

By the Committee on Education Pre-K - 12

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1                                   A bill to be entitled  
2       An act relating to education; amending s. 1001.7065,  
3       F.S.; requiring a state research university to enter  
4       into and maintain a formal agreement with a specified  
5       organization to offer college-sponsored merit  
6       scholarship awards as a condition of designation as a  
7       preeminent state research university; specifying that  
8       continuation of a state research university's  
9       institute for online learning is contingent on the  
10      university entering into and maintaining such an  
11      agreement; amending s. 1011.62, F.S.; authorizing a  
12      low-performing elementary school to administer the  
13      required additional hours of instruction in a summer  
14      program; requiring a school to continue to provide the  
15      additional instruction to certain students in the  
16      subsequent year that the school is no longer  
17      classified as one of the 300 lowest-performing  
18      elementary schools; revising the types and amounts of  
19      bonuses that a teacher may receive in any given school  
20      year; deleting obsolete language; requiring the Board  
21      of Governors and the State Board of Education to base  
22      state performance funds for the State University  
23      System and the Florida College System, respectively,  
24      on specified metrics adopted by each board; specifying  
25      allocation of the funds; requiring the Chancellor of  
26      the State University System and the Commissioner of  
27      Education to withhold disbursement of certain funds;  
28      requiring the boards to submit reports by a specified  
29      time to the Governor and the Legislature; requiring

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30 the boards to adopt rules; providing an effective  
31 date.

32  
33 Be It Enacted by the Legislature of the State of Florida:

34  
35 Section 1. Subsections (3) and (4) of section 1001.7065,  
36 Florida Statutes, are amended to read:

37 1001.7065 Preeminent state research universities program.—

38 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—The  
39 Board of Governors shall designate each state research  
40 university that meets at least 11 of the 12 academic and  
41 research excellence standards identified in subsection (2) and  
42 that enters into and maintains a formal agreement with the  
43 National Merit Scholarship Corporation to offer college-  
44 sponsored merit scholarship awards a preeminent state research  
45 university.

46 (4) PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR  
47 ONLINE LEARNING.—A state research university that, as of July 1,  
48 2013, met ~~meets~~ all 12 of the academic and research excellence  
49 standards identified in subsection (2), as verified by the Board  
50 of Governors, shall establish an institute for online learning.  
51 Continuation of the institute for online learning is contingent  
52 upon a state research university entering into and maintaining a  
53 formal agreement with the National Merit Scholarship Corporation  
54 to offer college-sponsored merit scholarship awards. The  
55 institute shall establish a robust offering of high-quality,  
56 fully online baccalaureate degree programs at an affordable cost  
57 in accordance with this subsection.

58 (a) By August 1, 2013, the Board of Governors shall convene

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59 an advisory board to support the development of high-quality,  
60 fully online baccalaureate degree programs at the university.

61 (b) The advisory board shall:

62 1. Offer expert advice, as requested by the university, in  
63 the development and implementation of a business plan to expand  
64 the offering of high-quality, fully online baccalaureate degree  
65 programs.

66 2. Advise the Board of Governors on the release of funding  
67 to the university upon approval by the Board of Governors of the  
68 plan developed by the university.

69 3. Monitor, evaluate, and report on the implementation of  
70 the plan to the Board of Governors, the Governor, the President  
71 of the Senate, and the Speaker of the House of Representatives.

72 (c) The advisory board shall be composed of the following  
73 five members:

74 1. The chair of the Board of Governors or the chair's  
75 permanent designee.

76 2. A member with expertise in online learning, appointed by  
77 the Board of Governors.

78 3. A member with expertise in global marketing, appointed  
79 by the Governor.

80 4. A member with expertise in cloud virtualization,  
81 appointed by the President of the Senate.

82 5. A member with expertise in disruptive innovation,  
83 appointed by the Speaker of the House of Representatives.

84 (d) The president of the university shall be consulted on  
85 the advisory board member appointments.

86 (e) A majority of the advisory board shall constitute a  
87 quorum, elect the chair, and appoint an executive director.

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88 (f) By September 1, 2013, the university shall submit to  
89 the advisory board a comprehensive plan to expand high-quality,  
90 fully online baccalaureate degree program offerings. The plan  
91 shall include:

92 1. Existing on-campus general education courses and  
93 baccalaureate degree programs that will be offered online.

94 2. New courses that will be developed and offered online.

95 3. Support services that will be offered to students  
96 enrolled in online baccalaureate degree programs.

97 4. A tuition and fee structure that meets the requirements  
98 in paragraph (k) for online courses, baccalaureate degree  
99 programs, and student support services.

100 5. A timeline for offering, marketing, and enrolling  
101 students in the online baccalaureate degree programs.

102 6. A budget for developing and marketing the online  
103 baccalaureate degree programs.

104 7. Detailed strategies for ensuring the success of students  
105 and the sustainability of the online baccalaureate degree  
106 programs.

107

108 Upon recommendation of the plan by the advisory board and  
109 approval by the Board of Governors, the Board of Governors shall  
110 award the university \$10 million in nonrecurring funds and \$5  
111 million in recurring funds for fiscal year 2013-2014 and \$5  
112 million annually thereafter, subject to appropriation in the  
113 General Appropriations Act.

114 (g) Beginning in January 2014, the university shall offer  
115 high-quality, fully online baccalaureate degree programs that:

116 1. Accept full-time, first-time-in-college students.

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117           2. Have the same rigorous admissions criteria as equivalent  
118 on-campus degree programs.

119           3. Offer curriculum of equivalent rigor to on-campus degree  
120 programs.

121           4. Offer rolling enrollment or multiple opportunities for  
122 enrollment throughout the year.

123           5. Do not require any on-campus courses. However, for  
124 courses or programs that require clinical training or  
125 laboratories that cannot be delivered online, the university  
126 shall offer convenient locational options to the student, which  
127 may include, but are not limited to, the option to complete such  
128 requirements at a summer-in-residence on the university campus.  
129 The university may provide a network of sites at convenient  
130 locations and contract with commercial testing centers or  
131 identify other secure testing services for the purpose of  
132 proctoring assessments or testing.

133           6. Apply the university's existing policy for accepting  
134 credits for both freshman applicants and transfer applicants.

135           (h) The university may offer a fully online Master's in  
136 Business Administration degree program and other master's degree  
137 programs.

138           (i) The university may develop and offer degree programs  
139 and courses that are competency based as appropriate for the  
140 quality and success of the program.

141           (j) The university shall periodically expand its offering  
142 of online baccalaureate degree programs to meet student and  
143 market demands.

144           (k) The university shall establish a tuition structure for  
145 its online institute in accordance with this paragraph,

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146 notwithstanding any other provision of law.

147 1. For students classified as residents for tuition  
148 purposes, tuition for an online baccalaureate degree program  
149 shall be set at no more than 75 percent of the tuition rate as  
150 specified in the General Appropriations Act pursuant to s.  
151 1009.24(4) and 75 percent of the tuition differential pursuant  
152 to s. 1009.24(16). No distance learning fee, fee for campus  
153 facilities, or fee for on-campus services may be assessed,  
154 except that online students shall pay the university's  
155 technology fee, financial aid fee, and Capital Improvement Trust  
156 Fund fee. The revenues generated from the Capital Improvement  
157 Trust Fund fee shall be dedicated to the university's institute  
158 for online learning.

159 2. For students classified as nonresidents for tuition  
160 purposes, tuition may be set at market rates in accordance with  
161 the business plan.

162 3. Tuition for an online degree program shall include all  
163 costs associated with instruction, materials, and enrollment,  
164 excluding costs associated with the provision of textbooks  
165 pursuant to s. 1004.085 and physical laboratory supplies.

166 4. Subject to the limitations in subparagraph 1., tuition  
167 may be differentiated by degree program as appropriate to the  
168 instructional and other costs of the program in accordance with  
169 the business plan. Pricing must incorporate innovative  
170 approaches that incentivize persistence and completion,  
171 including, but not limited to, a fee for assessment, a bundled  
172 or all-inclusive rate, and sliding scale features.

173 5. The university must accept advance payment contracts and  
174 student financial aid.

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175           6. Fifty percent of the net revenues generated from the  
176 online institute of the university shall be used to enhance and  
177 enrich the online institute offerings, and 50 percent of the net  
178 revenues generated from the online institute shall be used to  
179 enhance and enrich the university's campus state-of-the-art  
180 research programs and facilities.

181           7. The institute may charge additional local user fees  
182 pursuant to s. 1009.24(14) upon the approval of the Board of  
183 Governors.

184           8. The institute shall submit a proposal to the president  
185 of the university authorizing additional user fees for the  
186 provision of voluntary student participation in activities and  
187 additional student services.

188           Section 2. Paragraphs (f) and (o) of subsection (1) and  
189 paragraph (a) of subsection (9) of section 1011.62, Florida  
190 Statutes, are amended to read:

191           1011.62 Funds for operation of schools.—If the annual  
192 allocation from the Florida Education Finance Program to each  
193 district for operation of schools is not determined in the  
194 annual appropriations act or the substantive bill implementing  
195 the annual appropriations act, it shall be determined as  
196 follows:

197           (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
198 OPERATION.—The following procedure shall be followed in  
199 determining the annual allocation to each district for  
200 operation:

201           (f) *Supplemental academic instruction; categorical fund.*—

202           1. There is created a categorical fund to provide  
203 supplemental academic instruction to students in kindergarten

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204 through grade 12. This paragraph may be cited as the  
205 "Supplemental Academic Instruction Categorical Fund."

206 2. Categorical funds for supplemental academic instruction  
207 shall be allocated annually to each school district in the  
208 amount provided in the General Appropriations Act. These funds  
209 shall be in addition to the funds appropriated on the basis of  
210 FTE student membership in the Florida Education Finance Program  
211 and shall be included in the total potential funds of each  
212 district. These funds shall be used to provide supplemental  
213 academic instruction to students enrolled in the K-12 program.  
214 For the 2014-2015, 2015-2016, 2016-2017, and 2017-2018 fiscal  
215 years ~~year~~, each school district that has one or more of the 300  
216 lowest-performing elementary schools based on the state reading  
217 assessment shall use these funds, together with the funds  
218 provided in the district's research-based reading instruction  
219 allocation and other available funds, to provide an additional  
220 hour of instruction beyond the normal school day for each day of  
221 the entire school year, and provide the equivalent hours of  
222 instruction in a summer program, for intensive reading  
223 instruction for the students in each of these schools. In the  
224 subsequent year, if a participating school is no longer  
225 classified as one of the 300 lowest-performing elementary  
226 schools, the school must continue to provide the additional hour  
227 of instruction to all students who have Level 1 or Level 2  
228 reading assessment scores. This additional hour of instruction  
229 must be provided by teachers or reading specialists who are  
230 effective in teaching reading or by a K-5 mentoring reading  
231 program that is supervised by a teacher who is effective at  
232 teaching reading. Students enrolled in these schools who have



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233 level 5 assessment scores may participate in the additional hour  
234 of instruction on an optional basis. Exceptional student  
235 education centers shall not be included in the 300 schools.  
236 After this requirement has been met, supplemental instruction  
237 strategies may include, but are not limited to: modified  
238 curriculum, reading instruction, after-school instruction,  
239 tutoring, mentoring, class size reduction, extended school year,  
240 intensive skills development in summer school, and other methods  
241 for improving student achievement. Supplemental instruction may  
242 be provided to a student in any manner and at any time during or  
243 beyond the regular 180-day term identified by the school as  
244 being the most effective and efficient way to best help that  
245 student progress from grade to grade and to graduate.

246 3. Effective with the 1999-2000 fiscal year, funding on the  
247 basis of FTE membership beyond the 180-day regular term shall be  
248 provided in the FEFP only for students enrolled in juvenile  
249 justice education programs or in education programs for  
250 juveniles placed in secure facilities or programs under s.  
251 985.19. Funding for instruction beyond the regular 180-day  
252 school year for all other K-12 students shall be provided  
253 through the supplemental academic instruction categorical fund  
254 and other state, federal, and local fund sources with ample  
255 flexibility for schools to provide supplemental instruction to  
256 assist students in progressing from grade to grade and  
257 graduating.

258 4. The Florida State University School, as a lab school, is  
259 authorized to expend from its FEFP or Lottery Enhancement Trust  
260 Fund allocation the cost to the student of remediation in  
261 reading, writing, or mathematics for any graduate who requires

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262 remediation at a postsecondary educational institution.

263 5. Beginning in the 1999-2000 school year, dropout  
264 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),  
265 (b), and (c), and 1003.54 shall be included in group 1 programs  
266 under subparagraph (d)3.

267 (o) *Calculation of additional full-time equivalent*  
268 *membership based on successful completion of a career-themed*  
269 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*  
270 *courses with embedded CAPE industry certifications or CAPE*  
271 *Digital Tool certificates, and issuance of industry*  
272 *certification identified on the CAPE Industry Certification*  
273 *Funding List pursuant to rules adopted by the State Board of*  
274 *Education or CAPE Digital Tool certificates pursuant to s.*  
275 *1003.4203.—*

276 1.a. A value of 0.025 full-time equivalent student  
277 membership shall be calculated for CAPE Digital Tool  
278 certificates earned by students in elementary and middle school  
279 grades.

280 b. A value of 0.1 or 0.2 full-time equivalent student  
281 membership shall be calculated for each student who completes a  
282 course as defined in s. 1003.493(1)(b) or courses with embedded  
283 CAPE industry certifications and who is issued an industry  
284 certification identified annually on the CAPE Industry  
285 Certification Funding List approved under rules adopted by the  
286 State Board of Education. A value of 0.2 full-time equivalent  
287 membership shall be calculated for each student who is issued a  
288 CAPE industry certification that has a statewide articulation  
289 agreement for college credit approved by the State Board of  
290 Education. For CAPE industry certifications that do not

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291 articulate for college credit, the Department of Education shall  
292 assign a full-time equivalent value of 0.1 for each  
293 certification. Middle grades students who earn additional FTE  
294 membership for a CAPE Digital Tool certificate pursuant to sub-  
295 subparagraph a. may not use the previously funded examination to  
296 satisfy the requirements for earning an industry certification  
297 under this sub-subparagraph. Additional FTE membership for an  
298 elementary or middle grades student shall not exceed 0.1 for  
299 certificates or certifications earned within the same fiscal  
300 year. The State Board of Education shall include the assigned  
301 values on the CAPE Industry Certification Funding List under  
302 rules adopted by the state board. Such value shall be added to  
303 the total full-time equivalent student membership for grades 6  
304 through 12 in the subsequent year for courses that were not  
305 provided through dual enrollment. CAPE industry certifications  
306 earned through dual enrollment must be reported and funded  
307 pursuant to s. 1011.80.

308 c. A value of 0.3 full-time equivalent student membership  
309 shall be calculated for student completion of the courses and  
310 the embedded certifications identified on the CAPE Industry  
311 Certification Funding List and approved by the commissioner  
312 pursuant to ss. 1003.4203(5) (a) and 1008.44.

313 d. A value of 0.5 full-time equivalent student membership  
314 shall be calculated for CAPE Acceleration Industry  
315 Certifications that articulate for 15 to 29 college credit  
316 hours, and 1.0 full-time equivalent student membership shall be  
317 calculated for CAPE Acceleration Industry Certifications that  
318 articulate for 30 or more college credit hours pursuant to CAPE  
319 Acceleration Industry Certifications approved by the

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320 commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

321 2. Each district must allocate at least 80 percent of the  
322 funds provided for CAPE industry certification, in accordance  
323 with this paragraph, to the program that generated the funds.  
324 This allocation may not be used to supplant funds provided for  
325 basic operation of the program.

326 3. For CAPE industry certifications earned in the 2013-2014  
327 school year and in subsequent years, the school district shall  
328 distribute to each classroom teacher who provided direct  
329 instruction toward the attainment of a CAPE industry  
330 certification that qualified for additional full-time equivalent  
331 membership under subparagraph 1.:

332 a. A bonus in the amount of \$25 for each student taught by  
333 a teacher who provided instruction in a course that led to the  
334 attainment of a CAPE industry certification on the CAPE Industry  
335 Certification Funding List with a weight of 0.1.

336 b. A bonus in the amount of \$50 for each student taught by  
337 a teacher who provided instruction in a course that led to the  
338 attainment of a CAPE industry certification on the CAPE Industry  
339 Certification Funding List with a weight of 0.2, ~~0.3, 0.5, and~~  
340 ~~1.0~~.

341 c. A bonus in the amount of \$75 for each student taught by  
342 a teacher who provided instruction in a course that led to the  
343 attainment of a CAPE industry certification on the CAPE Industry  
344 Certification Funding List with a weight of 0.3.

345 d. A bonus in the amount of \$100 for each student taught by  
346 a teacher who provided instruction in a course that led to the  
347 attainment of a CAPE industry certification on the CAPE Industry  
348 Certification Funding List with a weight of 0.5 or 1.0.

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349  
350 Bonuses awarded pursuant to this paragraph shall be provided to  
351 teachers who are employed by the district in the year in which  
352 the additional FTE membership calculation is included in the  
353 calculation. Bonuses shall be calculated based upon the  
354 associated weight of a CAPE industry certification on the CAPE  
355 Industry Certification Funding List for the year in which the  
356 certification is earned by the student. Any bonus awarded to a  
357 teacher under sub-subparagraph 3.a. or sub-subparagraph 3.b.  
358 ~~this paragraph~~ may not exceed \$2,000 in any given school year,  
359 and a bonus awarded to a teacher under sub-subparagraph 3.c. or  
360 sub-subparagraph 3.d. may not exceed \$4,000 in a given school  
361 year. The maximum bonus that may be awarded to a teacher under  
362 this paragraph is \$4,000. This bonus ~~and~~ is in addition to any  
363 regular wage or other bonus the teacher received or is scheduled  
364 to receive.

365 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

366 (a) The research-based reading instruction allocation is  
367 created to provide comprehensive reading instruction to students  
368 in kindergarten through grade 12. For the 2014-2015, 2015-2016,  
369 2016-2017, and 2017-2018 fiscal years ~~year~~, in each school  
370 district that has one or more of the 300 lowest-performing  
371 elementary schools based on the state reading assessment,  
372 priority shall be given to providing an additional hour per day  
373 of intensive reading instruction beyond the normal school day  
374 for each day of the entire school year, or provide the  
375 equivalent hours of instruction in a summer program, for the  
376 students in each school. In the subsequent year, if a  
377 participating school is no longer classified as one of the 300

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378 lowest-performing elementary schools, the school must continue  
379 to provide the additional hour of instruction to all students  
380 who have Level 1 or Level 2 reading assessment scores. Students  
381 enrolled in these schools who have level 5 assessment scores may  
382 participate in the additional hour of instruction on an optional  
383 basis. Exceptional student education centers shall not be  
384 included in the 300 schools. The intensive reading instruction  
385 delivered in this additional hour and for other students shall  
386 include: research-based reading instruction that has been proven  
387 to accelerate progress of students exhibiting a reading  
388 deficiency; differentiated instruction based on student  
389 assessment data to meet students' specific reading needs;  
390 explicit and systematic reading development in phonemic  
391 awareness, phonics, fluency, vocabulary, and comprehension, with  
392 more extensive opportunities for guided practice, error  
393 correction, and feedback; and the integration of social studies,  
394 science, and mathematics-text reading, text discussion, and  
395 writing in response to reading. ~~For the 2012-2013 and 2013-2014~~  
396 ~~fiscal years, a school district may not hire more reading~~  
397 ~~coaches than were hired during the 2011-2012 fiscal year unless~~  
398 ~~all students in kindergarten through grade 5 who demonstrate a~~  
399 ~~reading deficiency, as determined by district and state~~  
400 ~~assessments, including students scoring Level 1 or Level 2 on~~  
401 ~~the statewide, standardized reading assessment or, upon~~  
402 ~~implementation, the English Language Arts assessment, are~~  
403 ~~provided an additional hour per day of intensive reading~~  
404 ~~instruction beyond the normal school day for each day of the~~  
405 ~~entire school year.~~

406 Section 3. (1) State performance funds for the State

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407 University System shall be based on indicators of institutional  
408 attainment of performance metrics adopted by the Board of  
409 Governors. The performance-based funding metrics include, but  
410 are not limited to, metrics that measure graduation and  
411 retention rates; degree production; affordability;  
412 postgraduation employment, salaries, or further education;  
413 student loan default rates; access; and any other metrics  
414 approved by the board.

415 (2) The Board of Governors shall evaluate the institutions'  
416 performance on the metrics based on benchmarks adopted by the  
417 board which measure the achievement of institutional excellence  
418 or improvement. Each fiscal year, the amount of funds available  
419 for allocation to the institutions based upon the performance  
420 funding model consists of new funding, plus an amount of funds  
421 to be redistributed from the base funding for the State  
422 University System, as determined in the General Appropriations  
423 Act. Base funding shall be restored for all institutions  
424 eligible for new funding under the performance funding model.  
425 Any institution that fails to meet the board's minimum  
426 performance funding threshold will have a portion of its base  
427 funding withheld and must submit an improvement plan to the  
428 board that specifies the activities and strategies for improving  
429 the institution's performance.

430 (3) The Board of Governors must review the improvement  
431 plan, and if it approves the plan, monitor the institution's  
432 progress on implementing the activities and strategies.

433 (4) The Chancellor of the State University System shall  
434 withhold disbursement of the base funds until such time as the  
435 monitoring report for the institution is approved by the Board

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436 of Governors. Any institution that fails to make satisfactory  
437 progress will not have its full base funding restored. If all  
438 funds are not restored, any remaining funds shall be  
439 redistributed in accordance with the board's performance funding  
440 model.

441 (5) By October 1 of each year, the Board of Governors shall  
442 submit to the Governor, the President of the Senate, and the  
443 Speaker of the House of Representatives a report on the previous  
444 year's performance funding allocation which reflects the  
445 rankings and award distributions.

446 (6) The Board of Governors shall adopt a regulation to  
447 implement this section.

448 Section 4. (1) State performance funds for the Florida  
449 College System shall be based on indicators of institutional  
450 attainment of performance metrics adopted by the State Board of  
451 Education. The performance-based funding metrics include, but  
452 are not limited to, metrics that measure retention; program  
453 completion and graduation rates; student loan default rates; job  
454 placement; post-graduation employment, salaries, or further  
455 education; and any other metrics approved by the board.

456 (2) The State Board of Education shall evaluate the  
457 institutions' performance on the metrics based on benchmarks  
458 adopted by the board which measure the achievement of  
459 institutional excellence or improvement. Each fiscal year, the  
460 amount of funds available for allocation to the institutions  
461 based upon the performance funding model consists of new funding  
462 plus an amount of funds to be redistributed from the base  
463 funding for the Florida College System Program Fund, as  
464 determined in the General Appropriations Act. Funding shall be



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465 restored for all institutions eligible for new funding under the  
466 performance funding model. Any institution that fails to meet  
467 the board's minimum performance funding threshold will have a  
468 portion of its base funding withheld and must submit an  
469 improvement plan to the board that specifies the activities and  
470 strategies for improving the institution's performance.

471 (3) The State Board of Education must review the  
472 improvement plan, and if it approves the plan, monitor the  
473 institution's progress on implementing the specified activities  
474 and strategies.

475 (4) The Commissioner of Education shall withhold  
476 disbursement of the base funds until such time as the monitoring  
477 report for the institution is approved by the State Board of  
478 Education. Any institution that fails to make satisfactory  
479 progress will not have its full base funding restored. If all  
480 funds are not restored, any remaining funds shall be  
481 redistributed in accordance with the board's performance funding  
482 model.

483 (5) By October 1 of each year, the State Board of Education  
484 shall submit to the Governor, the President of the Senate, and  
485 the Speaker of the House of Representatives a report on the  
486 previous year's performance funding allocation which reflects  
487 the rankings and award distributions.

488 (6) The State Board of Education shall adopt rules to  
489 implement this section.

490 Section 5. This act shall take effect July 1, 2015.