

1 A bill to be entitled
2 An act relating to education; amending s. 1002.45,
3 F.S.; providing approved virtual instruction program
4 provider, virtual charter school, and school district
5 responsibilities relating to statewide assessments and
6 progress monitoring for certain students; creating s.
7 1003.052, F.S.; establishing the Purple Star School
8 District Program; providing requirements for such
9 program; authorizing the Department of Education to
10 establish additional program criteria; authorizing the
11 State Board of Education to adopt rules; amending s.
12 1003.451, F.S.; requiring school districts and charter
13 schools to provide certain students with an
14 opportunity to take the Armed Services Vocational
15 Aptitude Battery Test and consult with a military
16 recruiter; providing requirements for the scheduling
17 of such test; amending s. 1003.53, F.S.; revising
18 requirements for the assignment of students to
19 disciplinary programs and alternative school settings
20 or other programs; deleting provisions relating to
21 second chance schools; revising requirements for
22 dropout prevention and academic intervention programs;
23 requiring such programs to include academic
24 intervention plans for students; providing
25 requirements for such plans; providing that specified

26 provisions apply to all dropout prevention and
27 academic intervention programs; requiring school
28 principals or their designees to make a reasonable
29 effort to notify parents by specified means and to
30 document such effort; amending s. 1006.38, F.S.;
31 requiring instructional materials publishers and
32 manufacturers or their representatives to make sample
33 copies of specified instructional materials available
34 electronically for use by certain institutes for
35 specified purpose; amending s. 1007.25, F.S.; creating
36 associate in arts specialized transfer degrees;
37 providing requirements for such degrees; providing a
38 process for the approval of such degree programs;
39 providing for rulemaking; amending s. 1008.33, F.S.;
40 revising the date by which a memorandum of
41 understanding relating to schools in turnaround status
42 must be provided to the department; revising
43 requirements for district-managed turnaround plans;
44 providing requirements for turnaround schools that
45 close and reopen as charter schools and school
46 districts in which such schools reside; providing that
47 specified provisions do not apply to certain
48 turnaround schools; requiring the State Board of
49 Education to adopt rules for a charter school
50 turnaround contract and specified leases and

51 | agreements; amending s. 1012.79, F.S.; authorizing the
52 | Commissioner of Education to appoint an executive
53 | director of the Education Practices Commission;
54 | revising the purpose of the commission; authorizing
55 | the commission to expend funds for legal services;
56 | repealing s. 1012.86, F.S., relating to the Florida
57 | College System institution employment equity
58 | accountability program; amending ss. 948.037, 1001.64,
59 | 1001.65, 1006.07, 1006.09, and 1006.13, F.S.;
60 | conforming provisions to changes made by the act;
61 | providing an effective date.

62 |
63 | Be It Enacted by the Legislature of the State of Florida:
64 |

65 | Section 1. Paragraph (b) of subsection (5) of section
66 | 1002.45, Florida Statutes, is amended to read:

67 | 1002.45 Virtual instruction programs.—

68 | (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student
69 | enrolled in the school district's virtual instruction program
70 | authorized pursuant to paragraph (1)(c) must:

71 | (b) Take statewide assessments pursuant to s. 1008.22 and
72 | participate in the coordinated screening and progress monitoring
73 | system under s. 1008.25(9). Statewide assessments and progress
74 | monitoring may be administered within the school district in
75 | which such student resides, ~~7~~ or as specified in the contract

76 under ~~in accordance with~~ s. 1008.24(3). If requested by the
 77 approved virtual instruction program provider or virtual charter
 78 school, the district of residence must provide the student with
 79 access to the district's testing facilities. It is the
 80 responsibility of the approved virtual instruction program
 81 provider or virtual charter school to provide a list of students
 82 to be administered statewide assessments and progress monitoring
 83 to the school district, including the students' names, Florida
 84 Education Identifiers, grade levels, assessments and progress
 85 monitoring to be administered, and contact information. Unless
 86 an alternative testing site is mutually agreed to by the
 87 approved virtual instruction program provider or virtual charter
 88 school and the school district, or as specified in the contract
 89 under s. 1008.24, all assessments and progress monitoring must
 90 be taken at the school to which the student would be assigned
 91 according to district school board attendance policies. A school
 92 district must provide the student with access to the school's or
 93 district's testing facilities and provide the student with the
 94 date and time of the administration of each assessment and
 95 progress monitoring.

96 Section 2. Section 1003.052, Florida Statutes, is created
 97 to read:

98 1003.052 The Purple Star School District Program.—
 99 (1)(a) The Department of Education shall establish the
 100 Purple Star School District Program. At a minimum, the program

101 must require a participating school district to:

102 1. Have at least 75 percent of the schools within the
 103 district be designated as Purple Star Campuses under s.
 104 1003.051.

105 2. Maintain a web page on the district's website which
 106 includes resources for military students and their families and
 107 a link to each Purple Star Campus's web page that meets the
 108 requirements of s. 1003.051(2)(a)2.

109 (b) The department may establish additional program
 110 criteria to identify school districts that demonstrate a
 111 commitment to or provide critical coordination of services for
 112 military students and their families, including, but not limited
 113 to, establishing a council consisting of a representative from
 114 each Purple Star Campus in the district and one district-level
 115 representative to ensure the alignment of military student-
 116 focused policies and procedures within the district.

117 (2) The State Board of Education may adopt rules to
 118 administer this section.

119 Section 3. Subsection (4) of section 1003.451, Florida
 120 Statutes, is renumbered as subsection (5), and a new subsection
 121 (4) is added to that section to read:

122 1003.451 Junior Reserve Officers' Training Corps; military
 123 recruiters; access to public school campuses; Armed Services
 124 Vocational Aptitude Battery Test (ASVAB).-

125 (4) Each school district and charter school shall provide

126 students in grades 11 and 12 an opportunity to take the Armed
127 Services Vocational Aptitude Battery Test (ASVAB) and consult
128 with a military recruiter if the student selects. To optimize
129 student participation, the ASVAB must be scheduled during normal
130 school hours.

131 Section 4. Section 1003.53, Florida Statutes, is amended
132 to read:

133 1003.53 Dropout prevention and academic intervention.—

134 (1)(a) Dropout prevention and academic intervention
135 programs may differ from traditional educational programs and
136 schools in scheduling, administrative structure, philosophy,
137 curriculum, or setting and shall employ alternative teaching
138 methodologies, curricula, learning activities, and diagnostic
139 and assessment procedures in order to meet the needs, interests,
140 abilities, and talents of eligible students. The educational
141 program shall provide curricula, character development and law
142 education, and related services that support the program goals
143 and lead to improved performance in the areas of academic
144 achievement, attendance, and discipline. Student participation
145 in such programs shall be voluntary. District school boards may,
146 however, assign students to a disciplinary program for
147 disruptive students or an alternative school setting or other
148 program pursuant to s. 1006.13. Notwithstanding any other
149 provision of law to the contrary, no student shall be identified
150 as being eligible to receive services ~~funded~~ through the dropout

151 prevention and academic intervention program based solely on the
152 student being from a single-parent family or having a
153 disability.

154 (b) Students in grades 1-12 shall be eligible for dropout
155 prevention and academic intervention programs. Eligible students
156 shall be reported in the appropriate basic cost factor in the
157 Florida Education Finance Program. The strategies and supports
158 provided to eligible students shall be funded through the
159 General Appropriations Act and may include, but are not limited
160 to, those services identified on the student's academic
161 intervention plan.

162 (c) A student shall be identified as being eligible to
163 receive services ~~funded~~ through the dropout prevention and
164 academic intervention program based upon one of the following
165 criteria:

166 1. The student is academically unsuccessful as evidenced
167 by low test scores, retention, failing grades, low grade point
168 average, falling behind in earning credits, or not meeting the
169 state or district achievement levels in reading, mathematics, or
170 writing.

171 2. The student has a pattern of excessive absenteeism or
172 has been identified as a habitual truant.

173 3. The student has a history of disruptive behavior in
174 school or has committed an offense that warrants out-of-school
175 suspension or expulsion from school according to the district

176 school board's code of student conduct. For the purposes of this
 177 program, "disruptive behavior" is behavior that:

178 a. Interferes with the student's own learning or the
 179 educational process of others and requires attention and
 180 assistance beyond that which the traditional program can provide
 181 or results in frequent conflicts of a disruptive nature while
 182 the student is under the jurisdiction of the school either in or
 183 out of the classroom; or

184 b. Severely threatens the general welfare of students or
 185 others with whom the student comes into contact.

186 4. The student is identified by a school's early warning
 187 system pursuant to s. 1001.42(18)(b).

188 ~~(d)1. "Second chance schools" means district school board~~
 189 ~~programs provided through cooperative agreements between the~~
 190 ~~Department of Juvenile Justice, private providers, state or~~
 191 ~~local law enforcement agencies, or other state agencies for~~
 192 ~~students who have been disruptive or violent or who have~~
 193 ~~committed serious offenses. As partnership programs, second~~
 194 ~~chance schools are eligible for waivers by the Commissioner of~~
 195 ~~Education from State Board of Education rules that prevent the~~
 196 ~~provision of appropriate educational services to violent,~~
 197 ~~severely disruptive, or delinquent students in small~~
 198 ~~nontraditional settings or in court-adjudicated settings.~~

199 ~~2. District school boards seeking to enter into a~~
 200 ~~partnership with a private entity or public entity to operate a~~

201 ~~second chance school for disruptive students may apply to the~~
 202 ~~Department of Education for startup grants. These grants must be~~
 203 ~~available for 1 year and must be used to offset the startup~~
 204 ~~costs for implementing such programs off public school campuses.~~
 205 ~~General operating funds must be generated through the~~
 206 ~~appropriate programs of the Florida Education Finance Program.~~
 207 ~~Grants approved under this program shall be for the full~~
 208 ~~operation of the school by a private nonprofit or for-profit~~
 209 ~~provider or the public entity. This program must operate under~~
 210 ~~rules adopted by the State Board of Education and be implemented~~
 211 ~~to the extent funded by the Legislature.~~

212 ~~3. A student enrolled in a sixth, seventh, eighth, ninth,~~
 213 ~~or tenth grade class may be assigned to a second chance school~~
 214 ~~if the student meets the following criteria:~~

215 ~~a. The student is a habitual truant as defined in s.~~
 216 ~~1003.01.~~

217 ~~b. The student's excessive absences have detrimentally~~
 218 ~~affected the student's academic progress and the student may~~
 219 ~~have unique needs that a traditional school setting may not~~
 220 ~~meet.~~

221 ~~c. The student's high incidences of truancy have been~~
 222 ~~directly linked to a lack of motivation.~~

223 ~~d. The student has been identified as at risk of dropping~~
 224 ~~out of school.~~

225 ~~4. A student who is habitually truant may be assigned to a~~

226 ~~second chance school only if the case staffing committee,~~
227 ~~established pursuant to s. 984.12, determines that such~~
228 ~~placement could be beneficial to the student and the criteria~~
229 ~~included in subparagraph 3. are met.~~

230 ~~5. A student may be assigned to a second chance school if~~
231 ~~the district school board in which the student resides has a~~
232 ~~second chance school and if the student meets one of the~~
233 ~~following criteria:~~

234 ~~a. The student habitually exhibits disruptive behavior in~~
235 ~~violation of the code of student conduct adopted by the district~~
236 ~~school board.~~

237 ~~b. The student interferes with the student's own learning~~
238 ~~or the educational process of others and requires attention and~~
239 ~~assistance beyond that which the traditional program can~~
240 ~~provide, or, while the student is under the jurisdiction of the~~
241 ~~school either in or out of the classroom, frequent conflicts of~~
242 ~~a disruptive nature occur.~~

243 ~~c. The student has committed a serious offense which~~
244 ~~warrants suspension or expulsion from school according to the~~
245 ~~district school board's code of student conduct. For the~~
246 ~~purposes of this program, "serious offense" is behavior which:~~

247 ~~(I) Threatens the general welfare of students or others~~
248 ~~with whom the student comes into contact;~~

249 ~~(II) Includes violence;~~

250 ~~(III) Includes possession of weapons or drugs; or~~

251 ~~(IV) Is harassment or verbal abuse of school personnel or~~
252 ~~other students.~~

253 ~~6. Prior to assignment of students to second chance~~
254 ~~schools, district school boards are encouraged to use~~
255 ~~alternative programs, such as in-school suspension, which~~
256 ~~provide instruction and counseling leading to improved student~~
257 ~~behavior, a reduction in the incidence of truancy, and the~~
258 ~~development of more effective interpersonal skills.~~

259 ~~7. Students assigned to second chance schools must be~~
260 ~~evaluated by the district school board's child study team before~~
261 ~~placement in a second chance school. The study team shall ensure~~
262 ~~that students are not eligible for placement in a program for~~
263 ~~emotionally disturbed children.~~

264 ~~8. Students who exhibit academic and social progress and~~
265 ~~who wish to return to a traditional school shall complete a~~
266 ~~character development and law education program and demonstrate~~
267 ~~preparedness to reenter the regular school setting prior to~~
268 ~~reentering a traditional school.~~

269 (2) (a) Each district school board may establish dropout
270 prevention and academic intervention programs at the elementary,
271 middle, junior high school, or high school level. Programs
272 designed to eliminate patterns of excessive absenteeism or
273 habitual truancy shall emphasize academic performance and may
274 provide specific instruction in the areas of career education,
275 preemployment training, and behavioral management. Such programs

HB 1285

2024

276 shall utilize instructional teaching methods and student
277 services that lead to improved student behavior as appropriate
278 to the specific needs of the student.

279 (b) Each school that establishes a dropout prevention and
280 academic intervention program at that school site shall reflect
281 that program in the school improvement plan as required under s.
282 1001.42(18).

283 (c) For each student enrolled in a dropout prevention and
284 academic intervention program, an academic intervention plan
285 shall be developed to address eligibility for placement in the
286 program and to provide individualized student goals and progress
287 monitoring procedures. A student's academic intervention plan
288 must be consistent with the student's individual education plan
289 (IEP).

290 (3) Each district school board providing ~~receiving~~ state
291 ~~funding for~~ dropout prevention and academic intervention
292 programs ~~through the General Appropriations Act~~ shall submit
293 information through an annual report to the Department of
294 Education's database documenting the extent to which each of the
295 district's dropout prevention and academic intervention programs
296 has been successful in the areas of graduation rate, dropout
297 rate, attendance rate, and retention/promotion rate. The
298 department shall compile this information into an annual report
299 which shall be submitted to the presiding officers of the
300 Legislature by February 15.

301 (4) Each district school board shall establish course
302 standards, as defined by rule of the State Board of Education,
303 for dropout prevention and academic intervention programs and
304 procedures for ensuring that teachers assigned to the programs
305 are certified pursuant to s. 1012.55 and possess the affective,
306 pedagogical, and content-related skills necessary to meet the
307 needs of these students.

308 (5) Each district school board providing a dropout
309 prevention and academic intervention program pursuant to this
310 section shall maintain for each participating student records
311 documenting the student's eligibility, the length of
312 participation, the type of program to which the student was
313 assigned or the type of academic intervention services provided,
314 and an evaluation of the student's academic and behavioral
315 performance while in the program. Before ~~The school principal or~~
316 ~~his or her designee shall, prior to~~ placement in a dropout
317 prevention and academic intervention program or the provision of
318 an academic service, the school principal or his or her designee
319 shall provide written notice of placement or services by
320 ~~certified mail, return receipt requested,~~ to the student's
321 parent; shall make a reasonable effort to notify the student's
322 parent by telephone or e-mail, or both; and must document such
323 effort. The parent of the student shall sign an acknowledgment
324 of the notice of placement or service and return the signed
325 acknowledgment to the principal within 3 days after receipt of

326 the notice. The parents of a student assigned to such a dropout
327 prevention and academic intervention program shall be notified
328 in writing and entitled to an administrative review of any
329 action by school personnel relating to such placement pursuant
330 to ~~the provisions of~~ chapter 120.

331 (6) District school board dropout prevention and academic
332 intervention programs shall be coordinated with social service,
333 law enforcement, prosecutorial, and juvenile justice agencies
334 and juvenile assessment centers in the school district.
335 Notwithstanding ~~the provisions of~~ s. 1002.22, these agencies are
336 authorized to exchange information contained in student records
337 and juvenile justice records. Such information is confidential
338 and exempt from ~~the provisions of~~ s. 119.07(1). District school
339 boards and other agencies receiving such information shall use
340 the information only for official purposes connected with the
341 certification of students for admission to and for the
342 administration of the dropout prevention and academic
343 intervention program, and shall maintain the confidentiality of
344 such information unless otherwise provided by law or rule.

345 (7) The State Board of Education shall have the authority
346 pursuant to ss. 120.536(1) and 120.54 to adopt rules necessary
347 to implement ~~the provisions of~~ this section; such rules shall
348 require the minimum amount of necessary paperwork and reporting.

349 Section 5. Subsections (3) through (16) of section
350 1006.38, Florida Statutes, are renumbered as subsections (4)

351 through (17), respectively, present subsections (14) and (16)
352 are amended, and a new subsection (3) is added to that section,
353 to read:

354 1006.38 Duties, responsibilities, and requirements of
355 instructional materials publishers and manufacturers.—This
356 section applies to both the state and district approval
357 processes. Publishers and manufacturers of instructional
358 materials, or their representatives, shall:

359 (3) For each adoption cycle, make sample copies of all
360 instructional materials on the commissioner's list of state-
361 adopted instructional materials available electronically for use
362 by educator preparation institutes as defined in s. 1004.85(1)
363 to enable educators to practice teaching with currently adopted
364 instructional materials aligned to state academic standards.

365 (15)-(14) Accurately and fully disclose only the names of
366 those persons who actually authored the instructional materials.
367 In addition to the penalties provided in subsection (17) ~~(16)~~,
368 the commissioner may remove from the list of state-adopted
369 instructional materials those instructional materials whose
370 publisher or manufacturer misleads the purchaser by falsely
371 representing genuine authorship.

372 (17)-(16) Upon the willful failure of the publisher or
373 manufacturer to comply with the requirements of this section, be
374 liable to the department in the amount of three times the total
375 sum which the publisher or manufacturer was paid in excess of

376 the price required under subsections (6) ~~(5)~~ and (7) ~~(6)~~ and in
377 the amount of three times the total value of the instructional
378 materials and services which the district school board is
379 entitled to receive free of charge under subsection (8) ~~(7)~~.

380 Section 6. Subsections (9) and (12) of section 1007.25,
381 Florida Statutes, are amended to read:

382 1007.25 General education courses; common prerequisites;
383 other degree requirements.—

384 (9) (a) An associate in arts degree must ~~shall~~ require no
385 more than 60 semester hours of college credit and include 36
386 semester hours of general education coursework. Beginning with
387 students initially entering a Florida College System institution
388 or state university in the 2014-2015 academic year and
389 thereafter, coursework for an associate in arts degree must
390 ~~shall~~ include demonstration of competency in a foreign language
391 pursuant to s. 1007.262. Except for developmental education
392 required pursuant to s. 1008.30, all required coursework must
393 ~~shall~~ count toward the associate in arts degree or the
394 baccalaureate degree.

395 (b) An associate in arts specialized transfer degree must
396 include 36 semester hours of general education coursework and
397 require 60 semester hours or more of college credit. Specialized
398 transfer degrees are designed for Florida College System
399 institution students who need supplemental lower-level
400 coursework in preparation for transfer to another institution.

401 The State Board of Education shall establish criteria for the
402 review and approval of new specialized transfer degrees. The
403 approval process must require:

404 1. A Florida College System institution to submit a notice
405 of its intent to propose a new associate in arts specialized
406 degree program to the Division of Florida Colleges. The notice
407 must include the recommended credit hours, the rationale for the
408 specialization, the demand for students entering the field, and
409 the coursework being proposed to be included beyond the 60
410 semester hours required for the general transfer degree, if
411 applicable. Notices of intent may be submitted by a Florida
412 College System institution at any time.

413 2. The Division of Florida Colleges to forward the notice
414 of intent within 10 business days after receipt to all Florida
415 College System institutions and the Chancellor of the State
416 University System, who shall forward the notice to all state
417 universities. State universities and Florida College System
418 institutions shall have 60 days after receipt of the notice to
419 submit comments to the proposed associate in arts specialized
420 transfer degree.

421 3. After the submission of comments pursuant to
422 subparagraph 2., the requesting Florida College System
423 institution to submit a proposal that, at a minimum, includes:

424 a. Evidence that the coursework for the associate in arts
425 specialized transfer degree includes demonstration of competency

426 in a foreign language pursuant to s. 1007.262 and demonstration
427 of civic literacy competency as provided in subsection (5).

428 b. Demonstration that all required coursework will count
429 toward the associate in arts degree or the baccalaureate degree.

430 c. An analysis of demand and unmet need for students
431 entering the specialized field of study at the baccalaureate
432 level.

433 d. Justification for the program length if it exceeds 60
434 credit hours, including references to the common prerequisite
435 manual or other requirements for the baccalaureate degree. This
436 includes documentation of alignment between the exit
437 requirements of a Florida College System institution and the
438 admissions requirements of a baccalaureate program at a state
439 university to which students would typically transfer.

440 e. Articulation agreements for graduates of the associate
441 in arts specialized transfer degree.

442 f. Responses to the comments received under subparagraph
443 2.

444 (c) The Division of Florida Colleges shall review the
445 proposal and, within 30 days after receipt, shall provide
446 written notification to the Florida College System institution
447 of any deficiencies and provide the institution with an
448 opportunity to correct the deficiencies. Within 45 days after
449 receipt of a completed proposal by the Division of Florida
450 Colleges, the Commissioner of Education shall recommend approval

451 or disapproval of the new specialized transfer degree to the
452 State Board of Education. The State Board of Education shall
453 consider the recommendation at its next meeting.

454 (d) Upon approval of an associate in arts specialized
455 transfer degree by the State Board of Education, a Florida
456 College System institution may offer the degree and shall report
457 data on student and program performance in a manner prescribed
458 by the Department of Education.

459 (e) The State Board of Education shall adopt rules
460 pursuant to ss. 120.536(1) and 120.54 to prescribe format and
461 content requirements and submission procedures for notices of
462 intent, proposals, and compliance reviews under this subsection.

463 (12) A student who received an associate in arts degree
464 ~~for successfully completing 60 semester credit hours~~ may
465 continue to earn additional credits at a Florida College System
466 institution. The university must provide credit toward the
467 student's baccalaureate degree for an additional Florida College
468 System institution course if, according to the statewide course
469 numbering, the Florida College System institution course is a
470 course listed in the university catalog as required for the
471 degree or as prerequisite to a course required for the degree.
472 Of the courses required for the degree, at least half of the
473 credit hours required for the degree must ~~shall~~ be achievable
474 through courses designated as lower division, except in degree
475 programs approved by the State Board of Education for programs

476 offered by Florida College System institutions and by the Board
477 of Governors for programs offered by state universities.

478 Section 7. Subsections (4) and (5) of section 1008.33,
479 Florida Statutes, are amended to read:

480 1008.33 Authority to enforce public school improvement.—

481 (4) (a) The state board shall apply intensive intervention
482 and support strategies tailored to the needs of schools earning
483 two consecutive grades of "D" or a grade of "F." In the first
484 full school year after a school initially earns a grade of "D,"
485 the school district must immediately implement intervention and
486 support strategies prescribed in rule under paragraph (3) (c).
487 For a school that initially earns a grade of "F" or a second
488 consecutive grade of "D," the school district must either
489 continue implementing or immediately begin implementing
490 intervention and support strategies prescribed in rule under
491 paragraph (3) (c) and provide the department, by August ~~September~~
492 1, with the memorandum of understanding negotiated pursuant to
493 s. 1001.42(21) and, ~~by October 1,~~ a district-managed turnaround
494 plan for approval by the state board. The plan must include
495 measurable academic benchmarks that put the school on a path to
496 earning and maintaining a grade of "C" or higher ~~The district-~~
497 ~~managed turnaround plan may include a proposal for the district~~
498 ~~to implement an extended school day, a summer program, a~~
499 ~~combination of an extended school day and a summer program, or~~
500 ~~any other option authorized under paragraph (b) for state board~~

501 ~~approval. A school district is not required to wait until a~~
502 ~~school earns a second consecutive grade of "D" to submit a~~
503 ~~turnaround plan for approval by the state board under this~~
504 ~~paragraph.~~ Upon approval by the state board, the school district
505 must implement the plan for the remainder of the school year and
506 continue the plan for 1 full school year. The state board may
507 allow a school an additional year of implementation before the
508 school must implement a turnaround option required under
509 paragraph (b) if it determines that the school is likely to
510 improve to a grade of "C" or higher after the first full school
511 year of implementation.

512 (b) Unless an additional year of implementation is
513 provided pursuant to paragraph (a), a school that completes a
514 plan cycle under paragraph (a) and does not improve to a grade
515 of "C" or higher must ~~implement one of the following:~~

516 1. Reassign students to another school and monitor the
517 progress of each reassigned student;

518 2. Close the school and reopen the school as one or more
519 charter schools, each with a governing board that has a
520 demonstrated record of effectiveness. Upon reopening as a
521 charter school:

522 a. The school district shall continue to operate the
523 school for the following school year and no later than October 1
524 execute a charter school turnaround contract that will allow the
525 charter school an opportunity to conduct an evaluation of the

526 educational program and personnel currently assigned to the
527 school during the year in preparation for assuming full
528 operational control of the school and facility by July 1. The
529 school district may not reduce or remove resources from the
530 school during this time.

531 b. The charter school operator must provide enrollment
532 preference to students currently attending or who would have
533 otherwise attended or been zoned for the school. The school
534 district shall consult and negotiate with the charter school
535 every 3 years to determine whether realignment of the attendance
536 zone is appropriate to ensure that students residing closest to
537 the school are provided with an enrollment preference.

538 c. The charter school operator must serve the existing
539 grade levels served by the school at its current enrollment or
540 higher, but may, at its discretion, serve additional grade
541 levels.

542 d. The school district may not charge rental or leasing
543 fees for the existing facility or for the property normally
544 inventoried to the school. The school and the school district
545 shall agree to reasonable maintenance provisions in order to
546 maintain the facility in a manner similar to all other school
547 facilities in the school district.

548 e. The school district may not withhold an administrative
549 fee for the provision of services identified in s.
550 1002.33(20)(a); or

551 3. Contract with an outside entity that has a demonstrated
552 record of effectiveness to provide turnaround services
553 identified in state board rule, which may include school
554 leadership, educational modalities, teacher and leadership
555 professional development, curriculum, operation and management
556 services, school-based administrative staffing, budgeting,
557 scheduling, other educational service provider functions, or any
558 combination thereof. Selection of an outside entity may include
559 one or a combination of the following:

560 a. An external operator, which may be a district-managed
561 charter school or a high-performing charter school network in
562 which all instructional personnel are not employees of the
563 school district, but are employees of an independent governing
564 board composed of members who did not participate in the review
565 or approval of the charter.

566 b. A contractual agreement that allows for a charter
567 school network or any of its affiliated subsidiaries to provide
568 individualized consultancy services tailored to address the
569 identified needs of one or more schools under this section.

570
571 A school district and outside entity under this subparagraph
572 must enter, at minimum, a 2-year, performance-based contract.
573 The contract must include school performance and growth metrics
574 the outside entity must meet on an annual basis. The state board
575 may require the school district to modify or cancel the

576 contract.

577 (c) Implementation of the turnaround option is no longer
 578 required if the school improves to a grade of "C" or higher,
 579 unless the school district has already executed a charter school
 580 turnaround contract pursuant to this section.

581 (d) If a school earning two consecutive grades of "D" or a
 582 grade of "F" does not improve to a grade of "C" or higher after
 583 2 school years of implementing the turnaround option selected by
 584 the school district under paragraph (b), the school district
 585 must implement another turnaround option. Implementation of the
 586 turnaround option must begin the school year following the
 587 implementation period of the existing turnaround option, unless
 588 the state board determines that the school is likely to improve
 589 to a grade of "C" or higher if additional time is provided to
 590 implement the existing turnaround option.

591 (5) The state board shall adopt rules pursuant to ss.
 592 120.536(1) and 120.54 to administer this section. The rules
 593 shall include timelines for submission of implementation plans,
 594 approval criteria for implementation plans, ~~and~~ timelines for
 595 implementing intervention and support strategies, a standard
 596 charter school turnaround contract, a standard facility lease,
 597 and a mutual management agreement. The state board shall consult
 598 with education stakeholders in developing the rules.

599 Section 8. Subsection (5), paragraph (a) of subsection
 600 (6), and subsection (9) of section 1012.79, Florida Statutes,

601 are amended to read:

602 1012.79 Education Practices Commission; organization.—

603 (5) The Commissioner of Education may, at his or her
 604 discretion, appoint and remove ~~commission, by a vote of three-~~
 605 ~~fourths of the membership,~~ shall employ an executive director,
 606 who shall be exempt from career service. ~~The executive director~~
 607 ~~may be dismissed by a majority vote of the membership.~~

608 (6) (a) The commission shall be assigned to the Department
 609 of Education for administrative and fiscal accountability
 610 purposes. The commission, in the performance of its powers and
 611 duties, may ~~shall~~ not be subject to control, supervision, or
 612 direction by the Department of Education.

613 (9) The commission shall make such expenditures as may be
 614 necessary in exercising its authority and powers and carrying
 615 out its duties and responsibilities, including expenditures for
 616 personal services, legal services ~~general counsel or access to~~
 617 ~~counsel,~~ and rent at the seat of government and elsewhere; for
 618 books of reference, periodicals, furniture, equipment, and
 619 supplies; and for printing and binding. The expenditures of the
 620 commission shall be subject to the powers and duties of the
 621 Department of Financial Services as provided in s. 17.03.

622 Section 9. Section 1012.86, Florida Statutes, is repealed.

623 Section 10. Subsections (2) and (3) of section 948.037,
 624 Florida Statutes, are amended to read:

625 948.037 Education and learning as a condition of probation

626 or community control.-

627 (2) A juvenile on community control who is a public school
 628 student must attend a public adult education program or a
 629 dropout prevention program, pursuant to s. 1003.53, ~~which~~
 630 ~~includes a second chance school or an alternative to expulsion,~~
 631 if the school district where the juvenile is enrolled offers
 632 such programs, unless the principal of the school determines
 633 that special circumstances warrant continuation in the regular
 634 educational school program.

635 (3) If a juvenile on community control attends a regular
 636 educational school program because a public adult education
 637 program or dropout prevention program, ~~which includes a second~~
 638 ~~chance school or an alternative to expulsion,~~ is not available
 639 in the school district, the identity of the juvenile on
 640 community control, the nature of the felony offense committed by
 641 the juvenile, and the conditions of community control must be
 642 made known to each of the student's teachers.

643 Section 11. Subsection (19) of section 1001.64, Florida
 644 Statutes, is amended to read:

645 1001.64 Florida College System institution boards of
 646 trustees; powers and duties.-

647 (19) Each board of trustees shall appoint, suspend, or
 648 remove the president of the Florida College System institution.
 649 The board of trustees may appoint a search committee. The board
 650 of trustees shall conduct annual evaluations of the president in

651 accordance with rules of the State Board of Education and submit
652 such evaluations to the State Board of Education for review. The
653 evaluation must address the achievement of the performance goals
654 established by the accountability process implemented pursuant
655 to s. 1008.45 and the performance of the president in achieving
656 the annual and long-term goals and objectives ~~established in the~~
657 ~~Florida College System institution's employment accountability~~
658 ~~program implemented pursuant to s. 1012.86.~~

659 Section 12. Subsection (22) of section 1001.65, Florida
660 Statutes, is amended to read:

661 1001.65 Florida College System institution presidents;
662 powers and duties.—The president is the chief executive officer
663 of the Florida College System institution, shall be corporate
664 secretary of the Florida College System institution board of
665 trustees, and is responsible for the operation and
666 administration of the Florida College System institution. Each
667 Florida College System institution president shall:

668 ~~(22) Submit an annual employment accountability plan to~~
669 ~~the Department of Education pursuant to the provisions of s.~~
670 ~~1012.86.~~

671 Section 13. Paragraphs (l) and (m) of subsection (2) of
672 section 1006.07, Florida Statutes, are amended to read:

673 1006.07 District school board duties relating to student
674 discipline and school safety.—The district school board shall
675 provide for the proper accounting for all students, for the

676 attendance and control of students at school, and for proper
677 attention to health, safety, and other matters relating to the
678 welfare of students, including:

679 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
680 conduct for elementary schools and a code of student conduct for
681 middle and high schools and distribute the appropriate code to
682 all teachers, school personnel, students, and parents, at the
683 beginning of every school year. Each code shall be organized and
684 written in language that is understandable to students and
685 parents and shall be discussed at the beginning of every school
686 year in student classes, school advisory council meetings, and
687 parent and teacher association or organization meetings. Each
688 code shall be based on the rules governing student conduct and
689 discipline adopted by the district school board and shall be
690 made available in the student handbook or similar publication.
691 Each code shall include, but is not limited to:

692 (1) Notice that any student who is determined to have
693 brought a firearm or weapon, as defined in chapter 790, to
694 school, to any school function, or onto any school-sponsored
695 transportation, or to have possessed a firearm at school, will
696 be expelled, with or without continuing educational services,
697 from the student's regular school for a period of not less than
698 1 full year and referred to mental health services identified by
699 the school district pursuant to s. 1012.584(4) and the criminal
700 justice or juvenile justice system. District school boards may

HB 1285

2024

701 assign the student to a disciplinary program ~~or second chance~~
702 ~~school~~ for the purpose of continuing educational services during
703 the period of expulsion. District school superintendents may
704 consider the 1-year expulsion requirement on a case-by-case
705 basis and request the district school board to modify the
706 requirement by assigning the student to a disciplinary program
707 ~~or second chance school~~ if the request for modification is in
708 writing and it is determined to be in the best interest of the
709 student and the school system.

710 (m) Notice that any student who is determined to have made
711 a threat or false report, as defined by ss. 790.162 and 790.163,
712 respectively, involving school or school personnel's property,
713 school transportation, or a school-sponsored activity will be
714 expelled, with or without continuing educational services, from
715 the student's regular school for a period of not less than 1
716 full year and referred for criminal prosecution and mental
717 health services identified by the school district pursuant to s.
718 1012.584(4) for evaluation or treatment, when appropriate.
719 District school boards may assign the student to a disciplinary
720 program ~~or second chance school~~ for the purpose of continuing
721 educational services during the period of expulsion. District
722 school superintendents may consider the 1-year expulsion
723 requirement on a case-by-case basis and request the district
724 school board to modify the requirement by assigning the student
725 to a disciplinary program ~~or second chance school~~ if it is

726 | determined to be in the best interest of the student and the
 727 | school system.

728 | Section 14. Paragraph (c) of subsection (1) of section
 729 | 1006.09, Florida Statutes, is amended to read:

730 | 1006.09 Duties of school principal relating to student
 731 | discipline and school safety.—

732 | (1)

733 | (c) The principal or the principal's designee may
 734 | recommend to the district school superintendent the expulsion of
 735 | any student who has committed a serious breach of conduct,
 736 | including, but not limited to, willful disobedience, open
 737 | defiance of authority of a member of his or her staff, violence
 738 | against persons or property, or any other act which
 739 | substantially disrupts the orderly conduct of the school. A
 740 | recommendation of expulsion ~~or assignment to a second chance~~
 741 | ~~school~~ may also be made for any student found to have
 742 | intentionally made false accusations that jeopardize the
 743 | professional reputation, employment, or professional
 744 | certification of a teacher or other member of the school staff,
 745 | according to the district school board code of student conduct.
 746 | Any recommendation of expulsion shall include a detailed report
 747 | by the principal or the principal's designated representative on
 748 | the alternative measures taken prior to the recommendation of
 749 | expulsion.

750 | Section 15. Subsection (3) of section 1006.13, Florida

751 Statutes, is amended to read:

752 1006.13 Policy of zero tolerance for crime and
753 victimization.—

754 (3) Zero-tolerance policies must require students found to
755 have committed one of the following offenses to be expelled,
756 with or without continuing educational services, from the
757 student's regular school for a period of not less than 1 full
758 year, and to be referred to the criminal justice or juvenile
759 justice system.

760 (a) Bringing a firearm or weapon, as defined in chapter
761 790, to school, to any school function, or onto any school-
762 sponsored transportation or possessing a firearm at school.

763 (b) Making a threat or false report, as defined by ss.
764 790.162 and 790.163, respectively, involving school or school
765 personnel's property, school transportation, or a school-
766 sponsored activity.

767
768 District school boards may assign the student to a disciplinary
769 program for the purpose of continuing educational services
770 during the period of expulsion. District school superintendents
771 may consider the 1-year expulsion requirement on a case-by-case
772 basis and request the district school board to modify the
773 requirement by assigning the student to a disciplinary program
774 ~~or second chance school~~ if the request for modification is in
775 writing and it is determined to be in the best interest of the

HB 1285

2024

776 | student and the school system. If a student committing any of
777 | the offenses in this subsection is a student who has a
778 | disability, the district school board shall comply with
779 | applicable State Board of Education rules.

780 | Section 16. This act shall take effect July 1, 2024.