

1 A bill to be entitled
2 An act relating to Education; amending s. 1003.01,
3 F.S.; defining the terms "computational thinking" and
4 "computer science"; creating s. 1003.4202, F.S.;
5 requiring computer science courses to be included in
6 the course code directory and published on the
7 Department of Education's website; requiring the
8 Florida Virtual School to offer certain computer
9 science courses; requiring school districts to provide
10 instruction in computer science; providing
11 requirements for such instruction; requiring school
12 districts to provide students with access to computer
13 science courses through the Florida Virtual School or
14 by other means under certain circumstances; requiring
15 high school students to be provided opportunities to
16 take certain computer science courses for specified
17 purposes; providing requirements for such courses;
18 authorizing elementary and middle schools to establish
19 digital classrooms for specified purposes; subject to
20 legislative appropriation, authorizing school
21 districts and consortiums of school districts to apply
22 to the department for funding for specified purposes;
23 providing requirements for such funding; defining the
24 term "instructional personnel"; subject to legislative
25 appropriation, providing for bonuses for certain

26 instructional personnel; providing requirements for
27 such bonuses; providing for the carryforward of
28 certain funds; requiring rulemaking; amending s.
29 1003.4203, F.S.; revising the requirements for certain
30 courses to receive additional weight for purposes of a
31 student's grade point average; repealing s. 1007.2616,
32 F.S., relating to computer science and technology
33 instruction; amending s. 1009.53, F.S.; requiring the
34 Department of Education to include specified
35 information in an annual notification to certain
36 individuals; amending s. 1009.532, F.S.; beginning in
37 a specified academic year, authorizing students who
38 earn a Florida Gold Seal Vocational Scholars award to
39 enroll in certain programs; amending s. 1009.533,
40 F.S.; providing that an entity that operates an
41 apprenticeship program is considered a postsecondary
42 education institution eligible for participation in
43 the program; amending s. 1009.536, F.S.; authorizing
44 the department to identify aptitude tests students may
45 use to demonstrate readiness for postsecondary
46 education for specified purposes; authorizing students
47 who earn a Florida Gold Seal Vocational Scholars award
48 to enroll in certain programs; creating the Artificial
49 Intelligence in Education Task Force adjunct to the
50 Department of Education; requiring the department to

51 provide administrative and staff support; providing
 52 the purpose and composition of the task force;
 53 providing duties of the task force; requiring the task
 54 force to submit reports to the Governor and the
 55 Legislature by specified dates; providing for
 56 expiration of the task force; amending ss. 11.45,
 57 39.0016, 327.371, 414.1251, 553.865, 1001.11, 1002.01,
 58 1002.20, 1002.3105, 1002.33, 1002.394, 1002.395,
 59 1002.42, 1002.43, 1002.44, 1003.03, 1003.21, 1003.26,
 60 1003.52, 1003.573, 1003.575, 1006.0626, 1006.07,
 61 1008.24, and 1012.2315, F.S.; conforming cross-
 62 references to changes made by the act; providing an
 63 effective date.

64

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

66

67 Section 1. Subsections (5) through (17) of section
 68 1003.01, Florida Statutes, are renumbered as subsections (7)
 69 through (19), respectively, paragraphs (a), (b), and (c) of
 70 present subsection (5) are amended, and new subsections (5) and
 71 (6) are added to that section, to read:

72 1003.01 Definitions.—As used in this chapter, the term:

73 (5) "Computational thinking" means the thought processes
 74 involved in expressing solutions as computational steps or
 75 algorithms that can be carried out by a computer.

76 (6) "Computer science" means the study of computers and
77 algorithmic processes, including their principles, hardware and
78 software designs, applications, implementation, and impact on
79 society, including, but not limited to, computer coding,
80 computer programming, and computational thinking.

81 (7)~~(5)~~ "Core-curricula courses" means:

82 (a) Courses in language arts/reading, mathematics, social
83 studies, and science in prekindergarten through grade 3,
84 excluding extracurricular courses pursuant to subsection (13)
85 ~~(11)~~;

86 (b) Courses in grades 4 through 8 in subjects that are
87 measured by state assessment at any grade level and courses
88 required for middle school promotion, excluding extracurricular
89 courses pursuant to subsection (13) ~~(11)~~;

90 (c) Courses in grades 9 through 12 in subjects that are
91 measured by state assessment at any grade level and courses that
92 are specifically identified by name in statute as required for
93 high school graduation and that are not measured by state
94 assessment, excluding extracurricular courses pursuant to
95 subsection (13) ~~(11)~~;

96
97 The term is limited in meaning and used for the sole purpose of
98 designating classes that are subject to the maximum class size
99 requirements established in s. 1, Art. IX of the State
100 Constitution. This term does not include courses offered under

101 ss. 1002.321 (3) (e), 1002.33 (7) (a) 2.c., 1002.37, 1002.45, and
102 1003.499.

103
104 Section 2. Section 1003.4202, Florida Statutes, is created
105 to read:

106 1003.4202 Computer science instruction in K-12 public
107 schools.—

108 (1) Computer science courses must be identified in the
109 course code directory and published on the Department of
110 Education's website. Additional computer science courses may be
111 subsequently identified and posted on the Department of
112 Education's website.

113 (2) (a) The Florida Virtual School shall offer computer
114 science courses identified in the course code directory pursuant
115 to subsection (1).

116 (b) School districts shall provide instruction in computer
117 science as follows:

118 1. Each public elementary school may provide computer
119 science instruction with the intent to provide a foundation for
120 future computer usage, digital literacy, and computer science
121 instruction.

122 2. Each public middle and high school shall provide
123 computer science instruction.

124 (c) If a school district does not offer a computer science
125 course identified in the course code directory, the district

126 must provide students with access to the course through the
127 Florida Virtual School or through other means approved by the
128 department.

129 (d) High school students must be provided opportunities
130 to:

131 1. Take computer science courses that lead to technology-
132 related industry certifications and satisfy high school
133 graduation requirements pursuant to s. 1003.4282(3). Computer
134 science courses and technology-related industry certifications
135 identified by the Commissioner of Education as eligible to meet
136 the mathematics or science credit graduation requirement for
137 high school graduation under s. 1003.4282(3) must be included in
138 the course code directory.

139 2. Take computer science courses of sufficient rigor, as
140 identified by the commissioner, such that two credits in such
141 courses and the earning of a related industry certification or
142 technical certificate satisfies two credits of sequential
143 foreign language instruction. Florida College System
144 institutions and state universities must recognize the credits
145 as foreign language credits. Computer science courses identified
146 by the commissioner and computer science courses taken to earn
147 the related industry certification or technical certificate
148 shall be included in the course code directory.

149 (e) Public elementary and middle schools may establish
150 digital classrooms to provide students with opportunities to

151 improve their digital literacy and competency; learn digital
152 skills, including computer science, multimedia presentations,
153 and the manipulation of multiple digital graphic images; and
154 earn CAPE Digital Tool certificates and CAPE industry
155 certifications pursuant to s. 1003.4203 and grade-appropriate,
156 technology-related industry certifications.

157 (3)(a) Subject to legislative appropriation, a school
158 district or consortium of school districts may apply to the
159 department, by a date and in a format prescribed by the
160 department, for funding to deliver or facilitate training for
161 instructional personnel to earn an educator certificate in
162 computer science pursuant to s. 1012.56 or a technology-related
163 industry certification associated with a course identified in
164 the course code directory pursuant to subsection (1) or for
165 professional development for instructional personnel to provide
166 instruction in computer science. Such funding must be used only
167 to:

168 1. Provide training pursuant to this paragraph for
169 instructional personnel.

170 2. Pay fees for examinations that lead to a credential for
171 instructional personnel.

172 3. Provide professional development for instructional
173 personnel.

174 (b) The department shall establish a deadline for
175 submitting applications for funding. The department shall award

176 funding in an equitable manner that accounts for the unique
177 needs of small or rural school districts.

178 (c) For purposes of this section, the term "instructional
179 personnel" has the same meaning as in s. 1012.01(2) (a), (b), and
180 (c).

181 (4)(a) Subject to legislative appropriation, a member of
182 the instructional personnel who was evaluated as effective or
183 highly effective pursuant to s. 1012.34 in the previous school
184 year or who is newly hired by the district school board and has
185 not been evaluated pursuant to s. 1012.34 must receive a bonus
186 as follows:

187 1. If the member of the instructional personnel holds an
188 educator certificate in computer science pursuant to s. 1012.56
189 or if he or she has passed the computer science subject area
190 examination and holds an adjunct certificate issued by a school
191 district pursuant to s. 1012.57, he or she must receive a bonus
192 of \$1,000 after each year he or she completes teaching a
193 computer science course identified in the course code directory
194 pursuant to subsection (1) at a public elementary, middle, high,
195 or combination school for up to 3 years.

196 2. If the member of the instructional personnel holds an
197 industry certification associated with a course identified in
198 the course code directory pursuant to subsection (1), he or she
199 must receive a bonus of \$500 after each year he or she completes
200 teaching the identified course at a public elementary, middle,

201 high, or combination school for up to 3 years.

202 (b) A school district shall report a member of the
 203 instructional personnel who is eligible for a bonus under this
 204 subsection to the department by a date and in a format
 205 established by the department. An eligible member of the
 206 instructional personnel shall receive his or her bonus upon
 207 completion of the school year in which he or she taught the
 208 computer science course. A member of the instructional personnel
 209 may not receive more than one bonus per year under this
 210 subsection.

211 (5) Any unexpended balance of funds appropriated pursuant
 212 to this section shall be carried forward to the next fiscal year
 213 for the same purpose.

214 (6) The State Board of Education shall adopt rules to
 215 administer this section.

216 Section 3. Subsection (5) of section 1003.4203, Florida
 217 Statutes, is amended to read:

218 1003.4203 Digital materials, CAPE Digital Tool
 219 certificates, and technical assistance.—

220 (5) GRADE POINT AVERAGE CALCULATION.—For purposes of
 221 calculating grade point average, a grade in a course that is
 222 directly related to a CAPE Digital Tool certificate or CAPE
 223 industry certification level 3 or above and leads to an industry
 224 ~~certification~~ must be weighted the same as a grade in an honors
 225 course.

226 Section 4. Section 1007.2616, Florida Statutes, is
 227 repealed.

228 Section 5. Subsections (1), (3), and (6) of section
 229 1009.53, Florida Statutes, are amended to read:

230 1009.53 Florida Bright Futures Scholarship Program.—

231 (1) The Florida Bright Futures Scholarship Program is
 232 created to establish a lottery-funded scholarship program to
 233 reward any Florida high school graduate who merits recognition
 234 of high academic achievement and who enrolls in a degree
 235 program, certificate program, ~~or~~ applied technology program, or
 236 apprenticeship program, as defined in s. 446.021(6), at an
 237 eligible Florida public or private postsecondary education
 238 institution.

239 (3) The Department of Education shall administer the
 240 Bright Futures Scholarship Program according to rules and
 241 procedures established by the State Board of Education. A single
 242 application must be sufficient for a student to apply for any of
 243 the awards. The department shall advertise the availability of
 244 the scholarship program and shall notify students, teachers,
 245 parents, certified school counselors, and principals or other
 246 relevant school administrators of the criteria and application
 247 procedures. The notification must also include a list of
 248 approved apprenticeship programs, eligible postsecondary
 249 educational institutions, high-demand jobs and critical skill
 250 sets in the state, and a wage breakdown of jobs in the state.

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251 The department must begin this process of notification no later
252 than January 1 of each year beginning with a student's freshman
253 year.

254 (6) A student enrolled in 6 to 8 semester credit hours or
255 equivalent clock hours may receive up to one-half of the maximum
256 award; a student enrolled in 9 to 11 credit hours or equivalent
257 clock hours may receive up to three-fourths of the maximum
258 award; and a student enrolled in 12 or more credit hours or
259 equivalent clock hours may receive up to the full award.

260 Section 6. Paragraphs (a) and (b) of subsection (1),
261 subsection (2), and paragraph (a) of subsection (3) of section
262 1009.532, Florida Statutes, are amended to read:

263 1009.532 Florida Bright Futures Scholarship Program;
264 student eligibility requirements for renewal awards.—

265 (1) To be eligible to renew a scholarship from any of the
266 scholarships under the Florida Bright Futures Scholarship
267 Program, a student must:

268 (a) Effective for students funded in the 2009-2010
269 academic year and thereafter, earn at least 24 semester credit
270 hours or ~~the~~ equivalent clock hours in the last academic year in
271 which the student earned a scholarship if the student was
272 enrolled full time, or a prorated number of credit hours or
273 clock hours as determined by the Department of Education if the
274 student was enrolled less than full time for any part of the
275 academic year.

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276 (b) Maintain the cumulative grade point average or the
277 equivalent required by the scholarship program, except that:

278 1. If a recipient's grades fall beneath the average
279 required to renew a Florida Academic Scholarship, but are
280 sufficient to renew a Florida Medallion Scholarship, a Florida
281 Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational
282 Scholarship, the Department of Education may grant a renewal
283 from one of those other scholarship programs, if the student
284 meets the renewal eligibility requirements; or

285 2. For students initially eligible in the 2010-2011
286 academic term and thereafter, if at any time during a student's
287 first academic year the student's grades or the equivalent are
288 insufficient to renew the scholarship, the student may restore
289 eligibility by improving the grade point average or the
290 equivalent to the required level. A student is eligible for such
291 a restoration one time. The Legislature encourages education
292 institutions to assist students to calculate whether or not it
293 is possible to raise the grade point average or the equivalent
294 during the summer term. If the education institution determines
295 that it is possible, the institution may so inform the
296 department, which may reserve the student's award if funds are
297 available. The renewal, however, must not be granted until the
298 student achieves the required cumulative grade point average or
299 the equivalent. If the summer term is not sufficient to raise
300 the grade point average or the equivalent to the required

301 renewal level, the student's next opportunity for renewal is the
302 fall semester of the following academic year.

303 (2) For students initially eligible in the 2010-2011
304 academic term and thereafter, and unless otherwise provided in
305 this section, if a student does not meet the requirements for
306 renewal of a scholarship because of lack of completion of
307 sufficient credit hours or insufficient grades or the
308 equivalent, the scholarship shall be renewed only if the student
309 failed to complete sufficient credit hours or to meet sufficient
310 grade requirements or the equivalent due to verifiable illness
311 or other documented emergency, in which case the student may be
312 granted an exception from academic requirements pursuant to s.
313 1009.40 (1) (b) 4.

314 (3) (a) A student who is initially eligible in the 2024-
315 2025 ~~2012-2013~~ academic year and thereafter may receive an award
316 for a maximum of 100 percent of the number of credit hours
317 required to complete an associate degree program, a
318 baccalaureate degree program, or a postsecondary career
319 certificate program or, for a Florida Gold Seal Vocational
320 Scholars award, may receive an award for a maximum of 100
321 percent of the number of credit hours or equivalent clock hours
322 required to complete one of the following at a Florida public or
323 nonpublic education institution that offers these specific
324 programs: for an applied technology diploma program as defined
325 in s. 1004.02(7), up to 60 credit hours or equivalent clock

326 hours; for a technical degree education program as defined in s.
327 1004.02(13), up to the number of hours required for a specific
328 degree not to exceed 72 credit hours or equivalent clock hours;
329 ~~or~~ for a career certificate program as defined in s.
330 1004.02(20), up to the number of hours required for a specific
331 certificate not to exceed 72 credit hours or equivalent clock
332 hours; for an industry certification, up to the number of hours
333 required for a specific certificate not to exceed 36 credit
334 hours or equivalent clock hours; for a technical certificate, up
335 to the number of hours required for a specific certificate not
336 to exceed 15 credit hours or equivalent clock hours; for an
337 applied technology diploma, up to the number of hours required
338 for a specific diploma not to exceed 50 credit hours or
339 equivalent clock hours; for a career or technical certificate,
340 up to the number of hours required for a specific certificate
341 not to exceed 19 credit hours or equivalent clock hours; or for
342 an apprenticeship program as defined in s. 446.021(6), up to the
343 number of credit hours or equivalent clock hours required for a
344 registered apprenticeship certificate of completion if the
345 student is not exempt from paying tuition and fees, including
346 lab fees, under s. 1009.25, and 100 percent of the tools, books,
347 and materials necessary to complete the apprenticeship program
348 not to exceed \$2,000. A student who transfers from one of these
349 program levels to another program level becomes eligible for the
350 higher of the two credit hour limits.

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351 Section 7. Subsection (6) is added to section 1009.533,
352 Florida Statutes, to read:

353 1009.533 Florida Bright Futures Scholarship Program;
354 eligible postsecondary education institutions.—A student is
355 eligible for an award or the renewal of an award from the
356 Florida Bright Futures Scholarship Program if the student meets
357 the requirements for the program as described in this act and is
358 enrolled in a postsecondary education institution that meets the
359 description in any one of the following subsections:

360 (6) An entity that operates an apprenticeship program as
361 defined in s. s. 446.021(6).

362 Section 8. Paragraph (b) of subsection (1) and paragraph
363 (a) of subsection (5) of section 1009.536, Florida Statutes, are
364 amended to read:

365 1009.536 Florida Gold Seal Vocational Scholars and Florida
366 Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational
367 Scholars award and the Florida Gold Seal CAPE Scholars award are
368 created within the Florida Bright Futures Scholarship Program to
369 recognize and reward academic achievement and career preparation
370 by high school students who wish to continue their education.

371 (1) A student is eligible for a Florida Gold Seal
372 Vocational Scholars award if he or she meets the general
373 eligibility requirements for the Florida Bright Futures
374 Scholarship Program and:

375 (b) Demonstrates readiness for postsecondary education by

376 | earning a passing score on:

377 | 1. The Florida College Entry Level Placement Test or its
378 | equivalent as identified by the Department of Education; or

379 | 2. Other aptitude tests identified by the department,
380 | including, but not limited to, the Armed Services Vocational
381 | Aptitude Battery and ACT WorkKeys Assessments.

382 | (5)(a) A student who is initially eligible in the 2024-
383 | 2025 ~~2012-2013~~ academic year and thereafter may earn a Florida
384 | Gold Seal Vocational Scholarship for a maximum of 100 percent of
385 | the number of credit hours or equivalent clock hours required to
386 | complete one of the following at a Florida public or nonpublic
387 | education institution that offers these specific programs: for
388 | an applied technology diploma program as defined in s.

389 | 1004.02(7), up to 60 credit hours or equivalent clock hours; for
390 | a technical degree education program as defined in s.

391 | 1004.02(13), up to the number of hours required for a specific
392 | degree not to exceed 72 credit hours or equivalent clock hours;
393 | ~~or~~ for a career certificate program as defined in s.

394 | 1004.02(20), up to the number of hours required for a specific
395 | certificate not to exceed 72 credit hours or equivalent clock
396 | hours; for an industry certification, up to the number of hours
397 | required for a specific certificate not to exceed 36 credit
398 | hours or equivalent clock hours; for a technical certificate, up
399 | to the number of hours required for a specific certificate not
400 | to exceed 15 credit hours or equivalent clock hours; for an

401 applied technology diploma, up to the number of hours required
402 for a specific diploma not to exceed 50 credit hours or
403 equivalent clock hours; for a career or technical certificate,
404 up to the number of hours required for a specific certificate
405 not to exceed 19 credit hours or equivalent clock hours; or for
406 an apprenticeship program as defined in s. 446.021(6), up to the
407 number of credit hours or equivalent clock hours required for a
408 registered apprenticeship certificate of completion if the
409 student is not exempt from paying tuition and fees, including
410 lab fees, under s. 1009.25, and 100 percent of the tools, books,
411 and materials necessary to complete the apprenticeship program
412 not to exceed \$2,000.

413 Section 9. (1) The Artificial Intelligence in Education
414 Task Force, a task force as defined in s. 20.03(8), Florida
415 Statutes, is created adjunct to the Department of Education to
416 evaluate the potential applications of artificial intelligence
417 in K-12 and higher education; to develop policy recommendations
418 for responsible and effective uses by students and educators; to
419 identify workforce needs related to artificial intelligence; and
420 provide policy recommendations to ensure the state develops
421 education and workforce training programs that align with
422 changing industry needs. Except as otherwise provided in this
423 section, the task force shall operate in a manner consistent
424 with s. 20.052, Florida Statutes. The department shall provide
425 administrative and staff support relating to the functions of

426 | the task force.

427 | (2) The task force is composed of the following members,

428 | who shall be appointed no later than August 1, 2024:

429 | (a) The Commissioner of Education or his or her designee.

430 | (b) The following members appointed by the Governor:

431 | 1. A representative from the State Board of Education.

432 | 2. A representative from the Board of Governors.

433 | 3. A representative from CareerSource Florida, Inc.

434 | 4. A representative from the Department of Education with

435 | expertise on technology procurement and data privacy standards.

436 | 5. A representative from the Office of the Attorney

437 | General.

438 | 6. One local school board member from each of the

439 | following:

440 | a. A rural school district.

441 | b. A suburban school district.

442 | c. An urban school district.

443 | 7. A school district employee with experience in managing

444 | the district's Internet technology.

445 | 8. A faculty member with expertise on artificial

446 | intelligence, educational technology, or ethics from each of the

447 | following:

448 | a. A state university.

449 | b. A Florida College System institution.

450 | c. A private college or university.

- 451 9. One K-12 educator from each of the following:
452 a. A public school.
453 b. A charter school.
454 c. A private school.
455 10. Three leaders from industry sectors in the state which
456 are directly impacted by the developments in artificial
457 intelligence.
458 11. One member who is a national policy advisor with
459 expertise in artificial intelligence, education, and education
460 technology.
461 (3) (a) The commissioner shall serve as chair of the task
462 force.
463 (b) The task force shall meet at least four times, with
464 the first meeting of the task force occurring no later than
465 October 1, 2024.
466 (c) The task force is authorized to invite outside
467 experts, conduct surveys, hold public hearings, and engage in
468 other methods of gathering data on current use, opportunities,
469 and challenges related to artificial intelligence and is
470 encouraged to seek the feedback of students, parents, teachers,
471 and other community members.
472 (4) The task force shall:
473 (a) Evaluate the current state of artificial intelligence
474 technology and its potential applications in K-12 and
475 postsecondary education.

476 (b) Assess the ethical, legal, and data privacy
477 implications of using artificial intelligence in education.

478 (c) Develop policy recommendations for the responsible and
479 effective use of artificial intelligence in education for
480 district school boards, postsecondary educational institutions,
481 and the state as a whole. Such policy recommendations must
482 include the following:

483 1. Academic integrity and plagiarism.

484 2. Acceptable uses of artificial intelligence for students
485 and educators.

486 3. Student and teacher data privacy.

487 4. Parental access to information that students enter into
488 artificial intelligence system.

489 (d) Provide recommendations for incorporating artificial
490 intelligence into K-12 educational standards and postsecondary
491 education curricula, including general education courses as well
492 as career and technical courses that align with evolving
493 industry demands.

494 (e) Develop guidelines for training K-12 and postsecondary
495 educators to effectively use artificial intelligence tools,
496 including to support personalized learning.

497 (f) Propose criteria for monitoring and evaluating the
498 effects of artificial intelligence on student learning outcomes.

499 (g) Identify strategies to protect student and teacher
500 data privacy when using artificial intelligence systems.

501 (h) Recommend a set of common requirements for state and
502 school district procurement of artificial intelligence powered
503 software, including, but not limited to:

504 1. Requirements for content filters that protect students
505 from accessing content that is age inappropriate.

506 2. Requirements to allow parents to review the content
507 their minor students enter into artificial intelligence
508 software.

509 3. Vendor-provided training and support for technology
510 staff.

511 4. Prohibitions on the unauthorized sale of student or
512 teacher data.

513 (i) Identify opportunities for fostering collaboration
514 between K-12 education, Florida College System institutions,
515 career centers, workforce development programs, and industry
516 sectors effected by artificial intelligence to prepare students
517 for future careers that involve artificial intelligence
518 technologies.

519 (j) Promote strategies to bridge the digital divide and
520 ensure equitable access to artificial intelligence-powered
521 educational resources.

522 (5)(a) The task force shall submit:

523 (a) An interim report to the Governor, the President of
524 the Senate, and the Speaker of the House of Representative by
525 March 1, 2025.

526 (b) A final report on its findings and recommendations to
 527 the Governor, the President of the Senate, and the Speaker of
 528 the House of Representative by December 1, 2025.

529 (6) This section expires December 1, 2025.

530 Section 10. Paragraph (k) of subsection (2) of section
 531 11.45, Florida Statutes, is amended to read:

532 11.45 Definitions; duties; authorities; reports; rules.—

533 (2) DUTIES.—The Auditor General shall:

534 (k) Contact each district school board, as defined in s.
 535 1003.01 ~~s. 1003.01(7)~~, with the findings and recommendations
 536 contained within the Auditor General's previous operational
 537 audit report. The district school board shall provide the
 538 Auditor General with evidence of the initiation of corrective
 539 action within 45 days after the date it is requested by the
 540 Auditor General and evidence of completion of corrective action
 541 within 180 days after the date it is requested by the Auditor
 542 General. If the district school board fails to comply with the
 543 Auditor General's request or is unable to take corrective action
 544 within the required timeframe, the Auditor General shall notify
 545 the Legislative Auditing Committee.

546
 547 The Auditor General shall perform his or her duties
 548 independently but under the general policies established by the
 549 Legislative Auditing Committee. This subsection does not limit
 550 the Auditor General's discretionary authority to conduct other

551 audits or engagements of governmental entities as authorized in
 552 subsection (3).

553 Section 11. Paragraph (b) of subsection (3) of section
 554 39.0016, Florida Statutes, is amended to read:

555 39.0016 Education of abused, neglected, and abandoned
 556 children; agency agreements; children having or suspected of
 557 having a disability.—

558 (3) CHILDREN HAVING OR SUSPECTED OF HAVING A DISABILITY.—

559 (b)1. Each district school superintendent or dependency
 560 court must appoint a surrogate parent for a child known to the
 561 department who has or is suspected of having a disability, as
 562 defined in s. 1003.01 ~~s. 1003.01(9)~~, when:

563 a. After reasonable efforts, no parent can be located; or

564 b. A court of competent jurisdiction over a child under
 565 this chapter has determined that no person has the authority
 566 under the Individuals with Disabilities Education Act, including
 567 the parent or parents subject to the dependency action, or that
 568 no person has the authority, willingness, or ability to serve as
 569 the educational decisionmaker for the child without judicial
 570 action.

571 2. A surrogate parent appointed by the district school
 572 superintendent or the court must be at least 18 years old and
 573 have no personal or professional interest that conflicts with
 574 the interests of the student to be represented. Neither the
 575 district school superintendent nor the court may appoint an

576 employee of the Department of Education, the local school
577 district, a community-based care provider, the Department of
578 Children and Families, or any other public or private agency
579 involved in the education or care of the child as appointment of
580 those persons is prohibited by federal law. This prohibition
581 includes group home staff and therapeutic foster parents.
582 However, a person who acts in a parental role to a child, such
583 as a foster parent or relative caregiver, is not prohibited from
584 serving as a surrogate parent if he or she is employed by such
585 agency, willing to serve, and knowledgeable about the child and
586 the exceptional student education process. The surrogate parent
587 may be a court-appointed guardian ad litem or a relative or
588 nonrelative adult who is involved in the child's life regardless
589 of whether that person has physical custody of the child. Each
590 person appointed as a surrogate parent must have the knowledge
591 and skills acquired by successfully completing training using
592 materials developed and approved by the Department of Education
593 to ensure adequate representation of the child.

594 3. If a guardian ad litem has been appointed for a child,
595 the district school superintendent must first consider the
596 child's guardian ad litem when appointing a surrogate parent.
597 The district school superintendent must accept the appointment
598 of the court if he or she has not previously appointed a
599 surrogate parent. Similarly, the court must accept a surrogate
600 parent duly appointed by a district school superintendent.

601 4. A surrogate parent appointed by the district school
602 superintendent or the court must be accepted by any subsequent
603 school or school district without regard to where the child is
604 receiving residential care so that a single surrogate parent can
605 follow the education of the child during his or her entire time
606 in state custody. Nothing in this paragraph or in rule shall
607 limit or prohibit the continuance of a surrogate parent
608 appointment when the responsibility for the student's
609 educational placement moves among and between public and private
610 agencies.

611 5. For a child known to the department, the responsibility
612 to appoint a surrogate parent resides with both the district
613 school superintendent and the court with jurisdiction over the
614 child. If the court elects to appoint a surrogate parent, notice
615 shall be provided as soon as practicable to the child's school.
616 At any time the court determines that it is in the best
617 interests of a child to remove a surrogate parent, the court may
618 appoint a new surrogate parent for educational decisionmaking
619 purposes for that child.

620 6. The surrogate parent shall continue in the appointed
621 role until one of the following occurs:

622 a. The child is determined to no longer be eligible or in
623 need of special programs, except when termination of special
624 programs is being contested.

625 b. The child achieves permanency through adoption or legal

626 guardianship and is no longer in the custody of the department.

627 c. The parent who was previously unknown becomes known,
628 whose whereabouts were unknown is located, or who was
629 unavailable is determined by the court to be available.

630 d. The appointed surrogate no longer wishes to represent
631 the child or is unable to represent the child.

632 e. The superintendent of the school district in which the
633 child is attending school, the Department of Education contract
634 designee, or the court that appointed the surrogate determines
635 that the appointed surrogate parent no longer adequately
636 represents the child.

637 f. The child moves to a geographic location that is not
638 reasonably accessible to the appointed surrogate.

639 7. The appointment and termination of appointment of a
640 surrogate under this paragraph shall be entered as an order of
641 the court with a copy of the order provided to the child's
642 school as soon as practicable.

643 8. The person appointed as a surrogate parent under this
644 paragraph must:

645 a. Be acquainted with the child and become knowledgeable
646 about his or her disability and educational needs.

647 b. Represent the child in all matters relating to
648 identification, evaluation, and educational placement and the
649 provision of a free and appropriate education to the child.

650 c. Represent the interests and safeguard the rights of the

651 child in educational decisions that affect the child.

652 9. The responsibilities of the person appointed as a
653 surrogate parent shall not extend to the care, maintenance,
654 custody, residential placement, or any other area not
655 specifically related to the education of the child, unless the
656 same person is appointed by the court for such other purposes.

657 10. A person appointed as a surrogate parent shall enjoy
658 all of the procedural safeguards afforded a parent with respect
659 to the identification, evaluation, and educational placement of
660 a student with a disability or a student who is suspected of
661 having a disability.

662 11. A person appointed as a surrogate parent shall not be
663 held liable for actions taken in good faith on behalf of the
664 student in protecting the special education rights of the child.

665 Section 12. Paragraph (c) of subsection (1) of section
666 327.371, Florida Statutes, is amended to read:

667 327.371 Human-powered vessels regulated.—

668 (1) A person may operate a human-powered vessel within the
669 boundaries of the marked channel of the Florida Intracoastal
670 Waterway as defined in s. 327.02:

671 (c) When participating in practices or competitions for
672 interscholastic, intercollegiate, intramural, or club rowing
673 teams affiliated with an educational institution identified in
674 s. 1000.21, s. 1002.01(3), s. 1003.01(19) ~~s. 1003.01(17)~~, s.
675 1005.02(4), or s. 1005.03(1)(d), if the adjacent area outside of

676 the marked channel is not suitable for such practice or
677 competition. The teams must use their best efforts to make use
678 of the adjacent area outside of the marked channel. The
679 commission must be notified in writing of the details of any
680 such competition, and the notification must include, but need
681 not be limited to, the date, time, and location of the
682 competition.

683 Section 13. Subsection (1) of section 414.1251, Florida
684 Statutes, is amended to read:

685 414.1251 Learnfare program.—

686 (1) The department shall reduce the temporary cash
687 assistance for a participant's eligible dependent child or for
688 an eligible teenage participant who has not been exempted from
689 education participation requirements, if the eligible dependent
690 child or eligible teenage participant has been identified either
691 as a habitual truant, ~~pursuant to s. 1003.01(12),~~ or as a
692 dropout, as those terms are defined in s. 1003.01 ~~pursuant to s.~~
693 ~~1003.01(8)~~. For a student who has been identified as a habitual
694 truant, the temporary cash assistance must be reinstated after a
695 subsequent grading period in which the child's attendance has
696 substantially improved. For a student who has been identified as
697 a dropout, the temporary cash assistance must be reinstated
698 after the student enrolls in a public school, receives a high
699 school diploma or its equivalency, enrolls in preparation for
700 the high school equivalency examination, or enrolls in other

701 educational activities approved by the district school board.
 702 Good cause exemptions from the rule of unexcused absences
 703 include the following:

704 (a) The student is expelled from school and alternative
 705 schooling is not available.

706 (b) No licensed day care is available for a child of teen
 707 parents subject to Learnfare.

708 (c) Prohibitive transportation problems exist (e.g., to
 709 and from day care).

710
 711 Within 10 days after sanction notification, the participant
 712 parent of a dependent child or the teenage participant may file
 713 an internal fair hearings process review procedure appeal, and
 714 no sanction shall be imposed until the appeal is resolved.

715 Section 14. Paragraph (g) of subsection (3) of section
 716 553.865, Florida Statutes, is amended to read:

717 553.865 Private spaces.—

718 (3) As used in this section, the term:

719 (g) "K-12 educational institution or facility" means:

720 1. A school as defined in s. 1003.01 ~~s. 1003.01(17)~~
 721 operated under the control of a district school board as defined
 722 in s. 1003.01 ~~s. 1003.01(7)~~;

723 2. The Florida School for the Deaf and the Blind as
 724 described in ss. 1000.04(4) and 1002.36;

725 3. A developmental research (laboratory) school

726 established pursuant to s. 1002.32(2);

727 4. A charter school authorized under s. 1002.33; or

728 5. A private school as defined in s. 1002.01(3).

729 Section 15. Subsection (7) of section 1001.11, Florida
730 Statutes, is amended to read:

731 1001.11 Commissioner of Education; other duties.—

732 (7) The commissioner shall make prominently available on
733 the department's website the following: links to the Internet-
734 based clearinghouse for professional development regarding
735 physical education; the school wellness and physical education
736 policies and other resources required under s. 1003.453; and
737 other Internet sites that provide professional development for
738 elementary teachers of physical education as defined in s.
739 1003.01 ~~s. 1003.01(15)~~. These links must provide elementary
740 teachers with information concerning current physical education
741 and nutrition philosophy and best practices that result in
742 student participation in physical activities that promote
743 lifelong physical and mental well-being.

744 Section 16. Section 1002.01, Florida Statutes, is amended
745 to read:

746 1002.01 Definitions.—

747 (1) A "home education program" means the sequentially
748 progressive instruction of a student directed by his or her
749 parent to satisfy the attendance requirements of ss. 1002.41,
750 1003.01(18) ~~1003.01(16)~~, and 1003.21(1).

751 (2) A "personalized education program" means the
752 sequentially progressive instruction of a student directed by
753 his or her parent to satisfy the attendance requirements of ss.
754 1003.01(18) ~~1003.01(16)~~ and 1003.21(1) while registered with an
755 eligible nonprofit scholarship-funding organization pursuant to
756 s. 1002.395. A personalized education student shall be provided
757 the same flexibility and opportunities as provided in s.
758 1002.41(3)-(12).

759 (3) A "private school" is a nonpublic school defined as an
760 individual, association, copartnership, or corporation, or
761 department, division, or section of such organizations, that
762 designates itself as an educational center that includes
763 kindergarten or a higher grade or as an elementary, secondary,
764 business, technical, or trade school below college level or any
765 organization that provides instructional services that meet the
766 intent of s. 1003.01(18) ~~s. 1003.01(16)~~ or that gives
767 preemployment or supplementary training in technology or in
768 fields of trade or industry or that offers academic, literary,
769 or career training below college level, or any combination of
770 the above, including an institution that performs the functions
771 of the above schools through correspondence or extension, except
772 those licensed under the provisions of chapter 1005. A private
773 school may be a parochial, religious, denominational, for-
774 profit, or nonprofit school. This definition does not include
775 home education programs conducted in accordance with s. 1002.41.

776 Section 17. Paragraph (b) of subsection (2) of section
777 1002.20, Florida Statutes, is amended to read:

778 1002.20 K-12 student and parent rights.—Parents of public
779 school students must receive accurate and timely information
780 regarding their child's academic progress and must be informed
781 of ways they can help their child to succeed in school. K-12
782 students and their parents are afforded numerous statutory
783 rights including, but not limited to, the following:

784 (2) ATTENDANCE.—

785 (b) Regular school attendance.—Parents of students who
786 have attained the age of 6 years by February 1 of any school
787 year but who have not attained the age of 16 years must comply
788 with the compulsory school attendance laws. Parents have the
789 option to comply with the school attendance laws by attendance
790 of the student in a public school; a parochial, religious, or
791 denominational school; a private school; a home education
792 program; or a private tutoring program, in accordance with the
793 provisions of s. 1003.01(18) ~~s. 1003.01(16)~~.

794 Section 18. Paragraph (d) of subsection (3) of section
795 1002.3105, Florida Statutes, is amended to read:

796 1002.3105 Academically Challenging Curriculum to Enhance
797 Learning (ACCEL) options.—

798 (3) STUDENT ELIGIBILITY CONSIDERATIONS.—When establishing
799 student eligibility requirements, principals and school
800 districts must consider, at a minimum:

801 (d) Recommendations from one or more of the student's
 802 teachers in core-curricula courses as defined in s.
 803 1003.01(7)(a)-(e) ~~s. 1003.01(5)(a)-(e)~~.

804 Section 19. Paragraph (a) of subsection (20) of section
 805 1002.33, Florida Statutes, is amended to read:

806 1002.33 Charter schools.—

807 (20) SERVICES.—

808 (a)1. A sponsor shall provide certain administrative and
 809 educational services to charter schools. These services shall
 810 include contract management services; full-time equivalent and
 811 data reporting services; exceptional student education
 812 administration services; services related to eligibility and
 813 reporting duties required to ensure that school lunch services
 814 under the National School Lunch Program, consistent with the
 815 needs of the charter school, are provided by the sponsor at the
 816 request of the charter school, that any funds due to the charter
 817 school under the National School Lunch Program be paid to the
 818 charter school as soon as the charter school begins serving food
 819 under the National School Lunch Program, and that the charter
 820 school is paid at the same time and in the same manner under the
 821 National School Lunch Program as other public schools serviced
 822 by the sponsor or the school district; test administration
 823 services, including payment of the costs of state-required or
 824 district-required student assessments; processing of teacher
 825 certificate data services; and information services, including

826 equal access to the sponsor's student information systems that
827 are used by public schools in the district in which the charter
828 school is located or by schools in the sponsor's portfolio of
829 charter schools if the sponsor is not a school district. Student
830 performance data for each student in a charter school,
831 including, but not limited to, FCAT scores, standardized test
832 scores, previous public school student report cards, and student
833 performance measures, shall be provided by the sponsor to a
834 charter school in the same manner provided to other public
835 schools in the district or by schools in the sponsor's portfolio
836 of charter schools if the sponsor is not a school district.

837 2. A sponsor shall provide training to charter schools on
838 systems the sponsor will require the charter school to use.

839 3. A sponsor may withhold an administrative fee for the
840 provision of such services which shall be a percentage of the
841 available funds defined in paragraph (17)(b) calculated based on
842 weighted full-time equivalent students. If the charter school
843 serves 75 percent or more exceptional education students as
844 defined in s. 1003.01 ~~s. 1003.01(9)~~, the percentage shall be
845 calculated based on unweighted full-time equivalent students.
846 The administrative fee shall be calculated as follows:

847 a. Up to 5 percent for:

848 (I) Enrollment of up to and including 250 students in a
849 charter school as defined in this section.

850 (II) Enrollment of up to and including 500 students within

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851 a charter school system which meets all of the following:

852 (A) Includes conversion charter schools and nonconversion
853 charter schools.

854 (B) Has all of its schools located in the same county.

855 (C) Has a total enrollment exceeding the total enrollment
856 of at least one school district in this state.

857 (D) Has the same governing board for all of its schools.

858 (E) Does not contract with a for-profit service provider
859 for management of school operations.

860 (III) Enrollment of up to and including 250 students in a
861 virtual charter school.

862 b. Up to 2 percent for enrollment of up to and including
863 250 students in a high-performing charter school as defined in
864 s. 1002.331.

865 c. Up to 2 percent for enrollment of up to and including
866 250 students in an exceptional student education center that
867 meets the requirements of the rules adopted by the State Board
868 of Education pursuant to s. 1008.3415(3).

869 4. A sponsor may not charge charter schools any additional
870 fees or surcharges for administrative and educational services
871 in addition to the maximum percentage of administrative fees
872 withheld pursuant to this paragraph. A sponsor may not charge or
873 withhold any administrative fee against a charter school for any
874 funds specifically allocated by the Legislature for teacher
875 compensation.

876 5. A sponsor shall provide to the department by September
 877 15 of each year the total amount of funding withheld from
 878 charter schools pursuant to this subsection for the prior fiscal
 879 year. The department must include the information in the report
 880 required under sub-sub-subparagraph (5)(b)1.k.(III).

881 6. A sponsor shall annually provide a report to its
 882 charter schools on what services are being rendered from the
 883 sponsor's portion of the administrative fee. The report must
 884 include the listed services and be submitted to the department
 885 by September 15 of each year.

886 Section 20. Subsection (4) and paragraph (b) of subsection
 887 (10) of section 1002.394, Florida Statutes, are amended to read:

888 1002.394 The Family Empowerment Scholarship Program.—

889 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

890 (a) Program funds awarded to a student determined eligible
 891 pursuant to paragraph (3)(a) may be used for:

892 1. Tuition and fees at an eligible private school.

893 2. Transportation to a Florida public school in which a
 894 student is enrolled and that is different from the school to
 895 which the student was assigned or to a lab school as defined in
 896 s. 1002.32.

897 3. Instructional materials, including digital materials
 898 and Internet resources.

899 4. Curriculum as defined in subsection (2).

900 5. Tuition and fees associated with full-time or part-time

901 enrollment in an eligible postsecondary educational institution
902 or a program offered by the postsecondary educational
903 institution, unless the program is subject to s. 1009.25 or
904 reimbursed pursuant to s. 1009.30; an approved preapprenticeship
905 program as defined in s. 446.021(5) which is not subject to s.
906 1009.25 and complies with all applicable requirements of the
907 department pursuant to chapter 1005; a private tutoring program
908 authorized under s. 1002.43; a virtual program offered by a
909 department-approved private online provider that meets the
910 provider qualifications specified in s. 1002.45(2)(a); the
911 Florida Virtual School as a private paying student; or an
912 approved online course offered pursuant to s. 1003.499 or s.
913 1004.0961.

914 6. Fees for nationally standardized, norm-referenced
915 achievement tests, Advanced Placement Examinations, industry
916 certification examinations, assessments related to postsecondary
917 education, or other assessments.

918 7. Contracted services provided by a public school or
919 school district, including classes. A student who receives
920 contracted services under this subparagraph is not considered
921 enrolled in a public school for eligibility purposes as
922 specified in subsection (6) but rather attending a public school
923 on a part-time basis as authorized under s. 1002.44.

924 8. Tuition and fees for part-time tutoring services or
925 fees for services provided by a choice navigator. Such services

926 must be provided by a person who holds a valid Florida
927 educator's certificate pursuant to s. 1012.56, a person who
928 holds an adjunct teaching certificate pursuant to s. 1012.57, a
929 person who has a bachelor's degree or a graduate degree in the
930 subject area in which instruction is given, a person who has
931 demonstrated a mastery of subject area knowledge pursuant to s.
932 1012.56(5), or a person certified by a nationally or
933 internationally recognized research-based training program as
934 approved by the department. As used in this subparagraph, the
935 term "part-time tutoring services" does not qualify as regular
936 school attendance as defined in s. 1003.01(18)(e) ~~s.~~
937 ~~1003.01(16)(e)~~.

938 (b) Program funds awarded to a student with a disability
939 determined eligible pursuant to paragraph (3)(b) may be used for
940 the following purposes:

941 1. Instructional materials, including digital devices,
942 digital periphery devices, and assistive technology devices that
943 allow a student to access instruction or instructional content
944 and training on the use of and maintenance agreements for these
945 devices.

946 2. Curriculum as defined in subsection (2).

947 3. Specialized services by approved providers or by a
948 hospital in this state which are selected by the parent. These
949 specialized services may include, but are not limited to:

950 a. Applied behavior analysis services as provided in ss.

951 627.6686 and 641.31098.

952 b. Services provided by speech-language pathologists as
953 defined in s. 468.1125(8).

954 c. Occupational therapy as defined in s. 468.203.

955 d. Services provided by physical therapists as defined in
956 s. 486.021(8).

957 e. Services provided by listening and spoken language
958 specialists and an appropriate acoustical environment for a
959 child who has a hearing impairment, including deafness, and who
960 has received an implant or assistive hearing device.

961 4. Tuition and fees associated with full-time or part-time
962 enrollment in a home education program; an eligible private
963 school; an eligible postsecondary educational institution or a
964 program offered by the postsecondary educational institution,
965 unless the program is subject to s. 1009.25 or reimbursed
966 pursuant to s. 1009.30; an approved preapprenticeship program as
967 defined in s. 446.021(5) which is not subject to s. 1009.25 and
968 complies with all applicable requirements of the department
969 pursuant to chapter 1005; a private tutoring program authorized
970 under s. 1002.43; a virtual program offered by a department-
971 approved private online provider that meets the provider
972 qualifications specified in s. 1002.45(2)(a); the Florida
973 Virtual School as a private paying student; or an approved
974 online course offered pursuant to s. 1003.499 or s. 1004.0961.

975 5. Fees for nationally standardized, norm-referenced

976 achievement tests, Advanced Placement Examinations, industry
 977 certification examinations, assessments related to postsecondary
 978 education, or other assessments.

979 6. Contributions to the Stanley G. Tate Florida Prepaid
 980 College Program pursuant to s. 1009.98 or the Florida College
 981 Savings Program pursuant to s. 1009.981 for the benefit of the
 982 eligible student.

983 7. Contracted services provided by a public school or
 984 school district, including classes. A student who receives
 985 services under a contract under this paragraph is not considered
 986 enrolled in a public school for eligibility purposes as
 987 specified in subsection (6) but rather attending a public school
 988 on a part-time basis as authorized under s. 1002.44.

989 8. Tuition and fees for part-time tutoring services or
 990 fees for services provided by a choice navigator. Such services
 991 must be provided by a person who holds a valid Florida
 992 educator's certificate pursuant to s. 1012.56, a person who
 993 holds an adjunct teaching certificate pursuant to s. 1012.57, a
 994 person who has a bachelor's degree or a graduate degree in the
 995 subject area in which instruction is given, a person who has
 996 demonstrated a mastery of subject area knowledge pursuant to s.
 997 1012.56(5), or a person certified by a nationally or
 998 internationally recognized research-based training program as
 999 approved by the department. As used in this subparagraph, the
 1000 term "part-time tutoring services" does not qualify as regular

1001 school attendance as defined in s. 1003.01(18)(e) ~~s.~~
 1002 ~~1003.01(16)(e)~~.

1003 9. Fees for specialized summer education programs.

1004 10. Fees for specialized after-school education programs.

1005 11. Transition services provided by job coaches.

1006 12. Fees for an annual evaluation of educational progress
 1007 by a state-certified teacher under s. 1002.41(1)(f), if this
 1008 option is chosen for a home education student.

1009 13. Tuition and fees associated with programs offered by
 1010 Voluntary Prekindergarten Education Program providers approved
 1011 pursuant to s. 1002.55 and school readiness providers approved
 1012 pursuant to s. 1002.88.

1013 14. Fees for services provided at a center that is a
 1014 member of the Professional Association of Therapeutic
 1015 Horsemanship International.

1016 15. Fees for services provided by a therapist who is
 1017 certified by the Certification Board for Music Therapists or
 1018 credentialed by the Art Therapy Credentials Board, Inc.

1019 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 1020 PARTICIPATION.—

1021 (b) A parent who applies for program participation under
 1022 paragraph (3)(b) is exercising his or her parental option to
 1023 determine the appropriate placement or the services that best
 1024 meet the needs of his or her child and must:

1025 1. Apply to an eligible nonprofit scholarship-funding

1026 organization to participate in the program by a date set by the
1027 organization. The request must be communicated directly to the
1028 organization in a manner that creates a written or electronic
1029 record of the request and the date of receipt of the request.

1030 2. Sign an agreement with the organization and annually
1031 submit a sworn compliance statement to the organization to
1032 satisfy or maintain program eligibility, including eligibility
1033 to receive and spend program payments by:

1034 a. Affirming that the student is enrolled in a program
1035 that meets regular school attendance requirements as provided in
1036 s. 1003.01(18)(b), (c), or (d) ~~s. 1003.01(16)(b), (c), or (d)~~.

1037 b. Affirming that the program funds are used only for
1038 authorized purposes serving the student's educational needs, as
1039 described in paragraph (4)(b); that any prepaid college plan or
1040 college savings plan funds contributed pursuant to subparagraph
1041 (4)(b)6. will not be transferred to another beneficiary while
1042 the plan contains funds contributed pursuant to this section;
1043 and that they will not receive a payment, refund, or rebate of
1044 any funds provided under this section.

1045 c. Affirming that the parent is responsible for all
1046 eligible expenses in excess of the amount of the scholarship and
1047 for the education of his or her student by, as applicable:

1048 (I) Requiring the student to take an assessment in
1049 accordance with paragraph (9)(c);

1050 (II) Providing an annual evaluation in accordance with s.

1051 1002.41(1)(f); or

1052 (III) Requiring the child to take any preassessments and
1053 postassessments selected by the provider if the child is 4 years
1054 of age and is enrolled in a program provided by an eligible
1055 Voluntary Prekindergarten Education Program provider. A student
1056 with disabilities for whom the physician or psychologist who
1057 issued the diagnosis or the IEP team determines that a
1058 preassessment and postassessment is not appropriate is exempt
1059 from this requirement. A participating provider shall report a
1060 student's scores to the parent.

1061 d. Affirming that the student remains in good standing
1062 with the provider or school if those options are selected by the
1063 parent.

1064 e. Enrolling his or her child in a program from a
1065 Voluntary Prekindergarten Education Program provider authorized
1066 under s. 1002.55, a school readiness provider authorized under
1067 s. 1002.88, or an eligible private school if either option is
1068 selected by the parent.

1069 f. Renewing participation in the program each year. A
1070 student whose participation in the program is not renewed may
1071 continue to spend scholarship funds that are in his or her
1072 account from prior years unless the account must be closed
1073 pursuant to subparagraph (5)(b)3. Notwithstanding any changes to
1074 the student's IEP, a student who was previously eligible for
1075 participation in the program shall remain eligible to apply for

1076 renewal. However, for a high-risk child to continue to
1077 participate in the program in the school year after he or she
1078 reaches 6 years of age, the child's application for renewal of
1079 program participation must contain documentation that the child
1080 has a disability defined in paragraph (2)(e) other than high-
1081 risk status.

1082 g. Procuring the services necessary to educate the
1083 student. If such services include enrollment in an eligible
1084 private school, the parent must meet with the private school's
1085 principal or the principal's designee to review the school's
1086 academic programs and policies, specialized services, code of
1087 student conduct, and attendance policies before his or her
1088 student is enrolled. When the student receives a scholarship,
1089 the district school board is not obligated to provide the
1090 student with a free appropriate public education. For purposes
1091 of s. 1003.57 and the Individuals with Disabilities in Education
1092 Act, a participating student has only those rights that apply to
1093 all other unilaterally parentally placed students, except that,
1094 when requested by the parent, school district personnel must
1095 develop an IEP or matrix level of services.

1096 Section 21. Paragraphs (d) and (e) of subsection (6) of
1097 section 1002.395, Florida Statutes, are amended to read:

1098 1002.395 Florida Tax Credit Scholarship Program.—

1099 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1100 ORGANIZATIONS.—An eligible nonprofit scholarship-funding

1101 organization:

1102 (d)1. For the 2023-2024 school year, may fund no more than

1103 20,000 scholarships for students who are enrolled pursuant to

1104 paragraph (7)(b). The number of scholarships funded for such

1105 students may increase by 40,000 in each subsequent school year.

1106 This subparagraph is repealed July 1, 2027.

1107 2. Must establish and maintain separate empowerment

1108 accounts from eligible contributions for each eligible student.

1109 For each account, the organization must maintain a record of

1110 accrued interest retained in the student's account. The

1111 organization must verify that scholarship funds are used for:

1112 a. Tuition and fees for full-time or part-time enrollment

1113 in an eligible private school.

1114 b. Transportation to a Florida public school in which a

1115 student is enrolled and that is different from the school to

1116 which the student was assigned or to a lab school as defined in

1117 s. 1002.32.

1118 c. Instructional materials, including digital materials

1119 and Internet resources.

1120 d. Curriculum as defined in s. 1002.394(2).

1121 e. Tuition and fees associated with full-time or part-time

1122 enrollment in a home education instructional program; an

1123 eligible postsecondary educational institution or a program

1124 offered by the postsecondary educational institution, unless the

1125 program is subject to s. 1009.25 or reimbursed pursuant to s.

1126 | 1009.30; an approved preapprenticeship program as defined in s.
 1127 | 446.021(5) which is not subject to s. 1009.25 and complies with
 1128 | all applicable requirements of the Department of Education
 1129 | pursuant to chapter 1005; a private tutoring program authorized
 1130 | under s. 1002.43; a virtual program offered by a department-
 1131 | approved private online provider that meets the provider
 1132 | qualifications specified in s. 1002.45(2)(a); the Florida
 1133 | Virtual School as a private paying student; or an approved
 1134 | online course offered pursuant to s. 1003.499 or s. 1004.0961.

1135 | f. Fees for nationally standardized, norm-referenced
 1136 | achievement tests, Advanced Placement Examinations, industry
 1137 | certification examinations, assessments related to postsecondary
 1138 | education, or other assessments.

1139 | g. Contracted services provided by a public school or
 1140 | school district, including classes. A student who receives
 1141 | contracted services under this sub-subparagraph is not
 1142 | considered enrolled in a public school for eligibility purposes
 1143 | as specified in subsection (11) but rather attending a public
 1144 | school on a part-time basis as authorized under s. 1002.44.

1145 | h. Tuition and fees for part-time tutoring services or
 1146 | fees for services provided by a choice navigator. Such services
 1147 | must be provided by a person who holds a valid Florida
 1148 | educator's certificate pursuant to s. 1012.56, a person who
 1149 | holds an adjunct teaching certificate pursuant to s. 1012.57, a
 1150 | person who has a bachelor's degree or a graduate degree in the

1151 subject area in which instruction is given, a person who has
1152 demonstrated a mastery of subject area knowledge pursuant to s.
1153 1012.56(5), or a person certified by a nationally or
1154 internationally recognized research-based training program as
1155 approved by the Department of Education. As used in this
1156 paragraph, the term "part-time tutoring services" does not
1157 qualify as regular school attendance as defined in s.
1158 1003.01(18)(e) ~~s. 1003.01(16)(e)~~.

1159 (e) For students determined eligible pursuant to paragraph
1160 (7)(b), must:

1161 1. Maintain a signed agreement from the parent which
1162 constitutes compliance with the attendance requirements under
1163 ss. 1003.01(18) ~~1003.01(16)~~ and 1003.21(1).

1164 2. Receive eligible student test scores and, beginning
1165 with the 2027-2028 school year, by August 15, annually report
1166 test scores for students pursuant to paragraph (7)(b) to a state
1167 university pursuant to paragraph (9)(f).

1168 3. Provide parents with information, guidance, and support
1169 to create and annually update a student learning plan for their
1170 student. The organization must maintain the plan and allow
1171 parents to electronically submit, access, and revise the plan
1172 continuously.

1173 4. Upon submission by the parent of an annual student
1174 learning plan, fund a scholarship for a student determined
1175 eligible.

1176
 1177 Information and documentation provided to the Department of
 1178 Education and the Auditor General relating to the identity of a
 1179 taxpayer that provides an eligible contribution under this
 1180 section shall remain confidential at all times in accordance
 1181 with s. 213.053.

1182 Section 22. Subsection (7) of section 1002.42, Florida
 1183 Statutes, is amended to read:

1184 1002.42 Private schools.—

1185 (7) ATTENDANCE REQUIREMENTS.—Attendance of a student at a
 1186 private, parochial, religious, or denominational school
 1187 satisfies the attendance requirements of ss. 1003.01(18)
 1188 ~~1003.01(16)~~ and 1003.21(1).

1189 Section 23. Subsection (1) of section 1002.43, Florida
 1190 Statutes, is amended to read:

1191 1002.43 Private tutoring programs.—

1192 (1) Regular school attendance as defined in s. 1003.01 ~~s.~~
 1193 ~~1003.01(16)~~ may be achieved by attendance in a private tutoring
 1194 program if the person tutoring the student meets the following
 1195 requirements:

1196 (a) Holds a valid Florida certificate to teach the
 1197 subjects or grades in which instruction is given.

1198 (b) Keeps all records and makes all reports required by
 1199 the state and district school board and makes regular reports on
 1200 the attendance of students in accordance with the provisions of

1201 s. 1003.23(2).

1202 (c) Requires students to be in actual attendance for the
1203 minimum length of time prescribed by s. 1011.60(2).

1204 Section 24. Subsections (1) and (3) of section 1002.44,
1205 Florida Statutes, are amended to read:

1206 1002.44 Part-time public school enrollment.—

1207 (1) Any public school in this state, including a charter
1208 school, may enroll a student who meets the regular school
1209 attendance criteria in s. 1003.01(18)(b)-(f) ~~s. 1003.01(16)(b)-~~
1210 ~~(f)~~ on a part-time basis, subject to space and availability
1211 according to the school's capacity determined pursuant to s.
1212 1002.31(2)(b).

1213 (3) A student attending a public school on a part-time
1214 basis pursuant to this section is not considered to be in
1215 regular attendance at a public school as defined in s.
1216 1003.01(18)(a) ~~s. 1003.01(16)(a)~~.

1217 Section 25. Subsection (6) of section 1003.03, Florida
1218 Statutes, is amended to read:

1219 1003.03 Maximum class size.—

1220 (6) COURSES FOR COMPLIANCE.—Consistent with s. 1003.01(7)
1221 ~~s. 1003.01(5)~~, the Department of Education shall identify from
1222 the Course Code Directory the core-curricula courses for the
1223 purpose of satisfying the maximum class size requirement in this
1224 section. The department may adopt rules to implement this
1225 subsection, if necessary.

1226 Section 26. Subsection (4) of section 1003.21, Florida
 1227 Statutes, is amended to read:

1228 1003.21 School attendance.—

1229 (4) Before admitting a child to kindergarten, the
 1230 principal shall require evidence that the child has attained the
 1231 age at which he or she should be admitted in accordance with the
 1232 provisions of subparagraph (1) (a)2. The district school
 1233 superintendent may require evidence of the age of any child who
 1234 is being enrolled in public school and who the district school
 1235 superintendent believes to be within the limits of compulsory
 1236 attendance as provided for by law; however, the district school
 1237 superintendent may not require evidence from any child who meets
 1238 regular attendance requirements by attending a school or program
 1239 listed in s. 1003.01 (18) (b) - (e) ~~s. 1003.01 (16) (b) - (e)~~. If the
 1240 first prescribed evidence is not available, the next evidence
 1241 obtainable in the order set forth below shall be accepted:

1242 (a) A duly attested transcript of the child's birth record
 1243 filed according to law with a public officer charged with the
 1244 duty of recording births;

1245 (b) A duly attested transcript of a certificate of baptism
 1246 showing the date of birth and place of baptism of the child,
 1247 accompanied by an affidavit sworn to by the parent;

1248 (c) An insurance policy on the child's life that has been
 1249 in force for at least 2 years;

1250 (d) A bona fide contemporary religious record of the

1251 child's birth accompanied by an affidavit sworn to by the
 1252 parent;

1253 (e) A passport or certificate of arrival in the United
 1254 States showing the age of the child;

1255 (f) A transcript of record of age shown in the child's
 1256 school record of at least 4 years prior to application, stating
 1257 date of birth; or

1258 (g) If none of these evidences can be produced, an
 1259 affidavit of age sworn to by the parent, accompanied by a
 1260 certificate of age signed by a public health officer or by a
 1261 public school physician, or, if these are not available in the
 1262 county, by a licensed practicing physician designated by the
 1263 district school board, which states that the health officer or
 1264 physician has examined the child and believes that the age as
 1265 stated in the affidavit is substantially correct. Children and
 1266 youths who are experiencing homelessness and children who are
 1267 known to the department, as defined in s. 39.0016, shall be
 1268 given temporary exemption from this section for 30 school days.

1269 Section 27. Paragraph (f) of subsection (1) of section
 1270 1003.26, Florida Statutes, is amended to read:

1271 1003.26 Enforcement of school attendance.—The Legislature
 1272 finds that poor academic performance is associated with
 1273 nonattendance and that school districts must take an active role
 1274 in promoting and enforcing attendance as a means of improving
 1275 student performance. It is the policy of the state that each

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1276 district school superintendent be responsible for enforcing
1277 school attendance of all students subject to the compulsory
1278 school age in the school district and supporting enforcement of
1279 school attendance by local law enforcement agencies. The
1280 responsibility includes recommending policies and procedures to
1281 the district school board that require public schools to respond
1282 in a timely manner to every unexcused absence, and every absence
1283 for which the reason is unknown, of students enrolled in the
1284 schools. District school board policies shall require the parent
1285 of a student to justify each absence of the student, and that
1286 justification will be evaluated based on adopted district school
1287 board policies that define excused and unexcused absences. The
1288 policies must provide that public schools track excused and
1289 unexcused absences and contact the home in the case of an
1290 unexcused absence from school, or an absence from school for
1291 which the reason is unknown, to prevent the development of
1292 patterns of nonattendance. The Legislature finds that early
1293 intervention in school attendance is the most effective way of
1294 producing good attendance habits that will lead to improved
1295 student learning and achievement. Each public school shall
1296 implement the following steps to promote and enforce regular
1297 school attendance:

1298 (1) CONTACT, REFER, AND ENFORCE.—

1299 (f)1. If the parent of a child who has been identified as
1300 exhibiting a pattern of nonattendance enrolls the child in a

1301 home education program pursuant to chapter 1002, the district
1302 school superintendent shall provide the parent a copy of s.
1303 1002.41 and the accountability requirements of this paragraph.
1304 The district school superintendent shall also refer the parent
1305 to a home education review committee composed of the district
1306 contact for home education programs and at least two home
1307 educators selected by the parent from a district list of all
1308 home educators who have conducted a home education program for
1309 at least 3 years and who have indicated a willingness to serve
1310 on the committee. The home education review committee shall
1311 review the portfolio of the student, as defined by s. 1002.41,
1312 every 30 days during the district's regular school terms until
1313 the committee is satisfied that the home education program is in
1314 compliance with s. 1002.41(1)(d). The first portfolio review
1315 must occur within the first 30 calendar days of the
1316 establishment of the program. The provisions of subparagraph 2.
1317 do not apply once the committee determines the home education
1318 program is in compliance with s. 1002.41(1)(d).

1319 2. If the parent fails to provide a portfolio to the
1320 committee, the committee shall notify the district school
1321 superintendent. The district school superintendent shall then
1322 terminate the home education program and require the parent to
1323 enroll the child in an attendance option that meets the
1324 definition of "regular school attendance" under s.
1325 1003.01(18)(a), (b), (c), or (e) ~~s. 1003.01(16)(a), (b), (c), or~~

1326 ~~(e)~~, within 3 days. Upon termination of a home education program
 1327 pursuant to this subparagraph, the parent shall not be eligible
 1328 to reenroll the child in a home education program for 180
 1329 calendar days. Failure of a parent to enroll the child in an
 1330 attendance option as required by this subparagraph after
 1331 termination of the home education program pursuant to this
 1332 subparagraph shall constitute noncompliance with the compulsory
 1333 attendance requirements of s. 1003.21 and may result in criminal
 1334 prosecution under s. 1003.27(2). Nothing contained herein shall
 1335 restrict the ability of the district school superintendent, or
 1336 the ability of his or her designee, to review the portfolio
 1337 pursuant to s. 1002.41(1)(e).

1338 Section 28. Subsection (4) of section 1003.52, Florida
 1339 Statutes, is amended to read:

1340 1003.52 Educational services in Department of Juvenile
 1341 Justice programs.—

1342 (4) Educational services shall be provided at times of the
 1343 day most appropriate for the juvenile justice program. School
 1344 programming in juvenile justice detention, prevention, day
 1345 treatment, and residential programs shall be made available by
 1346 the local school district during the juvenile justice school
 1347 year, as provided in s. 1003.01(16) ~~s. 1003.01(14)~~. In addition,
 1348 students in juvenile justice education programs shall have
 1349 access to courses offered pursuant to ss. 1002.37, 1002.45, and
 1350 1003.498. The Department of Education and the school districts

1351 shall adopt policies necessary to provide such access.

1352 Section 29. Paragraph (f) of subsection (1) of section
1353 1003.573, Florida Statutes, is amended to read:

1354 1003.573 Seclusion and restraint of students with
1355 disabilities in public schools.—

1356 (1) DEFINITIONS.—As used in this section, the term:

1357 (f) "Student" means a child with an individual education
1358 plan enrolled in grades kindergarten through 12 in a school, as
1359 defined in s. 1003.01 ~~s. 1003.01(17)~~, or the Florida School for
1360 the Deaf and Blind. The term does not include students in
1361 prekindergarten, students who reside in residential care
1362 facilities under s. 1003.58, or students participating in a
1363 Department of Juvenile Justice education program under s.
1364 1003.52.

1365 Section 30. Section 1003.575, Florida Statutes, is amended
1366 to read:

1367 1003.575 Assistive technology devices; findings;
1368 interagency agreements.—Accessibility, utilization, and
1369 coordination of appropriate assistive technology devices and
1370 services are essential as a young person with disabilities moves
1371 from early intervention to preschool, from preschool to school,
1372 from one school to another, from school to employment or
1373 independent living, and from school to home and community. If an
1374 individual education plan team makes a recommendation in
1375 accordance with State Board of Education rule for a student with

1376 a disability, as defined in s. 1003.01 ~~s. 1003.01(9)~~, to receive
1377 an assistive technology assessment, that assessment must be
1378 completed within 60 school days after the team's recommendation.
1379 To ensure that an assistive technology device issued to a young
1380 person as part of his or her individualized family support plan,
1381 individual support plan, individualized plan for employment, or
1382 individual education plan remains with the individual through
1383 such transitions, the following agencies shall enter into
1384 interagency agreements, as appropriate, to ensure the
1385 transaction of assistive technology devices:

1386 (1) The Early Steps Program in the Division of Children's
1387 Medical Services of the Department of Health.

1388 (2) The Division of Blind Services, the Bureau of
1389 Exceptional Education and Student Services, the Office of
1390 Independent Education and Parental Choice, and the Division of
1391 Vocational Rehabilitation of the Department of Education.

1392 (3) The Voluntary Prekindergarten Education Program
1393 administered by the Department of Education and the Office of
1394 Early Learning.

1395
1396 Interagency agreements entered into pursuant to this section
1397 shall provide a framework for ensuring that young persons with
1398 disabilities and their families, educators, and employers are
1399 informed about the utilization and coordination of assistive
1400 technology devices and services that may assist in meeting

1401 transition needs, and shall establish a mechanism by which a
 1402 young person or his or her parent may request that an assistive
 1403 technology device remain with the young person as he or she
 1404 moves through the continuum from home to school to postschool.

1405 Section 31. Paragraph (c) of subsection (1) of section
 1406 1006.0626, Florida Statutes, is amended to read:

1407 1006.0626 Care of students with epilepsy or seizure
 1408 disorders.—

1409 (1) As used in this section, the term:

1410 (c) "School" has the same meaning as in s. 1003.01 ~~s.~~
 1411 ~~1003.01(17)~~.

1412 Section 32. Paragraph (d) of subsection (2) of section
 1413 1006.07, Florida Statutes, is amended to read:

1414 1006.07 District school board duties relating to student
 1415 discipline and school safety.—The district school board shall
 1416 provide for the proper accounting for all students, for the
 1417 attendance and control of students at school, and for proper
 1418 attention to health, safety, and other matters relating to the
 1419 welfare of students, including:

1420 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
 1421 conduct for elementary schools and a code of student conduct for
 1422 middle and high schools and distribute the appropriate code to
 1423 all teachers, school personnel, students, and parents, at the
 1424 beginning of every school year. Each code shall be organized and
 1425 written in language that is understandable to students and

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1426 parents and shall be discussed at the beginning of every school
1427 year in student classes, school advisory council meetings, and
1428 parent and teacher association or organization meetings. Each
1429 code shall be based on the rules governing student conduct and
1430 discipline adopted by the district school board and shall be
1431 made available in the student handbook or similar publication.
1432 Each code shall include, but is not limited to:

1433 (d)1. An explanation of the responsibilities of each
1434 student with regard to appropriate dress, respect for self and
1435 others, and the role that appropriate dress and respect for self
1436 and others has on an orderly learning environment. Each district
1437 school board shall adopt a dress code policy that prohibits a
1438 student, while on the grounds of a public school during the
1439 regular school day, from wearing clothing that exposes underwear
1440 or body parts in an indecent or vulgar manner or that disrupts
1441 the orderly learning environment.

1442 2. Any student who violates the dress policy described in
1443 subparagraph 1. is subject to the following disciplinary
1444 actions:

1445 a. For a first offense, a student shall be given a verbal
1446 warning and the school principal shall call the student's parent
1447 or guardian.

1448 b. For a second offense, the student is ineligible to
1449 participate in any extracurricular activity for a period of time
1450 not to exceed 5 days and the school principal shall meet with

1451 the student's parent or guardian.

1452 c. For a third or subsequent offense, a student shall
 1453 receive an in-school suspension pursuant to s. 1003.01(15) ~~s.~~
 1454 ~~1003.01(13)~~ for a period not to exceed 3 days, the student is
 1455 ineligible to participate in any extracurricular activity for a
 1456 period not to exceed 30 days, and the school principal shall
 1457 call the student's parent or guardian and send the parent or
 1458 guardian a written letter regarding the student's in-school
 1459 suspension and ineligibility to participate in extracurricular
 1460 activities.

1461 Section 33. Subsection (5) of section 1008.24, Florida
 1462 Statutes, is amended to read:

1463 1008.24 Test administration and security; public records
 1464 exemption.—

1465 (5) Exceptional students with disabilities, as defined in
 1466 s. 1003.01 ~~s. 1003.01(9)~~, shall have access to testing sites.
 1467 The Department of Education and each school district shall adopt
 1468 policies that are necessary to ensure such access.

1469 Section 34. Paragraph (c) of subsection (6) of section
 1470 1012.2315, Florida Statutes, is amended to read:

1471 1012.2315 Assignment of teachers.—

1472 (6) ASSIGNMENT OF TEACHERS BASED UPON PERFORMANCE
 1473 EVALUATIONS.—

1474 (c) For a student enrolling in an extracurricular course
 1475 as defined in s. 1003.01 ~~s. 1003.01(11)~~, a parent may choose to

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1476 | have the student taught by a teacher who received a performance
1477 | evaluation of "needs improvement" or "unsatisfactory" in the
1478 | preceding school year if the student and the student's parent
1479 | receive an explanation of the impact of teacher effectiveness on
1480 | student learning and the principal receives written consent from
1481 | the parent.

1482 | Section 35. This act shall take effect July 1, 2024.