

1                                   A bill to be entitled  
 2           An act relating to parent-teacher compacts; creating  
 3           s. 1002.456, F.S.; providing purpose; providing  
 4           definitions; authorizing parent-teacher compacts to  
 5           educate children; providing requirements for such  
 6           compacts; providing for the status of students and  
 7           teachers in such compacts; providing for funding and  
 8           payments; specifying that the state assumes no  
 9           liability for such compacts; specifying the effect of  
 10          such compacts on the state's regulatory authority;  
 11          requiring the State Board of Education to adopt rules;  
 12          amending s. 1003.01, F.S.; conforming a provision to  
 13          changes made by the act; providing an effective date.

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

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 17           Section 1.   Section 1002.456, Florida Statutes, is created  
 18   to read:

- 19           1002.456 Parent-teacher compacts.—  
 20           (1) PURPOSE.—The purpose of this section is to:  
 21           (a) Increase learning opportunities for all students.  
 22           (b) Create new professional opportunities for teachers.  
 23           (c) Empower families to create education solutions that  
 24           fit the unique needs of their children.  
 25           (d) Empower teachers to serve students and their families

26 | in innovative ways.

27 | (e) Facilitate written agreements between teachers and  
28 | parents.

29 | (2) DEFINITIONS.—As used in this section, the term:

30 | (a) "Parent" is any person who is the legal guardian of a  
31 | child who is entitled to receive a free and appropriate public  
32 | education under general law.

33 | (b) "Teacher" is a person who is properly certified to  
34 | teach in a public school in the state and who has not been  
35 | employed by a Florida public school district in the prior 9  
36 | months.

37 | (3) ESTABLISHMENT.—The State Board of Education shall  
38 | establish a program allowing certified teachers to enter into  
39 | contracts with parents of school students in kindergarten or who  
40 | attended public school in kindergarten through grade 12 the  
41 | prior year to provide educational instruction in order to meet  
42 | the instructional requirements.

43 | (4) PARENT-TEACHER COMPACTS.—

44 | (a) A parent who is a resident of the state may enter into  
45 | a written compact with a teacher to oversee the education of,  
46 | and provide educational services to, a child in their legal  
47 | custody. Teachers who are certified to teach in a public school  
48 | in the state and who have not been employed by a Florida public  
49 | school district in the prior 9 months may enter one or more  
50 | compacts with one or more families to serve one or more

51 students. A parent-teacher compact shall contain, at minimum,  
52 the following information:

53 1. The name of the teacher and verification of his or her  
54 certification.

55 2. The name of the student and parent and their legal  
56 address.

57 3. The number of students who will be served by the  
58 compact.

59 4. A list of students who will be served by the compact  
60 and their identifying information.

61 5. A description of the services to be provided in a  
62 format prescribed by the department.

63 6. A termination clause that allows the parent or teacher  
64 to terminate the compact for any reason.

65 7. The terms of the compact.

66 (b) Once a compact between the teacher and the parent has  
67 been agreed to and signed by both parties, the teacher shall  
68 submit a copy of the written compact to the department for  
69 review and approval.

70 (c) The Department of Education shall publish a sample  
71 compact template that may be used by parents and teachers to  
72 facilitate the development of parent-teacher compacts.

73 (5) STATUS OF STUDENTS SERVED BY PARENT-TEACHER COMPACTS.—

74 (a) A student being served under the direction of a  
75 parent-teacher compact that has been properly submitted to the

76 department shall be considered fully enrolled in an education  
 77 program under the direction of a teacher.

78 (b) A teacher who is a party to a signed parent-teacher  
 79 compact shall be a member of the student's individualized  
 80 education program team.

81 (6) STATUS AND DUTIES OF TEACHERS SERVING STUDENTS UNDER A  
 82 PARENT-TEACHER COMPACT.—

83 (a) The teacher shall maintain a portfolio of student  
 84 records and materials. The portfolio must consist of the  
 85 following:

86 1. A log of educational activities that is made  
 87 contemporaneously with the instruction and that designates by  
 88 title any reading materials used.

89 2. Samples of any writings, worksheets, workbooks, or  
 90 creative materials used or developed by the student.

91 (b) The teacher shall evaluate and certify the student  
 92 demonstrates educational progress at a level commensurate with  
 93 his or her ability and must file a copy of the evaluation  
 94 annually with the district school superintendent's office in the  
 95 county in which the student resides.

96 (c) Teachers who are serving one or more students under  
 97 the authority of a parent-teacher compact shall offer to  
 98 administer the state standardized assessments required for  
 99 public school students in the state.

100 (d) Teachers who are serving students under the authority

101 of a parent-teacher compact may participate in the Florida  
102 Retirement System and health care benefit systems.

103 (7) FUNDING AND PAYMENT.—

104 (a) The calculated amount for a student shall be the funds  
105 per unweighted full-time equivalent in the Florida Education  
106 Finance Program for a student in the basic program established  
107 pursuant to s. 1011.62(1)(c)1., plus a per-full-time equivalent  
108 share of funds for all categorical programs.

109 (b) The school district shall report all students who are  
110 participating in a parent-teacher compact under this section.  
111 Students shall be reported separately from other students  
112 reported for purposes of the Florida Education Finance Program.

113 (c) On July 1, September 1, December 1, or February 1  
114 after documentation of the number of program participants, the  
115 department shall transfer, from general revenue funds only, the  
116 amount calculated pursuant to paragraph (a) to a separate  
117 account for quarterly disbursement to parents of participating  
118 students.

119 (d) Upon notification by the department that it has  
120 received the documentation required under paragraph (c), the  
121 Chief Financial Officer shall make payments in four equal  
122 amounts no later than September 1, November 1, February 1, and  
123 April 1 of each school year in which the compact is in force.  
124 The initial payment shall be made after department verification  
125 of the compact, and subsequent payments shall be made upon

126 verification of continued enrollment and attendance. Payment  
127 must be by individual warrant made payable to the student's  
128 parent and transmitted by the department to the teacher, and the  
129 parent shall restrictively endorse the warrant to the teacher  
130 for deposit into the account of the teacher.

131 (e) Subsequent to each payment, the department shall  
132 request from the Department of Financial Services a sample of  
133 endorsed warrants to review and confirm compliance with  
134 endorsement requirements.

135 (f) If the teacher or parent should terminate the compact  
136 for any reason, the teacher shall notify the parent and the  
137 department in writing within 5 business days after the date of  
138 the termination. The department shall prorate funding to the  
139 teacher based on the number of instructional hours, or the  
140 equivalent, the compact was in effect.

141 (8) LIABILITY.—No liability shall arise on the part of the  
142 state based on the student's participation in a parent-teacher  
143 compact.

144 (9) SCOPE OF AUTHORITY.—The inclusion of eligible parent-  
145 teacher compacts within the options available to public school  
146 students does not expand the regulatory authority of the state,  
147 its officers, or any school district to impose any additional  
148 regulation beyond those reasonably necessary to enforce  
149 requirements expressly set forth in this section.

150 (10) RULES.—The State Board of Education shall adopt rules

151 to administer this section.

152 Section 2. Paragraphs (d) and (e) of subsection (13) of  
 153 section 1003.01, Florida Statutes, are amended, and paragraph  
 154 (f) is added to that subsection, to read:

155 1003.01 Definitions.—As used in this chapter, the term:

156 (13) "Regular school attendance" means the actual  
 157 attendance of a student during the school day as defined by law  
 158 and rules of the State Board of Education. Regular attendance  
 159 within the intent of s. 1003.21 may be achieved by attendance  
 160 in:

161 (d) A home education program that meets the requirements  
 162 of chapter 1002; ~~or~~

163 (e) A private tutoring program that meets the requirements  
 164 of chapter 1002; or

165 (f) A parent-teacher compact that meets the requirements  
 166 of chapter 1002.

167 Section 3. This act shall take effect July 1, 2021.