

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; requiring that a course
14 syllabus be provided to a parent of a public school
15 student in specified grade levels for each course in
16 which the student is enrolled; requiring the syllabus
17 to include certain information; amending s. 1002.31,
18 F.S.; requiring school districts to establish a
19 controlled open enrollment process; authorizing a
20 parent to seek enrollment of his or her child in, and
21 transport his or her child to, any public school in
22 the state that has not reached capacity; authorizing a
23 school district to provide transportation to certain
24 students; revising the controlled open enrollment
25 application process; providing that a student may not
26 be displaced from his or her zoned school under

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

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

48
49 Section 1. Paragraph (1) of subsection (12) of section
50 1001.42, Florida Statutes, is amended to read:

51 1001.42 Powers and duties of district school board.—The
52 district school board, acting as a board, shall exercise all

53 powers and perform all duties listed below:

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

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

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

63 2. Compliance with applicable laws, rules, contracts,
 64 grant agreements, district school board-approved policies, and
 65 best practices.

66 3. The efficiency of operations.

67 4. The reliability of financial records and reports.

68 5. The safeguard of assets.

69
 70 The internal auditor shall report directly to the district
 71 school board or its designee.

72 Section 2. Paragraphs (a) and (b) of subsection (6) and
 73 subsection (16) of section 1002.20, Florida Statutes, are
 74 amended, and paragraph (e) is added to subsection (19), to read:

75 1002.20 K-12 student and parent rights.—Parents of public
 76 school students must receive accurate and timely information
 77 regarding their child's academic progress and must be informed
 78 of ways they can help their child to succeed in school. K-12

79 students and their parents are afforded numerous statutory
80 rights including, but not limited to, the following:

81 (6) EDUCATIONAL CHOICE.—

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

102 (b) Private educational ~~school~~ choices.—Parents of public
103 school students may seek private educational ~~school~~ choice
104 options under certain programs.

105 1. Under the McKay Scholarships for Students with
 106 Disabilities Program, the parent of a public school student with
 107 a disability may request and receive a McKay Scholarship for the
 108 student to attend a private school in accordance with s.
 109 1002.39.

110 2. Under the Florida Tax Credit Scholarship Program, the
 111 parent of a student who qualifies for free or reduced-price
 112 school lunch or who is currently placed, or during the previous
 113 state fiscal year was placed, in foster care as defined in s.
 114 39.01 may seek a scholarship from an eligible nonprofit
 115 scholarship-funding organization in accordance with s. 1002.395.

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

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

130 (19) INSTRUCTIONAL MATERIALS.—

131 (e) Course syllabi.—The parent of each public school
 132 student in grades 6 through 12 must be provided, for each course
 133 offered at the school in which the student is enrolled, a course
 134 syllabus with a complete listing by title of the instructional
 135 materials to be used in the course. The syllabus must identify
 136 any material containing mature or adult content and notify the
 137 parent of the procedures for objecting to his or her child's use
 138 of a specific instructional material pursuant to s.
 139 1006.28(1)(a)2.

140 Section 3. Section 1002.31, Florida Statutes, is amended
 141 to read:

142 1002.31 Controlled open enrollment; public school parental
 143 choice.—

144 (1) As used in this section, "controlled open enrollment"
 145 means a public education delivery system that allows school
 146 districts to make student school assignments using parents'
 147 indicated preferential educational ~~school~~ choice as a
 148 significant factor.

149 (2) In addition to the existing choice programs provided
 150 in s. 1002.20(6)(a), each district school board shall allow a
 151 parent to seek enrollment of his or her child in, and transport
 152 his or her child to, any public school that has not reached
 153 capacity in the district by filing an application pursuant to
 154 subsection (3). However, a school district may provide
 155 transportation to students at the school district's discretion
 156 ~~may offer controlled open enrollment within the public schools~~

157 ~~which is in addition to the existing choice programs such as~~
158 ~~virtual instruction programs, magnet schools, alternative~~
159 ~~schools, special programs, advanced placement, and dual~~
160 ~~enrollment.~~

161 (3) Each district school board ~~offering controlled open~~
162 ~~enrollment~~ shall annually by January 1 ~~adopt by rule and post on~~
163 ~~its website~~ the application process required to participate in
164 controlled open enrollment. The process ~~a controlled open~~
165 ~~enrollment plan~~ which must:

166 (a) Adhere to federal desegregation requirements.

167 (b) Allow ~~Include an application process required to~~
168 ~~participate in controlled open enrollment that allows parents to~~
169 ~~declare school preferences, including placement of siblings~~
170 ~~within the same school.~~

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

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

175 (e) Maintain socioeconomic, demographic, and racial
176 balance.

177 (f) Address the availability of transportation.

178 (g) Identify schools that have not reached capacity, as
179 determined by the school district. In making its determination
180 of capacity, each school district shall consider the
181 specifications, plans, elements, and commitments contained in
182 the school district educational facilities plan and the long-

183 term work programs required under s. 1013.35.

184 (h) Provide priority preference for the placement of
 185 siblings in the same school and students residing in the
 186 district. However, students residing in the district must not be
 187 displaced by a student from another district seeking enrollment
 188 under the controlled open enrollment process.

189 (i) Provide preference for the placement of military
 190 students, in addition to the preferences required under s.
 191 1003.05.

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

197
 198 Enrollment preferences provided pursuant to a donation of land
 199 or funding agreement executed before July 1, 2016, shall take
 200 priority over the enrollment provisions of this subsection.

201 (4) In accordance with the reporting requirements of s.
 202 1011.62, each district school board shall annually report the
 203 number of students exercising public educational choice, by type
 204 of choice, in accordance with ~~attending the various types of~~
 205 ~~public schools of choice in the district, including schools such~~
 206 ~~as virtual instruction programs, magnet schools, and public~~
 207 ~~charter schools, according to~~ rules adopted by the State Board
 208 of Education.

209 (5) (a) Beginning in the 2017-2018 school year, or earlier
210 if authorized by the school district, a parent may seek
211 enrollment of his or her child in, and transport his or her
212 child to, any public school that has not reached capacity in any
213 school district in the state by filing an application pursuant
214 to subsection (3). The school district shall enroll an eligible
215 student pursuant to the preferences provided in subsection (3)
216 and report the student for purposes of the school district's
217 funding under the Florida Education Finance Program.

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

225 (6) Each district school board shall establish a transfer
226 process for a parent to request that his or her child be
227 transferred to another classroom teacher. This subsection does
228 not give a parent the right to choose a specific classroom
229 teacher. A school must grant or deny the transfer within 2 weeks
230 after receiving the request. If a request for transfer is
231 denied, the school shall notify the parent and specify the
232 reasons for the denial. An explanation of the transfer process
233 must be made available in the parent guide or similar
234 publication.

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

237 1003.4295 Acceleration options.—

238 (3) The Credit Acceleration Program (CAP) is created for
239 the purpose of allowing a student to earn high school credit in
240 courses required for high school graduation through the passage
241 of an end-of-course Algebra I, Algebra II, geometry, United
242 States history, or biology if the student passes the statewide,
243 standardized assessment administered under s. 1008.22 or an
244 Advanced Placement Examination. Notwithstanding s. 1003.436, a
245 school district shall award course credit to a student who is
246 not enrolled in the course, or who has not completed the course,
247 if the student attains a passing score on the corresponding end-
248 of-course assessment or Advanced Placement Examination
249 statewide, standardized assessment. The school district shall
250 permit a public school or home education student who is not
251 enrolled in the course, or who has not completed the course, to
252 take the assessment or examination during the regular
253 administration of the assessment or examination.

254 Section 5. The Department of Education shall contract with
255 the Center for Applied Economic Research at Florida Polytechnic
256 University to determine the portability of Florida Education
257 Finance Program funds. The center shall research the feasibility
258 of and recommend options for the transfer of funds with a
259 student who enrolls in a public school in a school district
260 other than his or her school district of residence. The

261 department shall provide research results and recommendations to
262 the Legislature by November 1, 2016.

263 Section 6. For the 2016-2017 fiscal year, the sum of
264 \$200,000 in nonrecurring funds from the General Revenue Fund is
265 appropriated to the Department of Education to contract with the
266 Center for Applied Economic Research at Florida Polytechnic
267 University as required in section 5 of this act.

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