

1 A bill to be entitled
2 An act relating to educational choice; amending s.
3 1001.42, F.S.; providing additional duties of an
4 internal auditor employed by a school district;
5 amending s. 1002.20, F.S.; including specific
6 certifications and programs in the public educational
7 choice options available to students; authorizing
8 parents to use the Florida Personal Learning
9 Scholarship Accounts Program as a private educational
10 choice option; providing that parents of public school
11 students have the right to certain information;
12 providing requirements for the school financial report
13 to be provided to parents; amending s. 1002.31, F.S.;
14 requiring school districts to establish a controlled
15 open enrollment process; authorizing a parent to seek
16 enrollment of his or her child in, and transport his
17 or her child to, any public school in the state that
18 has not reached capacity; authorizing a school
19 district to provide transportation to certain
20 students; revising the controlled open enrollment
21 application process; providing that a student may not
22 be displaced from his or her zoned school under
23 certain circumstances; authorizing a student to attend
24 a school of choice until he or she completes the
25 school's highest grade; requiring a school district to
26 annually report specified information; requiring a

27 parent to provide certain notification to the school
28 district of residence by a specified date; requiring
29 district school boards to establish a process for a
30 parent to request that his or her child be transferred
31 to another classroom teacher; amending s. 1003.4295,
32 F.S.; revising the courses in which a student may earn
33 high school credit through the Credit Acceleration
34 Program; revising the assessments used in such
35 program; requiring the Department of Education to
36 contract with the Center for Applied Economic Research
37 at Florida Polytechnic University for certain
38 purposes; requiring the department to provide research
39 results and recommendations to the Legislature by a
40 specified date; providing an appropriation; providing
41 an effective date.

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

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45 Section 1. Paragraph (1) of subsection (12) of section
46 1001.42, Florida Statutes, is amended to read:

47 1001.42 Powers and duties of district school board.—The
48 district school board, acting as a board, shall exercise all
49 powers and perform all duties listed below:

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

53 (1) Internal auditor.—May employ an internal auditor to
 54 perform ongoing financial verification of the financial records
 55 of the school district and such other audits and reviews as
 56 directed by the district school board to determine:

57 1. The adequacy of internal controls designed to prevent
 58 and detect fraud, waste, and abuse.

59 2. Compliance with applicable laws, rules, contracts,
 60 grant agreements, district school board-approved policies, and
 61 best practices.

62 3. The efficiency of operations.

63 4. The reliability of financial records and reports.

64 5. The safeguard of assets.

65
 66 The internal auditor shall report directly to the district
 67 school board or its designee.

68 Section 2. Paragraphs (a) and (b) of subsection (6) and
 69 subsection (16) of section 1002.20, Florida Statutes, are
 70 amended to read:

71 1002.20 K-12 student and parent rights.—Parents of public
 72 school students must receive accurate and timely information
 73 regarding their child's academic progress and must be informed
 74 of ways they can help their child to succeed in school. K-12
 75 students and their parents are afforded numerous statutory
 76 rights including, but not limited to, the following:

77 (6) EDUCATIONAL CHOICE.—

78 (a) Public educational ~~school~~ choices.—Parents of public

79 | school students may seek whatever public educational ~~school~~
80 | choice options that are applicable and available to students
81 | throughout the state ~~in their school districts~~. These options
82 | may include controlled open enrollment, single-gender programs,
83 | lab schools, virtual instruction programs, charter schools,
84 | charter technical career centers, magnet schools, alternative
85 | schools, special programs, auditory-oral education programs,
86 | career and professional education (CAPE) digital tool
87 | certificates, CAPE industry certifications, collegiate high
88 | school programs, advanced placement, dual enrollment,
89 | International Baccalaureate, International General Certificate
90 | of Secondary Education (pre-AICE), Advanced International
91 | Certificate of Education, early admissions, credit by
92 | examination or demonstration of competency, the New World School
93 | of the Arts, the Florida School for the Deaf and the Blind, and
94 | the Florida Virtual School. These options may also include the
95 | public educational ~~school~~ choice options of the Opportunity
96 | Scholarship Program and the McKay Scholarships for Students with
97 | Disabilities Program.

98 | (b) Private educational ~~school~~ choices.—Parents of public
99 | school students may seek private educational ~~school~~ choice
100 | options under certain programs.

101 | 1. Under the McKay Scholarships for Students with
102 | Disabilities Program, the parent of a public school student with
103 | a disability may request and receive a McKay Scholarship for the
104 | student to attend a private school in accordance with s.

105 1002.39.

106 2. Under the Florida Tax Credit Scholarship Program, the
107 parent of a student who qualifies for free or reduced-price
108 school lunch or who is currently placed, or during the previous
109 state fiscal year was placed, in foster care as defined in s.
110 39.01 may seek a scholarship from an eligible nonprofit
111 scholarship-funding organization in accordance with s. 1002.395.

112 3. Under the Florida Personal Learning Scholarship
113 Accounts Program, the parent of a student with a qualifying
114 disability may apply for a personal learning scholarship to be
115 used for educational purposes pursuant to s. 1002.385.

116 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
117 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
118 have the right ~~are entitled~~ to an easy-to-read report card about
119 the school's grade designation or, if applicable under s.
120 1008.341, the school's improvement rating, and the school's
121 accountability report, including the school financial report as
122 required under s. 1010.215. The school financial report provided
123 by the Department of Education must be provided to the parents
124 and indicate the average amount of money expended per student in
125 the school.

126 Section 3. Section 1002.31, Florida Statutes, is amended
127 to read:

128 1002.31 Controlled open enrollment; public school parental
129 choice.—

130 (1) As used in this section, "controlled open enrollment"

131 means a public education delivery system that allows school
 132 districts to make student school assignments using parents'
 133 indicated preferential educational ~~school~~ choice as a
 134 significant factor.

135 (2) In addition to the existing choice programs provided
 136 in s. 1002.20(6)(a), each district school board shall allow a
 137 parent to seek enrollment of his or her child in, and transport
 138 his or her child to, any public school that has not reached
 139 capacity in the district by filing an application pursuant to
 140 subsection (3). However, a school district may provide
 141 transportation to students at the school district's discretion
 142 ~~may offer controlled open enrollment within the public schools~~
 143 ~~which is in addition to the existing choice programs such as~~
 144 ~~virtual instruction programs, magnet schools, alternative~~
 145 ~~schools, special programs, advanced placement, and dual~~
 146 ~~enrollment.~~

147 (3) Each district school board ~~offering controlled open~~
 148 ~~enrollment~~ shall annually by January 1 adopt by rule and post on
 149 its website the application process required to participate in
 150 controlled open enrollment. The process a controlled open
 151 ~~enrollment plan which must:~~

152 (a) Adhere to federal desegregation requirements.

153 (b) Allow ~~Include an application process required to~~
 154 ~~participate in controlled open enrollment that allows parents to~~
 155 ~~declare school preferences, including placement of siblings~~
 156 ~~within the same school.~~

157 (c) Provide a lottery procedure to determine student
158 assignment and establish an appeals process for hardship cases.

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

161 (e) Maintain socioeconomic, demographic, and racial
162 balance.

163 (f) Address the availability of transportation.

164 (g) Identify schools that have not reached capacity, as
165 determined by the school district. In making its determination
166 of capacity, each school district shall consider the
167 specifications, plans, elements, and commitments contained in
168 the school district educational facilities plan and the long-
169 term work programs required under s. 1013.35.

170 (h) Provide priority preference for the placement of
171 siblings in the same school and students residing in the
172 district. However, students residing in the district must not be
173 displaced by a student from another district seeking enrollment
174 under the controlled open enrollment process.

175 (i) Provide preference for the placement of military
176 students, in addition to the preferences required under s.
177 1003.05.

178 (j) Allow a student to remain at his or her chosen school
179 until he or she completes the highest grade offered by the
180 school in accordance with district plan priorities. However,
181 students residing in the district must not be displaced by a
182 student from another district.

183 (4) In accordance with the reporting requirements of s.
184 1011.62, each district school board shall annually report the
185 number of students exercising public educational choice, by type
186 of choice, in accordance with ~~attending the various types of~~
187 ~~public schools of choice in the district, including schools such~~
188 ~~as virtual instruction programs, magnet schools, and public~~
189 ~~charter schools, according to~~ rules adopted by the State Board
190 of Education.

191 (5) (a) Beginning in the 2017-2018 school year, or earlier
192 if authorized by the school district, a parent may seek
193 enrollment of his or her child in, and transport his or her
194 child to, any public school that has not reached capacity in any
195 school district in the state by filing an application pursuant
196 to subsection (3). The school district shall enroll an eligible
197 student pursuant to the preferences provided in subsection (3)
198 and report the student for purposes of the school district's
199 funding under the Florida Education Finance Program.

200 (b) A parent shall notify the school district of residence
201 upon filing an application pursuant to subsection (3) or by
202 February 15 of the preceding school year, whichever occurs later
203 ~~For a school or program that is a public school of choice under~~
204 ~~this section, the calculation for compliance with maximum class~~
205 ~~size pursuant to s. 1003.03 is the average number of students at~~
206 ~~the school level.~~

207 (6) Each district school board shall establish a transfer
208 process for a parent to request that his or her child be

209 transferred to another classroom teacher. This subsection does
 210 not give a parent the right to choose a specific classroom
 211 teacher. A school must grant or deny the transfer within 2 weeks
 212 after receiving the request. If a request for transfer is
 213 denied, the school shall notify the parent and specify the
 214 reasons for the denial. An explanation of the transfer process
 215 must be made available in the parent guide or similar
 216 publication.

217 Section 4. Subsection (3) of section 1003.4295, Florida
 218 Statutes, is amended to read:

219 1003.4295 Acceleration options.—

220 (3) The Credit Acceleration Program (CAP) is created for
 221 the purpose of allowing a student to earn high school credit in
 222 courses required for high school graduation through the passage
 223 of an end-of-course Algebra I, Algebra II, geometry, United
 224 States history, or biology if the student passes the statewide,
 225 standardized assessment administered under s. 1008.22 or an
 226 Advanced Placement Examination. Notwithstanding s. 1003.436, a
 227 school district shall award course credit to a student who is
 228 not enrolled in the course, or who has not completed the course,
 229 if the student attains a passing score on the corresponding end-
 230 of-course assessment or Advanced Placement Examination
 231 statewide, standardized assessment. The school district shall
 232 permit a public school or home education student who is not
 233 enrolled in the course, or who has not completed the course, to
 234 take the assessment or examination during the regular

235 administration of the assessment or examination.

236 Section 5. The Department of Education shall contract with
237 the Center for Applied Economic Research at Florida Polytechnic
238 University to determine the portability of the local portion of
239 Florida Education Finance Program funds. The center shall
240 research the feasibility of and recommend options for
241 transferring local funds together with a student who enrolls in
242 a public school in a school district other than his or her
243 school district of residence. The department shall provide
244 research results and recommendations to the Legislature by
245 November 1, 2017.

246 Section 6. For the 2016-2017 fiscal year, the sum of
247 \$200,000 in nonrecurring funds from the General Revenue Fund is
248 appropriated to the Department of Education to contract with the
249 Center for Applied Economic Research at Florida Polytechnic
250 University as required in section 5 of this act.

251 Section 7. This act shall take effect July 1, 2016.