstanding any provision of this section, a~~

HB 7031

2014

595 ~~school district with schools operating on both multiple session~~
 596 ~~schedules and single session schedules shall afford parents of~~
 597 ~~students in multiple session schools preferred access to the~~
 598 ~~controlled open enrollment program of the school district.~~

599 (4)-(8) In accordance with the reporting requirements of s.
 600 1011.62, each district school board shall annually report the
 601 number of students ~~applying for and~~ attending the various types
 602 of public schools of choice in the district, including schools
 603 such as virtual instruction programs, magnet schools, and public
 604 charter schools, according to rules adopted by the State Board
 605 of Education.

606 Section 24. Subsection (5) of section 1002.3105, Florida
 607 Statutes, is amended to read:

608 1002.3105 Academically Challenging Curriculum to Enhance
 609 Learning (ACCEL) options.—

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

617 Section 25. Subsection (3) of section 1002.321, Florida
 618 Statutes, is amended to read:

619 1002.321 Digital learning.—

620 (3) DIGITAL PREPARATION.—As required under s. 1003.4282, a
 621 ~~Each~~ student entering grade 9 in the 2011-2012 school year and

622 thereafter who seeks a high school diploma must take ~~graduate~~
 623 ~~from high school having taken~~ at least one online course, ~~as~~
 624 ~~provided in s. 1003.428.~~

625 Section 26. Paragraph (a) of subsection (6), paragraph (a)
 626 of subsection (7), paragraphs (b) and (c) of subsection (15),
 627 and subsection (25) of section 1002.33, Florida Statutes, are
 628 amended to read:

629 1002.33 Charter schools.—

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

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

635 1. Demonstrates how the school will use the guiding
 636 principles and meet the statutorily defined purpose of a charter
 637 school.

638 2. Provides a detailed curriculum plan that illustrates
 639 how students will be provided services to attain the Sunshine
 640 State Standards.

641 3. Contains goals and objectives for improving student
 642 learning and measuring that improvement. These goals and
 643 objectives must indicate how much academic improvement students
 644 are expected to show each year, how success will be evaluated,
 645 and the specific results to be attained through instruction.

646 4. Describes the reading curriculum and differentiated
 647 strategies that will be used for students reading at grade level
 648 or higher and a separate curriculum and strategies for students

HB 7031

2014

649 who are reading below grade level. A sponsor shall deny a
650 charter if the school does not propose a reading curriculum that
651 is consistent with effective teaching strategies that are
652 grounded in scientifically based reading research.

653 5. Contains an annual financial plan for each year
654 requested by the charter for operation of the school for up to 5
655 years. This plan must contain anticipated fund balances based on
656 revenue projections, a spending plan based on projected revenues
657 and expenses, and a description of controls that will safeguard
658 finances and projected enrollment trends.

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

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

667 (7) CHARTER.—The major issues involving the operation of a
668 charter school shall be considered in advance and written into
669 the charter. The charter shall be signed by the governing board
670 of the charter school and the sponsor, following a public
671 hearing to ensure community input.

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

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

HB 7031

2014

676 2. The focus of the curriculum, the instructional methods
677 to be used, any distinctive instructional techniques to be
678 employed, and identification and acquisition of appropriate
679 technologies needed to improve educational and administrative
680 performance which include a means for promoting safe, ethical,
681 and appropriate uses of technology which comply with legal and
682 professional standards.

683 a. The charter shall ensure that reading is a primary
684 focus of the curriculum and that resources are provided to
685 identify and provide specialized instruction for students who
686 are reading below grade level. The curriculum and instructional
687 strategies for reading must be consistent with the Next
688 Generation Sunshine State Standards and grounded in
689 scientifically based reading research.

690 b. In order to provide students with access to diverse
691 instructional delivery models, to facilitate the integration of
692 technology within traditional classroom instruction, and to
693 provide students with the skills they need to compete in the
694 21st century economy, the Legislature encourages instructional
695 methods for blended learning courses consisting of both
696 traditional classroom and online instructional techniques.
697 Charter schools may implement blended learning courses which
698 combine traditional classroom instruction and virtual
699 instruction. Students in a blended learning course must be full-
700 time students of the charter school and receive the online
701 instruction in a classroom setting at the charter school.
702 Instructional personnel certified pursuant to s. 1012.55 who

HB 7031

2014

703 provide virtual instruction for blended learning courses may be
704 employees of the charter school or may be under contract to
705 provide instructional services to charter school students. At a
706 minimum, such instructional personnel must hold an active state
707 or school district adjunct certification under s. 1012.57 for
708 the subject area of the blended learning course. The funding and
709 performance accountability requirements for blended learning
710 courses are the same as those for traditional courses.

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

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

717 b. How these baseline rates will be compared to rates of
718 academic progress achieved by these same students while
719 attending the charter school.

720 c. To the extent possible, how these rates of progress
721 will be evaluated and compared with rates of progress of other
722 closely comparable student populations.

723

724 The district school board is required to provide academic
725 student performance data to charter schools for each of their
726 students coming from the district school system, as well as
727 rates of academic progress of comparable student populations in
728 the district school system.

729 4. The methods used to identify the educational strengths

HB 7031

2014

730 and needs of students and how well educational goals and
731 performance standards are met by students attending the charter
732 school. The methods shall provide a means for the charter school
733 to ensure accountability to its constituents by analyzing
734 student performance data and by evaluating the effectiveness and
735 efficiency of its major educational programs. Students in
736 charter schools shall, at a minimum, participate in the
737 statewide assessment program created under s. 1008.22.

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

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

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

745 8. The ways by which the school will achieve a
746 racial/ethnic balance reflective of the community it serves or
747 within the racial/ethnic range of other public schools in the
748 same school district.

749 9. The financial and administrative management of the
750 school, including a reasonable demonstration of the professional
751 experience or competence of those individuals or organizations
752 applying to operate the charter school or those hired or
753 retained to perform such professional services and the
754 description of clearly delineated responsibilities and the
755 policies and practices needed to effectively manage the charter
756 school. A description of internal audit procedures and

HB 7031

2014

757 establishment of controls to ensure that financial resources are
758 properly managed must be included. Both public sector and
759 private sector professional experience shall be equally valid in
760 such a consideration.

761 10. The asset and liability projections required in the
762 application which are incorporated into the charter and shall be
763 compared with information provided in the annual report of the
764 charter school.

765 11. A description of procedures that identify various
766 risks and provide for a comprehensive approach to reduce the
767 impact of losses; plans to ensure the safety and security of
768 students and staff; plans to identify, minimize, and protect
769 others from violent or disruptive student behavior; and the
770 manner in which the school will be insured, including whether or
771 not the school will be required to have liability insurance,
772 and, if so, the terms and conditions thereof and the amounts of
773 coverage.

774 12. The term of the charter which shall provide for
775 cancellation of the charter if insufficient progress has been
776 made in attaining the student achievement objectives of the
777 charter and if it is not likely that such objectives can be
778 achieved before expiration of the charter. The initial term of a
779 charter shall be for 4 or 5 years. In order to facilitate access
780 to long-term financial resources for charter school
781 construction, charter schools that are operated by a
782 municipality or other public entity as provided by law are
783 eligible for up to a 15-year charter, subject to approval by the

HB 7031

2014

784 district school board. A charter lab school is eligible for a
785 charter for a term of up to 15 years. In addition, to facilitate
786 access to long-term financial resources for charter school
787 construction, charter schools that are operated by a private,
788 not-for-profit, s. 501(c)(3) status corporation are eligible for
789 up to a 15-year charter, subject to approval by the district
790 school board. Such long-term charters remain subject to annual
791 review and may be terminated during the term of the charter, but
792 only according to the provisions set forth in subsection (8).

793 13. The facilities to be used and their location. The
794 sponsor may not require a charter school to have a certificate
795 of occupancy or a temporary certificate of occupancy for such a
796 facility earlier than 15 calendar days before the first day of
797 school.

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

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

804 16. A timetable for implementing the charter which
805 addresses the implementation of each element thereof and the
806 date by which the charter shall be awarded in order to meet this
807 timetable.

808 17. In the case of an existing public school that is being
809 converted to charter status, alternative arrangements for
810 current students who choose not to attend the charter school and

HB 7031

2014

811 for current teachers who choose not to teach in the charter
812 school after conversion in accordance with the existing
813 collective bargaining agreement or district school board rule in
814 the absence of a collective bargaining agreement. However,
815 alternative arrangements shall not be required for current
816 teachers who choose not to teach in a charter lab school, except
817 as authorized by the employment policies of the state university
818 which grants the charter to the lab school.

819 18. Full disclosure of the identity of all relatives
820 employed by the charter school who are related to the charter
821 school owner, president, chairperson of the governing board of
822 directors, superintendent, governing board member, principal,
823 assistant principal, or any other person employed by the charter
824 school who has equivalent decisionmaking authority. For the
825 purpose of this subparagraph, the term "relative" means father,
826 mother, son, daughter, brother, sister, uncle, aunt, first
827 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
828 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
829 stepfather, stepmother, stepson, stepdaughter, stepbrother,
830 stepsister, half brother, or half sister.

831 19. Implementation of the activities authorized under s.
832 1002.331 by the charter school when it satisfies the eligibility
833 requirements for a high-performing charter school. A high-
834 performing charter school shall notify its sponsor in writing by
835 March 1 if it intends to increase enrollment or expand grade
836 levels the following school year. The written notice shall
837 specify the amount of the enrollment increase and the grade

HB 7031

2014

838 levels that will be added, as applicable.

839 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
840 A-MUNICIPALITY.—

841 (b) A charter school-in-the-workplace may be established
842 when a business partner provides the school facility to be used;
843 enrolls students based upon a random lottery that involves all
844 of the children of employees of that business or corporation who
845 are seeking enrollment, as provided for in subsection (10); and
846 enrolls students according to the racial/ethnic balance
847 provisions described in subparagraph (7) (a)8. ~~Any portion of a~~
848 ~~facility used for a public charter school shall be exempt from~~
849 ~~ad valorem taxes, as provided for in s. 1013.54, for the~~
850 ~~duration of its use as a public school.~~

851 (c) A charter school-in-a-municipality designation may be
852 granted to a municipality that possesses a charter; enrolls
853 students based upon a random lottery that involves all of the
854 children of the residents of that municipality who are seeking
855 enrollment, as provided for in subsection (10); and enrolls
856 students according to the racial/ethnic balance provisions
857 described in subparagraph (7) (a)8. When a municipality has
858 submitted charter applications for the establishment of a
859 charter school feeder pattern, consisting of elementary, middle,
860 and senior high schools, and each individual charter application
861 is approved by the district school board, such schools shall
862 then be designated as one charter school for all purposes listed
863 pursuant to this section. ~~Any portion of the land and facility~~
864 ~~used for a public charter school shall be exempt from ad valorem~~

HB 7031

2014

865 ~~taxes, as provided for in s. 1013.54, for the duration of its~~
 866 ~~use as a public school.~~

867 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
 868 SCHOOL SYSTEMS.—A charter school system's governing board ~~system~~
 869 shall be designated a local educational agency for the purpose
 870 of receiving federal funds, the same as though the charter
 871 school system were a school district, if the governing board of
 872 the charter school system has adopted and filed a resolution
 873 with its sponsoring district school board and the Department of
 874 Education in which the governing board of the charter school
 875 system accepts the full responsibility for all local education
 876 agency requirements and the charter school system meets all of
 877 the following:

- 878 (a) Includes both conversion charter schools and
- 879 nonconversion charter schools;
- 880 (b) Has all schools located in the same county;
- 881 (c) Has a total enrollment exceeding the total enrollment
- 882 of at least one school district in the state;
- 883 (d) Has the same governing board; and
- 884 (e) Does not contract with a for-profit service provider
- 885 for management of school operations.

886
 887 Such designation does not apply to other provisions unless
 888 specifically provided in law.

889 Section 27. Paragraph (g) of subsection (4) and paragraph
 890 (d) of subsection (6) of section 1002.34, Florida Statutes, are
 891 amended to read:

HB 7031

2014

892 1002.34 Charter technical career centers.—
893 (4) CHARTER.—A sponsor may designate centers as provided
894 in this section. An application to establish a center may be
895 submitted by a sponsor or another organization that is
896 determined, by rule of the State Board of Education, to be
897 appropriate. However, an independent school is not eligible for
898 status as a center. The charter must be signed by the governing
899 body of the center and the sponsor and must be approved by the
900 district school board and Florida College System institution
901 board of trustees in whose geographic region the facility is
902 located. If a charter technical career center is established by
903 the conversion to charter status of a public technical center
904 formerly governed by a district school board, the charter status
905 of that center takes precedence in any question of governance.
906 The governance of the center or of any program within the center
907 remains with its board of directors unless the board agrees to a
908 change in governance or its charter is revoked as provided in
909 subsection (15). Such a conversion charter technical career
910 center is not affected by a change in the governance of public
911 technical centers or of programs within other centers that are
912 or have been governed by district school boards. A charter
913 technical career center, or any program within such a center,
914 that was governed by a district school board and transferred to
915 a Florida College System institution prior to the effective date
916 of this act is not affected by this provision. An applicant who
917 wishes to establish a center must submit to the district school
918 board or Florida College System institution board of trustees,

HB 7031

2014

919 or a consortium of one or more of each, an application on a form
 920 developed by the Department of Education which includes:

921 (g) A method for determining whether a student has
 922 satisfied the requirements for graduation specified in s.
 923 1002.3105(5), s. 1003.4281, or s. 1003.4282 ~~1003.428 or s.~~
 924 ~~1003.429~~ and for completion of a postsecondary certificate or
 925 degree.

926
 927 Students at a center must meet the same testing and academic
 928 performance standards as those established by law and rule for
 929 students at public schools and public technical centers. The
 930 students must also meet any additional assessment indicators
 931 that are included within the charter approved by the district
 932 school board or Florida College System institution board of
 933 trustees.

934 (6) SPONSOR.—A district school board or Florida College
 935 System institution board of trustees or a consortium of one or
 936 more of each may sponsor a center in the county in which the
 937 board has jurisdiction.

938 (d)1. The Department of Education shall offer or arrange
 939 for training and technical assistance to centers which must
 940 include applicants in developing and amending business plans,
 941 and estimating and accounting for costs and income, complying
 942 with state and federal grant and student performance
 943 accountability reporting requirements, implementing good
 944 business practices. ~~This assistance shall address estimating~~
 945 ~~startup costs, projecting enrollment, and identifying the types~~

946 ~~and amounts of~~ state and federal financial aid ~~assistance~~ the
 947 center may be eligible to receive. ~~The training shall include~~
 948 ~~instruction in accurate financial planning and good business~~
 949 ~~practices.~~

950 2. An applicant must participate in the training provided
 951 by the department after approval of its ~~of Education~~ before
 952 ~~filing an~~ application but at least 30 days before the first day
 953 of classes at the center. The department ~~of Education~~ may
 954 provide technical assistance to an applicant upon written
 955 request.

956 Section 28. Paragraphs (a) and (b) of subsection (1) and
 957 subsection (3) of section 1002.345, Florida Statutes, are
 958 amended to read:

959 1002.345 Determination of deteriorating financial
 960 conditions and financial emergencies for charter schools and
 961 charter technical career centers.—This section applies to
 962 charter schools operating pursuant to s. 1002.33 and to charter
 963 technical career centers operating pursuant to s. 1002.34.

964 (1) EXPEDITED REVIEW; REQUIREMENTS.—

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

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

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

971 3. A deteriorating financial condition identified through
 972 an annual audit pursuant to s. 218.39(5), or ~~or~~ a monthly financial

HB 7031

2014

973 statement pursuant to s. 1002.33(9)(g) or s. 1002.34(11)(f), or
 974 a quarterly financial statement pursuant to s. 1002.331(2)(c).
 975 "Deteriorating financial condition" means a circumstance that
 976 significantly impairs the ability of a charter school or a
 977 charter technical career center to generate enough revenues to
 978 meet its expenditures without causing the occurrence of a
 979 condition described in s. 218.503(1).

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

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

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

991 Section 29. Paragraph (a) of subsection (2) of section
 992 1002.39, Florida Statutes, is amended to read:

993 1002.39 The John M. McKay Scholarships for Students with
 994 Disabilities Program.—There is established a program that is
 995 separate and distinct from the Opportunity Scholarship Program
 996 and is named the John M. McKay Scholarships for Students with
 997 Disabilities Program.

998 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a
 999 student with a disability may request and receive from the state

HB 7031

2014

1000 a John M. McKay Scholarship for the child to enroll in and
 1001 attend a private school in accordance with this section if:
 1002 (a) The student has:
 1003 1. Received specialized instructional services under the
 1004 Voluntary Prekindergarten Education Program pursuant to s.
 1005 1002.66 during the previous school year and the student has a
 1006 current individual educational plan developed by the local
 1007 school board in accordance with rules of the State Board of
 1008 Education for the John M. McKay Scholarships for Students with
 1009 Disabilities Program or a 504 accommodation plan has been issued
 1010 under s. 504 of the Rehabilitation Act of 1973; or
 1011 2. Spent the prior school year in attendance at a Florida
 1012 public school or the Florida School for the Deaf and the Blind.
 1013 For purposes of this subparagraph, prior school year in
 1014 attendance means that the student was enrolled and reported by:
 1015 a. A school district for funding during the preceding
 1016 October and February Florida Education Finance Program surveys
 1017 in kindergarten through grade 12, which includes time spent in a
 1018 Department of Juvenile Justice commitment program if funded
 1019 under the Florida Education Finance Program;
 1020 b. The Florida School for the Deaf and the Blind during
 1021 the preceding October and February student membership surveys in
 1022 kindergarten through grade 12; or
 1023 c. A school district for funding during the preceding
 1024 October and February Florida Education Finance Program surveys,
 1025 was at least 4 years of age when so enrolled and reported, and
 1026 was eligible for services under s. 1003.21(1)(e) ~~;~~ ~~or~~

HB 7031

2014

1027 ~~3. Been enrolled and reported by a school district for~~
1028 ~~funding, during the October and February Florida Education~~
1029 ~~Finance Program surveys, in any of the 5 years prior to the~~
1030 ~~2010-2011 fiscal year; has a current individualized educational~~
1031 ~~plan developed by the district school board in accordance with~~
1032 ~~rules of the State Board of Education for the John M. McKay~~
1033 ~~Scholarship Program no later than June 30, 2011; and receives a~~
1034 ~~first-time John M. McKay scholarship for the 2011-2012 school~~
1035 ~~year. Upon request of the parent, the local school district~~
1036 ~~shall complete a matrix of services as required in subparagraph~~
1037 ~~(5)(b)1. for a student requesting a current individualized~~
1038 ~~educational plan in accordance with the provisions of this~~
1039 ~~subparagraph.~~

1040
1041 However, a dependent child of a member of the United States
1042 Armed Forces who transfers to a school in this state from out of
1043 state or from a foreign country due to a parent's permanent
1044 change of station orders is exempt from this paragraph but must
1045 meet all other eligibility requirements to participate in the
1046 program.

1047 Section 30. Subsection (5) of section 1002.41, Florida
1048 Statutes, is amended to read:

1049 1002.41 Home education programs.—

1050 (5) Home education students may participate in the Bright
1051 Futures Scholarship Program in accordance with the provisions of
1052 ss. 1009.53-1009.538 ~~1009.53-1009.539~~.

1053 Section 31. Section 1002.415, Florida Statutes, is

HB 7031

2014

1054 repealed.

1055 Section 32. Paragraph (b) of subsection (4) and subsection
1056 (10) of section 1002.45, Florida Statutes, are amended to read:

1057 1002.45 Virtual instruction programs.—

1058 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
1059 provider must at minimum:

1060 (b) Provide a method for determining that a student has
1061 satisfied the requirements for graduation in s. 1002.3105(5), s.
1062 1003.4281, ~~1003.428~~ or s. 1003.4282 if the contract is for the
1063 provision of a full-time virtual instruction program to students
1064 in grades 9 through 12.

1065 (10) MARKETING.—Each school district shall provide
1066 information to parents and students about the ~~parent's and~~
1067 student's right to participate in a virtual instruction program
1068 under this section and in courses offered by the Florida Virtual
1069 School under s. 1002.37.

1070 Section 33. Paragraph (c) of subsection (2) of section
1071 1002.455, Florida Statutes, is amended to read:

1072 1002.455 Student eligibility for K-12 virtual
1073 instruction.—

1074 (2) A student is eligible to participate in virtual
1075 instruction if:

1076 (c) The student was enrolled during the prior school year
1077 in a virtual instruction program under s. 1002.45, ~~the K-8~~
1078 ~~Virtual School Program under s. 1002.415,~~ or a full-time Florida
1079 Virtual School program under s. 1002.37(8)(a);

1080 Section 34. Section 1002.65, Florida Statutes, is

1081 repealed.

1082 Section 35. Subsection (14) of section 1003.01, Florida
 1083 Statutes, is amended to read:

1084 1003.01 Definitions.—As used in this chapter, the term:

1085 (14) "Core-curricula courses" means:

1086 (a) Courses in language arts/reading, mathematics, social
 1087 studies, and science in prekindergarten through grade 3,
 1088 excluding ~~any~~ extracurricular courses pursuant to subsection
 1089 (15);

1090 (b) Courses in grades 4 through 8 in subjects that are
 1091 measured by state assessment at any grade level and courses
 1092 required for middle school promotion, excluding ~~any~~
 1093 extracurricular courses pursuant to subsection (15);

1094 (c) Courses in grades 9 through 12 in subjects that are
 1095 measured by state assessment at any grade level and courses that
 1096 are specifically identified by name in statute as required for
 1097 high school graduation and that are not measured by state
 1098 assessment, excluding ~~any~~ extracurricular courses pursuant to
 1099 subsection (15);

1100 (d) Exceptional student education courses; and

1101 (e) English for Speakers of Other Languages courses.

1102

1103 The term is limited in meaning and used for the sole purpose of
 1104 designating classes that are subject to the maximum class size
 1105 requirements established in s. 1, Art. IX of the State
 1106 Constitution. This term does not include courses offered under
 1107 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, ~~1002.415,~~

HB 7031

2014

1108 1002.45, and 1003.499.

1109 Section 36. Paragraph (d) of subsection (1) of section
 1110 1003.02, Florida Statutes, is amended to read:

1111 1003.02 District school board operation and control of
 1112 public K-12 education within the school district.—As provided in
 1113 part II of chapter 1001, district school boards are
 1114 constitutionally and statutorily charged with the operation and
 1115 control of public K-12 education within their school district.
 1116 The district school boards must establish, organize, and operate
 1117 their public K-12 schools and educational programs, employees,
 1118 and facilities. Their responsibilities include staff
 1119 development, public K-12 school student education including
 1120 education for exceptional students and students in juvenile
 1121 justice programs, special programs, adult education programs,
 1122 and career education programs. Additionally, district school
 1123 boards must:

1124 (1) Provide for the proper accounting for all students of
 1125 school age, for the attendance and control of students at
 1126 school, and for proper attention to health, safety, and other
 1127 matters relating to the welfare of students in the following
 1128 fields:

1129 (d) Courses of study and instructional materials.—

1130 1. Provide adequate instructional materials for all
 1131 students as follows and in accordance with the requirements of
 1132 chapter 1006, in the core courses of mathematics, language arts,
 1133 social studies, science, reading, and literature, except for
 1134 instruction for which the school advisory council approves the

HB 7031

2014

1135 use of a program that does not include a textbook as a major
 1136 tool of instruction.

1137 2. Adopt courses of study for use in the schools of the
 1138 district.

1139 3. Provide for proper requisitioning, distribution,
 1140 accounting, storage, care, and use of all instructional
 1141 materials as may be needed, and ensure that instructional
 1142 materials used in the district are consistent with the district
 1143 goals and objectives and the course descriptions ~~curriculum~~
 1144 ~~frameworks~~ approved by the State Board of Education, as well as
 1145 with the state and school district performance standards
 1146 required by law and state board rule.

1147 Section 37. Paragraph (c) of subsection (3) and subsection
 1148 (6) of section 1003.03, Florida Statutes, are amended to read:

1149 1003.03 Maximum class size.—

1150 (3) IMPLEMENTATION OPTIONS.—District school boards must
 1151 consider, but are not limited to, implementing the following
 1152 items in order to meet the constitutional class size maximums
 1153 described in subsection (1):

1154 (c)1. Repeal district school board policies that require
 1155 students to earn more than the 24 credits ~~required under s.~~
 1156 ~~1003.428~~ to graduate from high school.

1157 2. Implement the early graduation options ~~option~~ provided
 1158 in ss. 1002.3105(5) and s. ~~1003.4281~~.

1159 (6) COURSES FOR COMPLIANCE.—Consistent with s. ~~the~~
 1160 ~~provisions in ss.~~ 1003.01(14) and ~~1003.428~~, the Department of
 1161 Education shall identify from the Course Code Directory the

HB 7031

2014

1162 core-curricula courses for the purpose of satisfying the maximum
 1163 class size requirement in this section. The department may adopt
 1164 rules to implement this subsection, if necessary.

1165 Section 38. Subsection (3) of section 1003.41, Florida
 1166 Statutes, is amended to read:

1167 1003.41 Next Generation Sunshine State Standards.—

1168 (3) The Commissioner of Education, as needed, shall
 1169 develop and submit proposed revisions to the standards for
 1170 review and comment by Florida educators, school administrators,
 1171 representatives of the Florida College System institutions and
 1172 state universities who have expertise in the content knowledge
 1173 and skills necessary to prepare a student for postsecondary
 1174 education and careers, business and industry leaders, and the
 1175 public. The commissioner, after considering reviews and
 1176 comments, shall submit the proposed revisions to the State Board
 1177 of Education for adoption. ~~In addition, the commissioner shall~~
 1178 ~~prepare an analysis of the costs associated with implementing a~~
 1179 ~~separate, one-half credit course in financial literacy,~~
 1180 ~~including estimated costs for instructional personnel, training,~~
 1181 ~~and the development or purchase of instructional materials. The~~
 1182 ~~commissioner shall work with one or more nonprofit organizations~~
 1183 ~~with proven expertise in the area of personal finance, consider~~
 1184 ~~free resources that can be utilized for instructional materials,~~
 1185 ~~and provide data on the implementation of such a course in other~~
 1186 ~~states. The commissioner shall provide the cost analysis to the~~
 1187 ~~President of the Senate and the Speaker of the House of~~
 1188 ~~Representatives by October 1, 2013.~~

HB 7031

2014

1189 Section 39. Paragraphs (b) and (c) of subsection (1) and
 1190 subsections (2) and (3) of section 1003.4156, Florida Statutes,
 1191 are amended to read:

1192 1003.4156 General requirements for middle grades
 1193 promotion.—

1194 (1) In order for a student to be promoted to high school
 1195 from a school that includes middle grades 6, 7, and 8, the
 1196 student must successfully complete the following courses:

1197 (b) Three middle grades or higher courses in mathematics.
 1198 Each school that includes middle grades must offer at least one
 1199 high school level mathematics course for which students may earn
 1200 high school credit. Successful completion of a high school level
 1201 Algebra I or Geometry course is not contingent upon the
 1202 student's performance on the statewide, standardized end-of-
 1203 course (EOC) assessment ~~or, upon transition to common core~~
 1204 ~~assessments, the common core Algebra I or geometry assessments~~
 1205 ~~required under s. 1008.22. However, beginning with the 2011-2012~~
 1206 ~~school year,~~ To earn high school credit for Algebra I, a middle
 1207 grades student must take the statewide, standardized Algebra I
 1208 EOC assessment and pass the course, and in addition, beginning
 1209 with the 2013-2014 school year and thereafter, a student's
 1210 performance on the Algebra I EOC assessment constitutes 30
 1211 percent of the student's final course grade. ~~pass the Algebra I~~
 1212 ~~statewide, standardized assessment, and beginning with the 2012-~~
 1213 ~~2013 school year,~~ To earn high school credit for a Geometry
 1214 course, a middle grades student must take the statewide,
 1215 standardized Geometry EOC assessment, which constitutes 30

HB 7031

2014

1216 percent of the student's final course grade, and earn a passing
1217 grade in the course.

1218 (c) Three middle grades or higher courses in social
1219 studies. Beginning with students entering grade 6 in the 2012-
1220 2013 school year, one of these courses must be at least a one-
1221 semester civics education course that includes the roles and
1222 responsibilities of federal, state, and local governments; the
1223 structures and functions of the legislative, executive, and
1224 judicial branches of government; and the meaning and
1225 significance of historic documents, such as the Articles of
1226 Confederation, the Declaration of Independence, and the
1227 Constitution of the United States. Beginning with the 2013-2014
1228 school year, each student's performance on the statewide,
1229 standardized EOC assessment in civics education required under
1230 s. 1008.22 constitutes 30 percent of the student's final course
1231 grade. A middle grades student who transfers into the state's
1232 public school system from out of country, out of state, a
1233 private school, or a home education program after the beginning
1234 of the second term of grade 8 is not required to meet the civics
1235 education requirement for promotion from the middle grades if
1236 the student's transcript documents passage of three courses in
1237 social studies or two year-long courses in social studies that
1238 include coverage of civics education.

1239
1240 Each school must inform parents about the course curriculum and
1241 activities. Each student shall complete a personal education
1242 plan that must be signed by the student and the student's

HB 7031

2014

1243 parent. The Department of Education shall develop course
1244 frameworks and professional development materials for the career
1245 and education planning course. The course may be implemented as
1246 a stand-alone course or integrated into another course or
1247 courses. The Commissioner of Education shall collect
1248 longitudinal high school course enrollment data by student
1249 ethnicity in order to analyze course-taking patterns.

1250 (2) If a middle grades student scores Level 1 or Level 2
1251 on the statewide, standardized FCAT Reading assessment or, when
1252 ~~implemented, the state transitions to common core assessments on~~
1253 the English Language Arts (ELA) assessment ~~assessments required~~
1254 ~~under s. 1008.22~~, the following year the student must enroll in
1255 and complete a remedial course or a content area course in which
1256 remediation strategies are incorporated into course content
1257 delivery. The department shall provide guidance on appropriate
1258 strategies for diagnosing and meeting the varying instructional
1259 needs of students performing below grade level.

1260 (3) If a middle grades student scores Level 1 or Level 2
1261 on the statewide, standardized FCAT Mathematics assessment ~~or,~~
1262 ~~when the state transitions to common core assessments, on the~~
1263 ~~mathematics common core assessments required under s. 1008.22,~~
1264 the following year the student must receive remediation, which
1265 may be integrated into the student's required mathematics
1266 courses.

1267 Section 40. Section 1003.428, Florida Statutes, is
1268 repealed.

1269 Section 41. Subsection (1) of section 1003.4281, Florida

HB 7031

2014

1270 Statutes, is amended to read:

1271 1003.4281 Early high school graduation.—

1272 (1) The purpose of this section is to provide a student
 1273 the option of early graduation and receipt of a standard high
 1274 school diploma if the student earns 24 credits and meets the
 1275 graduation requirements set forth in ~~s. 1003.428~~ or s.
 1276 1003.4282, ~~as applicable~~. For purposes of this section, the term
 1277 "early graduation" means graduation from high school in less
 1278 than 8 semesters or the equivalent.

1279 Section 42. Paragraphs (a), (b), (c), and (f) of
 1280 subsection (3), subsections (4), (5), (7), and (8), and
 1281 paragraphs (a) and (c) of subsection (9) of section 1003.4282,
 1282 Florida Statutes, are amended, subsection (10) is renumbered as
 1283 subsection (11), and a new subsection (10) is added to that
 1284 section, to read:

1285 1003.4282 Requirements for a standard high school
 1286 diploma.—

1287 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 1288 REQUIREMENTS.—

1289 (a) Four credits in English Language Arts (ELA).—The four
 1290 credits must be in ELA I, II, III, and IV. A student must pass
 1291 the statewide, standardized 10th grade 10 FCAT Reading
 1292 assessment or, when implemented, the until the state transitions
 1293 to a common core 10th grade 10 ELA assessment, or earn a
 1294 concordant score, after which time a student must pass the ELA
 1295 assessment in order to earn a standard high school diploma.

1296 (b) Four credits in mathematics.—A student must earn one

HB 7031

2014

1297 credit in Algebra I and one credit in Geometry. A student's
1298 performance on the statewide, standardized Algebra I end-of-
1299 course (EOC) assessment ~~or common core assessment, as~~
1300 ~~applicable,~~ constitutes 30 percent of the student's final course
1301 grade. A student must pass the statewide, standardized Algebra I
1302 EOC assessment, or earn a comparative score, ~~until the state~~
1303 ~~transitions to a common core Algebra I assessment after which~~
1304 ~~time a student must pass the common core assessment~~ in order to
1305 earn a standard high school diploma. A student's performance on
1306 the statewide, standardized Geometry EOC assessment ~~or common~~
1307 ~~core assessment, as applicable,~~ constitutes 30 percent of the
1308 student's final course grade. If ~~When~~ the state administers a
1309 statewide, standardized ~~common core~~ Algebra II assessment, a
1310 student selecting Algebra II must take the assessment, and the
1311 student's performance on the assessment constitutes 30 percent
1312 of the student's final course grade. A student who earns an
1313 industry certification for which there is a statewide college
1314 credit articulation agreement approved by the State Board of
1315 Education may substitute the certification for one mathematics
1316 credit. Substitution may occur for up to two mathematics
1317 credits, except for Algebra I and Geometry. ~~Industry~~
1318 ~~certification courses that lead to college credit may substitute~~
1319 ~~for up to two math credits.~~

1320 (c) Three credits in science.—Two of the three required
1321 credits must have a laboratory component. A student must earn
1322 one credit in Biology I and two credits in equally rigorous
1323 courses. The statewide, standardized Biology I EOC assessment

1324 constitutes 30 percent of the student's final course grade. A
 1325 student who earns an industry certification for which there is a
 1326 statewide college credit articulation agreement approved by the
 1327 State Board of Education may substitute the certification for
 1328 one science credit, except for Biology I. ~~Industry certification~~
 1329 courses that lead to college credit may substitute for up to one
 1330 science credit.

1331 (f) One credit in physical education.—Physical education
 1332 must include the integration of health. Participation in an
 1333 interscholastic sport at the junior varsity or varsity level for
 1334 two full seasons shall satisfy the one-credit requirement in
 1335 physical education if the student passes a competency test on
 1336 personal fitness with a score of "C" or better. The competency
 1337 test on personal fitness developed by the Department of
 1338 Education must be used. A district school board may not require
 1339 that the one credit in physical education be taken during the
 1340 9th grade year. Completion of one semester with a grade of "C"
 1341 or better in a marching band class, in a physical activity class
 1342 that requires participation in marching band activities as an
 1343 extracurricular activity, or in a dance class shall satisfy one-
 1344 half credit in physical education or one-half credit in
 1345 performing arts. This credit may not be used to satisfy the
 1346 personal fitness requirement or the requirement for adaptive
 1347 physical education under an individual education plan (IEP) or
 1348 504 plan. Completion of 2 years in a Reserve Officer Training
 1349 Corps (R.O.T.C.) class, a significant component of which is
 1350 drills, shall satisfy the one-credit requirement in physical

HB 7031

2014

1351 education and the one-credit requirement in performing arts.
 1352 This credit may not be used to satisfy the personal fitness
 1353 requirement or the requirement for adaptive physical education
 1354 under an IEP or 504 plan. ~~This requirement is subject to all of~~
 1355 ~~the provisions in s. 1003.428(2)(a)6.~~

1356 (4) ONLINE COURSE REQUIREMENT. ~~Excluding a driver~~
 1357 ~~education course,~~ At least one course within the 24 credits
 1358 required under this section must be completed through online
 1359 learning. Beginning with students entering grade 9 in the 2013-
 1360 2014 school year, the required online course may not be a driver
 1361 education course. A school district may not require a student to
 1362 take the online course outside the school day or in addition to
 1363 a student's courses for a given semester. An online course taken
 1364 in grade 6, grade 7, or grade 8 fulfills this requirement. This
 1365 requirement is met through an online course offered by the
 1366 Florida Virtual School, a virtual education provider approved by
 1367 the State Board of Education, a high school, or an online dual
 1368 enrollment course. A student who is enrolled in a full-time or
 1369 part-time virtual instruction program under s. 1002.45 meets
 1370 this requirement. This requirement does not apply to a student
 1371 who has an individual education plan under s. 1003.57 which
 1372 indicates that an online course would be inappropriate or to an
 1373 out-of-state transfer student who is enrolled in a Florida high
 1374 school and has 1 academic year or less remaining in high school.

1375 (5) REMEDIATION FOR HIGH SCHOOL STUDENTS.-

1376 (a) Each year a student scores Level 1 or Level 2 on the
 1377 statewide, standardized ~~9th grade 9~~ or ~~10th grade 10~~ ~~FCAT~~

HB 7031

2014

1378 Reading assessment or, when implemented, the 9th grade 9, 10th
 1379 grade 10, or 11th grade 11 ELA assessment ~~common core English~~
 1380 ~~Language Arts (ELA) assessments~~, the student must be enrolled in
 1381 and complete an intensive remedial course the following year or
 1382 be placed in a content area course that includes remediation of
 1383 skills not acquired by the student.

1384 (b) Each year a student scores Level 1 or Level 2 on the
 1385 statewide, standardized Algebra I EOC assessment, ~~or upon~~
 1386 ~~transition to the common core Algebra I assessment~~, the student
 1387 must be enrolled in and complete an intensive remedial course
 1388 the following year or be placed in a content area course that
 1389 includes remediation of skills not acquired by the student.

1390 (7) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

1391 (a) A student who earns a cumulative grade point average
 1392 (GPA) of 2.0 on a 4.0 scale and meets the requirements of this
 1393 section or s. 1002.3105(5) shall be awarded a standard high
 1394 school diploma in a form prescribed by the State Board of
 1395 Education.

1396 (b) An adult student in an adult general education program
 1397 as provided under s. 1004.93 shall be awarded a standard high
 1398 school diploma if the student meets the requirements of this
 1399 section or s. 1002.3105(5), except that:

1400 1. One elective credit may be substituted for the one-
 1401 credit requirement in fine or performing arts, speech and
 1402 debate, or practical arts.

1403 2. The requirement that two of the science credits include
 1404 a laboratory component may be waived by the district school

HB 7031

2014

1405 board.

1406 3. The one credit in physical education may be substituted
1407 with an elective credit. ~~Notwithstanding any other law to the~~
1408 ~~contrary, all students enrolled in high school as of the 2012-~~
1409 ~~2013 school year who earned a passing grade in Biology I or~~
1410 ~~geometry before the 2013-2014 school year shall be awarded a~~
1411 ~~credit in that course if the student passed the course. The~~
1412 ~~student's performance on the EOC assessment is not required to~~
1413 ~~constitute 30 percent of the student's final course grade.~~

1414 (c) A student who earns fails to earn the required 24
1415 credits, or the required 18 credits under s. 1002.3105(5), but
1416 fails to pass the assessments required under s. 1008.22(3) or
1417 achieve a 2.0 GPA shall be awarded a certificate of completion
1418 in a form prescribed by the State Board of Education. However, a
1419 student who is otherwise entitled to a certificate of completion
1420 may elect to remain in high school either as a full-time student
1421 or a part-time student for up to 1 additional year and receive
1422 special instruction designed to remedy his or her identified
1423 deficiencies.

1424 (8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning
1425 with the 2012-2013 school year, if a student transfers to a
1426 Florida public high school from out of country, out of state, a
1427 private school, or a home education program and the student's
1428 transcript shows a ~~mathematics~~ credit in Algebra I ~~a course that~~
1429 ~~requires passage of a statewide, standardized assessment in~~
1430 ~~order to earn a standard high school diploma, the student must~~
1431 pass the statewide, standardized Algebra I EOC assessment in

HB 7031

2014

1432 order to earn a standard high school diploma unless the student
1433 earned a comparative score ~~pursuant to s. 1008.22~~, passed a
1434 statewide assessment in Algebra I ~~that subject~~ administered by
1435 the transferring entity, or passed the statewide mathematics
1436 assessment the transferring entity uses to satisfy the
1437 requirements of the Elementary and Secondary Education Act, 20
1438 U.S.C. s. 6301. If a student's transcript shows a credit in high
1439 school reading or English Language Arts II or III, in order to
1440 earn a standard high school diploma, the student must take and
1441 pass the statewide, standardized grade 10 ~~FCAT~~ Reading
1442 assessment or, when implemented, the grade 10 ELA assessment, or
1443 earn a concordant score ~~on the SAT or ACT as specified by state~~
1444 ~~board rule or, when the state transitions to common core English~~
1445 ~~Language Arts assessments, earn a passing score on the English~~
1446 ~~Language Arts assessment as required under this section. If a~~
1447 transfer student's transcript shows a final course grade and
1448 course credit in Algebra I, Geometry, Biology I, or United
1449 States History, the transferring course final grade and credit
1450 shall be honored without the student taking the requisite
1451 statewide, standardized EOC assessment and without the
1452 assessment results constituting 30 percent of the student's
1453 final course grade.

1454 (9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
1455 CREDIT REQUIREMENTS.—

1456 (a) Participation in career education courses engages
1457 students in their high school education, increases academic
1458 achievement, enhances employability, and increases postsecondary

HB 7031

2014

1459 success. By July 1, 2014, the department shall develop, for
 1460 approval by the State Board of Education, multiple, additional
 1461 career education courses or a series of courses that meet the
 1462 requirements set forth in s. 1003.493(2), (4), and (5) and this
 1463 subsection and allow students to earn credit in both the career
 1464 education course and courses required for high school graduation
 1465 under this section and s. ~~ss. 1003.428~~ and 1003.4281.

1466 1. The state board must determine if sufficient academic
 1467 standards are covered to warrant the award of academic credit.

1468 2. Career education courses must include workforce and
 1469 digital literacy skills and the integration of required course
 1470 content with practical applications and designated rigorous
 1471 coursework that results in one or more industry certifications
 1472 or clearly articulated credit or advanced standing in a 2-year
 1473 or 4-year certificate or degree program, which may include high
 1474 school junior and senior year work-related internships or
 1475 apprenticeships. The department shall negotiate state licenses
 1476 for material and testing for industry certifications. The
 1477 instructional methodology used in these courses must be
 1478 comprised of authentic projects, problems, and activities for
 1479 contextually learning the academics.

1480 (c) Regional consortium service organizations established
 1481 pursuant to s. 1001.451 shall work with school districts, local
 1482 workforce boards, postsecondary institutions, and local business
 1483 and industry leaders to create career education courses that
 1484 meet the requirements set forth in s. 1003.493(2), (4), and (5)
 1485 and this subsection that students can take to earn required high

HB 7031

2014

1486 school course credits. The regional consortium shall submit
1487 course recommendations to the department, on behalf of the
1488 consortium member districts, for state board approval. A strong
1489 emphasis should be placed on online coursework, digital
1490 literacy, and workforce literacy as defined in s. 1004.02(26)
1491 ~~1004.02(27)~~. For purposes of providing students the opportunity
1492 to earn industry certifications, consortiums must secure the
1493 necessary site licenses and testing contracts for use by member
1494 districts.

1495 (10) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The
1496 requirements of this section, in addition to applying to
1497 students entering grade 9 in the 2013-2014 school year and
1498 thereafter, shall also apply to students entering grade 9 before
1499 the 2013-2014 school year, except as otherwise provided in this
1500 subsection.

1501 (a) A student entering grade 9 before the 2010-2011 school
1502 year must earn:

1503 1. Four credits in English/ELA. A student must pass the
1504 statewide, standardized grade 10 Reading assessment, or earn a
1505 concordant score, in order to graduate with a standard high
1506 school diploma.

1507 2. Four credits in mathematics, which must include Algebra
1508 I. A student must pass grade 10 FCAT Mathematics, or earn a
1509 concordant score, in order to graduate with a standard high
1510 school diploma. A student who takes Algebra I or Geometry after
1511 the 2010-2011 school year must take the statewide, standardized
1512 EOC assessment for the course but is not required to pass the

HB 7031

2014

1513 assessment in order to earn course credit. A student's
1514 performance on the Algebra I or Geometry EOC assessment is not
1515 required to constitute 30 percent of the student's final course
1516 grade. A student who earns an industry certification for which
1517 there is a statewide college credit articulation agreement
1518 approved by the State Board of Education may substitute the
1519 certification for one mathematics credit. Substitution may occur
1520 for up to two mathematics credits, except for Algebra I.

1521 3. Three credits in science, two of which must have a
1522 laboratory component. A student who takes Biology I after the
1523 2010-2011 school year must take the statewide, standardized
1524 Biology I EOC assessment but is not required to pass the
1525 assessment in order to earn course credit. A student's
1526 performance on the assessment is not required to constitute 30
1527 percent of the student's final course grade. A student who earns
1528 an industry certification for which there is a statewide college
1529 credit articulation agreement approved by the State Board of
1530 Education may substitute the certification for one science
1531 credit.

1532 4. Three credits in social studies of which one credit in
1533 World History, one credit in United States History, one-half
1534 credit in United States Government, and one-half credit in
1535 economics is required. A student who takes United States History
1536 after the 2011-2012 school year must take the statewide,
1537 standardized United States History EOC assessment but the
1538 student's performance on the assessment is not required to
1539 constitute 30 percent of the student's final course grade.

HB 7031

2014

1540 5. One credit in fine or performing arts, speech and
1541 debate, or practical arts as provided in paragraph (3) (e).

1542 6. One credit in physical education as provided in
1543 paragraph (3) (f).

1544 7. Eight credits in electives.

1545 (b) A student entering grade 9 in the 2010-2011 school
1546 year must earn:

1547 1. Four credits in English/ELA. A student must pass the
1548 statewide, standardized grade 10 Reading assessment, or earn a
1549 concordant score, in order to graduate with a standard high
1550 school diploma.

1551 2. Four credits in mathematics, which must include Algebra
1552 I and Geometry. The statewide, standardized Algebra I EOC
1553 assessment constitutes 30 percent of the student's final course
1554 grade. A student who takes Algebra I or Geometry after the 2010-
1555 2011 school year must take the statewide, standardized EOC
1556 assessment for the course but is not required to pass the
1557 assessment in order to earn course credit. A student's
1558 performance on the Geometry EOC assessment is not required to
1559 constitute 30 percent of the student's final course grade. A
1560 student who earns an industry certification for which there is a
1561 statewide college credit articulation agreement approved by the
1562 State Board of Education may substitute the certification for
1563 one mathematics credit. Substitution may occur for up to two
1564 mathematics credits, except for Algebra I and Geometry.

1565 3. Three credits in science, two of which must have a
1566 laboratory component. A student who takes Biology I after the

HB 7031

2014

1567 2010-2011 school year must take the statewide, standardized
1568 Biology I EOC assessment but is not required to pass the
1569 assessment in order to earn course credit. A student's
1570 performance on the assessment is not required to constitute 30
1571 percent of the student's final course grade. A student who earns
1572 an industry certification for which there is a statewide college
1573 credit articulation agreement approved by the State Board of
1574 Education may substitute the certification for one science
1575 credit, except for Biology I.

1576 4. Three credits in social studies of which one credit in
1577 World History, one credit in United States History, one-half
1578 credit in United States Government, and one-half credit in
1579 economics is required. A student who takes United States History
1580 after the 2011-2012 school year must take the statewide,
1581 standardized United States History EOC assessment but the
1582 student's performance on the assessment is not required to
1583 constitute 30 percent of the student's final course grade.

1584 5. One credit in fine or performing arts, speech and
1585 debate, or practical arts as provided in paragraph (3) (e).

1586 6. One credit in physical education as provided in
1587 paragraph (3) (f).

1588 7. Eight credits in electives.

1589 (c) A student entering grade 9 in the 2011-2012 school
1590 year must earn:

1591 1. Four credits in English/ELA. A student must pass the
1592 statewide, standardized grade 10 Reading assessment, or earn a
1593 concordant score, in order to graduate with a standard high

HB 7031

2014

1594 school diploma.

1595 2. Four credits in mathematics, which must include Algebra
1596 I and Geometry. A student who takes Algebra I after the 2010-
1597 2011 school year must pass the statewide, standardized Algebra I
1598 EOC assessment, or earn a comparative score, in order to earn a
1599 standard high school diploma. A student who takes Algebra I or
1600 Geometry after the 2010-2011 school year must take the
1601 statewide, standardized EOC assessment but is not required to
1602 pass the Algebra I or Geometry EOC assessment in order to earn
1603 course credit. A student's performance on the Algebra I or
1604 Geometry EOC assessment is not required to constitute 30 percent
1605 of the student's final course grade. A student who earns an
1606 industry certification for which there is a statewide college
1607 credit articulation agreement approved by the State Board of
1608 Education may substitute the certification for one mathematics
1609 credit. Substitution may occur for up to two mathematics
1610 credits, except for Algebra I and Geometry.

1611 3. Three credits in science, two of which must have a
1612 laboratory component. One of the science credits must be Biology
1613 I. A student who takes Biology I after the 2010-2011 school year
1614 must take the statewide, standardized Biology I EOC assessment
1615 but is not required to pass the assessment in order to earn
1616 course credit. A student's performance on the assessment is not
1617 required to constitute 30 percent of the student's final course
1618 grade. A student who earns an industry certification for which
1619 there is a statewide college credit articulation agreement
1620 approved by the State Board of Education may substitute the

1621 certification for one science credit, except for Biology I.
 1622 4. Three credits in social studies of which one credit in
 1623 World History, one credit in United States History, one-half
 1624 credit in United States Government, and one-half credit in
 1625 economics is required. A student who takes United States History
 1626 after the 2011-2012 school year student must take the statewide,
 1627 standardized United States History EOC assessment but the
 1628 student's performance on the assessment is not required to
 1629 constitute 30 percent of the student's final course grade.
 1630 5. One credit in fine or performing arts, speech and
 1631 debate, or practical arts as provided in paragraph (3) (e).
 1632 6. One credit in physical education as provided in
 1633 paragraph (3) (f).
 1634 7. Eight credits in electives.
 1635 8. One online course as provided in subsection (4).
 1636 (d) A student entering grade 9 in the 2012-2013 school
 1637 year must earn:
 1638 1. Four credits in English/ELA. A student must pass the
 1639 statewide, standardized grade 10 Reading assessment, or earn a
 1640 concordant score, in order to graduate with a standard high
 1641 school diploma.
 1642 2. Four credits in mathematics, which must include Algebra
 1643 I and Geometry. A student who takes Algebra I after the 2010-
 1644 2011 school year must pass the statewide, standardized Algebra I
 1645 EOC assessment, or earn a comparative score, in order to earn a
 1646 standard high school diploma. A student who takes Geometry after
 1647 the 2010-2011 school year must take the statewide, standardized

HB 7031

2014

1648 Geometry EOC assessment. A student is not required to pass the
1649 statewide, standardized EOC assessment in Algebra I or Geometry
1650 in order to earn course credit. A student's performance on the
1651 Algebra I or Geometry EOC assessment is not required to
1652 constitute 30 percent of the student's final course grade. A
1653 student who earns an industry certification for which there is a
1654 statewide college credit articulation agreement approved by the
1655 State Board of Education may substitute the certification for
1656 one mathematics credit. Substitution may occur for up to two
1657 mathematics credits, except for Algebra I and Geometry.

1658 3. Three credits in science, two of which must have a
1659 laboratory component. One of the science credits must be Biology
1660 I. A student who takes Biology I after the 2010-2011 school year
1661 must take the statewide, standardized Biology I EOC assessment
1662 but is not required to pass the assessment to earn course
1663 credit. A student's performance on the assessment is not
1664 required to constitute 30 percent of the student's final course
1665 grade. A student who earns an industry certification for which
1666 there is a statewide college credit articulation agreement
1667 approved by the State Board of Education may substitute the
1668 certification for one science credit, except for Biology I.

1669 4. Three credits in social studies of which one credit in
1670 World History, one credit in United States History, one-half
1671 credit in United States Government, and one-half credit in
1672 economics is required. The statewide, standardized United States
1673 History EOC assessment constitutes 30 percent of the student's
1674 final course grade.

HB 7031

2014

1675 5. One credit in fine or performing arts, speech and
1676 debate, or practical arts as provided in paragraph (3) (e).

1677 6. One credit in physical education as provided in
1678 paragraph (3) (f).

1679 7. Eight credits in electives.

1680 8. One online course as provided in subsection (4).

1681 (e) Policy adopted in rule by the district school board
1682 may require for any cohort of students that performance on a
1683 statewide, standardized EOC assessment constitute 30 percent of
1684 a student's final course grade.

1685 (f) This subsection is repealed July 1, 2020.

1686 Section 43. Subsection (1) of section 1003.4285, Florida
1687 Statutes, is amended to read:

1688 1003.4285 Standard high school diploma designations.—

1689 (1) Each standard high school diploma shall include, as
1690 applicable, the following designations if the student meets the
1691 criteria set forth for the designation:

1692 (a) Scholar designation.—In addition to the requirements
1693 of ~~s. ss. 1003.428 and 1003.4282, as applicable,~~ in order to
1694 earn the Scholar designation, a student must satisfy the
1695 following requirements:

1696 1. English Language Arts (ELA).—When implemented ~~the state~~
1697 ~~transitions to common core assessments,~~ pass the statewide,
1698 standardized 11th grade 11 ELA ~~common core~~ assessment.

1699 2. Mathematics.—Earn one credit in Algebra II and one
1700 credit in statistics or an equally rigorous course. When
1701 implemented ~~the state transitions to common core assessments,~~

HB 7031

2014

1702 students must pass the statewide, standardized Algebra II ~~common~~
1703 ~~core~~ assessment. Beginning with students entering grade 9 in the
1704 2014-2015 school year, a student must also pass the statewide,
1705 standardized Geometry end-of-course (EOC) assessment.

1706 3. Science.—Pass the statewide, standardized Biology I EOC
1707 ~~end-of-course~~ assessment and earn one credit in chemistry or
1708 physics and one credit in a course equally rigorous to chemistry
1709 or physics. However, a student enrolled in an Advanced Placement
1710 (AP), International Baccalaureate (IB), or Advanced
1711 International Certificate of Education (AICE) Biology course who
1712 takes the respective AP, IB, or AICE Biology assessment and
1713 earns the minimum score necessary to earn college credit as
1714 identified pursuant to s. 1007.27(2) meets the requirement of
1715 this subparagraph without having to take the statewide,
1716 standardized Biology I EOC assessment.

1717 4. Social studies.—Pass the statewide, standardized United
1718 States History EOC ~~end-of-course~~ assessment. However, a student
1719 enrolled in an AP, IB, or AICE course that includes United
1720 States History topics who takes the respective AP, IB, or AICE
1721 assessment and earns the minimum score necessary to earn college
1722 credit as identified pursuant to s. 1007.27(2) meets the
1723 requirement of this subparagraph without having to take the
1724 statewide, standardized United States History EOC assessment.

1725 5. Foreign language.—Earn two credits in the same foreign
1726 language.

1727 6. Electives.—Earn at least one credit in an Advanced
1728 Placement, an International Baccalaureate, an Advanced

HB 7031

2014

1729 International Certificate of Education, or a dual enrollment
1730 course.

1731 (b) Merit designation.—In addition to the requirements of
1732 s. ss. 1003.428 and 1003.4282, ~~as applicable,~~ in order to earn
1733 the Merit designation, a student must attain one or more
1734 industry certifications from the list established under s.
1735 1003.492.

1736 Section 44. Section 1003.438, Florida Statutes, is amended
1737 to read:

1738 1003.438 Special high school graduation requirements for
1739 certain exceptional students.—A student who has been identified,
1740 in accordance with rules established by the State Board of
1741 Education, as a student with disabilities who has an
1742 intellectual disability; an autism spectrum disorder; a language
1743 impairment; an orthopedic impairment; an other health
1744 impairment; a traumatic brain injury; an emotional or behavioral
1745 disability; a specific learning disability, including, but not
1746 limited to, dyslexia, dyscalculia, or developmental aphasia; or
1747 students who are deaf or hard of hearing or dual sensory
1748 impaired shall not be required to meet all requirements of s.
1749 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 and shall,
1750 upon meeting all applicable requirements prescribed by the
1751 district school board pursuant to s. 1008.25, be awarded a
1752 special diploma in a form prescribed by the commissioner;
1753 however, such special graduation requirements prescribed by the
1754 district school board must include minimum graduation
1755 requirements as prescribed by the commissioner. Any such student

HB 7031

2014

1756 | who meets all special requirements of the district school board,
 1757 | but is unable to meet the appropriate special state minimum
 1758 | requirements, shall be awarded a special certificate of
 1759 | completion in a form prescribed by the commissioner. However,
 1760 | this section does not limit or restrict the right of an
 1761 | exceptional student solely to a special diploma or special
 1762 | certificate of completion. Any such student shall, upon proper
 1763 | request, be afforded the opportunity to fully meet all
 1764 | requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s.
 1765 | 1003.4282 through the standard procedures established therein
 1766 | and thereby to qualify for a standard diploma upon graduation.

1767 | Section 45. Subsection (5) of section 1003.451, Florida
 1768 | Statutes, is repealed.

1769 | Section 46. Subsection (1) of section 1003.49, Florida
 1770 | Statutes, is amended to read:

1771 | 1003.49 Graduation and promotion requirements for publicly
 1772 | operated schools.—

1773 | (1) Each state or local public agency, including the
 1774 | Department of Children and Family Services, the Department of
 1775 | Corrections, the boards of trustees of universities and Florida
 1776 | College System institutions, and the Board of Trustees of the
 1777 | Florida School for the Deaf and the Blind, which agency is
 1778 | authorized to operate educational programs for students at any
 1779 | level of grades kindergarten through 12, shall be subject to all
 1780 | applicable requirements of ss. 1002.3105(5), 1003.4281,
 1781 | 1003.4282 ~~1003.428~~, ~~1003.429~~, 1008.23, and 1008.25. Within the
 1782 | content of these cited statutes each such state or local public

HB 7031

2014

1783 agency or entity shall be considered a "district school board."

1784 Section 47. Paragraph (e) of subsection (4) of section
1785 1003.493, Florida Statutes, is amended to read:

1786 1003.493 Career and professional academies and career-
1787 themed courses.—

1788 (4) Each career and professional academy and secondary
1789 school providing a career-themed course must:

1790 (e) Deliver academic content through instruction relevant
1791 to the career, including intensive reading and mathematics
1792 intervention required by s. 1003.4282 ~~1003.428~~, with an emphasis
1793 on strengthening reading for information skills.

1794 Section 48. Paragraph (c) of subsection (2) of section
1795 1003.4935, Florida Statutes, is amended to read:

1796 1003.4935 Middle grades career and professional academy
1797 courses and career-themed courses.—

1798 (2) Each middle grades career and professional academy or
1799 career-themed course must be aligned with at least one high
1800 school career and professional academy or career-themed course
1801 offered in the district and maintain partnerships with local
1802 business and industry and economic development boards. Middle
1803 grades career and professional academies and career-themed
1804 courses must:

1805 (c) Integrate career and professional academy or career-
1806 themed course content with intensive reading, English Language
1807 Arts, and mathematics pursuant to s. ~~ss. 1003.428~~ and 1003.4282;

1808 Section 49. Paragraph (a) of subsection (1) of section
1809 1003.57, Florida Statutes, is amended to read:

HB 7031

2014

1810 1003.57 Exceptional students instruction.—
 1811 (1) (a) For purposes of providing exceptional student
 1812 instruction under this section:
 1813 1. A school district shall use the following terms to
 1814 describe the instructional setting for a student with a
 1815 disability, 6 through 21 years of age, who is not educated in a
 1816 setting accessible to all children who are together at all
 1817 times:
 1818 a. "Exceptional student education center" or "special day
 1819 school" means a separate public school to which nondisabled
 1820 peers do not have access.
 1821 b. "Other separate environment" means a separate private
 1822 school, residential facility, or hospital or homebound program.
 1823 c. "Regular class" means a class in which a student spends
 1824 80 percent or more of the school week with nondisabled peers.
 1825 d. "Resource room" means a classroom in which a student
 1826 spends between 40 percent to 80 percent of the school week with
 1827 nondisabled peers.
 1828 e. "Separate class" means a class in which a student
 1829 spends less than 40 percent of the school week with nondisabled
 1830 peers.
 1831 2. A school district shall use the term "inclusion" to
 1832 mean that a student is receiving education in a general
 1833 education regular class setting, reflecting natural proportions
 1834 and age-appropriate heterogeneous groups in core academic and
 1835 elective or special areas within the school community; a student
 1836 with a disability is a valued member of the classroom and school

HB 7031

2014

1837 community; the teachers and administrators support universal
 1838 education and have knowledge and support available to enable
 1839 them to effectively teach all children; and a teacher ~~student~~ is
 1840 provided access to technical assistance in best practices,
 1841 instructional methods, and supports tailored to the student's
 1842 needs based on current research.

1843 Section 50. Paragraph (a) of subsection (1) of section
 1844 1003.621, Florida Statutes, is amended to read:

1845 1003.621 Academically high-performing school districts.—It
 1846 is the intent of the Legislature to recognize and reward school
 1847 districts that demonstrate the ability to consistently maintain
 1848 or improve their high-performing status. The purpose of this
 1849 section is to provide high-performing school districts with
 1850 flexibility in meeting the specific requirements in statute and
 1851 rules of the State Board of Education.

1852 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

1853 (a) A school district is an academically high-performing
 1854 school district if it meets the following criteria:

1855 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a
 1856 grade of "A" under s. 1008.34(7) for 2 consecutive years; and

1857 b. Has no district-operated school that earns a grade of
 1858 "F" under s. 1008.34;

1859 2. Complies with all class size requirements in s. 1, Art.
 1860 IX of the State Constitution and s. 1003.03; and

1861 3. Has no material weaknesses or instances of material
 1862 noncompliance noted in the annual financial audit conducted
 1863 pursuant to s. 11.45 or s. 218.39.

HB 7031

2014

1864
1865 However, a district in which a district-operated school earns a
1866 grade of "F" under s. 1008.34 during the 3-year period may not
1867 continue to be designated as an academically high-performing
1868 school district during the remainder of that 3-year period. The
1869 district must meet the criteria in paragraph (a) in order to be
1870 redesignated as an academically high-performing school district.

1871 Section 51. Subsection (4) of section 1004.02, Florida
1872 Statutes, is repealed.

1873 Section 52. Section 1004.0961, Florida Statutes, is
1874 amended to read:

1875 1004.0961 Credit for online courses.—Beginning in the
1876 2015-2016 school year, the State Board of Education shall adopt
1877 rules and the Board of Governors shall adopt regulations ~~rules~~
1878 that enable students to earn academic credit for online courses,
1879 including massive open online courses, before ~~prior to~~ initial
1880 enrollment at a postsecondary institution. The rules of the
1881 State Board of Education and regulations ~~rules~~ of the Board of
1882 Governors must include procedures for credential evaluation and
1883 the award of credit, including, but not limited to,
1884 recommendations for credit by the American Council on Education;
1885 equivalency and alignment of coursework with appropriate
1886 courses; course descriptions; type and amount of credit that may
1887 be awarded; and transfer of credit.

1888 Section 53. Section 1004.3825, Florida Statutes, is
1889 repealed.

1890 Section 54. Section 1004.387, Florida Statutes, is

HB 7031

2014

1891 repealed.

1892 Section 55. Subsection (2) of section 1004.445, Florida
 1893 Statutes, is repealed.

1894 Section 56. Section 1004.75, Florida Statutes, is
 1895 repealed.

1896 Section 57. Paragraph (c) of subsection (1) of section
 1897 1004.935, Florida Statutes, is amended to read:

1898 1004.935 Adults with Disabilities Workforce Education
 1899 Pilot Program.—

1900 (1) The Adults with Disabilities Workforce Education Pilot
 1901 Program is established in the Department of Education for 2
 1902 years in Hardee, DeSoto, Manatee, and Sarasota Counties to
 1903 provide the option of receiving a scholarship for instruction at
 1904 private schools for up to 30 students who:

1905 (c) Are receiving instruction from an instructor in a
 1906 private school to meet the high school graduation requirements
 1907 in s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282;

1908
 1909 As used in this section, the term "student with a disability"
 1910 includes a student who is documented as having an intellectual
 1911 disability; a speech impairment; a language impairment; a
 1912 hearing impairment, including deafness; a visual impairment,
 1913 including blindness; a dual sensory impairment; an orthopedic
 1914 impairment; another health impairment; an emotional or
 1915 behavioral disability; a specific learning disability,
 1916 including, but not limited to, dyslexia, dyscalculia, or
 1917 developmental aphasia; a traumatic brain injury; a developmental

HB 7031

2014

1918 delay; or autism spectrum disorder.

1919 Section 58. Section 1006.141, Florida Statutes, is
 1920 repealed.

1921 Section 59. Subsections (4), (5), and (8) of section
 1922 1006.147, Florida Statutes, are amended to read:

1923 1006.147 Bullying and harassment prohibited.—

1924 (4) ~~By December 1, 2008,~~ Each school district shall adopt
 1925 a policy prohibiting bullying and harassment of a ~~any~~ student or
 1926 employee of a public K-12 educational institution. Each school
 1927 district's policy shall be in substantial conformity with the
 1928 Department of Education's model policy ~~mandated in subsection~~
 1929 ~~(5)~~. The school district bullying and harassment policy shall
 1930 afford all students the same protection regardless of their
 1931 status under the law. The school district may establish separate
 1932 discrimination policies that include categories of students. The
 1933 school district shall involve students, parents, teachers,
 1934 administrators, school staff, school volunteers, community
 1935 representatives, and local law enforcement agencies in the
 1936 process of adopting the policy. The school district policy must
 1937 be implemented in a manner that is ongoing throughout the school
 1938 year and integrated with a school's curriculum, a school's
 1939 discipline policies, and other violence prevention efforts. The
 1940 school district policy must contain, at a minimum, the following
 1941 components:

1942 (a) A statement prohibiting bullying and harassment.

1943 (b) A definition of bullying and a definition of
 1944 harassment that include the definitions listed in this section.

1945 (c) A description of the type of behavior expected from
 1946 each student and employee of a public K-12 educational
 1947 institution.

1948 (d) The consequences for a student or employee of a public
 1949 K-12 educational institution who commits an act of bullying or
 1950 harassment.

1951 (e) The consequences for a student or employee of a public
 1952 K-12 educational institution who is found to have wrongfully and
 1953 intentionally accused another of an act of bullying or
 1954 harassment.

1955 (f) A procedure for reporting an act of bullying or
 1956 harassment, including provisions that permit a person to
 1957 anonymously report such an act. However, this paragraph does not
 1958 permit formal disciplinary action to be based solely on an
 1959 anonymous report.

1960 (g) A procedure for the prompt investigation of a report
 1961 of bullying or harassment and the persons responsible for the
 1962 investigation. The investigation of a reported act of bullying
 1963 or harassment is deemed to be a school-related activity and
 1964 begins with a report of such an act. Incidents that require a
 1965 reasonable investigation when reported to appropriate school
 1966 authorities shall include alleged incidents of bullying or
 1967 harassment allegedly committed against a child while the child
 1968 is en route to school aboard a school bus or at a school bus
 1969 stop.

1970 (h) A process to investigate whether a reported act of
 1971 bullying or harassment is within the scope of the district

HB 7031

2014

1972 school system and, if not, a process for referral of such an act
1973 to the appropriate jurisdiction. Computers without web-filtering
1974 software or computers with web-filtering software that is
1975 disabled shall be used when complaints of cyberbullying are
1976 investigated.

1977 (i) A procedure for providing immediate notification to
1978 the parents of a victim of bullying or harassment and the
1979 parents of the perpetrator of an act of bullying or harassment,
1980 as well as notification to all local agencies where criminal
1981 charges may be pursued against the perpetrator.

1982 (j) A procedure to refer victims and perpetrators of
1983 bullying or harassment for counseling.

1984 (k) A procedure for including incidents of bullying or
1985 harassment in the school's report of data concerning school
1986 safety and discipline required under s. 1006.09(6). The report
1987 must include each incident of bullying or harassment and the
1988 resulting consequences, including discipline and referrals. The
1989 report must include in a separate section each reported incident
1990 of bullying or harassment that does not meet the criteria of a
1991 prohibited act under this section with recommendations regarding
1992 such incidents. The Department of Education shall aggregate
1993 information contained in the reports.

1994 (l) A procedure for providing instruction to students,
1995 parents, teachers, school administrators, counseling staff, and
1996 school volunteers on identifying, preventing, and responding to
1997 bullying or harassment, including instruction on recognizing
1998 behaviors that lead to bullying and harassment and taking

HB 7031

2014

1999 appropriate preventive action based on those observations.

2000 (m) A procedure for regularly reporting to a victim's
2001 parents the actions taken to protect the victim.

2002 (n) A procedure for publicizing the policy, which must
2003 include its publication in the code of student conduct required
2004 under s. 1006.07(2) and in all employee handbooks.

2005 ~~(5) To assist school districts in developing policies~~
2006 ~~prohibiting bullying and harassment, the Department of Education~~
2007 ~~shall develop a model policy that shall be provided to school~~
2008 ~~districts no later than October 1, 2008.~~

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

2023 Section 60. Subsection (2) of section 1006.148, Florida
2024 Statutes, is repealed.

2025 Section 61. Paragraph (a) of subsection (3) of section

HB 7031

2014

2026 1006.15, Florida Statutes, is amended to read:

2027 1006.15 Student standards for participation in
 2028 interscholastic and intrascholastic extracurricular student
 2029 activities; regulation.—

2030 (3) (a) To be eligible to participate in interscholastic
 2031 extracurricular student activities, a student must:

2032 1. Maintain a grade point average of 2.0 or above on a 4.0
 2033 scale, or its equivalent, in the previous semester or a
 2034 cumulative grade point average of 2.0 or above on a 4.0 scale,
 2035 or its equivalent, in the courses required by s. 1002.3105(5)
 2036 ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.

2037 2. Execute and fulfill the requirements of an academic
 2038 performance contract between the student, the district school
 2039 board, the appropriate governing association, and the student's
 2040 parents, if the student's cumulative grade point average falls
 2041 below 2.0, or its equivalent, on a 4.0 scale in the courses
 2042 required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.
 2043 At a minimum, the contract must require that the student attend
 2044 summer school, or its graded equivalent, between grades 9 and 10
 2045 or grades 10 and 11, as necessary.

2046 3. Have a cumulative grade point average of 2.0 or above
 2047 on a 4.0 scale, or its equivalent, in the courses required by s.
 2048 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~ during his or her
 2049 junior or senior year.

2050 4. Maintain satisfactory conduct, including adherence to
 2051 appropriate dress and other codes of student conduct policies
 2052 described in s. 1006.07(2). If a student is convicted of, or is

HB 7031

2014

2053 found to have committed, a felony or a delinquent act that would
 2054 have been a felony if committed by an adult, regardless of
 2055 whether adjudication is withheld, the student's participation in
 2056 interscholastic extracurricular activities is contingent upon
 2057 established and published district school board policy.

2058 Section 62. Subsection (1) and paragraph (a) of subsection
 2059 (2) of section 1006.28, Florida Statutes, are amended to read:

2060 1006.28 Duties of district school board, district school
 2061 superintendent; and school principal regarding K-12
 2062 instructional materials.—

2063 (1) DISTRICT SCHOOL BOARD.—The district school board has
 2064 the duty to provide adequate instructional materials for all
 2065 students in accordance with the requirements of this part. The
 2066 term "adequate instructional materials" means a sufficient
 2067 number of student or site licenses or sets of materials that are
 2068 available in bound, unbound, kit, or package form and may
 2069 consist of hardbacked or softbacked textbooks, electronic
 2070 content, consumables, learning laboratories, manipulatives,
 2071 electronic media, and computer courseware or software that serve
 2072 as the basis for instruction for each student in the core
 2073 subject areas ~~courses~~ of mathematics, language arts, social
 2074 studies, science, reading, and literature. The district school
 2075 board has the following specific duties:

2076 (a) Courses of study; adoption.—Adopt courses of study for
 2077 use in the schools of the district.

2078 (b) Instructional materials.—Provide for proper
 2079 requisitioning, distribution, accounting, storage, care, and use

HB 7031

2014

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

2088 (c) Other instructional materials.—Provide such other
 2089 teaching accessories and aids as are needed for the school
 2090 district's educational program.

2091 (d) School library media services; establishment and
 2092 maintenance.—Establish and maintain a program of school library
 2093 media services for all public schools in the district, including
 2094 school library media centers, or school library media centers
 2095 open to the public, and, in addition such traveling or
 2096 circulating libraries as may be needed for the proper operation
 2097 of the district school system.

2098 (2) DISTRICT SCHOOL SUPERINTENDENT.—

2099 (a) The district school superintendent has the duty to
 2100 recommend such plans for improving, providing, distributing,
 2101 accounting for, and caring for instructional materials and other
 2102 instructional aids as will result in general improvement of the
 2103 district school system, as prescribed in this part, in
 2104 accordance with adopted district school board rules prescribing
 2105 the duties and responsibilities of the district school
 2106 superintendent regarding the requisition, purchase, receipt,

HB 7031

2014

2107 storage, distribution, use, conservation, records, and reports
 2108 of, and management practices and property accountability
 2109 concerning, instructional materials, and providing for an
 2110 evaluation of any instructional materials to be requisitioned
 2111 that have not been used previously in the district's schools.
 2112 The district school superintendent must keep adequate records
 2113 and accounts for all financial transactions for funds collected
 2114 pursuant to subsection (3), ~~as a component of the educational~~
 2115 ~~service delivery scope in a school district best financial~~
 2116 ~~management practices review under s. 1008.35.~~

2117 Section 63. Subsection (2) of section 1006.31, Florida
 2118 Statutes, is amended to read:

2119 1006.31 Duties of the Department of Education and school
 2120 district instructional materials reviewer.—The duties of the
 2121 instructional materials reviewer are:

2122 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use evaluate
 2123 ~~carefully all instructional materials submitted, in order to~~
 2124 ~~ascertain which instructional materials, if any, submitted for~~
 2125 ~~consideration implement~~ the selection criteria listed in s.
 2126 1006.34(2)(b) developed by the department and recommend for
 2127 adoption only those instructional materials aligned with the
 2128 Next Generation Sunshine State those curricular objectives
 2129 ~~included within applicable performance~~ Standards provided for in
 2130 s. 1003.41 ~~1001.03(1)~~.

2131 (a) When recommending instructional materials for use in
 2132 the schools, each reviewer shall include only instructional
 2133 materials that accurately portray the ethnic, socioeconomic,

HB 7031

2014

2134 cultural, and racial diversity of our society, including men and
2135 women in professional, career, and executive roles, and the role
2136 and contributions of the entrepreneur and labor in the total
2137 development of this state and the United States.

2138 (b) When recommending instructional materials for use in
2139 the schools, each reviewer shall include only materials that
2140 accurately portray, whenever appropriate, humankind's place in
2141 ecological systems, including the necessity for the protection
2142 of our environment and conservation of our natural resources and
2143 the effects on the human system of the use of tobacco, alcohol,
2144 controlled substances, and other dangerous substances.

2145 (c) When recommending instructional materials for use in
2146 the schools, each reviewer shall require such materials as he or
2147 she deems necessary and proper to encourage thrift, fire
2148 prevention, and humane treatment of people and animals.

2149 (d) When recommending instructional materials for use in
2150 the schools, each reviewer shall require, when appropriate to
2151 the comprehension of students, that materials for social
2152 science, history, or civics classes contain the Declaration of
2153 Independence and the Constitution of the United States. A
2154 reviewer may not recommend any instructional materials for use
2155 in the schools which contain any matter reflecting unfairly upon
2156 persons because of their race, color, creed, national origin,
2157 ancestry, gender, or occupation.

2158 (e) Any instructional material recommended by each
2159 reviewer for use in the schools shall be, to the satisfaction of
2160 each reviewer, accurate, objective, and current and suited to

HB 7031

2014

2161 the needs and comprehension of students at their respective
 2162 grade levels. Reviewers shall consider for adoption materials
 2163 developed for academically talented students such as those
 2164 enrolled in advanced placement courses.

2165 Section 64. Paragraph (b) of subsection (2) of section
 2166 1006.34, Florida Statutes, is amended to read:

2167 1006.34 Powers and duties of the commissioner and the
 2168 department in selecting and adopting instructional materials.—

2169 (2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

2170 (b) In the selection of instructional materials, library
 2171 media, and other reading material used in the public school
 2172 system, the standards used to determine the propriety of the
 2173 material shall include:

2174 1. The age of the students who normally could be expected
 2175 to have access to the material.

2176 2. The educational purpose to be served by the material.
 2177 ~~In considering instructional materials for classroom use,~~
 2178 Priority shall be given to the selection of materials that align
 2179 with the Next Generation Sunshine State Standards as provided
 2180 for in s. 1003.41 ~~which encompass the state and district school~~
 2181 ~~board performance standards provided for in s. 1001.03(1) and~~
 2182 ~~which~~ include the instructional objectives contained within the
 2183 curriculum frameworks for career and technical education and
 2184 adult and adult general education adopted ~~approved~~ by rule of
 2185 the State Board of Education under s. 1004.92.

2186 3. The degree to which the material would be supplemented
 2187 and explained by mature classroom instruction as part of a

HB 7031

2014

2188 normal classroom instructional program.

2189 4. The consideration of the broad racial, ethnic,
 2190 socioeconomic, and cultural diversity of the students of this
 2191 state.

2192
 2193 Any instructional material containing pornography or otherwise
 2194 prohibited by s. 847.012 may not be used or made available
 2195 within any public school.

2196 Section 65. Subsection (2) and paragraph (a) of subsection
 2197 (3) of section 1006.40, Florida Statutes, are amended, and
 2198 subsection (8) is added to that section, to read:

2199 1006.40 Use of instructional materials allocation;
 2200 instructional materials, library books, and reference books;
 2201 repair of books.—

2202 (2) Each district school board must purchase current
 2203 instructional materials to provide each student with a major
 2204 tool of instruction in core courses of the subject areas of
 2205 mathematics, language arts, science, social studies, reading,
 2206 and literature for kindergarten through grade 12. Such purchase
 2207 must be made within the first 3 years after the effective date
 2208 of the adoption cycle unless a district school board or a
 2209 consortium of school districts has implemented an instructional
 2210 materials program pursuant to s. 1006.283. ~~For the 2012-2013~~
 2211 ~~mathematics adoption, a district using a comprehensive~~
 2212 ~~mathematics instructional materials program adopted in the 2009-~~
 2213 ~~2010 adoption shall be deemed in compliance with this subsection~~
 2214 ~~if it provides each student with such additional state-adopted~~

HB 7031

2014

2215 ~~materials as may be necessary to align the previously adopted~~
 2216 ~~comprehensive program to common core standards and the other~~
 2217 ~~criteria of the 2012-2013 mathematics adoption.~~

2218 (3) (a) Beginning with ~~By~~ the 2015-2016 fiscal year, each
 2219 district school board shall use at least 50 percent of the
 2220 annual allocation for the purchase of digital or electronic
 2221 instructional materials that align with state standards included
 2222 on the state-adopted list, except as otherwise authorized in
 2223 paragraphs (b) and (c). ~~This section does not apply to a~~
 2224 ~~district school board or a consortium of school districts which~~
 2225 ~~implements an instructional materials program pursuant to s.~~
 2226 ~~1006.283, except that by the 2015-2016 fiscal year, each~~
 2227 ~~district school board shall use at least 50 percent of the~~
 2228 ~~annual allocation for the purchase of digital or electronic~~
 2229 ~~instructional materials that align with state standards.~~

2230 (8) Subsections (3), (4), and (6) do not apply to a
 2231 district school board or a consortium of school districts that
 2232 implements an instructional materials program pursuant to s.
 2233 1006.283 except that, by the 2015-2016 fiscal year, each
 2234 district school board shall use at least 50 percent of the
 2235 annual instructional materials allocation for the purchase of
 2236 digital or electronic instructional materials that align with
 2237 state standards adopted by the State Board of Education pursuant
 2238 to s. 1003.41.

2239 Section 66. Section 1006.42, Florida Statutes, is amended
 2240 to read:

2241 1006.42 Responsibility of students and parents for

HB 7031

2014

2242 instructional materials.—

2243 ~~(1)~~ All instructional materials purchased under the
 2244 provisions of this part are the property of the district school
 2245 board. When distributed to the students, these instructional
 2246 materials are on loan to the students while they are pursuing
 2247 their courses of study and are to be returned at the direction
 2248 of the school principal or the teacher in charge. Each parent of
 2249 a student to whom or for whom instructional materials have been
 2250 issued, is liable for any loss or destruction of, or unnecessary
 2251 damage to, the instructional materials or for failure of the
 2252 student to return the instructional materials when directed by
 2253 the school principal or the teacher in charge, and shall pay for
 2254 such loss, destruction, or unnecessary damage as provided under
 2255 s. 1006.28(3) ~~by law.~~

2256 ~~(2) Nothing in this part shall be construed to prohibit~~
 2257 ~~parents from exercising their right to purchase instructional~~
 2258 ~~materials from the district school board.~~

2259 Section 67. Section 1007.02, Florida Statutes, is amended
 2260 to read:

2261 1007.02 ~~Access to postsecondary education and meaningful~~
 2262 ~~careers for~~ Students with disabilities; ~~popular name;~~
 2263 definition.—

2264 ~~(1) This section shall be known by the popular name the~~
 2265 ~~"Enhanced New Needed Opportunity for Better Life and Education~~
 2266 ~~for Students with Disabilities (ENNOBLES) Act."~~

2267 ~~(2)~~ For the purposes of this chapter ~~act~~, the term
 2268 "student with a disability" means a ~~any~~ student who is

HB 7031

2014

2269 | documented as having an intellectual disability; a hearing
 2270 | impairment, including deafness; a speech or language impairment;
 2271 | a visual impairment, including blindness; an emotional or
 2272 | behavioral disability; an orthopedic or other health impairment;
 2273 | an autism spectrum disorder; a traumatic brain injury; or a
 2274 | specific learning disability, including, but not limited to,
 2275 | dyslexia, dyscalculia, or developmental aphasia.

2276 | Section 68. Paragraph (a) of subsection (1) and subsection
 2277 | (3) of section 1007.2615, Florida Statutes, are amended to read:

2278 | 1007.2615 American Sign Language; findings; foreign-
 2279 | language credits authorized; teacher licensing.—

2280 | (1) LEGISLATIVE FINDINGS; PURPOSE.—

2281 | (a) The Legislature finds that:

2282 | 1. American Sign Language (ASL) is a fully developed
 2283 | visual-gestural language with distinct grammar, syntax, and
 2284 | symbols and is one of hundreds of signed languages of the world.

2285 | 2. ASL is recognized as the language of the American deaf
 2286 | community and is the fourth most commonly used language in the
 2287 | United States and Canada.

2288 | 3. The American deaf community is a group of citizens who
 2289 | are members of a unique culture who share ASL as their common
 2290 | language.

2291 | ~~4. Thirty-three state legislatures have adopted~~
 2292 | ~~legislation recognizing ASL as a language that should be taught~~
 2293 | ~~in schools.~~

2294 | (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
 2295 | EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN

HB 7031

2014

2296 FOR POSTSECONDARY EDUCATION PROVIDERS.—

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

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

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

2321 ~~(c) (d)~~ (d) The Commissioner of Education shall work with
 2322 providers of postsecondary education, except for state

HB 7031

2014

2323 universities, to develop and implement a plan to ensure that
 2324 these institutions in this state will accept secondary school
 2325 credits in ASL as credits in a foreign language and to encourage
 2326 postsecondary institutions to offer ASL courses to students as a
 2327 fulfillment of the requirement for studying a foreign language.

2328 Section 69. Subsection (4) of section 1007.263, Florida
 2329 Statutes, is amended to read:

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

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

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

2346 Section 70. Subsection (1) of section 1007.264, Florida
 2347 Statutes, is amended to read:

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

HB 7031

2014

2350 rules and regulations.—

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

2357 Section 71. Subsection (1) of section 1007.265, Florida
 2358 Statutes, is amended to read:

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

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

2372 Section 72. Subsections (2) and (9) of section 1007.271,
 2373 Florida Statutes, are amended to read:

2374 1007.271 Dual enrollment programs.—

2375 (2) For the purpose of this section, an eligible secondary
 2376 student is a student who is enrolled in any of grades 6 through

HB 7031

2014

2377 | 12 in a Florida public ~~secondary~~ school or in a Florida private
 2378 | ~~secondary~~ school that ~~which~~ is in compliance with s. 1002.42(2)
 2379 | and provides a secondary curriculum pursuant to ~~s. 1003.428~~ ~~or~~
 2380 | s. 1003.4282. Students who are eligible for dual enrollment
 2381 | pursuant to this section may enroll in dual enrollment courses
 2382 | conducted during school hours, after school hours, and during
 2383 | the summer term. However, if the student is projected to
 2384 | graduate from high school before the scheduled completion date
 2385 | of a postsecondary course, the student may not register for that
 2386 | course through dual enrollment. The student may apply to the
 2387 | postsecondary institution and pay the required registration,
 2388 | tuition, and fees if the student meets the postsecondary
 2389 | institution's admissions requirements under s. 1007.263.
 2390 | Instructional time for dual enrollment may vary from 900 hours;
 2391 | however, the full-time equivalent student membership value shall
 2392 | be subject to the provisions in s. 1011.61(4). A ~~Any~~ student
 2393 | enrolled as a dual enrollment student is exempt from the payment
 2394 | of registration, tuition, and laboratory fees. Applied academics
 2395 | for adult education instruction, developmental education, and
 2396 | other forms of precollegiate instruction, as well as physical
 2397 | education courses that focus on the physical execution of a
 2398 | skill rather than the intellectual attributes of the activity,
 2399 | are ineligible for inclusion in the dual enrollment program.
 2400 | Recreation and leisure studies courses shall be evaluated
 2401 | individually in the same manner as physical education courses
 2402 | for potential inclusion in the program.

2403 | (9) The Commissioner of Education shall appoint faculty

HB 7031

2014

2404 committees representing public school, Florida College System
 2405 institution, and university faculties to identify postsecondary
 2406 courses that meet the high school graduation requirements of ~~s.~~
 2407 ~~1003.428~~ or s. 1003.4282 and to establish the number of
 2408 postsecondary semester credit hours of instruction and
 2409 equivalent high school credits earned through dual enrollment
 2410 pursuant to this section that are necessary to meet high school
 2411 graduation requirements. Such equivalencies shall be determined
 2412 solely on comparable course content and not on seat time
 2413 traditionally allocated to such courses in high school. The
 2414 Commissioner of Education shall recommend to the State Board of
 2415 Education those postsecondary courses identified to meet high
 2416 school graduation requirements, based on mastery of course
 2417 outcomes, by their course numbers, and all high schools shall
 2418 accept these postsecondary education courses toward meeting the
 2419 requirements of ~~s. 1003.428~~ or s. 1003.4282.

2420 Section 73. Subsections (3), (7), and (8) of section
 2421 1008.22, Florida Statutes, are amended to read:

2422 1008.22 Student assessment program for public schools.—

2423 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 2424 Commissioner of Education shall design and implement a
 2425 statewide, standardized assessment program aligned to the core
 2426 curricular content established in the Next Generation Sunshine
 2427 State Standards. The commissioner also must develop or select
 2428 and implement a common battery of assessment tools that will be
 2429 used in all juvenile justice education programs in the state.
 2430 These tools must accurately measure the core curricular content

2431 established in the Next Generation Sunshine State Standards.
 2432 Participation in the assessment program is mandatory for all
 2433 school districts and all students attending public schools,
 2434 including adult students seeking a standard ~~an adult~~ high school
 2435 diploma under s. 1003.4282 and students in Department of
 2436 Juvenile Justice education programs, except as otherwise
 2437 provided by law ~~prescribed by the commissioner~~. If a student
 2438 does not participate in the assessment program, the school
 2439 district must notify the student's parent and provide the parent
 2440 with information regarding the implications of such
 2441 nonparticipation. The statewide, standardized assessment program
 2442 shall be designed and implemented as follows:

2443 (a) Statewide, standardized comprehensive assessments
 2444 ~~Florida Comprehensive Assessment Test (FCAT) until replaced by~~
 2445 ~~common core assessments.~~ The statewide, standardized FCAT
 2446 Reading assessment shall be administered annually in grades 3
 2447 through 10. The statewide, standardized Writing assessment shall
 2448 be administered annually at least once at the elementary,
 2449 middle, and high school levels. When the Reading and Writing
 2450 assessments are replaced by English Language Arts (ELA)
 2451 assessments, ELA assessments shall be administered to students
 2452 in grades 3 through 11. Retake opportunities for the grade 10
 2453 Reading assessment or, upon implementation, the grade 10 ELA
 2454 assessment must be provided. Students taking the ELA assessments
 2455 shall not take the statewide, standardized assessments in
 2456 Reading or Writing. ELA assessments shall be administered
 2457 online. The statewide, standardized; FCAT Mathematics assessment

HB 7031

2014

2458 shall be administered annually in grades 3 through 8. Students
2459 taking a revised Mathematics assessment shall not take the
2460 discontinued assessment. The statewide, standardized, FCAT
2461 Writing shall be administered annually at least once at the
2462 elementary, middle, and high school levels, and FCAT Science
2463 assessment shall be administered annually at least once at the
2464 elementary and middle grades levels. In order to earn a standard
2465 high school diploma, a student who has not earned a passing
2466 score on the grade 10 FCAT Reading assessment or, upon
2467 implementation, the grade 10 ELA assessment must earn a passing
2468 score on the assessment retake or earn a concordant score as
2469 authorized under subsection (7) must participate in each retake
2470 of the assessment until the student earns a passing score. The
2471 commissioner shall recommend and the State Board of Education
2472 must adopt a score on both the SAT and ACT that is concordant to
2473 a passing score on grade 10 FCAT Reading that, if achieved by a
2474 student, meets the must-pass requirement for grade 10 FCAT
2475 Reading.

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

2479 1. Statewide, standardized EOC assessments in mathematics
2480 shall be administered according to this subparagraph. Beginning
2481 with the 2010-2011 school year, all students enrolled in Algebra
2482 I must take the Algebra I EOC assessment. Except as otherwise
2483 provided in paragraph (c) this section, beginning with students
2484 entering grade 9 in the 2011-2012 school year, a student who is

HB 7031

2014

2485 enrolled in Algebra I must earn a passing score on the Algebra I
2486 EOC assessment or attain a comparative score as authorized under
2487 subsection (8) in order to earn a standard high school diploma.
2488 In order to earn a standard high school diploma, a student who
2489 has not earned a passing score on the Algebra I EOC assessment
2490 must earn a passing score on the assessment retake or a
2491 comparative score as authorized under subsection (8) ~~must~~
2492 ~~participate in each retake of the assessment until the student~~
2493 ~~earns a passing score.~~ Beginning with the 2011-2012 school year,
2494 all students enrolled in Geometry must take the Geometry EOC
2495 assessment. Middle grades students enrolled in Algebra I, ~~or~~
2496 Geometry, or Biology I must take the statewide, standardized EOC
2497 assessment for those courses and shall ~~are~~ not ~~required to~~ take
2498 the corresponding subject and grade-level statewide,
2499 standardized assessment FCAT. When a statewide, standardized EOC
2500 assessment in Algebra II is administered, all students enrolled
2501 Algebra II must take the EOC assessment. Pursuant to the
2502 commissioner's implementation schedule, student performance on
2503 the Algebra II EOC assessment constitutes 30 percent of a
2504 student's final course grade.

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

HB 7031

2014

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

2518 4. The commissioner may select one or more nationally
2519 developed comprehensive examinations, which may include
2520 examinations for a College Board Advanced Placement course,
2521 International Baccalaureate course, or Advanced International
2522 Certificate of Education course, or industry-approved
2523 examinations to earn national industry certifications identified
2524 in the Industry Certification Funding List, for use as EOC
2525 assessments under this paragraph if the commissioner determines
2526 that the content knowledge and skills assessed by the
2527 examinations meet or exceed the grade-level expectations for the
2528 core curricular content established for the course in the Next
2529 Generation Sunshine State Standards. Use of any such examination
2530 as an EOC assessment must be approved by the state board in
2531 rule.

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

HB 7031

2014

2539 assessments constitutes 30 percent of a student's final course
 2540 grade.

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

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

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

2550 2. A student with a disability, as defined in s. 1007.02
 2551 ~~1007.02(2)~~, for whom the individual education plan (IEP) team
 2552 determines that the statewide, standardized assessments under
 2553 this section cannot accurately measure the student's abilities,
 2554 taking into consideration all allowable accommodations, shall
 2555 have assessment results waived for the purpose of receiving a
 2556 course grade and a standard high school diploma. Such waiver
 2557 shall be designated on the student's transcript. The statement
 2558 of waiver shall be limited to a statement that performance on an
 2559 assessment was waived for the purpose of receiving a course
 2560 grade or a standard high school diploma, as applicable.

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

2565 a. Accommodations that negate the validity of a statewide,

HB 7031

2014

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

2574 b. If a student is provided with instructional
2575 accommodations in the classroom that are not allowed as
2576 accommodations for statewide, standardized assessments, the
2577 district must inform the parent in writing and provide the
2578 parent with information regarding the impact on the student's
2579 ability to meet expected performance levels. A parent must
2580 provide signed consent for a student to receive classroom
2581 instructional accommodations that would not be available or
2582 permitted on a statewide, standardized assessment and
2583 acknowledge in writing that he or she understands the
2584 implications of such instructional accommodations.

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

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

2593 State Standards.

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

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

2602 ~~2. Contingent upon funding, common core assessments in~~
 2603 ~~mathematics shall be administered to all students in grades 3~~
 2604 ~~through 8, and common core assessments in Algebra I, Geometry,~~
 2605 ~~and Algebra II shall be administered to students enrolled in~~
 2606 ~~those courses. Retake opportunities must be provided for the~~
 2607 ~~Algebra I assessment. Students may take the common core~~
 2608 ~~mathematics assessments pursuant to the Credit Acceleration~~
 2609 ~~Program (CAP) under s. 1003.4295(3). Students taking common core~~
 2610 ~~assessments in mathematics are not required to take FCAT~~
 2611 ~~Mathematics or statewide, standardized EOC assessments in~~
 2612 ~~mathematics. Common core mathematics assessments shall be~~
 2613 ~~administered online.~~

2614 ~~1.3.~~ The Commissioner ~~State Board~~ of Education shall
 2615 establish and publish on the department's website ~~adopt rules~~
 2616 establishing an implementation schedule to transition from the
 2617 statewide, standardized FCAT Reading and, FCAT Writing
 2618 assessments to the ELA assessments and to the revised, FCAT
 2619 Mathematics assessments, including the, ~~and~~ Algebra I and

HB 7031

2014

2620 Geometry EOC assessments ~~to common core assessments in English~~
2621 ~~Language Arts and mathematics~~. The schedule must take into
2622 consideration funding, sufficient field and baseline data,
2623 access to assessments, instructional alignment, and school
2624 district readiness to administer the ~~common core~~ assessments
2625 online. ~~Until the 10th grade common core ELA and Algebra I~~
2626 ~~assessments become must-pass assessments, students must pass~~
2627 ~~10th grade FCAT Reading and the Algebra I EOC assessment, or~~
2628 ~~achieve a concordant or comparative score as authorized under~~
2629 ~~this section, in order to earn a standard high school diploma~~
2630 ~~under s. 1003.4282. Students taking 10th grade FCAT Reading or~~
2631 ~~the Algebra I EOC assessment are not required to take the~~
2632 ~~respective common core assessments.~~

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

2638 (e) Assessment scores and achievement levels.—

2639 1. All statewide, standardized EOC assessments and ~~FCAT~~
2640 Reading, ~~FCAT~~ Writing, and ~~FCAT~~ Science assessments shall use
2641 scaled scores and achievement levels. Achievement levels shall
2642 range from 1 through 5, with level 1 being the lowest
2643 achievement level, level 5 being the highest achievement level,
2644 and level 3 indicating satisfactory performance on an
2645 assessment. For purposes of the statewide, standardized FCAT
2646 Writing assessment, student achievement shall be scored using a

HB 7031

2014

2647 scale of 1 through 6.

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

2655 3. If the commissioner seeks to revise a statewide,
2656 standardized assessment and the revisions require the state
2657 board to modify performance level scores, including the passing
2658 score, the commissioner shall provide a copy of the proposed
2659 scores and implementation plan to the President of the Senate
2660 and the Speaker of the House of Representatives at least 90 days
2661 before submission to the state board for review. Until the state
2662 board adopts the modifications by rule, the commissioner shall
2663 use calculations for scoring the assessment that adjust student
2664 scores on the revised assessment for statistical equivalence to
2665 student scores on the former assessment. The state board shall
2666 adopt by rule the passing score for the revised assessment that
2667 is statistically equivalent to the passing score on the
2668 discontinued assessment for a student who is required to attain
2669 a passing score on the discontinued assessment. The commissioner
2670 may, with approval of the state board, discontinue
2671 administration of the former assessment upon the graduation,
2672 based on normal student progression, of students participating
2673 in the final regular administration of the former assessment. If

HB 7031

2014

2674 the commissioner revises a statewide, standardized assessment
2675 and the revisions require the state board to modify the passing
2676 score, only students taking the assessment for the first time
2677 after the rule is adopted are affected.

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

2698 (g) Prohibited activities.—A district school board shall
2699 prohibit each public school from suspending a regular program of
2700 curricula for purposes of administering practice assessments or

HB 7031

2014

2701 engaging in other assessment-preparation activities for a
2702 statewide, standardized assessment. However, a district school
2703 board may authorize a public school to engage in the following
2704 assessment-preparation activities:

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

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

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

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

2726 (h) Contracts for assessments.—The commissioner shall
2727 provide for the assessments to be developed or obtained, as

HB 7031

2014

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

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

2754 (8) COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT

2755 ASSESSMENTS.—The Commissioner of Education must identify one or
 2756 more comparative scores for the Algebra I EOC assessment ~~and may~~
 2757 ~~identify comparative scores for the other EOC assessments~~. If
 2758 the content or scoring procedures change for the EOC assessment
 2759 ~~assessments~~, new comparative scores must be determined. If new
 2760 comparative scores are not timely adopted, the last-adopted
 2761 comparative scores remain in effect until such time as new
 2762 scores are adopted. The state board shall adopt comparative
 2763 scores in rule.

2764 Section 74. Paragraph (h) of subsection (2), paragraph (a)
 2765 of subsection (4), paragraph (b) of subsection (6), and
 2766 paragraph (b) of subsection (7) of section 1008.25, Florida
 2767 Statutes, are amended to read:

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

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

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

2782 (4) ASSESSMENT AND REMEDIATION.—
 2783 (a) Each student must participate in the statewide,
 2784 standardized assessment program required by s. 1008.22. Each
 2785 student who does not meet specific levels of performance on the
 2786 required assessments as determined by the district school board
 2787 or who scores below Level 3 on the statewide, standardized
 2788 Reading assessment or, upon implementation, the English Language
 2789 Arts assessment or on the statewide, standardized Mathematics
 2790 assessments in grades 3 through 8 and the Algebra I EOC
 2791 assessment ~~FCAT Reading or FCAT Mathematics or on the common~~
 2792 ~~core English Language Arts or mathematics assessments as~~
 2793 ~~applicable under s. 1008.22~~ must be provided with additional
 2794 diagnostic assessments to determine the nature of the student's
 2795 difficulty, the areas of academic need, and strategies for
 2796 appropriate intervention and instruction as described in
 2797 paragraph (b).
 2798 (6) ELIMINATION OF SOCIAL PROMOTION.—
 2799 (b) The district school board may only exempt students
 2800 from mandatory retention, as provided in paragraph (5)(b), for
 2801 good cause. Good cause exemptions shall be limited to the
 2802 following:
 2803 1. Limited English proficient students who have had less
 2804 than 2 years of instruction in an English for Speakers of Other
 2805 Languages program.
 2806 2. Students with disabilities whose individual education
 2807 plan indicates that participation in the statewide assessment
 2808 program is not appropriate, consistent with the requirements of

2809 ~~s. 1008.212 State Board of Education rule.~~

2810 3. Students who demonstrate an acceptable level of
2811 performance on an alternative standardized reading or English
2812 Language Arts assessment approved by the State Board of
2813 Education.

2814 4. A student who demonstrates through a student portfolio
2815 that he or she is performing at least at Level 2 on the
2816 statewide, standardized FCAT Reading assessment or, upon
2817 implementation, ~~the common core~~ English Language Arts
2818 ~~assessment, as applicable under s. 1008.22.~~

2819 5. Students with disabilities who take the statewide,
2820 standardized participate in FCAT Reading assessment or, upon
2821 implementation, ~~the common core~~ English Language Arts
2822 ~~assessment, as applicable under s. 1008.22,~~ and who have an
2823 individual education plan or a Section 504 plan that reflects
2824 that the student has received intensive remediation in reading
2825 or and English Language Arts for more than 2 years but still
2826 demonstrates a deficiency and was previously retained in
2827 kindergarten, grade 1, grade 2, or grade 3.

2828 6. Students who have received intensive remediation in
2829 reading or and English Language Arts, ~~as applicable under s.~~
2830 ~~1008.22,~~ for 2 or more years but still demonstrate a deficiency
2831 and who were previously retained in kindergarten, grade 1, grade
2832 2, or grade 3 for a total of 2 years. Intensive instruction for
2833 students so promoted must include an altered instructional day
2834 that includes specialized diagnostic information and specific
2835 reading strategies for each student. The district school board

HB 7031

2014

2836 shall assist schools and teachers to implement reading
 2837 strategies that research has shown to be successful in improving
 2838 reading among low-performing readers.

2839 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 2840 STUDENTS.—

2841 (b) Each school district shall:

2842 1. Provide third grade students who are retained under the
 2843 provisions of paragraph (5) (b) with intensive instructional
 2844 services and supports to remediate the identified areas of
 2845 reading deficiency, including participation in the school
 2846 district's summer reading camp as required under paragraph (a)
 2847 and a minimum of 90 minutes of daily, uninterrupted,
 2848 scientifically research-based reading instruction which includes
 2849 phonemic awareness, phonics, fluency, vocabulary, and
 2850 comprehension and other strategies prescribed by the school
 2851 district, which may include, but are not limited to:

2852 a. Integration of science and social studies content
 2853 within the 90-minute block.

2854 b. Small group instruction.

2855 c. Reduced teacher-student ratios.

2856 d. More frequent progress monitoring.

2857 e. Tutoring or mentoring.

2858 f. Transition classes containing 3rd and 4th grade
 2859 students.

2860 g. Extended school day, week, or year.

2861 2. Provide written notification to the parent of a ~~any~~
 2862 student who is retained under the provisions of paragraph (5) (b)

HB 7031

2014

2863 that his or her child has not met the proficiency level required
 2864 for promotion and the reasons the child is not eligible for a
 2865 good cause exemption as provided in paragraph (6) (b). The
 2866 notification must comply with the provisions of s. 1002.20(15)
 2867 and must include a description of proposed interventions and
 2868 supports that will be provided to the child to remediate the
 2869 identified areas of reading deficiency.

2870 3. Implement a policy for the midyear promotion of a ~~any~~
 2871 student retained under the provisions of paragraph (5) (b) who
 2872 can demonstrate that he or she is a successful and independent
 2873 reader and performing at or above grade level in reading or,
 2874 upon implementation of ~~and~~ English Language Arts assessments,
 2875 performing at or above grade level in English Language Arts, ~~as~~
 2876 ~~applicable under s. 1008.22.~~ Tools that school districts may use
 2877 in reevaluating a ~~any~~ student retained may include subsequent
 2878 assessments, alternative assessments, and portfolio reviews, in
 2879 accordance with rules of the State Board of Education.

2880 4. Provide students who are retained under the provisions
 2881 of paragraph (5) (b) with a highly effective teacher as
 2882 determined by the teacher's performance evaluation under s.
 2883 1012.34.

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

HB 7031

2014

2890 levels in 1 school year. The Intensive Acceleration Class shall:

2891 a. Be provided to a ~~any~~ student in grade 3 who scores
2892 Level 1 on the statewide, standardized FCAT Reading assessment
2893 or, upon implementation, the common-core English Language Arts
2894 ~~assessment, as applicable under s. 1008.22,~~ and who was retained
2895 in grade 3 the prior year because of scoring Level 1.

2896 b. Have a reduced teacher-student ratio.

2897 c. Provide uninterrupted reading instruction for the
2898 majority of student contact time each day and incorporate
2899 opportunities to master the grade 4 Next Generation Sunshine
2900 State Standards in other core subject areas.

2901 d. Use a reading program that is scientifically research-
2902 based and has proven results in accelerating student reading
2903 achievement within the same school year.

2904 e. Provide intensive language and vocabulary instruction
2905 using a scientifically research-based program, including use of
2906 a speech-language therapist.

2907 Section 75. Paragraphs (b) and (c) of subsection (4) and
2908 subsections (5) and (7) of section 1008.33, Florida Statutes,
2909 are amended to read:

2910 1008.33 Authority to enforce public school improvement.—

2911 (4)

2912 (b) ~~Except as provided in subsection (5),~~ The turnaround
2913 options available to a school district to address a school that
2914 earns a grade of "F" are:

2915 1. Convert the school to a district-managed turnaround
2916 school;

HB 7031

2014

2917 | 2. Reassign students to another school and monitor the
2918 | progress of each reassigned student;

2919 | 3. Close the school and reopen the school as one or more
2920 | charter schools, each with a governing board that has a
2921 | demonstrated record of effectiveness;

2922 | 4. Contract with an outside entity that has a demonstrated
2923 | record of effectiveness to operate the school; or

2924 | 5. Implement a hybrid of turnaround options set forth in
2925 | subparagraphs 1.-4. or other turnaround models that have a
2926 | demonstrated record of effectiveness.

2927 | (c) ~~Except for schools required to implement a turnaround~~
2928 | ~~option pursuant to subsection (5),~~ A school earning a grade of
2929 | "F" shall have a planning year followed by 2 full school years
2930 | to implement the initial turnaround option selected by the
2931 | school district and approved by the state board. Implementation
2932 | of the turnaround option is no longer required if the school
2933 | improves by at least one letter grade.

2934 | ~~(5) A school that earns a grade of "F" within 2 years~~
2935 | ~~after raising its grade from a grade of "F" or that earns a~~
2936 | ~~grade of "F" within 2 years after exiting the lowest-performing~~
2937 | ~~category under s. 3, chapter 2009-144, Laws of Florida, must~~
2938 | ~~implement one of the turnaround options in subparagraphs~~
2939 | ~~(4)(b)2.-5.~~

2940 | ~~(7) A school classified in the lowest-performing category~~
2941 | ~~under s. 3, chapter 2009-144, Laws of Florida, before July 1,~~
2942 | ~~2012, is not required to continue implementing any turnaround~~
2943 | ~~option unless the school earns a grade of "F" or a third~~

HB 7031

2014

2944 ~~consecutive "D" for the 2011-2012 school year. A school earning~~
2945 ~~a grade of "F" or a third consecutive "D" for the 2011-2012~~
2946 ~~school year may not restart the number of years it has been low~~
2947 ~~performing by virtue of the 2012 amendments to this section.~~

2948 Section 76. Section 1008.331, Florida Statutes, is
2949 repealed.

2950 Section 77. Subsection (2) of section 1008.3415, Florida
2951 Statutes, is amended to read:

2952 1008.3415 School grade or school improvement rating for
2953 exceptional student education centers.—

2954 (2) Notwithstanding s. 1008.34(3)(c)3., the achievement
2955 scores and learning gains of a student with a disability who
2956 attends an exceptional student education center and has not been
2957 enrolled in or attended a public school other than an
2958 exceptional student education center for grades K-12 within the
2959 school district shall not be included in the calculation of the
2960 home school's grade if the student is identified as an emergent
2961 student on the alternate assessment ~~tool~~ described in s.
2962 1008.22(3)(c) ~~1008.22(3)(e)13.~~

2963 Section 78. Section 1008.35, Florida Statutes, is
2964 repealed.

2965 Section 79. Subsection (3) of section 1009.22, Florida
2966 Statutes, is amended to read:

2967 1009.22 Workforce education postsecondary student fees.—

2968 (3)(a) Except as otherwise provided by law, fees for
2969 students who are nonresidents for tuition purposes must offset
2970 the full cost of instruction. Residency of students shall be

HB 7031

2014

2971 determined as required in s. 1009.21. Fee-nonexempt students
 2972 enrolled in applied academics for adult education instruction
 2973 shall be charged fees equal to the fees charged for adult
 2974 general education programs. Each Florida College System
 2975 institution that conducts developmental education and applied
 2976 academics for adult education instruction in the same class
 2977 section may charge a single fee for both types of instruction.

2978 (b) Fees for continuing workforce education shall be
 2979 locally determined by the district school board or Florida
 2980 College System institution board of trustees. Expenditures for
 2981 the continuing workforce education program provided by the
 2982 Florida College System institution or school district must be
 2983 fully supported by fees. Enrollments in continuing workforce
 2984 education courses may not be counted for purposes of funding
 2985 full-time equivalent enrollment.

2986 (c) ~~Effective July 1, 2011,~~ For programs leading to a
 2987 career certificate or an applied technology diploma, the
 2988 standard tuition shall be \$2.22 per contact hour for residents
 2989 and nonresidents and the out-of-state fee shall be \$6.66 per
 2990 contact hour. For adult general education programs, a block
 2991 tuition of \$45 per half year or \$30 per term shall be assessed
 2992 for residents and nonresidents, and the out-of-state fee shall
 2993 be \$135 per half year or \$90 per term. Each district school
 2994 board and Florida College System institution board of trustees
 2995 shall adopt policies and procedures for the collection of and
 2996 accounting for the expenditure of the block tuition. All funds
 2997 received from the block tuition shall be used only for adult

HB 7031

2014

2998 general education programs. Students enrolled in adult general
 2999 education programs may not be assessed the fees authorized in
 3000 subsection (5), subsection (6), or subsection (7).

3001 ~~(d) Beginning with the 2008-2009 fiscal year and each year~~
 3002 ~~thereafter,~~ The tuition and the out-of-state fee per contact
 3003 hour shall increase at the beginning of each fall semester at a
 3004 rate equal to inflation, unless otherwise provided in the
 3005 General Appropriations Act. The Office of Economic and
 3006 Demographic Research shall report the rate of inflation to the
 3007 President of the Senate, the Speaker of the House of
 3008 Representatives, the Governor, and the State Board of Education
 3009 each year prior to March 1. For purposes of this paragraph, the
 3010 rate of inflation shall be defined as the rate of the 12-month
 3011 percentage change in the Consumer Price Index for All Urban
 3012 Consumers, U.S. City Average, All Items, or successor reports as
 3013 reported by the United States Department of Labor, Bureau of
 3014 Labor Statistics, or its successor for December of the previous
 3015 year. In the event the percentage change is negative, the
 3016 tuition and out-of-state fee shall remain at the same level as
 3017 the prior fiscal year.

3018 (e) Each district school board and each Florida College
 3019 System institution board of trustees may adopt tuition and out-
 3020 of-state fees that ~~may~~ vary no more than 5 percent below or ~~and~~
 3021 5 percent above the combined total of the standard tuition and
 3022 out-of-state fees established in paragraph (c).

3023 ~~(f) The maximum increase in resident tuition for any~~
 3024 ~~school district or Florida College System institution during the~~

HB 7031

2014

3025 ~~2007-2008 fiscal year shall be 5 percent over the tuition~~
 3026 ~~charged during the 2006-2007 fiscal year.~~

3027 (f)~~(g)~~ The State Board of Education may adopt, by rule,
 3028 the definitions and procedures that district school boards and
 3029 Florida College System institution boards of trustees shall use
 3030 in the calculation of cost borne by students.

3031 Section 80. Paragraph (a) of subsection (1) of section
 3032 1009.40, Florida Statutes, is amended to read:

3033 1009.40 General requirements for student eligibility for
 3034 state financial aid awards and tuition assistance grants.-

3035 (1)(a) The general requirements for eligibility of
 3036 students for state financial aid awards and tuition assistance
 3037 grants consist of the following:

3038 1. Achievement of the academic requirements of and
 3039 acceptance at a state university or Florida College System
 3040 institution; a nursing diploma school approved by the Florida
 3041 Board of Nursing; a Florida college or university which is
 3042 accredited by an accrediting agency recognized by the State
 3043 Board of Education; a ~~any~~ Florida institution the credits of
 3044 which are acceptable for transfer to state universities; a ~~any~~
 3045 career center; or a ~~any~~ private career institution accredited by
 3046 an accrediting agency recognized by the State Board of
 3047 Education.

3048 2. Residency in this state for no less than 1 year
 3049 preceding the award of aid or a tuition assistance grant for a
 3050 program established pursuant to s. 1009.50, s. 1009.505, s.
 3051 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.56~~, s. 1009.60, s.

HB 7031

2014

3052 1009.62, s. 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s.
 3053 1009.891. Residency in this state must be for purposes other
 3054 than to obtain an education. Resident status for purposes of
 3055 receiving state financial aid awards shall be determined in the
 3056 same manner as resident status for tuition purposes pursuant to
 3057 s. 1009.21.

3058 3. Submission of certification attesting to the accuracy,
 3059 completeness, and correctness of information provided to
 3060 demonstrate a student's eligibility to receive state financial
 3061 aid awards or tuition assistance grants. Falsification of such
 3062 information shall result in the denial of a ~~any~~ pending
 3063 application and revocation of an ~~any~~ award or grant currently
 3064 held to the extent that no further payments shall be made.
 3065 Additionally, students who knowingly make false statements in
 3066 order to receive state financial aid awards or tuition
 3067 assistance grants commit a misdemeanor of the second degree
 3068 subject to the provisions of s. 837.06 and shall be required to
 3069 return all state financial aid awards or tuition assistance
 3070 grants wrongfully obtained.

3071 Section 81. Subsection (1) of section 1009.531, Florida
 3072 Statutes, is amended to read:

3073 1009.531 Florida Bright Futures Scholarship Program;
 3074 student eligibility requirements for initial awards.-

3075 (1) ~~Effective January 1, 2008,~~ In order to be eligible for
 3076 an initial award from any of the three types of scholarships
 3077 under the Florida Bright Futures Scholarship Program, a student
 3078 must:

HB 7031

2014

3079 (a) Be a Florida resident as defined in s. 1009.40 and
 3080 rules of the State Board of Education.

3081 (b) Earn a standard Florida high school diploma pursuant
 3082 to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high
 3083 school equivalency diploma ~~its equivalent~~ pursuant to ~~s.~~
 3084 ~~1003.428, s. 1003.4281, s. 1003.4282, or s. 1003.435~~ unless:

3085 1. The student completes a home education program
 3086 according to s. 1002.41; or

3087 2. The student earns a high school diploma from a non-
 3088 Florida school while living with a parent or guardian who is on
 3089 military or public service assignment away from Florida.

3090 (c) Be accepted by and enroll in an eligible Florida
 3091 public or independent postsecondary education institution.

3092 (d) Be enrolled for at least 6 semester credit hours or
 3093 the equivalent in quarter hours or clock hours.

3094 (e) Not have been found guilty of, or entered a plea of
 3095 nolo contendere to, a felony charge, unless the student has been
 3096 granted clemency by the Governor and Cabinet sitting as the
 3097 Executive Office of Clemency.

3098 (f) Apply for a scholarship from the program by high
 3099 school graduation. However, a student who graduates from high
 3100 school midyear must apply no later than August 31 of the
 3101 student's graduation year in order to be evaluated for and, if
 3102 eligible, receive an award for the current academic year.

3103 Section 82. Paragraph (c) of subsection (3) of section
 3104 1009.532, Florida Statutes, is amended to read:

3105 1009.532 Florida Bright Futures Scholarship Program;

HB 7031

2014

3106 student eligibility requirements for renewal awards.—

3107 (3)

3108 (c) A student who is initially eligible in the 2012-2013
3109 academic year and thereafter may receive an award for a maximum
3110 of 100 percent of the number of credit hours required to
3111 complete an associate degree program, a baccalaureate degree
3112 program, or a postsecondary career certificate program or, for a
3113 Florida Gold Seal Vocational Scholars award, may receive an
3114 award for a maximum of 100 percent of the number of credit hours
3115 or equivalent clock hours required to complete one of the
3116 following at a Florida public or nonpublic education institution
3117 that offers these specific programs: for an applied technology
3118 diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60
3119 credit hours or equivalent clock hours; for a technical degree
3120 education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up
3121 to the number of hours required for a specific degree not to
3122 exceed 72 credit hours or equivalent clock hours; or for a
3123 career certificate program as defined in s. 1004.02(20)
3124 ~~1004.02(21)~~, up to the number of hours required for a specific
3125 certificate not to exceed 72 credit hours or equivalent clock
3126 hours. A student who transfers from one of these program levels
3127 to another program level becomes eligible for the higher of the
3128 two credit hour limits.

3129 Section 83. Paragraph (c) of subsection (4) of section
3130 1009.536, Florida Statutes, is amended to read:

3131 1009.536 Florida Gold Seal Vocational Scholars award.—The
3132 Florida Gold Seal Vocational Scholars award is created within

HB 7031

2014

3133 the Florida Bright Futures Scholarship Program to recognize and
 3134 reward academic achievement and career preparation by high
 3135 school students who wish to continue their education.

3136 (4)

3137 (c) A student who is initially eligible in the 2012-2013
 3138 academic year and thereafter may earn a Florida Gold Seal
 3139 Vocational Scholarship for a maximum of 100 percent of the
 3140 number of credit hours or equivalent clock hours required to
 3141 complete one of the following at a Florida public or nonpublic
 3142 education institution that offers these specific programs: for
 3143 an applied technology diploma program as defined in s.
 3144 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock
 3145 hours; for a technical degree education program as defined in s.
 3146 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for
 3147 a specific degree not to exceed 72 credit hours or equivalent
 3148 clock hours; or for a career certificate program as defined in
 3149 s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required
 3150 for a specific certificate not to exceed 72 credit hours or
 3151 equivalent clock hours.

3152 Section 84. Section 1009.56, Florida Statutes, is
 3153 repealed.

3154 Section 85. Section 1009.69, Florida Statutes, is
 3155 repealed.

3156 Section 86. Subsection (1) of section 1009.91, Florida
 3157 Statutes, is amended to read:

3158 1009.91 Assistance programs and activities of the
 3159 department.—

3160 (1) The department may contract for the administration of
 3161 the student financial assistance programs as specifically
 3162 provided in ss. 295.01, 1009.29, ~~1009.56~~, and 1009.78.

3163 Section 87. Paragraph (c) of subsection (2) of section
 3164 1009.94, Florida Statutes, is amended to read:

3165 1009.94 Student financial assistance database.—

3166 (2) For purposes of this section, financial assistance
 3167 includes:

3168 (c) Any financial assistance provided under s. 1009.50, s.
 3169 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, ~~s.~~
 3170 ~~1009.56~~, s. 1009.60, s. 1009.62, s. 1009.70, s. 1009.701, s.
 3171 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s.
 3172 1009.891.

3173 Section 88. Part V of chapter 1009, Florida Statutes,
 3174 consisting of sections 1009.99, 1009.991, 1009.992, 1009.993,
 3175 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975,
 3176 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981,
 3177 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986,
 3178 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991,
 3179 1009.9992, 1009.9993, and 1009.9994, is repealed.

3180 Section 89. Paragraphs (b) and (c) of subsection (3) of
 3181 section 1011.71, Florida Statutes, are repealed.

3182 Section 90. Subsection (4) of section 1011.76, Florida
 3183 Statutes, is repealed.

3184 Section 91. Paragraph (b) of subsection (1) of section
 3185 1011.80, Florida Statutes, is amended to read:

3186 1011.80 Funds for operation of workforce education

3187 programs.—

3188 (1) As used in this section, the terms "workforce
3189 education" and "workforce education program" include:

3190 (b) Career certificate programs, as defined in s.
3191 1004.02(20) ~~1004.02(21)~~.

3192 Section 92. Paragraphs (b), (f), (j), (m), and (p) of
3193 subsection (2) and subsection (6) of section 1012.05, Florida
3194 Statutes, are amended to read:

3195 1012.05 Teacher recruitment and retention.—

3196 (2) The Department of Education shall:

3197 (b) Advertise in major newspapers, national professional
3198 publications, and other professional publications and in public
3199 and nonpublic postsecondary educational institutions, if needed.

3200 (f) Develop and distribute promotional materials related
3201 to teaching as a career, if needed.

3202 ~~(j) Develop, in consultation with school district staff
3203 including, but not limited to, district school superintendents,
3204 district school board members, and district human resources
3205 personnel, a long-range plan for educator recruitment and
3206 retention.~~

3207 ~~(m) Develop and implement a First Response Center to
3208 provide educator candidates one-stop shopping for information on
3209 teaching careers in Florida and establish the Teacher Lifeline
3210 Network to provide online support to beginning teachers and
3211 those needing assistance.~~

3212 (n) ~~(p)~~ Notify each teacher, via e-mail, of each item in
3213 the General Appropriations Act and legislation that affects

HB 7031

2014

3214 teachers, including, but not limited to, ~~the Excellent Teaching~~
 3215 ~~Program~~, the Florida Teachers Classroom Supply Assistance
 3216 Program, ~~liability insurance protection for teachers~~, death
 3217 benefits for teachers, substantive legislation, rules of the
 3218 State Board of Education, and issues concerning student
 3219 achievement.

3220 ~~(6) The Commissioner of Education shall take steps that~~
 3221 ~~provide flexibility and consistency in meeting the highly~~
 3222 ~~qualified teacher criteria as defined in the No Child Left~~
 3223 ~~Behind Act of 2001 through a High, Objective, Uniform State~~
 3224 ~~Standard of Evaluation (HOUSSE).~~

3225 Section 93. Paragraph (b) of subsection (1) of section
 3226 1012.22, Florida Statutes, is amended to read:

3227 1012.22 Public school personnel; powers and duties of the
 3228 district school board.—The district school board shall:

3229 (1) Designate positions to be filled, prescribe
 3230 qualifications for those positions, and provide for the
 3231 appointment, compensation, promotion, suspension, and dismissal
 3232 of employees as follows, subject to the requirements of this
 3233 chapter:

3234 (b) Time to act on nominations.—The district school board
 3235 shall act no ~~not~~ later than 3 weeks following the receipt of
 3236 statewide, standardized assessment scores and data under s.
 3237 1008.22 and, ~~including~~ school grades, or June 30, whichever is
 3238 later, on the district school superintendent's nominations of
 3239 supervisors, principals, and members of the instructional staff.

3240 Section 94. Subsection (9) of section 1012.33, Florida

HB 7031

2014

3241 Statutes, is repealed.

3242 Section 95. Paragraph (b) of subsection (1), paragraph (a)
3243 of subsection (3), and subsection (6) of section 1012.34,
3244 Florida Statutes, are amended to read:

3245 1012.34 Personnel evaluation procedures and criteria.—

3246 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

3247 (b) The department must approve each school district's
3248 instructional personnel and school administrator evaluation
3249 systems. The department shall monitor each district's
3250 implementation of its instructional personnel and school
3251 administrator evaluation systems for compliance with the
3252 requirements of this section and s. 1012.3401.

3253 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
3254 personnel and school administrator performance evaluations must
3255 be based upon the performance of students assigned to their
3256 classrooms or schools, as provided in this section. Pursuant to
3257 this section, a school district's performance evaluation is not
3258 limited to basing unsatisfactory performance of instructional
3259 personnel and school administrators solely upon student
3260 performance, but may include other criteria approved to evaluate
3261 instructional personnel and school administrators' performance,
3262 or any combination of student performance and other approved
3263 criteria. Evaluation procedures and criteria must comply with,
3264 but are not limited to, the following:

3265 (a) A performance evaluation must be conducted for each
3266 employee at least once a year, except that a classroom teacher,
3267 as defined in s. 1012.01(2)(a), excluding substitute teachers,

HB 7031

2014

3268 who is newly hired by the district school board must be observed
3269 and evaluated at least twice in the first year of teaching in
3270 the school district. The performance evaluation must be based
3271 upon sound educational principles and contemporary research in
3272 effective educational practices. The evaluation criteria must
3273 include:

3274 1. Performance of students.—At least 50 percent of a
3275 performance evaluation must be based upon data and indicators of
3276 student learning growth assessed annually by statewide
3277 assessments or, for subjects and grade levels not measured by
3278 statewide assessments, by school district assessments as
3279 provided in s. 1008.22(6) ~~1008.22(8)~~. Each school district must
3280 use the formula adopted pursuant to paragraph (7)(a) for
3281 measuring student learning growth in all courses associated with
3282 statewide assessments and must select an equally appropriate
3283 formula for measuring student learning growth for all other
3284 grades and subjects, except as otherwise provided in subsection
3285 (7).

3286 a. For classroom teachers, as defined in s. 1012.01(2)(a),
3287 excluding substitute teachers, the student learning growth
3288 portion of the evaluation must include growth data for students
3289 assigned to the teacher over the course of at least 3 years. If
3290 less than 3 years of data are available, the years for which
3291 data are available must be used and the percentage of the
3292 evaluation based upon student learning growth may be reduced to
3293 not less than 40 percent.

3294 b. For instructional personnel who are not classroom

HB 7031

2014

3295 teachers, the student learning growth portion of the evaluation
3296 must include growth data on statewide assessments for students
3297 assigned to the instructional personnel over the course of at
3298 least 3 years, or may include a combination of student learning
3299 growth data and other measurable student outcomes that are
3300 specific to the assigned position, provided that the student
3301 learning growth data accounts for not less than 30 percent of
3302 the evaluation. If less than 3 years of student growth data are
3303 available, the years for which data are available must be used
3304 and the percentage of the evaluation based upon student learning
3305 growth may be reduced to not less than 20 percent.

3306 c. For school administrators, the student learning growth
3307 portion of the evaluation must include growth data for students
3308 assigned to the school over the course of at least 3 years. If
3309 less than 3 years of data are available, the years for which
3310 data are available must be used and the percentage of the
3311 evaluation based upon student learning growth may be reduced to
3312 not less than 40 percent.

3313 2. Instructional practice.—Evaluation criteria used when
3314 annually observing classroom teachers, as defined in s.
3315 1012.01(2)(a), excluding substitute teachers, must include
3316 indicators based upon each of the Florida Educator Accomplished
3317 Practices adopted by the State Board of Education. For
3318 instructional personnel who are not classroom teachers,
3319 evaluation criteria must be based upon indicators of the Florida
3320 Educator Accomplished Practices and may include specific job
3321 expectations related to student support.

HB 7031

2014

3322 3. Instructional leadership.—For school administrators,
3323 evaluation criteria must include indicators based upon each of
3324 the leadership standards adopted by the State Board of Education
3325 under s. 1012.986, including performance measures related to the
3326 effectiveness of classroom teachers in the school, the
3327 administrator's appropriate use of evaluation criteria and
3328 procedures, recruitment and retention of effective and highly
3329 effective classroom teachers, improvement in the percentage of
3330 instructional personnel evaluated at the highly effective or
3331 effective level, and other leadership practices that result in
3332 student learning growth. The system may include a means to give
3333 parents and instructional personnel an opportunity to provide
3334 input into the administrator's performance evaluation.

3335 4. Professional and job responsibilities.—For
3336 instructional personnel and school administrators, other
3337 professional and job responsibilities must be included as
3338 adopted by the State Board of Education. The district school
3339 board may identify additional professional and job
3340 responsibilities.

3341 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
3342 EVALUATION SYSTEMS.—The district school board shall establish a
3343 procedure for annually reviewing instructional personnel and
3344 school administrator evaluation systems to determine compliance
3345 with this section and s. 1012.3401. All substantial revisions to
3346 an approved system must be reviewed and approved by the district
3347 school board before being used to evaluate instructional
3348 personnel or school administrators. Upon request by a school

HB 7031

2014

3349 | district, the department shall provide assistance in developing,
 3350 | improving, or reviewing an evaluation system.

3351 | Section 96. Section 1012.44, Florida Statutes, is amended
 3352 | to read:

3353 | 1012.44 Qualifications for certain persons providing
 3354 | speech-language services.—The State Board of Education shall
 3355 | adopt rules for speech-language services to school districts
 3356 | that qualify for the sparsity supplement as described in s.
 3357 | 1011.62(7). These services may be provided by baccalaureate
 3358 | degree level persons for a period of 3 years. The rules shall
 3359 | authorize the delivery of speech-language services by
 3360 | baccalaureate degree level persons under the direction of a
 3361 | certified speech-language pathologist with a master's degree or
 3362 | higher. ~~By October 1, 2003, these rules shall be reviewed by the~~
 3363 | ~~State Board of Education.~~

3364 | Section 97. Section 1012.561, Florida Statutes, is amended
 3365 | to read:

3366 | 1012.561 Address of record.—Each certified educator or
 3367 | applicant for certification is solely responsible for
 3368 | maintaining his or her current address with the Department of
 3369 | Education and for notifying the department in writing of a
 3370 | change of address. ~~By January 1, 2005, each educator and~~
 3371 | ~~applicant for certification must have on file with the~~
 3372 | ~~department a current mailing address. Thereafter,~~ A certified
 3373 | educator or applicant for certification who is employed by a
 3374 | district school board shall notify his or her employing school
 3375 | district within 10 days after a change of address. At a minimum,

HB 7031

2014

3376 the employing district school board shall notify the department
 3377 monthly of the addresses of the certified educators or
 3378 applicants for certification in the manner prescribed by the
 3379 department. A certified educator or applicant for certification
 3380 who is not employed by a district school board shall personally
 3381 notify the department in writing within 30 days after a change
 3382 of address. The department shall permit electronic notification;
 3383 however, it is the responsibility of the certified educator or
 3384 applicant for certification to ensure that the department has
 3385 received the electronic notification.

3386 Section 98. Section 1012.595, Florida Statutes, is
 3387 repealed.

3388 Section 99. Subsections (2), (3), and (4) of section
 3389 1012.885, Florida Statutes, are amended to read:

3390 1012.885 Remuneration of Florida College System
 3391 institution presidents; limitations.—

3392 ~~(2) LIMITATION ON COMPENSATION. Notwithstanding any other~~
 3393 ~~law, resolution, or rule to the contrary, a Florida College~~
 3394 ~~System institution president may not receive more than \$225,000~~
 3395 ~~in remuneration annually from appropriated state funds. Only~~
 3396 ~~compensation, as defined in s. 121.021(22), provided to a~~
 3397 ~~Florida College System institution president may be used in~~
 3398 ~~calculating benefits under chapter 121.~~

3399 (2)(3) EXCEPTIONS.—This section does not prohibit a any
 3400 party from providing cash or cash-equivalent compensation from
 3401 funds that are not appropriated state funds to a Florida College
 3402 System institution president in excess of the limit in

HB 7031

2014

3403 subsection (3)~~(2)~~. If a party is unable or unwilling to fulfill
 3404 an obligation to provide cash or cash-equivalent compensation to
 3405 a Florida College System institution president as permitted
 3406 under this subsection, appropriated state funds may not be used
 3407 to fulfill such obligation.

3408 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
 3409 resolution, or rule to the contrary ~~the provisions of this~~
 3410 ~~section,~~ a Florida College System institution president may not
 3411 receive more than \$200,000 in remuneration from appropriated
 3412 state funds. Only compensation, as defined in s. 121.021(22),
 3413 provided to a Florida College System institution president may
 3414 be used in calculating benefits under chapter 121.

3415 Section 100. Subsections (2), (3), and (4) of section
 3416 1012.975, Florida Statutes, are amended to read:

3417 1012.975 Remuneration of state university presidents;
 3418 limitations.—

3419 ~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other~~
 3420 ~~law, resolution, or rule to the contrary, a state university~~
 3421 ~~president may not receive more than \$225,000 in remuneration~~
 3422 ~~annually from public funds. Only compensation, as such term is~~
 3423 ~~defined in s. 121.021(22), provided to a state university~~
 3424 ~~president may be used in calculating benefits under chapter 121.~~

3425 (2)~~(3)~~ EXCEPTIONS.—This section does not prohibit a ~~any~~
 3426 party from providing cash or cash-equivalent compensation from
 3427 funds that are not public funds to a state university president
 3428 in excess of the limit in subsection (3)~~(2)~~. If a party is
 3429 unable or unwilling to fulfill an obligation to provide cash or

HB 7031

2014

3430 cash-equivalent compensation to a state university president as
 3431 permitted under this subsection, public funds may not be used to
 3432 fulfill such obligation.

3433 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
 3434 resolution, or rule to the contrary ~~the provisions of this~~
 3435 ~~section,~~ a state university president may not receive more than
 3436 \$200,000 in remuneration from public funds. Only compensation,
 3437 as defined in s. 121.021(22), provided to a state university
 3438 president may be used in calculating benefits under chapter 121.

3439 Section 101. Subsection (12) of section 1012.98, Florida
 3440 Statutes, is amended to read:

3441 1012.98 School Community Professional Development Act.—

3442 (12) The department shall require teachers in grades K-12
 3443 ~~1-12~~ to participate in continuing education training provided by
 3444 the Department of Children and Family Services on identifying
 3445 and reporting child abuse and neglect.

3446 Section 102. Paragraph (f) of subsection (2) of section
 3447 1013.35, Florida Statutes, is amended to read:

3448 1013.35 School district educational facilities plan;
 3449 definitions; preparation, adoption, and amendment; long-term
 3450 work programs.—

3451 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
 3452 FACILITIES PLAN.—

3453 (f) Not less than once every 5 years, the district school
 3454 board shall have an ~~a financial management and performance~~ audit
 3455 conducted of the district's educational planning and
 3456 construction activities ~~of the district~~. An operational audit

HB 7031

2014

3457 conducted by ~~the Office of Program Policy Analysis and~~
 3458 ~~Government Accountability and the Auditor General~~ pursuant to s.
 3459 11.45 ~~1008.35~~ satisfies this requirement.

3460 Section 103. Section 1013.47, Florida Statutes, is amended
 3461 to read:

3462 1013.47 Substance of contract; contractors to give bond;
 3463 penalties.—Each board shall develop contracts consistent with
 3464 this chapter and statutes governing public facilities. Such a
 3465 contract must contain the drawings and specifications of the
 3466 work to be done and the material to be furnished, the time limit
 3467 in which the construction is to be completed, the time and
 3468 method by which payments are to be made upon the contract, and
 3469 the penalty to be paid by the contractor for a ~~any~~ failure to
 3470 comply with the terms of the contract. The board may require the
 3471 contractor to pay a penalty for any failure to comply with the
 3472 terms of the contract and may provide an incentive for early
 3473 completion. Upon accepting a satisfactory bid, the board shall
 3474 enter into a contract with the party or parties whose bid has
 3475 been accepted. The contractor shall furnish the board with a
 3476 performance and payment bond as set forth in s. 255.05. A board
 3477 or other public entity may not require a contractor to secure a
 3478 surety bond under s. 255.05 from a specific agent or bonding
 3479 company. ~~Notwithstanding any other provision of this section, if~~
 3480 ~~25 percent or more of the costs of any construction project is~~
 3481 ~~paid out of a trust fund established pursuant to 31 U.S.C. s.~~
 3482 ~~1243(a)(1), laborers and mechanics employed by contractors or~~
 3483 ~~subcontractors on such construction will be paid wages not less~~

HB 7031

2014

3484 ~~than those prevailing on similar construction projects in the~~
3485 ~~locality, as determined by the Secretary of Labor in accordance~~
3486 ~~with the Davis-Bacon Act, as amended.~~ A person, firm, or
3487 corporation that constructs any part of any educational plant,
3488 or addition thereto, on the basis of any unapproved plans or in
3489 violation of any plans approved in accordance with the
3490 provisions of this chapter and rules of the State Board of
3491 Education or regulations of the Board of Governors relating to
3492 building standards or specifications is subject to forfeiture of
3493 the surety bond and unpaid compensation in an amount sufficient
3494 to reimburse the board for any costs that will need to be
3495 incurred in making any changes necessary to assure that all
3496 requirements are met and is also guilty of a misdemeanor of the
3497 second degree, punishable as provided in s. 775.082 or s.
3498 775.083, for each separate violation.

3499 Section 104. Section 1013.49, Florida Statutes, is
3500 repealed.

3501 Section 105. Section 1013.512, Florida Statutes, is
3502 repealed.

3503 Section 106. Section 1013.54, Florida Statutes, is
3504 repealed.

3505 Section 107. Section 20 of chapter 2010-24, Laws of
3506 Florida, is repealed.

3507 Section 108. This act shall take effect upon becoming a
3508 law.