



1 A bill to be entitled
2 An act relating to education; amending s. 1002.41,
3 F.S.; providing that enrollment in a home education
4 program is a ministerial act by the district school
5 superintendent upon receipt of the notice and may only
6 be terminated under certain circumstances; specifying
7 that a home education program is not a school district
8 program; authorizing a school district to provide
9 exceptional student education-related services to
10 certain home education program students; requiring
11 reporting and funding through the Florida Education
12 Finance Program; authorizing a school district to
13 provide home education program students with access to
14 certain courses and programs offered by the school
15 district; requiring reporting and funding through the
16 Florida Education Finance Program; requiring home
17 education program students be provided access to
18 certain certifications and assessments offered by the
19 school district; providing for a textbook
20 reimbursement for certain home education program
21 students; providing for funding and the disbursement
22 of the reimbursement; requiring that a home education
23 student's enrollment in a dual enrollment course be
24 verified by the postsecondary institution before award
25 of the reimbursement; requiring the reimbursement to
26 be prorated under certain circumstances; prohibiting a



27 | school district from taking certain actions against a
28 | home education program student's parent unless such
29 | action is required for a school district program;
30 | amending s. 1003.27, F.S.; requiring a school and
31 | school district to comply with specified provisions
32 | before instituting criminal prosecution against
33 | certain parents relating to compulsory school
34 | attendance; amending s. 1007.271, F.S.; exempting dual
35 | enrollment students from paying technology fees;
36 | prohibiting dual enrollment course and program
37 | limitations for home education students from exceeding
38 | limitations for other students; providing an exemption
39 | from the grade point average requirement for initial
40 | enrollment in a dual enrollment program for certain
41 | home education students; providing that articulation
42 | agreements for private schools and home education
43 | students may not contain specified payment provisions;
44 | requiring each public postsecondary institution to
45 | develop a comprehensive dual enrollment articulation
46 | agreement for home education students; authorizing
47 | certain postsecondary institutions to enter into an
48 | articulation agreement with certain private schools;
49 | requiring that the articulation agreement be submitted
50 | to the Department of Education; requiring that
51 | specified provisions be included in the agreement;
52 | amending s. 1009.536, F.S.; specifying student



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53 eligibility for the Florida Gold Seal Vocational
54 Scholars award; providing an appropriation; providing
55 an effective date.

56

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

58

59 Section 1. Paragraph (a) of subsection (1) and subsections
60 (3) and (9) of section 1002.41, Florida Statutes, are amended,
61 and subsections (10) through (14) are added to that section, to
62 read:

63 1002.41 Home education programs.—

64 (1) A "home education program" is defined in s. 1002.01.
65 The parent is not required to hold a valid regular Florida
66 teaching certificate.

67 (a) The parent shall notify the district school
68 superintendent of the county in which the parent resides of her
69 or his intent to establish and maintain a home education
70 program. The notice shall be in writing, signed by the parent,
71 and shall include the names, addresses, and birthdates of all
72 children who shall be enrolled as students in the home education
73 program. The notice shall be filed in the district school
74 superintendent's office within 30 days of the establishment of
75 the home education program. Enrollment in a home education
76 program is a ministerial act by the district school
77 superintendent upon receipt of the notice and may only be
78 terminated pursuant to subsection (2). A written notice of



79 termination of the home education program shall be filed in the
80 district school superintendent's office within 30 days after
81 said termination.

82 (3) A home education program is not a school district
83 program and shall be excluded from meeting the requirements of a
84 school day.

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

89 (10) A school district may provide exceptional student
90 education-related services, as defined in State Board of
91 Education rule, to a home education program student with a
92 disability who is eligible for the services and who enrolls in a
93 public school solely for the purpose of receiving those related
94 services. The school district providing the services shall
95 report each student as a full-time equivalent student in the
96 class and in a manner prescribed by the Department of Education,
97 and funding shall be provided through the Florida Education
98 Finance Program pursuant to s. 1011.62.

99 (11) A school district may provide access to career and
100 technical courses and programs for a home education program
101 student who enrolls in a public school solely for the career and
102 technical courses or programs. The school district providing the
103 career and technical courses and programs shall report each
104 student as a full-time equivalent student in the class and in a



105 manner prescribed by the Department of Education, and funding
106 shall be provided through the Florida Education Finance Program
107 pursuant to s. 1011.62.

108 (12) Industry certifications, national assessments, and
109 statewide, standardized assessments offered by the school
110 district shall be available to home education program students.
111 Each school district shall notify home education program
112 students of the available certifications and assessments; the
113 date, time, and locations for the administration of each
114 certification and assessment; and the deadline for notifying the
115 school district of the student's intent to participate and the
116 student's preferred location.

117 (13) Subject to appropriation in the General
118 Appropriations Act, home education program students enrolled in
119 a dual enrollment course shall be provided an annual
120 reimbursement of up to \$80 for instructional materials assigned
121 for use within the course. The reimbursement shall be disbursed
122 by an eligible nonprofit scholarship-funding organization, as
123 defined in s. 1002.395, selected by the Department of Education.
124 A student's enrollment in a dual enrollment course must be
125 verified by the postsecondary institution before the
126 reimbursement may be awarded. If the total amount of the
127 reimbursements for all students exceeds the total appropriation
128 in the General Appropriations Act, each student shall receive a
129 prorated amount based on the number of students requesting
130 reimbursement for dual enrollment instructional materials.



131 (14) A school district may not further regulate, exercise
132 control over, or require documentation from parents of home
133 education program students beyond the requirements of this
134 section unless the regulation, control, or documentation is
135 necessary for participation in a school district program.

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

138 1003.27 Court procedure and penalties.—The court procedure
139 and penalties for the enforcement of the provisions of this
140 part, relating to compulsory school attendance, shall be as
141 follows:

142 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

143 (a) In each case of nonenrollment or of nonattendance upon
144 the part of a student who is required to attend some school,
145 when no valid reason for such nonenrollment or nonattendance is
146 found, the district school superintendent shall institute a
147 criminal prosecution against the student's parent. However,
148 criminal prosecution may not be instituted against the student's
149 parent until the school and school district have complied with
150 s. 1003.26.

151 (b) Each public school principal or the principal's
152 designee shall notify the district school board of each minor
153 student under its jurisdiction who accumulates 15 unexcused
154 absences in a period of 90 calendar days. ~~Each designee of the~~
155 ~~governing body of each private school, and each parent whose~~
156 ~~child is enrolled in a home education program, may provide the~~



157 ~~Department of Highway Safety and Motor Vehicles with the legal~~
158 ~~name, sex, date of birth, and social security number of each~~
159 ~~minor student under his or her jurisdiction who fails to satisfy~~
160 ~~relevant attendance requirements and who fails to otherwise~~
161 ~~satisfy the requirements of s. 322.091.~~ The district school
162 superintendent must provide the Department of Highway Safety and
163 Motor Vehicles the legal name, sex, date of birth, and social
164 security number of each minor student who has been reported
165 under this paragraph and who fails to otherwise satisfy the
166 requirements of s. 322.091. The Department of Highway Safety and
167 Motor Vehicles may not issue a driver license or learner's
168 driver license to, and shall suspend any previously issued
169 driver license or learner's driver license of, any such minor
170 student, pursuant to the provisions of s. 322.091.

171 (c) Each designee of the governing body of each private
172 school and each parent whose child is enrolled in a home
173 education program may provide the Department of Highway Safety
174 and Motor Vehicles with the legal name, sex, date of birth, and
175 social security number of each minor student under his or her
176 jurisdiction who fails to satisfy relevant attendance
177 requirements and who fails to otherwise satisfy the requirements
178 of s. 322.091. The Department of Highway Safety and Motor
179 Vehicles may not issue a driver license or learner's driver
180 license to, and shall suspend any previously issued driver
181 license or learner's driver license of, any such minor student,
182 pursuant to the provisions of s. 322.091.



183 Section 3. Subsections (22) through (24) are renumbered as
184 subsections (23) through (25), respectively, subsections (2),
185 (10), and (11), paragraph (b) of subsection (13), subsection
186 (16), paragraph (n) of subsection (21), and present subsection
187 (24) of section 1007.271, Florida Statutes, are amended, and a
188 new subsection (22) is added to that section, to read:

189 1007.271 Dual enrollment programs.—

190 (2) For the purpose of this section, an eligible secondary
191 student is a student who is enrolled in any of grades 6 through
192 12 in a Florida public school or in a Florida private school
193 that is in compliance with s. 1002.42(2) and provides a
194 secondary curriculum pursuant to s. 1003.4282. A student
195 ~~Students~~ who is ~~are~~ eligible for dual enrollment pursuant to
196 this section may enroll in dual enrollment courses conducted
197 during school hours, after school hours, and during the summer
198 term. However, if the student is projected to graduate from high
199 school before the scheduled completion date of a postsecondary
200 course, the student may not register for that course through
201 dual enrollment. The student may apply to the postsecondary
202 institution and pay the required registration, tuition, and fees
203 if the student meets the postsecondary institution's admissions
204 requirements under s. 1007.263. Instructional time for dual
205 enrollment may vary from 900 hours; however, the full-time
206 equivalent student membership value is ~~shall be~~ subject to ~~the~~
207 ~~provisions in~~ s. 1011.61(4). A student enrolled as a dual
208 enrollment student is exempt from the payment of registration,



209 tuition, technology, and laboratory fees. Applied academics for
210 adult education instruction, developmental education, and other
211 forms of precollegiate instruction, as well as physical
212 education courses that focus on the physical execution of a
213 skill, rather than the intellectual attributes of the activity,
214 are ineligible for inclusion in the dual enrollment program.
215 Recreation and leisure studies courses shall be evaluated
216 individually in the same manner as physical education courses
217 for potential inclusion in the program.

218 (10) Early admission is a form of dual enrollment through
219 which an eligible secondary student enrolls ~~students enroll~~ in a
220 postsecondary institution on a full-time basis in courses that
221 are creditable toward the high school diploma and the associate
222 or baccalaureate degree. A student must enroll in a minimum of
223 12 college credit hours per semester or the equivalent to
224 participate in the early admission program; however, a student
225 may not be required to enroll in more than 15 college credit
226 hours per semester or the equivalent. A student ~~Students~~
227 enrolled pursuant to this subsection is ~~are~~ exempt from the
228 payment of registration, tuition, technology, and laboratory
229 fees.

230 (11) Career early admission is a form of career dual
231 enrollment through which an eligible secondary student enrolls
232 ~~students enroll~~ full time in a career center or a Florida
233 College System institution in postsecondary programs leading to
234 industry certifications, as listed in the CAPE Postsecondary



235 Industry Certification Funding List pursuant to s. 1008.44,
236 which are creditable toward the high school diploma and the
237 certificate or associate degree. Participation in the career
238 early admission program is limited to students who have
239 completed a minimum of 4 semesters of full-time secondary
240 enrollment, including studies undertaken in ~~the ninth~~ grade 9. A
241 student ~~Students~~ enrolled pursuant to this section is ~~are~~ exempt
242 from the payment of registration, tuition, technology, and
243 laboratory fees.

244 (13)

245 (b) Each postsecondary institution shall enter into a home
246 education articulation agreement with each home education
247 student seeking enrollment in a dual enrollment course and the
248 student's parent. The home education articulation agreement
249 shall include, at a minimum:

250 1. A delineation of courses and programs available to
251 dually enrolled home education students. Courses and programs
252 may be added, revised, or deleted at any time by the
253 postsecondary institution. Any course or program limitations may
254 not exceed the limitations for other dually enrolled students.

255 2. The initial and continued eligibility requirements for
256 home education student participation, not to exceed those
257 required of other dually enrolled students. A high school grade
258 point average may not be required for home education students
259 who meet the minimum score on a common placement test adopted by
260 the State Board of Education which indicates that the student is



261 ready for college-level coursework; however, home education
262 student eligibility requirements for continued enrollment in
263 college credit dual enrollment courses must include the
264 maintenance of the minimum postsecondary grade point average
265 established by the postsecondary institution.

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

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

270 (16) Public school, private school, or home education
271 program students who meet the eligibility requirements of this
272 section and who choose to participate in dual enrollment
273 programs are exempt from the payment of registration, tuition,
274 technology, and laboratory fees.

275 (21) Each district school superintendent and each public
276 postsecondary institution president shall develop a
277 comprehensive dual enrollment articulation agreement for the
278 respective school district and postsecondary institution. The
279 superintendent and president shall establish an articulation
280 committee for the purpose of developing the agreement. Each
281 state university president may designate a university
282 representative to participate in the development of a dual
283 enrollment articulation agreement. A dual enrollment
284 articulation agreement shall be completed and submitted annually
285 by the postsecondary institution to the Department of Education
286 on or before August 1. The agreement must include, but is not



287 limited to:

288 (n) A funding provision that delineates costs incurred by
289 each entity.

290 1. School districts shall pay public postsecondary
291 institutions the standard tuition rate per credit hour from
292 funds provided in the Florida Education Finance Program when
293 dual enrollment course instruction takes place on the
294 postsecondary institution's campus and the course is taken
295 during the fall or spring term. When dual enrollment is provided
296 on the high school site by postsecondary institution faculty,
297 the school district shall reimburse the costs associated with
298 the postsecondary institution's proportion of salary and
299 benefits to provide the instruction. When dual enrollment course
300 instruction is provided on the high school site by school
301 district faculty, the school district is not responsible for
302 payment to the postsecondary institution. A postsecondary
303 institution may enter into an agreement with the school district
304 to authorize teachers to teach dual enrollment courses at the
305 high school site or the postsecondary institution. A school
306 district may not deny a student access to dual enrollment unless
307 the student is ineligible to participate in the program subject
308 to provisions specifically outlined in this section.

309 2. Subject to annual appropriation in the General
310 Appropriations Act, a public postsecondary institution shall
311 receive an amount of funding equivalent to the standard tuition
312 rate per credit hour for each dual enrollment course taken by a



313 student during the summer term.

314 3. The payment provisions of this paragraph do not apply
315 to an articulation agreement with a private school or a home
316 education student.

317 (22) Each public postsecondary institution shall develop a
318 comprehensive dual enrollment articulation agreement for home
319 education students and the postsecondary institution.

320 (25)-(24) A postsecondary institution eligible to
321 participate in the dual enrollment program pursuant to s.
322 1011.62(1)(i) may enter into a private school articulation
323 agreement with a private school that is in compliance with s.
324 1002.42(2) and provides a secondary curriculum pursuant to s.
325 1003.4282. The postsecondary institution shall complete and
326 submit the private school articulation agreement to the
327 Department of Education. The articulation agreement must include
328 a provision expressing that a private school or student may not
329 be required to pay costs associated with tuition and fees,
330 including technology, registration, and laboratory fees
331 ~~Postsecondary institutions may enter into dual enrollment~~
332 ~~articulation agreements with private secondary schools pursuant~~
333 ~~to subsection (2).~~

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

336 1009.536 Florida Gold Seal Vocational Scholars award.—The
337 Florida Gold Seal Vocational Scholars award is created within
338 the Florida Bright Futures Scholarship Program to recognize and



339 reward academic achievement and career preparation by high
340 school students who wish to continue their education.

341 (1) A student is eligible for a Florida Gold Seal
342 Vocational Scholars award if the student meets the general
343 eligibility requirements for the Florida Bright Futures
344 Scholarship Program and the student:

345 (a) Completes the secondary school portion of a sequential
346 program of studies that requires at least three secondary school
347 career credits and earns a minimum unweighted grade point
348 average of 3.5 on a 4.0 scale for secondary school career
349 courses comprising the career program. On-the-job training may
350 not be substituted for any of the three required career credits.

351 (b) Demonstrates readiness for postsecondary education by
352 earning a passing score on the Florida College Entry Level
353 Placement Test or its equivalent as identified by the Department
354 of Education.

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

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

363 ~~(d)-(e)~~ Beginning with high school students graduating in
364 the 2011-2012 academic year and thereafter, completes a program



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365 | of community service work approved by the district school board,
366 | the administrators of a nonpublic school, or the Department of
367 | Education for home education program students, which shall
368 | include a minimum of 30 hours of service work, and identifies a
369 | social problem that interests him or her, develops a plan for
370 | his or her personal involvement in addressing the problem, and,
371 | through papers or other presentations, evaluates and reflects
372 | upon his or her experience.

373 | Section 5. For the 2016-2017 fiscal year, the sum of \$1
374 | million in recurring funds is appropriated from the General
375 | Revenue Fund to the Department of Education for the purpose of
376 | implementing s. 1002.41(13), Florida Statutes.

377 | Section 6. This act shall take effect July 1, 2016.