

By Senator Thrasher

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1 A reviser's bill to be entitled
 2 An act relating to the Florida Statutes; amending ss.
 3 322.091, 334.351, 414.1251, 440.491, 445.024, 468.304,
 4 478.45, 480.035, 480.041, 944.1905, 944.275, 944.801,
 5 958.045, 985.601, 1001.42, 1003.21, 1003.51, 1003.52,
 6 1004.02, 1004.65, 1004.93, 1008.345, and 1009.21,
 7 F.S.; to conform to the directive of the Legislature
 8 to the Division of Law Revision and Information in
 9 section 38 of chapter 2013-51, Laws of Florida, to
 10 change the terms "General Educational Development
 11 test" or "GED test" to "high school equivalency
 12 examination" and the terms "general education
 13 diploma," "graduate equivalency diploma," or "GED" to
 14 "high school equivalency diploma" wherever those terms
 15 appear in the Florida Statutes; providing an effective
 16 date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Paragraph (c) of subsection (1) of section
 21 322.091, Florida Statutes, is amended to read:

22 322.091 Attendance requirements.—

23 (1) ELIGIBILITY REQUIREMENTS FOR DRIVING PRIVILEGES.—A
 24 minor is not eligible for driving privileges unless that minor:

25 (c) Is enrolled in a study course in preparation for the
 26 high school equivalency examination ~~Test of General Educational~~
 27 ~~Development~~ and satisfies relevant attendance requirements;

28
 29 The department may not issue a driver license or learner's

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30 driver license to, or shall suspend the driver license or
31 learner's driver license of, any minor concerning whom the
32 department receives notification of noncompliance with the
33 requirements of this section.

34 Section 2. Paragraph (b) of subsection (3) of section
35 334.351, Florida Statutes, is amended to read:

36 334.351 Youth work experience program; findings and intent;
37 authority to contract; limitation.—

38 (3) When selecting a nonprofit youth organization to
39 perform work on transportation-related facilities and before
40 awarding a contract under this section, the department must
41 consider the following criteria:

42 (b) The number of participants receiving high school
43 diplomas or high school equivalency diplomas ~~GEDs~~;

44 Section 3. Subsection (1) of section 414.1251, Florida
45 Statutes, is amended to read:

46 414.1251 Learnfare program.—

47 (1) The department shall reduce the temporary cash
48 assistance for a participant's eligible dependent child or for
49 an eligible teenage participant who has not been exempted from
50 education participation requirements, if the eligible dependent
51 child or eligible teenage participant has been identified either
52 as a habitual truant, pursuant to s. 1003.01(8), or as a
53 dropout, pursuant to s. 1003.01(9). For a student who has been
54 identified as a habitual truant, the temporary cash assistance
55 must be reinstated after a subsequent grading period in which
56 the child's attendance has substantially improved. For a student
57 who has been identified as a dropout, the temporary cash
58 assistance must be reinstated after the student enrolls in a

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59 public school, receives a high school diploma or its
60 equivalency, enrolls in preparation for the high school
61 equivalency examination ~~General Educational Development Tests,~~
62 or enrolls in other educational activities approved by the
63 district school board. Good cause exemptions from the rule of
64 unexcused absences include the following:

65 (a) The student is expelled from school and alternative
66 schooling is not available.

67 (b) No licensed day care is available for a child of teen
68 parents subject to Learnfare.

69 (c) Prohibitive transportation problems exist (e.g., to and
70 from day care).

71
72 Within 10 days after sanction notification, the participant
73 parent of a dependent child or the teenage participant may file
74 an internal fair hearings process review procedure appeal, and
75 no sanction shall be imposed until the appeal is resolved.

76 Section 4. Paragraph (a) of subsection (6) of section
77 440.491, Florida Statutes, is amended to read:

78 440.491 Reemployment of injured workers; rehabilitation.—

79 (6) TRAINING AND EDUCATION.—

80 (a) Upon referral of an injured employee by the carrier, or
81 upon the request of an injured employee, the department shall
82 conduct a training and education screening to determine whether
83 it should refer the employee for a vocational evaluation,
84 approve training and education, or approve other vocational
85 services for the employee. At the time of such referral, the
86 carrier shall provide the department a copy of any reemployment
87 assessment or reemployment plan provided to the carrier by a

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88 rehabilitation provider. The department may not approve formal
89 training and education programs unless it determines, after
90 consideration of the reemployment assessment, that the
91 reemployment plan is likely to result in return to suitable
92 gainful employment. The department may expend moneys from the
93 Workers' Compensation Administration Trust Fund, established by
94 s. 440.50, to secure appropriate training and education at a
95 Florida public college or at a career center established under
96 s. 1001.44, or to secure other vocational services when
97 necessary to satisfy the recommendation of a vocational
98 evaluator. As used in this paragraph, "appropriate training and
99 education" includes securing a high school equivalency ~~general~~
100 ~~education~~ diploma (GED), if necessary. The department shall by
101 rule establish training and education standards pertaining to
102 employee eligibility, course curricula and duration, and
103 associated costs. For purposes of this subsection, training and
104 education services may be secured from additional providers if:

- 105 1. The injured employee currently holds an associate degree
106 and requests to earn a bachelor's degree not offered by a
107 Florida public college located within 50 miles from his or her
108 customary residence;
- 109 2. The injured employee's enrollment in an education or
110 training program in a Florida public college or career center
111 would be significantly delayed; or
- 112 3. The most appropriate training and education program is
113 available only through a provider other than a Florida public
114 college or career center or at a Florida public college or
115 career center located more than 50 miles from the injured
116 employee's customary residence.

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117 Section 5. Paragraph (k) of subsection (1) of section
118 445.024, Florida Statutes, is amended to read:

119 445.024 Work requirements.—

120 (1) WORK ACTIVITIES.—The Department of Economic Opportunity
121 may develop activities under each of the following categories of
122 work activities. The following categories of work activities,
123 based on federal law and regulations, may be used individually
124 or in combination to satisfy the work requirements for a
125 participant in the temporary cash assistance program:

126 (k) Satisfactory attendance at a secondary school or in a
127 course of study leading to a high school ~~graduate~~ equivalency
128 diploma.

129 Section 6. Paragraph (b) of subsection (3) of section
130 468.304, Florida Statutes, is amended to read:

131 468.304 Certification.—The department shall certify any
132 applicant who meets the following criteria:

133 (3) Submits satisfactory evidence, verified by oath or
134 affirmation, that she or he:

135 (b) Is a high school, vocational school, technical school,
136 or college graduate or has successfully completed the
137 requirements for a high school ~~graduate~~ equivalency diploma
138 ~~(GED)~~ or its equivalent;

139
140 The department may not certify any applicant who has committed
141 an offense that would constitute a violation of any of the
142 provisions of s. 468.3101 or applicable rules if the applicant
143 had been certified by the department at the time of the offense.
144 An application for a limited computed tomography certificate may
145 not be accepted. A person holding a valid computed tomography

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146 certificate as of October 1, 1984, is subject to s. 468.309.

147 Section 7. Paragraph (c) of subsection (1) of section
148 478.45, Florida Statutes, is amended to read:

149 478.45 Requirements for licensure.—

150 (1) An applicant applying for licensure as an electrologist
151 shall file a written application, accompanied by the application
152 for licensure fee prescribed in s. 478.55, on a form provided by
153 the board, showing to the satisfaction of the board that the
154 applicant:

155 (c) Possesses a high school diploma or a high school
156 ~~graduate~~ equivalency diploma.

157 Section 8. Subsection (2) of section 480.035, Florida
158 Statutes, is amended to read:

159 480.035 Board of Massage Therapy.—

160 (2) Five members of the board shall be licensed massage
161 therapists and shall have been engaged in the practice of
162 massage for not less than 5 consecutive years prior to the date
163 of appointment to the board. The Governor shall appoint each
164 member for a term of 4 years. Two members of the board shall be
165 laypersons. Each board member shall be a high school graduate or
166 shall have received a high school ~~graduate~~ equivalency diploma.
167 Each board member shall be a citizen of the United States and a
168 resident of this state for not less than 5 years. The
169 appointments will be subject to confirmation by the Senate.

170 Section 9. Paragraph (a) of subsection (1) of section
171 480.041, Florida Statutes, is amended to read:

172 480.041 Massage therapists; qualifications; licensure;
173 endorsement.—

174 (1) Any person is qualified for licensure as a massage

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175 therapist under this act who:

176 (a) Is at least 18 years of age or has received a high
177 school diploma or high school ~~graduate~~ equivalency diploma;

178 Section 10. Paragraph (b) of subsection (2) of section
179 944.1905, Florida Statutes, is amended to read:

180 944.1905 Initial inmate classification; inmate
181 reclassification.—The Department of Corrections shall classify
182 inmates pursuant to an objective classification scheme. The
183 initial inmate classification questionnaire and the inmate
184 reclassification questionnaire must cover both aggravating and
185 mitigating factors.

186 (2) In scoring the initial inmate classification
187 questionnaire, points may be deducted from the inmate's overall
188 score for factors indicating the inmate's stability. Such
189 factors may include:

190 (b) High school diploma or high school equivalency diploma
191 ~~GED~~ received; and

192 Section 11. Paragraph (d) of subsection (4) of section
193 944.275, Florida Statutes, is amended to read:

194 944.275 Gain-time.—

195 (4)

196 (d) Notwithstanding subparagraphs (b)1. and 2., the
197 education program manager shall recommend, and the Department of
198 Corrections may grant, a one-time award of 60 additional days of
199 incentive gain-time to an inmate who is otherwise eligible and
200 who successfully completes requirements for and is awarded a
201 high school equivalency diploma ~~general educational development~~
202 ~~certificate~~ or vocational certificate. Under no circumstances
203 may an inmate receive more than 60 days for educational

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204 attainment pursuant to this section.

205 Section 12. Paragraphs (g) and (j) of subsection (3) of
206 section 944.801, Florida Statutes, are amended to read:

207 944.801 Education for state prisoners.—

208 (3) The responsibilities of the Correctional Education
209 Program shall be to:

210 (g) Develop and maintain complete and reliable statistics
211 on the number of high school equivalency diplomas ~~general~~
212 ~~educational development (GED) certificates~~ and vocational
213 certificates issued by each institution in each skill area, the
214 change in inmate literacy levels, and the number of inmate
215 admissions to and withdrawals from education courses. The
216 compiled statistics shall be summarized and analyzed in the
217 annual report of correctional education activities required by
218 paragraph (f).

219 (j) Recommend the award of additional incentive gain-time
220 for inmates who receive a high school equivalency diploma
221 ~~general educational development certificate~~ or a vocational
222 certificate.

223 Section 13. Paragraph (a) of subsection (1) and paragraph
224 (b) of subsection (6) of section 958.045, Florida Statutes, are
225 amended to read:

226 958.045 Youthful offender basic training program.—

227 (1) The department shall develop and implement a basic
228 training program for youthful offenders sentenced or classified
229 by the department as youthful offenders pursuant to this
230 chapter. The period of time to be served at the basic training
231 program shall be no less than 120 days.

232 (a) The program shall include marching drills,

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233 calisthenics, a rigid dress code, manual labor assignments,
234 physical training with obstacle courses, training in
235 decisionmaking and personal development, high school equivalency
236 diploma ~~general educational development~~ and adult basic
237 education courses, and drug counseling and other rehabilitation
238 programs.

239 (6)

240 (b) While in the community residential program, as
241 appropriate, the offender shall engage in gainful employment,
242 and if any, shall pay restitution to the victim. If appropriate,
243 the offender may enroll in substance abuse counseling, and if
244 suitable, shall enroll in a high school equivalency diploma
245 ~~general educational development~~ or adult basic education class
246 for the purpose of attaining a high school diploma. Upon release
247 from the community residential program, the offender shall
248 remain on probation, or other postrelease supervision, and abide
249 by the conditions of the offender's probation or postrelease
250 supervision. If, upon transfer from the community residential
251 program, the offender has not completed the enrolled educational
252 program, the offender shall continue the educational program
253 until completed. If the offender fails to complete the program,
254 the department may request the court or the control release
255 authority to execute an order returning the offender back to the
256 community residential program until completion of the program.

257 Section 14. Subsection (4) of section 985.601, Florida
258 Statutes, is amended to read:

259 985.601 Administering the juvenile justice continuum.—

260 (4) The department shall maintain continuing cooperation
261 with the Department of Education, the Department of Children and

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262 Family Services, the Department of Economic Opportunity, and the
263 Department of Corrections for the purpose of participating in
264 agreements with respect to dropout prevention and the reduction
265 of suspensions, expulsions, and truancy; increased access to and
266 participation in high school equivalency diploma ~~GED~~,
267 vocational, and alternative education programs; and employment
268 training and placement assistance. The cooperative agreements
269 between the departments shall include an interdepartmental plan
270 to cooperate in accomplishing the reduction of inappropriate
271 transfers of children into the adult criminal justice and
272 correctional systems.

273 Section 15. Paragraph (b) of subsection (18) of section
274 1001.42, Florida Statutes, is amended to read:

275 1001.42 Powers and duties of district school board.—The
276 district school board, acting as a board, shall exercise all
277 powers and perform all duties listed below:

278 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
279 Maintain a state system of school improvement and education
280 accountability as provided by statute and State Board of
281 Education rule. This system of school improvement and education
282 accountability shall be consistent with, and implemented
283 through, the district's continuing system of planning and
284 budgeting required by this section and ss. 1008.385, 1010.01,
285 and 1011.01. This system of school improvement and education
286 accountability shall comply with the provisions of ss. 1008.33,
287 1008.34, 1008.345, and 1008.385 and include the following:

288 (b) *Public disclosure*.—The district school board shall
289 provide information regarding the performance of students and
290 educational programs as required pursuant to ss. 1008.22 and

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291 1008.385 and implement a system of school reports as required by
292 statute and State Board of Education rule which shall include
293 schools operating for the purpose of providing educational
294 services to youth in Department of Juvenile Justice programs,
295 and for those schools, report on the elements specified in s.
296 1003.52(19). Annual public disclosure reports shall be in an
297 easy-to-read report card format and shall include the school's
298 grade, high school graduation rate calculated without high
299 school equivalency diploma recipients ~~GED tests~~, disaggregated
300 by student ethnicity, and performance data as specified in state
301 board rule.

302 Section 16. Paragraph (c) of subsection (1) of section
303 1003.21, Florida Statutes, is amended to read:

304 1003.21 School attendance.—

305 (1)

306 (c) A student who attains the age of 16 years during the
307 school year is not subject to compulsory school attendance
308 beyond the date upon which he or she attains that age if the
309 student files a formal declaration of intent to terminate school
310 enrollment with the district school board. Public school
311 students who have attained the age of 16 years and who have not
312 graduated are subject to compulsory school attendance until the
313 formal declaration of intent is filed with the district school
314 board. The declaration must acknowledge that terminating school
315 enrollment is likely to reduce the student's earning potential
316 and must be signed by the student and the student's parent. The
317 school district shall notify the student's parent of receipt of
318 the student's declaration of intent to terminate school
319 enrollment. The student's certified school counselor or other

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320 school personnel shall conduct an exit interview with the
321 student to determine the reasons for the student's decision to
322 terminate school enrollment and actions that could be taken to
323 keep the student in school. The student's certified school
324 counselor or other school personnel shall inform the student of
325 opportunities to continue his or her education in a different
326 environment, including, but not limited to, adult education and
327 high school equivalency examination ~~GED test~~ preparation.

328 Additionally, the student shall complete a survey in a format
329 prescribed by the Department of Education to provide data on
330 student reasons for terminating enrollment and actions taken by
331 schools to keep students enrolled.

332 Section 17. Subsection (4) of section 1003.51, Florida
333 Statutes, is amended to read:

334 1003.51 Other public educational services.—

335 (4) The Department of Education shall ensure that district
336 school boards notify students in juvenile justice residential or
337 nonresidential facilities who attain the age of 16 years of the
338 provisions of law regarding compulsory school attendance and
339 make available the option of enrolling in a program to attain a
340 Florida high school diploma by taking the high school
341 equivalency examination ~~General Educational Development test~~
342 prior to release from the facility. District school boards or
343 Florida College System institutions, or both, shall waive high
344 school equivalency examination ~~GED~~ testing fees for youth in
345 Department of Juvenile Justice residential programs and shall,
346 upon request, designate schools operating for the purpose of
347 providing educational services to youth in Department of
348 Juvenile Justice programs as high school equivalency examination

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349 ~~GED~~ testing centers, subject to high school equivalency
350 examination ~~GED~~ testing center requirements. The administrative
351 fees for the high school equivalency examination ~~General~~
352 ~~Educational Development test~~ required by the Department of
353 Education are the responsibility of district school boards and
354 may be required of providers by contractual agreement.

355 Section 18. Paragraph (a) of subsection (3) and subsection
356 (6) of section 1003.52, Florida Statutes, are amended to read:

357 1003.52 Educational services in Department of Juvenile
358 Justice programs.—

359 (3) The district school board of the county in which the
360 residential or nonresidential care facility or juvenile
361 assessment facility is located shall provide appropriate
362 educational assessments and an appropriate program of
363 instruction and special education services.

364 (a) The district school board shall make provisions for
365 each student to participate in basic, career education, and
366 exceptional student programs as appropriate. Students served in
367 Department of Juvenile Justice programs shall have access to the
368 appropriate courses and instruction to prepare them for the high
369 school equivalency examination ~~GED test~~. Students participating
370 in high school equivalency diploma ~~GED~~ preparation programs
371 shall be funded at the basic program cost factor for Department
372 of Juvenile Justice programs in the Florida Education Finance
373 Program. Each program shall be conducted according to applicable
374 law providing for the operation of public schools and rules of
375 the State Board of Education. School districts shall provide the
376 high school equivalency diploma ~~GED~~ exit option for all juvenile
377 justice programs.

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378 (6) Participation in the program by students of compulsory
 379 school-attendance age as provided for in s. 1003.21 shall be
 380 mandatory. All students of noncompulsory school-attendance age
 381 who have not received a high school diploma or its equivalent
 382 shall participate in the educational program, unless the student
 383 files a formal declaration of his or her intent to terminate
 384 school enrollment as described in s. 1003.21 and is afforded the
 385 opportunity to take the high school equivalency examination
 386 ~~general educational development test~~ and attain a Florida high
 387 school diploma prior to release from a facility. A youth who has
 388 received a high school diploma or its equivalent and is not
 389 employed shall participate in workforce development or other
 390 career or technical education or Florida College System
 391 institution or university courses while in the program, subject
 392 to available funding.

393 Section 19. Subsections (5) and (17) of section 1004.02,
 394 Florida Statutes, are amended to read:

395 1004.02 Definitions.—As used in this chapter:

396 (5) "Adult secondary education" means courses through which
 397 a person receives high school credit that leads to the award of
 398 a high school diploma or courses of instruction through which a
 399 student prepares to take the high school equivalency examination
 400 ~~General Educational Development test~~.

401 (17) "High school equivalency examination ~~General~~
 402 ~~Educational Development (GED) test preparation~~" means courses of
 403 instruction designed to prepare adults for success on high
 404 school equivalency diploma ~~GED~~ subject area tests leading to
 405 qualification for a State of Florida high school diploma.

406 Section 20. Paragraph (b) of subsection (6) and paragraph

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407 (c) of subsection (8) of section 1004.65, Florida Statutes, are
408 amended to read:

409 1004.65 Florida College System institutions; governance,
410 mission, and responsibilities.—

411 (6) A separate and secondary role for Florida College
412 System institutions includes the offering of programs in:

413 (b) Adult education services, including adult basic
414 education, adult general education, adult secondary education,
415 and high school equivalency examination ~~General Educational~~
416 ~~Development test~~ instruction.

417 (8) Florida College System institutions are authorized to:

418 (c) Make provisions for the high school equivalency
419 examination ~~General Educational Development test~~.

420

421 Authority to offer one or more baccalaureate degree programs
422 does not alter the governance relationship of the Florida
423 College System institution with its district board of trustees
424 or the State Board of Education.

425 Section 21. Paragraph (a) of subsection (1) and paragraph
426 (c) of subsection (2) of section 1004.93, Florida Statutes, are
427 amended to read:

428 1004.93 Adult general education.—

429 (1) (a) The intent of this section is to encourage the
430 provision of educational services that will enable adults to
431 acquire:

432 1. The basic skills necessary to attain basic and
433 functional literacy.

434 2. A high school diploma or successfully complete the high
435 school equivalency examination ~~General Educational Development~~

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436 ~~test.~~

437 3. An educational foundation that will enable them to
438 become more employable, productive, and self-sufficient
439 citizens.

440 (2) The adult education program must provide academic
441 services to students in the following priority:

442 (c) Students who are earning credit required for a high
443 school diploma or who are preparing for the high school
444 equivalency examination ~~General Educational Development test.~~

445 Section 22. Paragraph (d) of subsection (6) of section
446 1008.345, Florida Statutes, is amended to read:

447 1008.345 Implementation of state system of school
448 improvement and education accountability.-

449 (6)

450 (d) The commissioner shall assign a community assessment
451 team to each school district or governing board with a school
452 that earned a grade of "F" or three consecutive grades of "D"
453 pursuant to s. 1008.34 to review the school performance data and
454 determine causes for the low performance, including the role of
455 school, area, and district administrative personnel. The
456 community assessment team shall review a high school's
457 graduation rate calculated without high school equivalency
458 diploma recipients ~~GED tests~~ for the past 3 years, disaggregated
459 by student ethnicity. The team shall make recommendations to the
460 school board or the governing board and to the State Board of
461 Education which address the causes of the school's low
462 performance and may be incorporated into the school improvement
463 plan. The assessment team shall include, but not be limited to,
464 a department representative, parents, business representatives,

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465 educators, representatives of local governments, and community
466 activists, and shall represent the demographics of the community
467 from which they are appointed.

468 Section 23. Paragraph (c) of subsection (3) of section
469 1009.21, Florida Statutes, is amended to read:

470 1009.21 Determination of resident status for tuition
471 purposes.—Students shall be classified as residents or
472 nonresidents for the purpose of assessing tuition in
473 postsecondary educational programs offered by charter technical
474 career centers or career centers operated by school districts,
475 in Florida College System institutions, and in state
476 universities.

477 (3)

478 (c) Each institution of higher education shall
479 affirmatively determine that an applicant who has been granted
480 admission to that institution as a Florida resident meets the
481 residency requirements of this section at the time of initial
482 enrollment. The residency determination must be documented by
483 the submission of written or electronic verification that
484 includes two or more of the documents identified in this
485 paragraph. No single piece of evidence shall be conclusive.

486 1. The documents must include at least one of the
487 following:

- 488 a. A Florida voter's registration card.
- 489 b. A Florida driver's license.
- 490 c. A State of Florida identification card.
- 491 d. A Florida vehicle registration.
- 492 e. Proof of a permanent home in Florida which is occupied
493 as a primary residence by the individual or by the individual's

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494 parent if the individual is a dependent child.

495 f. Proof of a homestead exemption in Florida.

496 g. Transcripts from a Florida high school for multiple
497 years if the Florida high school diploma or high school
498 equivalency diploma ~~GED~~ was earned within the last 12 months.

499 h. Proof of permanent full-time employment in Florida for
500 at least 30 hours per week for a 12-month period.

501 2. The documents may include one or more of the following:

502 a. A declaration of domicile in Florida.

503 b. A Florida professional or occupational license.

504 c. Florida incorporation.

505 d. A document evidencing family ties in Florida.

506 e. Proof of membership in a Florida-based charitable or
507 professional organization.

508 f. Any other documentation that supports the student's
509 request for resident status, including, but not limited to,
510 utility bills and proof of 12 consecutive months of payments; a
511 lease agreement and proof of 12 consecutive months of payments;
512 or an official state, federal, or court document evidencing
513 legal ties to Florida.

514 Reviser's note.—Amended to conform to the directive of the
515 Legislature to the Division of Law Revision and Information
516 in s. 38, ch. 2013-51, Laws of Florida, to change the terms
517 "General Educational Development test" or "GED test" to
518 "high school equivalency examination" and the terms
519 "general education diploma," "graduate equivalency
520 diploma," or "GED" to "high school equivalency diploma"
521 wherever those terms appear in the Florida Statutes.
522 Section 24. This act shall take effect on the 60th day

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523 after adjournment sine die of the session of the Legislature in
524 which enacted.