

By Senator Stargel

15-01315C-16

20161522\_\_

1                   A bill to be entitled  
2           An act relating to education; amending s. 1002.41,  
3           F.S.; specifying that a home education program is not  
4           a school district program; authorizing a school  
5           district to provide exceptional student education-  
6           related services to certain home education program  
7           students; requiring reporting and funding through the  
8           Florida Education Finance Program; requiring that home  
9           education program students be provided access to  
10          certain courses and programs offered by the school  
11          district; requiring that home education program  
12          students be provided access to certain certifications  
13          and assessments offered by the school district;  
14          providing for a textbook reimbursement for home  
15          education program students; providing for the  
16          disbursement of the reimbursement; requiring that a  
17          home education student be verified by the school  
18          district before award of the reimbursement;  
19          prohibiting a school district from taking certain  
20          actions against a home education program student's  
21          parent unless such action is required for a school  
22          district program; amending s. 1003.27, F.S.; requiring  
23          a school and school district to comply with specified  
24          provisions before instituting criminal prosecution  
25          against certain parents relating to compulsory school  
26          attendance; amending s. 1007.271, F.S.; prohibiting a  
27          home education articulation agreement from limiting  
28          courses or programs beyond the limitations for other  
29          students; authorizing the agreement to allow  
30          additional courses under certain circumstances;  
31          providing an exemption from the grade point average  
32          requirement for initial enrollment in a dual

15-01315C-16

20161522\_\_

33 enrollment program for certain home education  
34 students; prohibiting articulation agreements for  
35 private schools and home education students from  
36 containing specified payment provisions; requiring  
37 each public postsecondary institution to develop a  
38 comprehensive dual enrollment articulation agreement  
39 for home education students; requiring a specified  
40 committee for each institution to develop the  
41 agreement; amending s. 1009.536, F.S.; specifying  
42 student eligibility for the Florida Gold Seal  
43 Vocational Scholars award; providing an effective  
44 date.

45  
46 Be It Enacted by the Legislature of the State of Florida:

47  
48 Section 1. Subsections (3) and (9) of section 1002.41,  
49 Florida Statutes, are amended, and subsections (10), (11), (12),  
50 (13), and (14) are added to that section, to read:

51 1002.41 Home education programs.—

52 (3) A home education program is not a school district  
53 program and shall be excluded from meeting the requirements of a  
54 school day.

55 (9) ~~Home education program students may receive~~ Testing and  
56 evaluation services at diagnostic and resource centers shall be  
57 available to home education program students, in accordance with  
58 the provisions of s. 1006.03.

59 (10) A school district may provide exceptional student  
60 education-related services, as defined in State Board of  
61 Education rule, to a home education program student with a

15-01315C-16

20161522\_\_

62 disability who is eligible for the services and who enrolls in a  
63 public school for the purpose of receiving those related  
64 services. The school district providing the services shall  
65 report each student as a full-time equivalent student in a  
66 manner prescribed by the Department of Education, and funding  
67 shall be provided through the Florida Education Finance Program  
68 pursuant to s. 1011.62.

69 (11) Home education program students shall be provided  
70 access to career and technical courses and programs offered by  
71 the school district.

72 (12) Industry certifications, national assessments, and  
73 statewide, standardized assessments offered by the school  
74 district shall be available to home education program students.  
75 Each school district shall notify home education program  
76 students of the available certifications and assessments; the  
77 date, time, and locations for the administration of each  
78 certification and assessment; and the deadline for notifying the  
79 school district of the student's intent to participate and the  
80 student's preferred location.

81 (13) Home education program students shall be provided an  
82 annual textbook reimbursement in the amount of \$81.42. The  
83 reimbursement shall be disbursed by an eligible nonprofit  
84 scholarship-funding organization, as defined in s. 1002.395,  
85 selected by the Department of Education. A student's enrollment  
86 in a home education program must be verified by the student's  
87 school district before the reimbursement may be awarded.

88 (14) A school district may not further regulate, exercise  
89 control over, or require documentation from parents of home  
90 education program students beyond the requirements of this

15-01315C-16

20161522\_\_

91 section unless the regulation, control, or documentation is  
92 necessary for participation in a school district program.

93 Section 2. Subsection (2) of section 1003.27, Florida  
94 Statutes, is amended to read:

95 1003.27 Court procedure and penalties.—The court procedure  
96 and penalties for the enforcement of the provisions of this  
97 part, relating to compulsory school attendance, shall be as  
98 follows:

99 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

100 (a) In each case of nonenrollment or of nonattendance upon  
101 the part of a student who is required to attend some school,  
102 when no valid reason for such nonenrollment or nonattendance is  
103 found, the district school superintendent shall institute a  
104 criminal prosecution against the student's parent. However,  
105 criminal prosecution may not be instituted against the student's  
106 parent until the school and school district have complied with  
107 s. 1003.26.

108 (b) Each public school principal or the principal's  
109 designee shall notify the district school board of each minor  
110 student under its jurisdiction who accumulates 15 unexcused  
111 absences in a period of 90 calendar days. ~~Each designee of the~~  
112 ~~governing body of each private school, and each parent whose~~  
113 ~~child is enrolled in a home education program, may provide the~~  
114 ~~Department of Highway Safety and Motor Vehicles with the legal~~  
115 ~~name, sex, date of birth, and social security number of each~~  
116 ~~minor student under his or her jurisdiction who fails to satisfy~~  
117 ~~relevant attendance requirements and who fails to otherwise~~  
118 ~~satisfy the requirements of s. 322.091.~~ The district school  
119 superintendent must provide the Department of Highway Safety and

15-01315C-16

20161522\_\_

120 Motor Vehicles the legal name, sex, date of birth, and social  
121 security number of each minor student who has been reported  
122 under this paragraph and who fails to otherwise satisfy the  
123 requirements of s. 322.091. The Department of Highway Safety and  
124 Motor Vehicles may not issue a driver license or learner's  
125 driver license to, and shall suspend any previously issued  
126 driver license or learner's driver license of, any such minor  
127 student, pursuant to the provisions of s. 322.091.

128 (c) Each designee of the governing body of each private  
129 school and each parent whose child is enrolled in a home  
130 education program may provide the Department of Highway Safety  
131 and Motor Vehicles with the legal name, sex, date of birth, and  
132 social security number of each minor student under his or her  
133 jurisdiction who fails to satisfy relevant attendance  
134 requirements and who fails to otherwise satisfy the requirements  
135 of s. 322.091. The Department of Highway Safety and Motor  
136 Vehicles may not issue a driver license or learner's driver  
137 license to, and shall suspend any previously issued driver  
138 license or learner's driver license of, any such minor student,  
139 pursuant to the provisions of s. 322.091.

140 Section 3. Subsections (22) through (24) are renumbered as  
141 subsections (23) through (25), respectively, paragraph (b) of  
142 subsection (13), subsection (16), and paragraph (n) of  
143 subsection (21) of section 1007.271, Florida Statutes, are  
144 amended, and a new subsection (22) is added to that section, to  
145 read:

146 1007.271 Dual enrollment programs.—

147 (13)

148 (b) Each postsecondary institution shall enter into a home

15-01315C-16

20161522\_\_

149 education articulation agreement with each home education  
150 student seeking enrollment in a dual enrollment course and the  
151 student's parent. The home education articulation agreement  
152 shall include, at a minimum:

153 1. A delineation of courses and programs available to  
154 dually enrolled home education students. Courses and programs  
155 may be added, revised, or deleted at any time by the  
156 postsecondary institution. The articulation agreement may not  
157 limit the courses or programs beyond those for other dually  
158 enrolled students, but may allow home education students to take  
159 additional courses on a space available basis.

160 2. The initial and continued eligibility requirements for  
161 home education student participation, not to exceed those  
162 required of other dually enrolled students. A high school grade  
163 point average may not be required for home education students  
164 who meet the minimum score on a common placement test adopted by  
165 the State Board of Education which indicates that the student is  
166 ready for college-level coursework; however, home education  
167 student eligibility requirements for continued enrollment in  
168 college credit dual enrollment courses must include the  
169 maintenance of the minimum postsecondary grade point average  
170 established by the postsecondary institution.

171 3. The student's responsibilities for providing his or her  
172 own instructional materials and transportation.

173 4. A copy of the statement on transfer guarantees developed  
174 by the Department of Education under subsection (15).

175 (16) Public school, private school, or home education  
176 program students who meet the eligibility requirements of this  
177 section and who choose to participate in dual enrollment

15-01315C-16

20161522\_\_

178 programs are exempt from the payment of registration, tuition,  
179 and laboratory fees.

180 (21) Each district school superintendent and each public  
181 postsecondary institution president shall develop a  
182 comprehensive dual enrollment articulation agreement for the  
183 respective school district and postsecondary institution. The  
184 superintendent and president shall establish an articulation  
185 committee for the purpose of developing the agreement. Each  
186 state university president may designate a university  
187 representative to participate in the development of a dual  
188 enrollment articulation agreement. A dual enrollment  
189 articulation agreement shall be completed and submitted annually  
190 by the postsecondary institution to the Department of Education  
191 on or before August 1. The agreement must include, but is not  
192 limited to:

193 (n) A funding provision that delineates costs incurred by  
194 each entity.

195 1. School districts shall pay public postsecondary  
196 institutions the standard tuition rate per credit hour from  
197 funds provided in the Florida Education Finance Program when  
198 dual enrollment course instruction takes place on the  
199 postsecondary institution's campus and the course is taken  
200 during the fall or spring term. When dual enrollment is provided  
201 on the high school site by postsecondary institution faculty,  
202 the school district shall reimburse the costs associated with  
203 the postsecondary institution's proportion of salary and  
204 benefits to provide the instruction. When dual enrollment course  
205 instruction is provided on the high school site by school  
206 district faculty, the school district is not responsible for

15-01315C-16

20161522\_\_

207 payment to the postsecondary institution. A postsecondary  
208 institution may enter into an agreement with the school district  
209 to authorize teachers to teach dual enrollment courses at the  
210 high school site or the postsecondary institution. A school  
211 district may not deny a student access to dual enrollment unless  
212 the student is ineligible to participate in the program subject  
213 to provisions specifically outlined in this section.

214 2. Subject to annual appropriation in the General  
215 Appropriations Act, a public postsecondary institution shall  
216 receive an amount of funding equivalent to the standard tuition  
217 rate per credit hour for each dual enrollment course taken by a  
218 student during the summer term.

219 3. The payment provisions of this paragraph do not apply to  
220 an articulation agreement with a private school or home  
221 education student.

222 (22) Each public postsecondary institution shall develop a  
223 comprehensive dual enrollment articulation agreement for home  
224 education students and the postsecondary institution. The  
225 president of the institution shall establish an articulation  
226 committee composed of postsecondary education representatives  
227 and home education parents or home education association  
228 representatives for the purpose of developing the agreement.

229 Section 4. Subsection (1) of section 1009.536, Florida  
230 Statutes, is amended to read:

231 1009.536 Florida Gold Seal Vocational Scholars award.—The  
232 Florida Gold Seal Vocational Scholars award is created within  
233 the Florida Bright Futures Scholarship Program to recognize and  
234 reward academic achievement and career preparation by high  
235 school students who wish to continue their education.



15-01315C-16

20161522\_\_

236 (1) A student is eligible for a Florida Gold Seal  
237 Vocational Scholars award if the student meets the general  
238 eligibility requirements for the Florida Bright Futures  
239 Scholarship Program and the student:

240 (a) Completes the secondary school portion of a sequential  
241 program of studies that requires at least three secondary school  
242 career credits and earns a minimum unweighted grade point  
243 average of 3.5 on a 4.0 scale for secondary school career  
244 courses comprising the career program. On-the-job training may  
245 not be substituted for any of the three required career credits.

246 (b) Demonstrates readiness for postsecondary education by  
247 earning a passing score on the Florida College Entry Level  
248 Placement Test or its equivalent as identified by the Department  
249 of Education.

250 (c) Earns a minimum cumulative weighted grade point average  
251 of 3.0, as calculated pursuant to s. 1009.531, on all subjects  
252 required for a standard high school diploma, excluding elective  
253 courses, or has attended a home education program pursuant to s.  
254 1002.41 during grades 11 and 12.

255 ~~(d) Earns a minimum unweighted grade point average of 3.5~~  
256 ~~on a 4.0 scale for secondary career courses comprising the~~  
257 ~~career program.~~

258 (d) ~~(e)~~ Beginning with high school students graduating in  
259 the 2011-2012 academic year and thereafter, completes a program  
260 of community service work approved by the district school board,  
261 the administrators of a nonpublic school, or the Department of  
262 Education for home education program students, which shall  
263 include a minimum of 30 hours of service work, and identifies a  
264 social problem that interests him or her, develops a plan for

15-01315C-16

20161522\_\_

265 his or her personal involvement in addressing the problem, and,  
266 through papers or other presentations, evaluates and reflects  
267 upon his or her experience.

268 Section 5. This act shall take effect July 1, 2016.