

1 A bill to be entitled
2 An act relating to school administration; amending s.
3 984.151, F.S.; conforming a cross-reference; amending
4 s. 1001.41, F.S.; requiring district school boards to
5 adopt a strategic plan; amending s. 1001.42, F.S.;
6 providing for certain standards for administrative
7 personnel and school officers; authorizing additional
8 internal audits as directed by the district school
9 board; revising the early warning system for certain
10 students; amending s. 1002.205, F.S.; requiring the
11 Department of Education to annually provide notice of
12 certain requirements and statutes; amending s.
13 1003.01, F.S.; revising and adding definitions;
14 amending s. 1003.02, F.S.; conforming a cross-
15 reference; amending s. 1003.23, F.S.; requiring
16 certain public school personnel and private schools to
17 maintain certain attendance records; amending s.
18 1003.24, F.S.; deleting a provision providing that the
19 absence of a student from school is prima facie
20 evidence for certain violations; amending s. 1003.26,
21 F.S.; revising provisions relating district
22 responsibilities to the enforcement of school
23 attendance and nonattendance policies; amending s.
24 1003.27, F.S.; revising provisions for court
25 procedures and penalties relating to compulsory school
26 attendance; amending s. 1003.435, F.S.; revising the

27 | allowable age for candidates for a high school
28 | equivalency diploma; deleting an exception; amending
29 | s. 1003.57, F.S.; revising definitions; revising the
30 | requirements for certain notices to parents of
31 | exceptional students; amending s. 1003.5715, F.S.;
32 | making technical changes; amending s. 1006.09, F.S.;
33 | requiring the department to periodically review the
34 | collection and classification of school incidents with
35 | stakeholders; amending s. 1006.283, F.S.; requiring
36 | school districts to notify parents of their ability to
37 | access homework assignments through a certain system;
38 | amending s. 1008.212; authorizing rather than
39 | requiring extraordinary exemptions be given to
40 | students; amending s. 1002.20, F.S.; providing parents
41 | and students the right to access student education
42 | records; amending s. 1006.147, F.S.; requiring school
43 | districts to revise bullying and harassment policies
44 | within a specified timeframe; deleting provisions
45 | relating to safe schools funds and reporting
46 | requirements; amending s. 1011.62, F.S.; creating a
47 | safe schools allocation to provide funding to school
48 | districts for certain safe schools activities;
49 | amending s. 1012.23, F.S.; revising school district
50 | personnel policies relating to principals and
51 | employees of the district school board; amending s.
52 | 1012.42, F.S.; providing that a parent of a student in

53 certain classes may request his or her student be
54 transferred to a classroom with an in-field teacher;
55 requiring the school to respond to a parent's request
56 within a specified timeframe and provide the parent
57 with certain notifications; creating s. 1012.562;
58 requiring the State Board of Education to maintain a
59 system for development and approval of school leader
60 preparation programs; authorizing the department to
61 establish a process and criteria for initial and
62 continued approval of Level I and Level II programs;
63 providing criteria for initial and continued approval;
64 providing responsibilities of programs; providing for
65 rulemaking; amending s. 1012.795, F.S.; revising
66 causes for suspension of educator certificates;
67 amending s. 1012.98, F.S.; requiring a school
68 district's professional development system to provide
69 access to suicide prevention educational resources;
70 amending s. 1012.986, F.S.; establishing an additional
71 goal for the William Cecil Golden Professional
72 Development Program for School Leaders; requiring
73 training to be provided through school leader
74 preparation programs; amending s. 112.3144, F.S.;
75 revising provisions for the notification of unpaid
76 automatic fines for certain disclosure failures;
77 providing an effective date.

78

79 Be It Enacted by the Legislature of the State of Florida:

80

81 Section 1. Subsection (1) of section 984.151, Florida
82 Statutes, is amended to read:

83 984.151 Truancy petition; prosecution; disposition.—

84 (1) If the school determines that a student subject to
85 compulsory school attendance has had at least five unexcused
86 absences, or absences for which the reasons are unknown, within
87 a calendar month or 10 unexcused absences, or absences for which
88 the reasons are unknown, within a 90-calendar-day period
89 pursuant to s. 1003.26(2)(a)2. ~~1003.26(1)(b)~~, or has had more
90 than 15 unexcused absences in a 90-calendar-day period, the
91 superintendent of schools or his or her designee may file a
92 truancy petition.

93 Section 2. Subsection (8) is added to section 1001.41,
94 Florida Statutes, to read:

95 1001.41 General powers of district school board.—The
96 district school board, after considering recommendations
97 submitted by the district school superintendent, shall exercise
98 the following general powers:

99 (8) Adopt a strategic plan that aligns financial resources
100 and academic performance with the school board's mission and
101 long-term goals.

102 Section 3. Subsection (6), paragraph (1) of subsection
103 (12), and paragraphs (a) and (b) of subsection (18) of section
104 1001.42, Florida Statutes, are amended to read:

105 1001.42 Powers and duties of district school board.—The
 106 district school board, acting as a board, shall exercise all
 107 powers and perform all duties listed below:

108 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL
 109 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS
 110 ADMINISTRATORS.—Adopt policies establishing standards of ethical
 111 conduct for instructional personnel, administrative personnel,
 112 and school officers administrators. The policies must require
 113 all instructional personnel, administrative personnel, and
 114 school officers administrators, as defined in s. 1012.01, to
 115 complete training on the standards; establish the duty of
 116 instructional personnel, administrative personnel, and school
 117 officers administrators to report, and procedures for reporting,
 118 alleged misconduct by other instructional or administrative
 119 personnel and school officers ~~school administrators~~ which
 120 affects the health, safety, or welfare of a student; and include
 121 an explanation of the liability protections provided under ss.
 122 39.203 and 768.095. A district school board, or any of its
 123 employees, may not enter into a confidentiality agreement
 124 regarding terminated or dismissed instructional or
 125 administrative personnel or school officers administrators, ~~or~~
 126 ~~personnel or administrators~~ who resign in lieu of termination,
 127 based in whole or in part on misconduct that affects the health,
 128 safety, or welfare of a student, and may not provide
 129 instructional personnel, administrative personnel, or school
 130 officers administrators with employment references or discuss

131 the personnel's or officers' ~~administrators'~~ performance with
 132 prospective employers in another educational setting, without
 133 disclosing the personnel's or officers' ~~administrators'~~
 134 misconduct. Any part of an agreement or contract that has the
 135 purpose or effect of concealing misconduct by instructional
 136 personnel, administrative personnel, or school officers
 137 ~~administrators~~ which affects the health, safety, or welfare of a
 138 student is void, is contrary to public policy, and may not be
 139 enforced.

140 (12) FINANCE.—Take steps to assure students adequate
 141 educational facilities through the financial procedure
 142 authorized in chapters 1010 and 1011 and as prescribed below:

143 (1) Internal auditor.—May employ an internal auditor to
 144 perform ongoing financial verification of the financial records
 145 of the school district and such other audits and reviews as the
 146 district school board directs for the purpose of determining the
 147 adequacy of internal controls designed to prevent and detect
 148 fraud, waste, and abuse; compliance with applicable laws, rules,
 149 contracts, grant agreements, school board-approved policies, and
 150 best practices; the efficiency of operations; the reliability of
 151 financial records and reports; and the safeguarding of assets.
 152 The internal auditor shall report directly to the district
 153 school board or its designee.

154 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 155 Maintain a system of school improvement and education
 156 accountability as provided by statute and State Board of

157 Education rule. This system of school improvement and education
158 accountability shall be consistent with, and implemented
159 through, the district's continuing system of planning and
160 budgeting required by this section and ss. 1008.385, 1010.01,
161 and 1011.01. This system of school improvement and education
162 accountability shall comply with the provisions of ss. 1008.33,
163 1008.34, 1008.345, and 1008.385 and include the following:

164 (a) School improvement plans.—

165 1. The district school board shall annually approve and require
166 implementation of a new, amended, or continuation school
167 improvement plan for each school in the district. If a school
168 has a significant gap in achievement on statewide, standardized
169 assessments administered pursuant to s. 1008.22 by one or more
170 student subgroups, as defined in the federal Elementary and
171 Secondary Education Act (ESEA), 20 U.S.C. s.
172 6311(b)(2)(C)(v)(II); has not significantly increased the
173 percentage of students passing statewide, standardized
174 assessments; has not significantly increased the percentage of
175 students demonstrating Learning Gains, as defined in s. 1008.34
176 and as calculated under s. 1008.34(3)(b), who passed statewide,
177 standardized assessments; or has significantly lower graduation
178 rates for a subgroup when compared to the state's graduation
179 rate, that school's improvement plan shall include strategies
180 for improving these results. The state board shall adopt rules
181 establishing thresholds and for determining compliance with this
182 subparagraph.

183 2. A school that includes any of grades 6, 7, or 8 shall
184 include annually in its school improvement plan information and
185 data on the school's early warning system required under
186 paragraph (b), including a list of the early warning indicators
187 used in the system, the number of students identified by the
188 system as exhibiting two or more early warning indicators, the
189 number of students by grade level that exhibit each early
190 warning indicator, and a description of all intervention
191 strategies employed by the school to improve the academic
192 performance of students identified by the early warning system.
193 In addition, a school that includes any of grades 6, 7, or 8
194 shall describe in its school improvement plan the strategies
195 used by the school to implement and evaluate the instructional
196 practices for middle grades emphasized by the district's
197 professional development system pursuant to s. 1012.98(4)(b)9.

198 (b) Early warning system.—

199 1. A school that includes any of grades 6, 7, or 8 shall
200 implement an early warning system to identify students in grades
201 6, 7, and 8 who need additional support to improve academic
202 performance and stay engaged in school. The early warning system
203 must include the following early warning indicators:

204 a. Attendance below 90 percent, regardless of whether
205 absence is excused or a result of out-of-school suspension.

206 b. One or more suspensions, whether in school or out of
207 school.

208 c. Course failure in English Language Arts or mathematics.

209 d. A Level 1 score on the statewide, standardized
 210 assessments in English Language Arts or mathematics.

211
 212 A school district may identify additional early warning
 213 indicators for use in a school's early warning system.

214 2. A school-based team responsible for implementing the
 215 requirements of this paragraph shall monitor the data from the
 216 early warning system in subparagraph (a)2. When a student
 217 exhibits two or more early warning indicators, the team must ~~the~~
 218 ~~school's child study team under s. 1003.02 or a school-based~~
 219 ~~team formed for the purpose of implementing the requirements of~~
 220 ~~this paragraph shall~~ convene to determine appropriate
 221 intervention strategies for the student unless the student is
 222 already being served by an intervention program. The school
 223 shall provide at least 10 days' written notice of the meeting to
 224 the student's parent, indicating the meeting's purpose, time,
 225 and location, and provide the parent the opportunity to
 226 participate. Data and information relating to the indicators
 227 must be used to inform any intervention strategies provided to a
 228 student identified under this paragraph.

229 Section 4. Section 1002.205, Florida Statutes, is amended
 230 to read:

231 1002.205 Guidelines on religious expression;
 232 distribution.—The Department of Education shall each year
 233 distribute for informational purposes to all district school
 234 board members, district school superintendents, school

235 principals, and teachers the entire guidelines on "Religious
236 Expression in Public Schools" published by the United States
237 Department of Education, as updated from time to time, and
238 provide notice of the requirements of the Religious Freedom
239 Restoration Act of 1998 and s. 1003.4505, relating to protection
240 of school speech.

241 Section 5. Subsection (13) of section 1003.01, Florida
242 Statutes, is amended, and subsection (17) is added to that
243 section, to read:

244 1003.01 Definitions.—As used in this chapter, the term:

245 (13) "Regular school attendance" means the actual
246 attendance of a student during the school day as defined by law
247 and rules of the State Board of Education. Regular attendance
248 within the intent of s. 1003.21 may be achieved by attendance
249 in:

250 (a) A public school supported by public funds;

251 ~~(b) A parochial, religious, or denominational school;~~

252 (b)(e) A private school, including a parochial, religious,
253 or denominational school supported in whole or in part by
254 tuition charges or by endowments or gifts;

255 (c)(d) A home education program that meets the
256 requirements of chapter 1002; or

257 (d)(e) A private tutoring program that meets the
258 requirements of chapter 1002.

259 (17) "Chronic absenteeism" means a student who has been
260 absent from school for ten percent or more of a school year for

261 any reason.

262 Section 6. Paragraph (b) of subsection (1) of section
263 1003.02, Florida Statutes, is amended to read:

264 1003.02 District school board operation and control of
265 public K-12 education within the school district.—As provided in
266 part II of chapter 1001, district school boards are
267 constitutionally and statutorily charged with the operation and
268 control of public K-12 education within their school district.
269 The district school boards must establish, organize, and operate
270 their public K-12 schools and educational programs, employees,
271 and facilities. Their responsibilities include staff
272 development, public K-12 school student education including
273 education for exceptional students and students in juvenile
274 justice programs, special programs, adult education programs,
275 and career education programs. Additionally, district school
276 boards must:

277 (1) Provide for the proper accounting for all students of
278 school age, for the attendance and control of students at
279 school, and for proper attention to health, safety, and other
280 matters relating to the welfare of students in the following
281 areas:

282 (b) Enforcement of attendance laws.—Provide for the
283 enforcement of all laws and rules relating to the attendance of
284 students at school. District school boards are authorized to
285 establish policies that allow accumulated unexcused tardies,
286 regardless of when they occur during the school day, and early

287 | departures from school to be recorded as unexcused absences.
 288 | District school boards are also authorized to establish policies
 289 | that require referral to a school's child study team for
 290 | students who have fewer absences than the number required by s.
 291 | 1003.26(2)(a)2. ~~1003.26(1)(b).~~

292 | Section 7. Section 1003.23, Florida Statutes, is amended
 293 | to read:

294 | 1003.23 Attendance records and reports.—

295 | (1) PUBLIC SCHOOLS.—

296 | (a) The attendance of all public K-12 school students
 297 | shall be checked each school day in the manner prescribed by
 298 | rules of the State Board of Education and recorded in the
 299 | teacher's register or by some approved system of recording
 300 | attendance. Students may be counted in attendance only if they
 301 | are ~~actually~~ present at school or are away from school on a
 302 | school day and are engaged in an educational activity which
 303 | constitutes a part of the school-approved instructional program
 304 | for the student.

305 | (b) Instructional personnel and administrative personnel
 306 | in a public school shall keep all records and shall prepare and
 307 | submit promptly all reports that may be required by law and by
 308 | rules of the State Board of Education and district school
 309 | boards. Such records shall include a register of enrollment and
 310 | attendance that shows each student's enrollment and records his
 311 | or her absence or attendance for each school day of the school
 312 | year. The register shall be open for inspection by a designated

313 school representative or the district school superintendent.
314 (2) PRIVATE SCHOOLS.~~Each All officials, teachers, and~~
315 ~~other employees in public, parochial, religious, denominational,~~
316 ~~and private school as defined in s. 1002.01 K-12 schools,~~
317 ~~including private tutors,~~ shall record each student's attendance
318 or absence for each school day of the school year in ~~keep all~~
319 ~~records and shall prepare and submit promptly all reports that~~
320 ~~may be required by law and by rules of the State Board of~~
321 ~~Education and district school boards. Such records shall include~~
322 ~~a register of enrollment and attendance~~ that documents the
323 student's attendance in the school and compliance with its
324 attendance policy ~~and all persons described above shall make~~
325 ~~these reports therefrom as may be required by the State Board of~~
326 ~~Education. The enrollment register shall show the absence or~~
327 ~~attendance of each student enrolled for each school day of the~~
328 ~~year in a manner prescribed by the State Board of Education.~~
329 Students may be counted in attendance only if they are engaged
330 in an educational activity that constitutes a part of the
331 instructional services provided by the school. The register
332 shall be open for ~~the~~ inspection by a ~~the~~ designated private
333 school representative or the district school superintendent of
334 the district in which the private school is located, or his or
335 her designee, for the purpose of confirming that a student is in
336 attendance at the school and in compliance with the private
337 school's attendance policy.
338 (3) Violation of the provisions of this section shall be a

339 misdemeanor of the second degree, punishable as provided by law.

340 (4) This section shall not apply to home education
341 programs provided in s. 1002.41.

342 Section 8. Section 1003.24, Florida Statutes, is amended
343 to read:

344 1003.24 Parents responsible for attendance of children;
345 attendance policy.—Each parent of a child within the compulsory
346 attendance age is responsible for the child's school attendance
347 as required by law. ~~The absence of a student from school is~~
348 ~~prima facie evidence of a violation of this section; however,~~
349 Criminal prosecution under this chapter may not be brought
350 against a parent until the provisions of s. 1003.26 have been
351 complied with. A parent of a student is not responsible for the
352 student's nonattendance at school under any of the following
353 conditions:

354 (1) WITH PERMISSION.—The absence was with permission of
355 the head of the school;

356 (2) WITHOUT KNOWLEDGE.—The absence was without the
357 parent's knowledge, consent, or connivance, in which case the
358 student shall be dealt with as a dependent child;

359 (3) FINANCIAL INABILITY.—The parent was unable financially
360 to provide necessary clothes for the student, which inability
361 was reported in writing to the superintendent prior to the
362 opening of school or immediately after the beginning of such
363 inability, provided that the validity of any claim for exemption
364 under this subsection shall be determined by the district school

365 superintendent subject to appeal to the district school board;

366 or

367 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—

368 Attendance was impracticable or inadvisable on account of
369 sickness or injury, attested to by a written statement of a
370 licensed practicing physician, or was impracticable because of
371 some other stated insurmountable condition as defined by rules
372 of the State Board of Education. If a student is continually
373 sick and repeatedly absent from school, he or she must be under
374 the supervision of a physician in order to receive an excuse
375 from attendance. Such excuse provides that a student's condition
376 justifies absence for more than the number of days permitted by
377 the district school board.

378

379 Each district school board shall establish an attendance policy
380 that includes, but is not limited to, the required number of
381 days each school year that a student must be in attendance and
382 the number of absences and tardinesses after which a statement
383 explaining such absences and tardinesses must be on file at the
384 school. Each school in the district must determine if an absence
385 or tardiness is excused or unexcused according to criteria
386 established by the district school board.

387 Section 9. Section 1003.26, Florida Statutes, is amended
388 to read:

389 1003.26 Enforcement of school attendance.—The Legislature
390 finds that poor academic performance is associated with

391 nonattendance and that school districts must take an active role
392 in promoting and enforcing attendance as a means of improving
393 student performance. Early intervention in school attendance is
394 the most effective way of producing good attendance habits that
395 will lead to improved student learning and achievement.

396 (1) DISTRICT RESPONSIBILITIES.~~Each~~ ~~It is the policy of~~
397 ~~the state that each~~ district school superintendent is ~~be~~
398 responsible for enforcing school attendance of all students
399 subject to the compulsory school age in the school district and
400 supporting enforcement of school attendance by local law
401 enforcement agencies. The responsibility includes recommending
402 policies and procedures to the district school board that
403 require public schools to respond in a timely manner to every
404 unexcused absence, ~~and every absence for which the reason is~~
405 ~~unknown,~~ of students enrolled in the schools and when the
406 student is at risk of chronic absenteeism. District school board
407 policies shall require:

408 (a) The parent of a student to justify each absence of the
409 student, and that justification will be evaluated based on
410 adopted district school board policies that define excused and
411 unexcused absences. ~~The policies must~~

412 (b) Early intervention for students at risk of becoming
413 chronically absent based upon prior attendance data.

414 (c) ~~provide that~~ Public schools to track excused and
415 unexcused absences and contact the parent ~~home~~ in the case of an
416 unexcused absence from school, ~~or an absence from school for~~

417 ~~which the reason is unknown,~~ to prevent the development of
418 patterns of nonattendance. ~~The Legislature finds that early~~
419 ~~intervention in school attendance is the most effective way of~~
420 ~~producing good attendance habits that will lead to improved~~
421 ~~student learning and achievement.~~

422 (2) NONATTENDANCE AND NONENROLLMENT.—Each public school
423 shall implement the following steps to promote and enforce
424 regular school attendance:

425 (a) (1) CONTACT, REFER, AND ENFORCE.—

426 1. (a) Upon each unexcused absence, ~~or absence for which~~
427 ~~the reason is unknown,~~ the school principal or his or her
428 designee shall contact the student's parent to determine the
429 reason for the absence. If the absence is an excused absence, as
430 defined by district school board policy, the school shall
431 provide opportunities for the student to make up assigned work
432 and not receive an academic penalty unless the work is not made
433 up within a reasonable time.

434 2. (b) If a student has had at least five unexcused
435 absences, ~~or absences for which the reasons are unknown,~~ within
436 a calendar month or 10 ~~unexcused~~ absences, for any reason ~~or~~
437 ~~absences for which the reasons are unknown,~~ within a 90-
438 calendar-day period, the student's primary teacher shall report
439 to the school principal or his or her designee that the student
440 may be exhibiting a pattern of nonattendance. The principal
441 shall, unless there is clear evidence that the absences are not
442 a pattern of nonattendance, refer the case to the school's

443 attendance ~~child study~~ team to determine if early patterns of
444 chronic absenteeism ~~truancy~~ are developing and impacting the
445 student's academic performance. If the attendance ~~child study~~
446 team finds that a pattern of nonattendance is developing,
447 ~~whether the absences are excused or not,~~ a meeting with the
448 parent must be scheduled to identify and address the causes of
449 nonattendance. ~~potential remedies,~~ and The principal shall
450 notify the district school superintendent and the school
451 district contact for home education programs that the referred
452 student is exhibiting a pattern of nonattendance.

453 3.(e) If an initial meeting does not resolve the problem,
454 the attendance ~~child study~~ team shall ~~implement the following~~:

455 a.1. Make frequent attempts to ~~at~~ communicate with
456 ~~communication between the teacher and the family.~~

457 b.2. Evaluate the need ~~Evaluation~~ for alternative
458 education programs.

459 c.3. Attempt to enter into an attendance contract
460 ~~contracts.~~

461 d. Notify parents of the services available for parents
462 and children pursuant to s. 1002.23(2) (b).

463 e. Evaluate whether referral to other agencies for family
464 services is warranted.

465
466 The attendance ~~child study~~ team may, but is not required to,
467 implement other interventions, including a ~~referral to other~~
468 ~~agencies for family services or~~ recommendation for filing a

469 truancy petition pursuant to s. 984.151.

470 4.(d) The attendance ~~child study~~ team shall be diligent in
471 facilitating intervention services and shall report the case to
472 the district school superintendent only when all reasonable
473 efforts to resolve the nonattendance behavior are exhausted.

474 5.(e) If the parent refuses to participate in the remedial
475 strategies because he or she believes that those strategies are
476 unnecessary or inappropriate, the parent may appeal to the
477 district school board. The district school board may provide a
478 hearing officer, and the hearing officer shall make a
479 recommendation for final action to the district school board. If
480 the district school board's final determination is that the
481 strategies of the attendance ~~child study~~ team are appropriate,
482 and the parent still refuses to participate or cooperate, the
483 district school superintendent may seek criminal prosecution for
484 noncompliance with compulsory school attendance.

485 6.a.(f)1. If the parent of a child who has been identified
486 as exhibiting a pattern of nonattendance enrolls the child in a
487 home education program pursuant to chapter 1002, the district
488 school superintendent shall provide the parent a copy of s.
489 1002.41 and the accountability requirements of this paragraph.
490 The district school superintendent shall also refer the parent
491 to a home education review committee composed of the district
492 contact for home education programs and at least two home
493 educators selected by the parent from a district list of all
494 home educators who have conducted a home education program for

495 at least 3 years and who have indicated a willingness to serve
496 on the committee. The home education review committee shall
497 review the portfolio of the student, as defined by s. 1002.41,
498 every 30 days during the district's regular school terms until
499 the committee is satisfied that the home education program is in
500 compliance with s. 1002.41(1)(b). The first portfolio review
501 must occur within the first 30 calendar days of the
502 establishment of the program. The provisions of sub-subparagraph
503 b. ~~subparagraph 2.~~ do not apply once the committee determines
504 the home education program is in compliance with s.
505 1002.41(1)(b).

506 b.2. If the parent fails to provide a portfolio to the
507 committee, the committee shall notify the district school
508 superintendent. The district school superintendent shall then
509 terminate the home education program and require the parent to
510 enroll the child in an attendance option that meets the
511 definition of "regular school attendance" under s.
512 1003.01(13)(a), (b), ~~(c)~~, or (d) ~~(e)~~, within 3 days. Upon
513 termination of a home education program pursuant to this
514 subparagraph, the parent shall not be eligible to reenroll the
515 child in a home education program for 180 calendar days. Failure
516 of a parent to enroll the child in an attendance option as
517 required by this subparagraph after termination of the home
518 education program pursuant to this subparagraph shall constitute
519 noncompliance with the compulsory attendance requirements of s.
520 1003.21 and may result in criminal prosecution under s.

521 1003.27(2). Nothing contained herein shall restrict the ability
522 of the district school superintendent, or the ability of his or
523 her designee, to review the portfolio pursuant to s.

524 1002.41(1)(b).

525 7.~~(g)~~ If a student subject to compulsory school attendance
526 will not comply with attempts to enforce school attendance, the
527 parent or the district school superintendent or his or her
528 designee shall refer the case to the case staffing committee
529 pursuant to s. 984.12, and the district school superintendent or
530 his or her designee may file a truancy petition pursuant to the
531 procedures in s. 984.151.

532 8. If the activities required under this subsection do not
533 remedy the student's nonattendance, the district school
534 superintendent or his or her designee shall give written notice
535 in person or by return-receipt mail to the parent that criminal
536 prosecution is being sought for nonattendance. The district
537 school superintendent may file a truancy petition as defined in
538 s. 984.03 following the procedures outlined in s. 984.151.

539 ~~(b)(2) GIVE WRITTEN NOTICE.~~

540 ~~(a)~~ When a student subject to compulsory school attendance
541 is not enrolled in any educational option that meets the
542 definition of regular school attendance under s. 1003.01(13),
543 ~~Under the direction of~~ the district school superintendent, or
544 his or her designee, a designated school representative shall
545 give written notice in person or by return-receipt mail to the
546 student's parent that requires the student's enrollment in an

547 attendance option defined under s. 1003.01(13) ~~or attendance~~
548 within 3 days after the receipt date of notice, ~~in person or by~~
549 ~~return receipt mail, to the parent when no valid reason is found~~
550 ~~for a student's nonenrollment in school.~~ If the notice and
551 requirement are ignored, ~~the designated school representative~~
552 ~~shall report the case to the district school superintendent, or~~
553 his or her designee shall ~~and may~~ refer the case to the case
554 staffing committee under, ~~established pursuant to s. 984.12.~~ The
555 ~~district school superintendent~~ and may shall take such steps as
556 are necessary to bring criminal prosecution against the parent.

557 ~~(b) Subsequent to the activities required under subsection~~
558 ~~(1), the district school superintendent or his or her designee~~
559 ~~shall give written notice in person or by return receipt mail to~~
560 ~~the parent that criminal prosecution is being sought for~~
561 ~~nonattendance. The district school superintendent may file a~~
562 ~~truancy petition, as defined in s. 984.03, following the~~
563 ~~procedures outlined in s. 984.151.~~

564 (3) RETURN STUDENT TO PARENT.—A designated school
565 representative may visit the home or place of residence of a
566 student and any other place in which he or she is likely to find
567 any student who is required to attend school when the student is
568 not enrolled or is absent from school during school hours
569 without an excuse, and, when the student is found, shall return
570 the student to his or her parent or to the principal or teacher
571 in charge of the school, or to the private tutor from whom
572 absent, or to the juvenile assessment center or other location

573 established by the district school board to receive students who
574 are absent from school. Upon receipt of the student, the parent
575 shall be immediately notified.

576 (4) REPORT TO APPROPRIATE AUTHORITY.—A designated school
577 representative shall report to the appropriate authority
578 designated by law to receive such notices, all violations of the
579 Child Labor Law that may come to his or her knowledge.

580 (5) RIGHT TO INSPECT.—A designated school representative
581 shall have the right of access to, and inspection of,
582 establishments where minors may be employed or detained only for
583 the purpose of ascertaining whether students of compulsory
584 school age are actually employed there and are actually working
585 there regularly. The designated school representative shall, if
586 he or she finds unsatisfactory working conditions or violations
587 of the Child Labor Law, report his or her findings to the
588 appropriate authority.

589 Section 10. Subsections (2) and (5) and paragraph (a) of
590 subsection (7) of section 1003.27, Florida Statutes, are
591 amended, subsections (4) through (7) are renumbered as
592 subsections (5) through (8), respectively, and a new subsection
593 (4) is added to that section, to read:

594 1003.27 Court procedure and penalties.—The court procedure
595 and penalties for the enforcement of the provisions of this
596 part, relating to compulsory school attendance, shall be as
597 follows:

598 (2) ~~NONENROLLMENT AND~~ NONATTENDANCE CASES.—

599 (a) Once all reasonable efforts to resolve a student's
600 nonattendance under s. 1003.26(2) (a) are exhausted ~~In each case~~
601 ~~of nonenrollment or of nonattendance upon the part of a student~~
602 ~~who is required to attend some school, when no valid reason for~~
603 ~~such nonenrollment or nonattendance is found,~~ the district
604 school superintendent shall institute a criminal prosecution
605 against the student's parent.

606 (b) Each public school principal or the principal's
607 designee shall notify the district school board of each minor
608 student under its jurisdiction who is habitually truant as
609 defined in s. 1003.01(8) ~~accumulates 15 unexcused absences in a~~
610 ~~period of 90 calendar days.~~ Each designee of the governing body
611 of each private school, and each parent whose child is enrolled
612 in a home education program, may provide the Department of
613 Highway Safety and Motor Vehicles with the legal name, sex, date
614 of birth, and social security number of each minor student under
615 his or her jurisdiction who fails to satisfy relevant attendance
616 requirements and who fails to otherwise satisfy the requirements
617 of s. 322.091. The district school superintendent must provide
618 the Department of Highway Safety and Motor Vehicles the legal
619 name, sex, date of birth, and social security number of each
620 minor student who has been reported under this paragraph and who
621 fails to otherwise satisfy the requirements of s. 322.091. The
622 Department of Highway Safety and Motor Vehicles may not issue a
623 driver license or learner's driver license to, and shall suspend
624 any previously issued driver license or learner's driver license

625 of, any such minor student, pursuant to the provisions of s.
626 322.091.

627 (4) NONENROLLMENT CASES.—Once all reasonable efforts to
628 resolve a student's nonenrollment under s. 1003.26(2)(b) are
629 exhausted, including parental notice and referral to the case
630 staffing committee, the district school superintendent shall
631 institute a criminal prosecution against the student's parent.

632 (6)~~(5)~~ ATTENDANCE REGISTER AS EVIDENCE.—The register of
633 enrollment and attendance of students at a public, ~~parochial,~~
634 ~~religious, denominational,~~ or private school, or of students
635 taught by a private tutor, kept in compliance with s. 1003.23
636 rules of the State Board of Education is prima facie evidence
637 that a student is enrolled in and attending the public school,
638 private school, or private tutoring program of the facts which
639 it is required to show. A certified copy of any rule and a
640 statement of the date of its adoption by the State Board of
641 Education is admissible as prima facie evidence of the
642 provisions of the rule and of the date of its adoption.

643 (8)~~(7)~~ PENALTIES.—The penalties for refusing or failing to
644 comply with this chapter shall be as follows:

645 (a) The parent.—

646 1. A parent who refuses or fails to have a minor student
647 who is under his or her control enroll in or attend school
648 regularly, or who refuses or fails to comply with the
649 requirements in subsection (3), commits a misdemeanor of the
650 second degree, punishable as provided in s. 775.082 or s.

651 775.083.

652 2. The continued or habitual absence of a minor student
653 without the consent of the principal or teacher in charge of the
654 school he or she attends or should attend, or of the tutor who
655 instructs or should instruct him or her, is prima facie evidence
656 of a violation of this chapter; however, a showing that the
657 parent has made a bona fide and diligent effort to control and
658 keep the student in school shall be an affirmative defense to
659 any criminal or other liability under this subsection and the
660 court shall refer the parent and child for counseling, guidance,
661 or other needed services.

662 3. In addition to any other punishment, the court shall
663 order a parent who has violated this section to send the minor
664 student to school, and may also order the parent to participate
665 in an approved parent training class, attend school with the
666 student unless this would cause undue hardship, perform
667 community service hours at the school, or participate in
668 counseling or other services, as appropriate. If a parent is
669 ordered to attend school with a student, the school shall
670 provide for programming to educate the parent and student on the
671 importance of school attendance. It shall be unlawful to
672 terminate any employee solely because he or she is attending
673 school with his or her child pursuant to a court order.

674 Section 11. Subsection (4) of section 1003.435, Florida
675 Statutes, is amended to read:

676 1003.435 High school equivalency diploma program.—

677 (4) A candidate for a high school equivalency diploma
 678 shall be at least 16 ~~18~~ years of age on the date of the
 679 examination, ~~except that in extraordinary circumstances, as~~
 680 ~~provided for in rules of the district school board of the~~
 681 ~~district in which the candidate resides or attends school, a~~
 682 candidate may take the examination after reaching the age of 16.

683 Section 12. Paragraphs (a), (c), and (j) of subsection (1)
 684 of section 1003.57, Florida Statutes, are amended to read:

685 1003.57 Exceptional students instruction.-

686 (1) (a) For purposes of providing exceptional student
 687 instruction under this section:

688 1. A school district shall use the following terms to
 689 describe the instructional setting for a student with a
 690 disability, 6 through 21 years of age, who is not educated in a
 691 setting accessible to all children who are together at all
 692 times:

693 a. "Exceptional student education center" or "special day
 694 school" means a separate public school to which nondisabled
 695 peers do not have access.

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

698 c. "Regular class placement" means ~~a class in which~~ a
 699 student spends 80 percent or more of the school week with
 700 nondisabled peers.

701 d. "Resource placement room " means ~~a classroom in which~~ a
 702 student spends between 40 percent to 80 percent of the school

703 week with nondisabled peers.

704 e. "Separate class placement" means ~~a class in which~~ a
705 student spends less than 40 percent of the school week with
706 nondisabled peers.

707 2. A school district shall use the term "inclusion" to
708 mean that a student is receiving education in a general
709 education regular class setting, reflecting natural proportions
710 and age-appropriate heterogeneous groups in core academic and
711 elective or special areas within the school community; a student
712 with a disability is a valued member of the classroom and school
713 community; the teachers and administrators support universal
714 education and have knowledge and support available to enable
715 them to effectively teach all children; and a teacher is
716 provided access to technical assistance in best practices,
717 instructional methods, and supports tailored to the student's
718 needs based on current research.

719 (c) A student may not be given special instruction or
720 services as an exceptional student until after he or she has
721 been properly evaluated and found eligible as an exceptional
722 student in the manner prescribed by rules of the State Board of
723 Education. The parent of an exceptional student evaluated and
724 found eligible or ineligible shall be notified of each such
725 evaluation and determination. Such notice shall contain a
726 statement informing the parent that he or she is entitled to a
727 due process hearing on the identification, evaluation, ~~and~~
728 eligibility determination, education placement, or the provision

729 of a free appropriate public education ~~lack thereof~~. Such
730 hearings are exempt from ss. 120.569, 120.57, and 286.011,
731 except to the extent that the State Board of Education adopts
732 rules establishing other procedures. Any records created as a
733 result of such hearings are confidential and exempt from s.
734 119.07(1). The hearing must be conducted by an administrative
735 law judge from the Division of Administrative Hearings pursuant
736 to a contract between the Department of Education and the
737 Division of Administrative Hearings. The decision of the
738 administrative law judge is final, except that any party
739 aggrieved by the finding and decision rendered by the
740 administrative law judge has the right to bring a civil action
741 in the state circuit court. In such an action, the court shall
742 receive the records of the administrative hearing and shall hear
743 additional evidence at the request of either party. In the
744 alternative, in hearings conducted on behalf of a student who is
745 identified as gifted, any party aggrieved by the finding and
746 decision rendered by the administrative law judge has the right
747 to request a review of the administrative law judge's order by
748 the district court of appeal as provided in s. 120.68.

749 (j) The district school board shall provide each parent
750 with information regarding the amount that the school district
751 receives from the state appropriation for each of the five
752 exceptional student education support levels for a full-time
753 student. The school district shall provide this information at
754 the initial meeting of a student's individual education plan

755 team each school year.

756 Section 13. Subsection (4) of section 1003.5715, Florida
757 Statutes, is amended to read:

758 1003.5715 Parental consent; individual education plan.—

759 (4) Except for a change in placement described in s.
760 1003.57(1)(h), if a school district determines that there is a
761 need to change an exceptional student's IEP as it relates to
762 actions described in subsection (1), the school must hold an IEP
763 Team meeting that includes the parent to discuss the reason for
764 the change. The school shall provide written notice of the
765 meeting to the parent at least 10 days before the meeting,
766 indicating the purpose, time, and location of the meeting and
767 who, by title or position, will attend the meeting. The 10-day
768 notice of the IEP Team meeting requirement may be waived by
769 informed consent of the parent after the parent receives the
770 written notice.

771 Section 14. Subsection (7) of section 1006.09, Florida
772 Statutes, is amended to read:

773 1006.09 Duties of school principal relating to student
774 discipline and school safety.—

775 (7) The State Board of Education shall adopt by rule a
776 standardized form to be used by each school principal to report
777 data concerning school safety and discipline. The department
778 shall periodically review the collection and classification of
779 school incidents with stakeholders to increase the accuracy and
780 transparency of school environment and safety incident

781 reporting.

782 Section 15. Paragraph (b) of subsection (2) of section
783 1006.283, Florida Statutes, is amended to read:

784 1006.283 District school board instructional materials
785 review process.—

786 (2)

787 (b) District school board rules must also:

788 1. Identify, by subject area, a review cycle for
789 instructional materials.

790 2. Specify the qualifications for an instructional
791 materials reviewer and the process for selecting reviewers; list
792 a reviewer's duties and responsibilities, including compliance
793 with the requirements of s. 1006.31; and provide that all
794 instructional materials recommended by a reviewer be accompanied
795 by the reviewer's statement that the materials align with the
796 state standards pursuant to s. 1003.41 and the requirements of
797 s. 1006.31.

798 3. State the requirements for an affidavit to be made by
799 each district instructional materials reviewer which
800 substantially meet the requirements of s. 1006.30.

801 4. Comply with s. 1006.32, relating to prohibited acts.

802 5. Establish a process that certifies the accuracy of
803 instructional materials.

804 6. Incorporate applicable requirements of s. 1006.31,
805 which relates to the duties of instructional materials
806 reviewers.

807 7. Incorporate applicable requirements of s. 1006.38,
808 relating to the duties, responsibilities, and requirements of
809 publishers of instructional materials.

810 8. Establish the process by which instructional materials
811 are adopted by the district school board, which must include:

812 a. A process to allow student editions of recommended
813 instructional materials to be accessed and viewed online by the
814 public at least 20 calendar days before the school board hearing
815 and public meeting as specified in this subparagraph. This
816 process must include reasonable safeguards against the
817 unauthorized use, reproduction, and distribution of
818 instructional materials considered for adoption.

819 b. An open, noticed school board hearing to receive public
820 comment on the recommended instructional materials.

821 c. An open, noticed public meeting to approve an annual
822 instructional materials plan to identify any instructional
823 materials that will be purchased through the district school
824 board instructional materials review process pursuant to this
825 section. This public meeting must be held on a different date
826 than the school board hearing.

827 d. Notice requirements for the school board hearing and
828 the public meeting that must specifically state which
829 instructional materials are being reviewed and the manner in
830 which the instructional materials can be accessed for public
831 review.

832 9. Establish the process by which the district school

833 board shall receive public comment on, and review, the
834 recommended instructional materials.

835 10. Establish the process by which instructional materials
836 will be purchased, including advertising, bidding, and
837 purchasing requirements.

838 11. Establish the process by which the school district
839 will notify parents of their ability to access their children's
840 instructional materials and homework assignments through the
841 district's local instructional improvement system and by which
842 the school district will encourage parents to access the system.
843 This notification must be displayed prominently on the school
844 district's website and provided annually in written format to
845 all parents of enrolled students.

846 Section 16. Subsection (2) of section 1008.212, Florida
847 Statutes, is amended to read:

848 1008.212 Students with disabilities; extraordinary
849 exemption.—

850 (2) A student with a disability for whom the individual
851 education plan (IEP) team determines is prevented by a
852 circumstance or condition from physically demonstrating the
853 mastery of skills that have been acquired and are measured by
854 the statewide standardized assessment, a statewide standardized
855 end-of-course assessment, or an alternate assessment pursuant to
856 s. 1008.22(3)(c) may ~~shall~~ be granted an extraordinary exemption
857 from the administration of the assessment. A learning,
858 emotional, behavioral, or significant cognitive disability, or

859 the receipt of services through the homebound or hospitalized
860 program in accordance with rule 6A-6.03020, Florida
861 Administrative Code, is not, in and of itself, an adequate
862 criterion for the granting of an extraordinary exemption.

863 Section 17. Subsection (25) is added to section 1002.20,
864 Florida Statutes, to read:

865 1002.20 K-12 student and parent rights.—Parents of public
866 school students must receive accurate and timely information
867 regarding their child's academic progress and must be informed
868 of ways they can help their child to succeed in school. K-12
869 students and their parents are afforded numerous statutory
870 rights including, but not limited to, the following:

871 (25) ACCESS TO EDUCATION RECORDS.—Students and their
872 parents have the right to inspect the student's education
873 records, in accordance with s. 1002.22(2), within a reasonable
874 time but no more than 14 days after the student or parent
875 requests access to the records. Students and their parents also
876 have the right to request and receive copies of the student's
877 education records within a reasonable time under reasonable
878 conditions, subject to a fee in accordance with s. 119.07(4).

879 Section 18. Subsections (4), (7), and (8) of section
880 1006.147, Florida Statutes, are amended to read:

881 1006.147 Bullying and harassment prohibited.—

882 (4) Each school district shall adopt and review at least
883 every 3 years a policy prohibiting bullying and harassment of a
884 student or employee of a public K-12 educational institution.

885 Each school district's policy shall be in substantial conformity
886 with the Department of Education's model policy. The school
887 district bullying and harassment policy shall afford all
888 students the same protection regardless of their status under
889 the law. The school district may establish separate
890 discrimination policies that include categories of students. The
891 school district shall involve students, parents, teachers,
892 administrators, school staff, school volunteers, community
893 representatives, and local law enforcement agencies in the
894 process of adopting and reviewing the policy. The school
895 district policy must be implemented by each school principal in
896 a manner that is ongoing throughout the school year and
897 integrated with the ~~a~~ school's curriculum, bullying prevention
898 and intervention program, ~~a school's~~ discipline policies, and
899 other violence prevention efforts. The school district policy
900 must contain, at a minimum, the following components:

- 901 (a) A statement prohibiting bullying and harassment.
- 902 (b) A definition of bullying and a definition of
903 harassment that include the definitions listed in this section.
- 904 (c) A description of the type of behavior expected from
905 each student and employee of a public K-12 educational
906 institution.
- 907 (d) The consequences for a student or employee of a public
908 K-12 educational institution who commits an act of bullying or
909 harassment.
- 910 (e) The consequences for a student or employee of a public

911 K-12 educational institution who is found to have wrongfully and
912 intentionally accused another of an act of bullying or
913 harassment.

914 (f) A procedure for receiving reports of ~~reporting~~ an
915 alleged act of bullying or harassment, including provisions that
916 permit a person to anonymously report such an act. However, this
917 paragraph does not permit formal disciplinary action to be based
918 solely on an anonymous report.

919 (g) A procedure for the prompt investigation of a report
920 of bullying or harassment and the persons responsible for the
921 investigation. The investigation of a reported act of bullying
922 or harassment is deemed to be a school-related activity and
923 begins with a report of such an act. Incidents that require a
924 reasonable investigation when reported to appropriate school
925 authorities shall include alleged incidents of bullying or
926 harassment allegedly committed against a child while the child
927 is en route to school aboard a school bus or at a school bus
928 stop.

929 (h) A process to investigate whether a reported act of
930 bullying or harassment is within the scope of the district
931 school system and, if not, a process for referral of such an act
932 to the appropriate jurisdiction. Computers without web-filtering
933 software or computers with web-filtering software that is
934 disabled shall be used when complaints of cyberbullying are
935 investigated.

936 (i) A procedure for providing immediate notification to

937 the parents of a victim of bullying or harassment and the
938 parents of the perpetrator of an act of bullying or harassment,
939 as well as notification to all local agencies where criminal
940 charges may be pursued against the perpetrator.

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

943 (k) A procedure for including incidents of bullying or
944 harassment in the school's report of data concerning school
945 safety and discipline required under s. 1006.09(6). The report
946 must include each incident of bullying or harassment and the
947 resulting consequences, including discipline and referrals. The
948 report must include in a separate section each alleged ~~reported~~
949 incident of bullying or harassment that does not meet the
950 criteria of a prohibited act under this section with
951 recommendations regarding such incidents. The Department of
952 Education shall aggregate information contained in the reports.

953 (l) A list of programs authorized by the school district
954 that provide ~~procedure for providing~~ instruction to students,
955 parents, teachers, school administrators, counseling staff, and
956 school volunteers on identifying, preventing, and responding to
957 bullying or harassment, including instruction on recognizing
958 behaviors that lead to bullying and harassment and taking
959 appropriate preventive action based on those observations.

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

962 (n) A procedure for publicizing the policy, which must

963 include its publication in the code of student conduct required
964 under s. 1006.07(2) and in all employee handbooks.

965 ~~(7) Distribution of safe schools funds provided to a~~
966 ~~school district shall be contingent upon and payable to the~~
967 ~~school district upon the school district's compliance with all~~
968 ~~reporting procedures contained in this section.~~

969 ~~(8) On or before January 1 of each year, the Commissioner~~
970 ~~of Education shall report to the Governor, the President of the~~
971 ~~Senate, and the Speaker of the House of Representatives on the~~
972 ~~implementation of this section. The report shall include data~~
973 ~~collected pursuant to paragraph (4)(k).~~

974 Section 19. Subsection (16) is added to section 1011.62,
975 Florida Statutes, to read:

976 1011.62 Funds for operation of schools.—If the annual
977 allocation from the Florida Education Finance Program to each
978 district for operation of schools is not determined in the
979 annual appropriations act or the substantive bill implementing
980 the annual appropriations act, it shall be determined as
981 follows:

982 (16) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
983 created to provide funding for allowable safe schools
984 activities. Each school district shall receive a minimum safe
985 schools allocation in an amount provided in the General
986 Appropriations Act. Of the remaining funds provided in the
987 General Appropriations Act for safe schools activities, two-
988 thirds shall be allocated among the school districts based on

989 each district's proportionate share of Total Index Crime for
 990 Florida by county reported by the Department of Law Enforcement
 991 in its most recent Uniform Crime Reports offense data and one-
 992 third shall be allocated based on each district's proportionate
 993 share of the state's total unweighted full-time equivalent
 994 student enrollment. Allowable safe schools activities shall be
 995 provided in the General Appropriations Act. The department shall
 996 monitor compliance with the reporting procedures of ss. 1006.09
 997 and 1006.147. If a district does not comply with the reporting
 998 procedures, the district's funds from the safe schools
 999 allocation shall be withheld and reallocated to other school
 1000 districts. Each school district shall report to the Department
 1001 of Education the amount of funds expended for each of the
 1002 allowable safe schools activities.

1003 Section 20. Section 1012.23, Florida Statutes, is amended
 1004 to read:

1005 1012.23 School district personnel policies.—

1006 (1) Except as otherwise provided by law or the State
 1007 Constitution, district school boards may adopt rules governing
 1008 personnel matters, including the assignment of duties and
 1009 responsibilities for all district employees. District school
 1010 boards shall establish criteria to identify, recruit, train, and
 1011 mentor aspiring principals.

1012 (2) Neither the superintendent nor a district school board
 1013 member may appoint or ~~not employ or appoint~~ a relative, as
 1014 defined in s. 112.3135, to work under the direct supervision of

1015 that district school board member or superintendent. The
1016 Commission on Ethics shall accept and investigate any alleged
1017 violations of this section pursuant to the procedures contained
1018 in ss. 112.322-112.3241.

1019 Section 21. Subsection (2) of section 1012.42, Florida
1020 Statutes, is amended to read:

1021 1012.42 Teacher teaching out-of-field.—

1022 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a
1023 district school system is assigned teaching duties in a class
1024 dealing with subject matter that is outside the field in which
1025 the teacher is certified, outside the field that was the
1026 applicant's minor field of study, or outside the field in which
1027 the applicant has demonstrated sufficient subject area
1028 expertise, as determined by district school board policy in the
1029 subject area to be taught, the parents of all students in the
1030 class shall be notified in writing of such assignment and
1031 virtual instruction options. The parent of a student in the
1032 class may request the school to transfer the student to another
1033 class taught by an in-field teacher.

1034 Section 22. Section 1012.562, Florida Statutes, is created
1035 to read:

1036 1012.562 Public accountability and state approval of
1037 school leader preparation programs.—

1038 (1) PURPOSE.—The State Board of Education shall maintain a
1039 system for the development and approval of school leader
1040 preparation programs to:

1041 (a) Increase the supply of effective school leaders in the
1042 public schools of this state.

1043 (b) Produce school leaders who are prepared to lead
1044 Florida's diverse student population in meeting high standards
1045 for academic achievement.

1046 (c) Enable school leaders to facilitate the development
1047 and retention of effective and highly effective classroom
1048 teachers.

1049 (d) Hold approved programs accountable for producing
1050 program completers with the competencies and skills necessary to
1051 achieve state education goals.

1052 (e) Sustain the state system of school improvement and
1053 education accountability established pursuant to ss. 1000.03(5)
1054 and 1008.345.

1055 (2) PROGRAMS AUTHORIZED.—The Department of Education shall
1056 establish an initial and continued program approval process for
1057 school leader preparation programs. The department may approve
1058 two types of school leader preparation programs to enable
1059 aspiring school leaders to obtain certification pursuant to s.
1060 1012.56. Level I programs may be offered by school districts and
1061 postsecondary institutions and lead to initial certification in
1062 educational leadership for the purpose of preparing individuals
1063 to serve as school administrators. Level II programs may be
1064 offered by school districts, build upon Level I training, and
1065 lead to certification as a school principal. Level I and Level
1066 II programs must be competency-based, aligned to the principal

1067 leadership standards adopted by the state board, and open to
1068 individuals employed by public schools, including charter
1069 schools and virtual schools. Initial and continued approval of
1070 such programs is effective for a term of 5 years and shall be
1071 based upon the criteria provided in this section and rules of
1072 the state board.

1073 (3) INITIAL APPROVAL OF LEVEL I PROGRAMS.—A school
1074 district or postsecondary institution seeking to establish a
1075 Level I program must:

1076 (a) Demonstrate that it has the capacity to provide
1077 competency-based training that is aligned to the principal
1078 leadership standards adopted by the state board.

1079 (b) Have a partnership with at least one school district,
1080 if program approval is sought by a postsecondary institution.

1081 (c) Describe the qualifications that will be used to
1082 determine program admission, which must include consideration of
1083 each candidate's instructional expertise and leadership
1084 potential.

1085 (d) Describe how training provided through the program
1086 will be aligned to personnel evaluations under s. 1012.34 and
1087 the William Cecil Golden Professional Development Program for
1088 School Leaders under s. 1012.986.

1089 (4) CONTINUED APPROVAL OF LEVEL I PROGRAMS.—Continued
1090 approval of a Level I program shall be based upon evidence that
1091 the program continues to implement the requirements for initial
1092 approval and significant, objective, and quantifiable measures

1093 of the program's performance and the performance of program
 1094 completers.

1095 (a) The criteria for continued approval must include:

1096 1. The placement rate of program completers into school
 1097 leadership positions in public schools and private schools in
 1098 the state.

1099 2. Annual personnel evaluation results of program
 1100 completers under s. 1012.34.

1101 3. The passage rate of program completers on the Florida
 1102 Educational Leadership Examination established pursuant to s.
 1103 1012.56.

1104 4. Program completers' impact on student learning as
 1105 measured by the learning growth model approved pursuant to s.
 1106 1012.34.

1107 (b) Each Level I program must prepare and submit to the
 1108 department an institutional program evaluation plan. Each
 1109 institutional program evaluation plan must incorporate the
 1110 criteria established in paragraph (a) and rules of the state
 1111 board and may include additional data chosen by the program. The
 1112 plan must provide information on how the program addresses
 1113 continuous program improvement and must include provisions for
 1114 involving primary stakeholders, such as program completers,
 1115 public school personnel, classroom teachers, principals,
 1116 community agencies, and business representatives in the
 1117 evaluation process.

1118 (c) Each Level I program must guarantee the high quality

1119 of its program completers during the first 2 years immediately
1120 after completion of the program or initial certification,
1121 whichever occurs first. Any program completer who is employed in
1122 a public school in the state during this 2-year period and who
1123 earns an evaluation result other than effective or highly
1124 effective on the school district's personnel evaluation pursuant
1125 to s. 1012.34 shall be provided additional training by the
1126 school leadership preparation program at no expense to the
1127 program completer or the employer, if additional training is
1128 requested by the employer. Such training must consist of an
1129 individualized plan agreed upon by the employer and the program
1130 which includes specific learning outcomes. The program assumes
1131 no responsibility for the program completer's employment
1132 contract with the employer.

1133 (5) INITIAL AND CONTINUED APPROVAL OF LEVEL II PROGRAMS.—A
1134 school district seeking initial or continued approval to offer a
1135 Level II program must:

1136 (a) Demonstrate that it admits candidates who have:

1137 1. Obtained certification in educational leadership
1138 pursuant to 1012.56.

1139 2. Earned an effective or highly effective rating on his
1140 or her personnel evaluation pursuant to s. 1012.34 in each year
1141 of employment since obtaining certification in educational
1142 leadership.

1143 3. Satisfactorily performed instructional leadership
1144 responsibilities, as measured by his or her personnel evaluation

1145 under s. 1012.34.

1146 (b) Demonstrate that the program:

1147 1. Uses a sustained, competency-based and job-embedded
1148 approach to school leader preparation and ongoing professional
1149 development that is aligned to the principal leadership
1150 standards adopted by the state board.

1151 2. Provides training that is aligned to personnel
1152 evaluation systems under s. 1012.34 and professional development
1153 provided through the William Cecil Golden Professional
1154 Development Program for School Leaders under s. 1012.986.

1155 3. Provides individualized instruction using a customized
1156 learning plan that is based upon data gathered from self-
1157 assessment, selection, and appraisal instruments aligned to the
1158 competencies to be demonstrated in the program.

1159 4. Conducts program evaluations and implements program
1160 improvements based upon input from program completers and
1161 employers, information regarding the effectiveness of the
1162 training and professional development offered through the
1163 program, and data from various sources, including data specified
1164 in paragraph (4) (a).

1165 5. Meets monitoring and implementation requirements as
1166 established by the state board pursuant to this section.

1167 (6) RULEMAKING.—The State Board of Education shall adopt
1168 rules for initial and continued approval of Level I and Level II
1169 school leadership preparation programs, including a program
1170 review process, the continued approval timelines, and the

1171 performance level targets for each of the continued approval
1172 criteria in subsections (4) and (5). The Commissioner of
1173 Education shall determine the continued approval of each Level I
1174 or Level II program based upon the data collected pursuant to
1175 this section and criteria adopted by the state board, which may
1176 include, but is not limited to, a program completer's
1177 satisfaction with instruction, an employer's satisfaction with
1178 program completers, and the program's responsiveness to the
1179 needs of local school districts.

1180 Section 23. Paragraph (b) of subsection (1) of section
1181 1012.795, Florida Statutes, is amended to read:

1182 1012.795 Education Practices Commission; authority to
1183 discipline.—

1184 (1) The Education Practices Commission may suspend the
1185 educator certificate of any person as defined in s. 1012.01(2)
1186 or (3) for up to 5 years, thereby denying that person the right
1187 to teach or otherwise be employed by a district school board or
1188 public school in any capacity requiring direct contact with
1189 students for that period of time, after which the holder may
1190 return to teaching as provided in subsection (4); may revoke the
1191 educator certificate of any person, thereby denying that person
1192 the right to teach or otherwise be employed by a district school
1193 board or public school in any capacity requiring direct contact
1194 with students for up to 10 years, with reinstatement subject to
1195 the provisions of subsection (4); may revoke permanently the
1196 educator certificate of any person thereby denying that person

1197 the right to teach or otherwise be employed by a district school
 1198 board or public school in any capacity requiring direct contact
 1199 with students; may suspend the educator certificate, upon an
 1200 order of the court or notice by the Department of Revenue
 1201 relating to the payment of child support; or may impose any
 1202 other penalty provided by law, if the person:

1203 (b) Knowingly failed to report actual or suspected child
 1204 abuse as required in s. 1006.061, an actual or suspected
 1205 incident of bullying or harassment as required in 1006.147, an
 1206 actual or suspected incident of hazing as required in 1006.135,
 1207 or report alleged misconduct by instructional personnel or
 1208 school administrators which affects the health, safety, or
 1209 welfare of a student as required in s. 1012.796.

1210 Section 24. Paragraph (b) of subsection (4) of section
 1211 1012.98, Florida Statutes, is amended to read:

1212 1012.98 School Community Professional Development Act.—

1213 (4) The Department of Education, school districts,
 1214 schools, Florida College System institutions, and state
 1215 universities share the responsibilities described in this
 1216 section. These responsibilities include the following:

1217 (b) Each school district shall develop a professional
 1218 development system as specified in subsection (3). The system
 1219 shall be developed in consultation with teachers, teacher-
 1220 educators of Florida College System institutions and state
 1221 universities, business and community representatives, and local
 1222 education foundations, consortia, and professional

- 1223 organizations. The professional development system must:
- 1224 1. Be approved by the department. All substantial
- 1225 revisions to the system shall be submitted to the department for
- 1226 review for continued approval.
- 1227 2. Be based on analyses of student achievement data and
- 1228 instructional strategies and methods that support rigorous,
- 1229 relevant, and challenging curricula for all students. Schools
- 1230 and districts, in developing and refining the professional
- 1231 development system, shall also review and monitor school
- 1232 discipline data; school environment surveys; assessments of
- 1233 parental satisfaction; performance appraisal data of teachers,
- 1234 managers, and administrative personnel; and other performance
- 1235 indicators to identify school and student needs that can be met
- 1236 by improved professional performance.
- 1237 3. Provide inservice activities coupled with followup
- 1238 support appropriate to accomplish district-level and school-
- 1239 level improvement goals and standards. The inservice activities
- 1240 for instructional personnel shall focus on analysis of student
- 1241 achievement data, ongoing formal and informal assessments of
- 1242 student achievement, identification and use of enhanced and
- 1243 differentiated instructional strategies that emphasize rigor,
- 1244 relevance, and reading in the content areas, enhancement of
- 1245 subject content expertise, integrated use of classroom
- 1246 technology that enhances teaching and learning, classroom
- 1247 management, parent involvement, and school safety.
- 1248 4. Include a master plan for inservice activities,

1249 pursuant to rules of the State Board of Education, for all
1250 district employees from all fund sources. The master plan shall
1251 be updated annually by September 1, must be based on input from
1252 teachers and district and school instructional leaders, and must
1253 use the latest available student achievement data and research
1254 to enhance rigor and relevance in the classroom. Each district
1255 inservice plan must be aligned to and support the school-based
1256 inservice plans and school improvement plans pursuant to s.
1257 1001.42(18). Each district inservice plan must provide a
1258 description of the training that middle grades instructional
1259 personnel and school administrators receive on the district's
1260 code of student conduct adopted pursuant to s. 1006.07;
1261 integrated digital instruction and competency-based instruction
1262 and CAPE Digital Tool certificates and CAPE industry
1263 certifications; classroom management; student behavior and
1264 interaction; extended learning opportunities for students; and
1265 instructional leadership. District plans must be approved by the
1266 district school board annually in order to ensure compliance
1267 with subsection (1) and to allow for dissemination of research-
1268 based best practices to other districts. District school boards
1269 must submit verification of their approval to the Commissioner
1270 of Education no later than October 1, annually. Each school
1271 principal may establish and maintain an individual professional
1272 development plan for each instructional employee assigned to the
1273 school as a seamless component to the school improvement plans
1274 developed pursuant to s. 1001.42(18). An individual professional

1275 development plan must be related to specific performance data
1276 for the students to whom the teacher is assigned, define the
1277 inservice objectives and specific measurable improvements
1278 expected in student performance as a result of the inservice
1279 activity, and include an evaluation component that determines
1280 the effectiveness of the professional development plan.

1281 5. Include inservice activities for school administrative
1282 personnel that address updated skills necessary for
1283 instructional leadership and effective school management
1284 pursuant to s. 1012.986.

1285 6. Provide for systematic consultation with regional and
1286 state personnel designated to provide technical assistance and
1287 evaluation of local professional development programs.

1288 7. Provide for delivery of professional development by
1289 distance learning and other technology-based delivery systems to
1290 reach more educators at lower costs.

1291 8. Provide for the continuous evaluation of the quality
1292 and effectiveness of professional development programs in order
1293 to eliminate ineffective programs and strategies and to expand
1294 effective ones. Evaluations must consider the impact of such
1295 activities on the performance of participating educators and
1296 their students' achievement and behavior.

1297 9. For middle grades, emphasize:

1298 a. Interdisciplinary planning, collaboration, and
1299 instruction.

1300 b. Alignment of curriculum and instructional materials to

1301 the state academic standards adopted pursuant to s. 1003.41.

1302 c. Use of small learning communities; problem-solving,
 1303 inquiry-driven research and analytical approaches for students;
 1304 strategies and tools based on student needs; competency-based
 1305 instruction; integrated digital instruction; and project-based
 1306 instruction.

1307 10. Provide access to suicide prevention education
 1308 resources.

1309
 1310 Each school that includes any of grades 6, 7, or 8 must include
 1311 in its school improvement plan, required under s. 1001.42(18), a
 1312 description of the specific strategies used by the school to
 1313 implement each item listed in this subparagraph.

1314 Section 25. Subsection (1) of section 1012.986, Florida
 1315 Statutes, is amended, and paragraph (e) is added to subsection
 1316 (2) of that section, to read:

1317 1012.986 William Cecil Golden Professional Development
 1318 Program for School Leaders.—

1319 (1) There is established the William Cecil Golden
 1320 Professional Development Program for School Leaders to provide
 1321 high standards and sustained support for principals as
 1322 instructional leaders. The program shall consist of a
 1323 collaborative network of state and national professional
 1324 leadership organizations to respond to instructional leadership
 1325 needs throughout the state. The program network shall support
 1326 the human-resource development needs of principals, principal

1327 leadership teams, and candidates for principal leadership
 1328 positions using the principal framework of leadership standards
 1329 adopted by the State Board of Education, the Southern Regional
 1330 Education Board, and the National Staff Development Council. The
 1331 goal of the network leadership program is to:

1332 (a) Provide resources to support and enhance the
 1333 principal's role as the instructional leader.

1334 (b) Maintain a clearinghouse and disseminate data-
 1335 supported information related to enhanced student achievement,
 1336 based on educational research and best practices.

1337 (c) Facilitate coordination of state-approved school
 1338 leader preparation programs and build the capacity to increase
 1339 the quality of programs for preservice education for aspiring
 1340 principals and inservice professional development for principals
 1341 and principal leadership teams to increase the quality of school
 1342 leadership in the state.

1343 (d) Support best teaching and research-based instructional
 1344 practices through dissemination and modeling at the preservice
 1345 and inservice levels for both teachers and principals.

1346 (2) The Department of Education shall coordinate through
 1347 the network identified in subsection (1) to offer the program
 1348 through multiple delivery systems, including:

1349 (e) State-approved school leader preparation programs
 1350 pursuant to s. 1012.562.

1351 Section 26. Subsection (1) of section 112.31455, Florida
 1352 Statutes, is amended to read:

1353 112.31455 Collection methods for unpaid automatic fines
1354 for failure to timely file disclosure of financial interests.—

1355 (1) Before referring any unpaid fine accrued pursuant to
1356 s. 112.3144(5) or s. 112.3145(6) to the Department of Financial
1357 Services, the commission shall attempt to determine whether the
1358 individual owing such a fine is a current public officer or
1359 current public employee. If so, the commission may notify the
1360 Chief Financial Officer or the governing body of the appropriate
1361 county, municipality, district school board, or special district
1362 of the total amount of any fine owed to the commission by such
1363 individual.

1364 (a) After receipt and verification of the notice from the
1365 commission, the Chief Financial Officer or the governing body of
1366 the county, municipality, district school board, or special
1367 district shall begin withholding the lesser of 10 percent or the
1368 maximum amount allowed under federal law from any salary-related
1369 payment. The withheld payments shall be remitted to the
1370 commission until the fine is satisfied.

1371 (b) The Chief Financial Officer or the governing body of
1372 the county, municipality, district school board, or special
1373 district may retain an amount of each withheld payment, as
1374 provided in s. 77.0305, to cover the administrative costs
1375 incurred under this section.

1376 Section 27. This act shall take effect July 1, 2015.