

By the Committees on Appropriations; and Education Postsecondary

576-03685-24

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1 A bill to be entitled
2 An act relating to education; creating s. 1004.933,
3 F.S.; providing legislative intent; establishing the
4 Graduation Alternative to Traditional Education (GATE)
5 Program within the Department of Education; providing
6 definitions; requiring institutions to waive payments
7 for specified student fees; providing eligibility
8 requirements; providing that students participating in
9 the program are eligible for a specified stipend under
10 certain circumstances; prohibiting an institution from
11 imposing additional eligibility requirements;
12 providing department responsibilities; providing
13 department reporting requirements; authorizing the
14 State Board of Education to adopt rules; amending s.
15 445.009, F.S.; revising the services to which the one-
16 stop delivery system is intended to provide access;
17 amending s. 1003.21, F.S.; requiring a student's
18 certified school counselor or other school personnel
19 to inform the student of opportunities in the GATE
20 Program; amending s. 1003.435, F.S.; requiring
21 district school boards to notify all candidates for
22 the high school equivalency diploma of adult secondary
23 and postsecondary education options, including
24 specified eligibility requirements; creating s.
25 1009.711, F.S.; creating the GATE Scholarship Program;
26 requiring the department to administer the program;
27 requiring the program to reimburse eligible
28 institutions for specified student fees and costs;
29 requiring participating institutions to report

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30 specified information to the department; requiring the
31 department to reimburse participating institutions
32 within a specified timeframe; providing that
33 reimbursements are contingent upon legislative
34 appropriation and must be prorated under certain
35 circumstances; authorizing the state board to adopt
36 rules; amending s. 1011.80, F.S.; revising the number
37 of courses for which certain students may be reported
38 for certain funding purposes; providing that such
39 courses do not have to be core curricula courses;
40 deleting a requirement that the department develop a
41 list of courses to be designated as core curricula
42 courses; creating s. 1011.804, F.S.; establishing the
43 GATE Startup Grant Program within the department for a
44 specified purpose; defining the term "institution";
45 providing eligibility requirements; providing
46 department duties; providing requirements for grant
47 proposals, grant awards, and the use of grant funds;
48 providing reporting requirements; authorizing the
49 state board to adopt rules; creating s. 1011.8041,
50 F.S.; creating the GATE Program Performance Fund for a
51 specified purpose; defining the term "institution";
52 subject to legislative appropriation, requiring each
53 participating institution to receive a specified
54 amount of money per student, subject to certain
55 conditions; authorizing the state board to adopt
56 rules; providing an effective date.

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

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Section 1. Section 1004.933, Florida Statutes, is created to read:

1004.933 Graduation Alternative to Traditional Education (GATE) Program.—

(1) LEGISLATIVE INTENT.—

(a) It is the intent of the Legislature to create an alternative pathway to education and workforce opportunities for students who have withdrawn from high school prior to graduation.

(b) It is the intent of the Legislature to affirm the unequivocal value of a standard high school diploma as the primary education credential by which students access higher education and workforce opportunities. Further, the Legislature affirms that parental consent is required for a student under 18 years of age to withdraw from high school prior to graduation.

(c) The Legislature intends to expand opportunities for students to complete high school courses and earn a standard high school diploma.

(d) The Legislature recognizes that when a student withdraws from high school prior to graduation, the student has not received the full value of a taxpayer-funded pre-K-12 education, and therefore lacks the education credential essential to gainful employment and future educational opportunities. Therefore, the Legislature intends to provide an alternative pathway program, waiving tuition and fees for the program for participating students who have not earned a standard high school diploma.

(2) PROGRAM CREATION.—The Graduation Alternative to

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88 Traditional Education (GATE) Program is created within the
89 Department of Education.

90 (3) DEFINITIONS.—As used in this section, the term:

91 (a) "Career education program" means an applied technology
92 diploma program as defined in s. 1004.02(7) or a career
93 certificate program as defined in s. 1004.02(20).

94 (b) "Institution" means a school district career center
95 established under s. 1001.44, a charter technical career center
96 established under s. 1002.34, or a Florida College System
97 institution identified in s. 1000.21.

98 (4) PAYMENT WAIVER; ELIGIBILITY.—

99 (a) Notwithstanding any other provision of state law, an
100 institution shall waive 100 percent of the registration,
101 tuition, laboratory, and examination fees for a student
102 participating in the GATE Program. Instructional materials
103 assigned for use under the GATE Program must be made available
104 to GATE Program students free of charge. An institution may not
105 require payment by students of instructional materials costs
106 eligible for reimbursement under s. 1009.711.

107 (b) To be eligible for participation in the GATE Program, a
108 student must:

109 1. Not have earned a standard high school diploma pursuant
110 to s. 1003.4282 or a high school equivalency diploma pursuant to
111 s. 1003.435 before enrolling in the GATE Program;

112 2. Have been withdrawn from high school;

113 3. Be a resident of this state as defined in s. 1009.21(1);

114 4. Be 16 to 21 years of age at the time of initial
115 enrollment, provided that a student who is 16 or 17 years of age
116 has withdrawn from school enrollment pursuant to the

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117 requirements and safeguards in s. 1003.21(1)(c);

118 5. Select the adult secondary education program and career
119 education program of his or her choice at the time of admission
120 to the GATE Program, provided that the career education program
121 is included on the Master Credentials List under s. 445.004(4).
122 The student may not change the requested pathway after
123 enrollment, except that, if necessary for the student, the
124 student may enroll in an adult basic education program prior to
125 enrolling in the adult secondary education program;

126 6. Maintain a 2.0 GPA for career and technical education
127 coursework; and

128 7. Notwithstanding s. 1003.435(4), complete the programs
129 under subparagraph 5. within 3 years after his or her initial
130 enrollment unless the institution determines that an extension
131 is warranted due to extenuating circumstances.

132 (c) Subject to the availability of funds, a student who
133 meets the requirements of paragraph (b) and is enrolled in the
134 GATE Program is eligible to receive the stipend specified in s.
135 1009.895(3).

136 (d) An institution may not impose additional criteria to
137 determine a student's eligibility to receive a waiver under this
138 section.

139 (5) DEPARTMENT RESPONSIBILITIES.—In addition to
140 administering the GATE Program, the Department of Education
141 shall perform the following duties:

142 (a) Disseminate information about the GATE Program to
143 eligible institutions, local workforce development boards, and
144 other local, regional, or state initiatives that interact with
145 the GATE Program's target population.

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146 (b) Connect prospective students directly to eligible
147 institutions.

148 (c) Provide access to online career planning tools.

149 (6) REPORTING.—Beginning October 1, 2025, and each October
150 1 thereafter, the Department of Education shall submit a report
151 to the Governor, the President of the Senate, and the Speaker of
152 the House of Representatives on the number and value of
153 registration, tuition, laboratory, and examination fees and
154 instructional materials costs waived and reimbursed, by
155 institution; the number of students who have obtained a standard
156 high school diploma or high school equivalency diploma while
157 participating in the GATE Program; the number of students
158 completing an applied technology diploma or career certificate
159 while participating in the GATE Program; the number of students
160 participating in the GATE Program who receive a stipend under s.
161 1009.895(3); the number of students who have earned an industry
162 certification on the CAPE Industry Certification Funding List
163 while participating in the GATE Program; and the number of
164 students who completed the GATE Program. The reporting period
165 shall cover the previous academic year.

166 (7) RULES.—The State Board of Education may adopt rules to
167 implement this section.

168 Section 2. Paragraph (g) of subsection (1) of section
169 445.009, Florida Statutes, is amended to read:

170 445.009 One-stop delivery system.—

171 (1) The one-stop delivery system is the state's primary
172 customer-service strategy for offering every Floridian access,
173 through service sites or telephone or computer networks, to the
174 following services:

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175 (g) Adult education, ~~and~~ basic skills training, integrated
176 education and training, and the Graduation Alternative to
177 Traditional Education Program under s. 1004.933.

178 Section 3. Paragraph (c) of subsection (1) of section
179 1003.21, Florida Statutes, is amended to read:

180 1003.21 School attendance.—

181 (1)

182 (c) A student who attains the age of 16 years during the
183 school year is not subject to compulsory school attendance
184 beyond the date upon which he or she attains that age if the
185 student files a formal declaration of intent to terminate school
186 enrollment with the district school board. Public school
187 students who have attained the age of 16 years and who have not
188 graduated are subject to compulsory school attendance until the
189 formal declaration of intent is filed with the district school
190 board. The declaration must acknowledge that terminating school
191 enrollment is likely to reduce the student's earning potential
192 and must be signed by the student and the student's parent. The
193 school district shall notify the student's parent of receipt of
194 the student's declaration of intent to terminate school
195 enrollment. The student's certified school counselor or other
196 school personnel shall conduct an exit interview with the
197 student to determine the reasons for the student's decision to
198 terminate school enrollment and actions that could be taken to
199 keep the student in school. The student's certified school
200 counselor or other school personnel shall inform the student of
201 opportunities to continue his or her education in a different
202 environment, including, but not limited to, adult education, ~~and~~
203 high school equivalency examination preparation, and the

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204 Graduation Alternative to Traditional Education Program under s.
205 1004.933. Additionally, the student shall complete a survey in a
206 format prescribed by the Department of Education to provide data
207 on student reasons for terminating enrollment and actions taken
208 by schools to keep students enrolled.

209 Section 4. Subsection (3) of section 1003.435, Florida
210 Statutes, is amended to read:

211 1003.435 High school equivalency diploma program.—

212 (3) Each district school board shall:

213 (a) Offer and administer the high school equivalency
214 diploma examinations and the subject area examinations to all
215 candidates pursuant to rules of the State Board of Education.

216 (b) Notify each candidate of adult secondary and
217 postsecondary education options available in or near the school
218 district, including the Graduation Alternative to Traditional
219 Education Program under s. 1004.933. The candidate must also be
220 informed of the eligibility requirements and any minimum
221 academic requirements for each available option.

222 Section 5. Section 1009.711, Florida Statutes, is created
223 to read:

224 1009.711 GATE Scholarship Program.—

225 (1) The GATE Scholarship Program is created to financially
226 support institutions participating in the GATE Program
227 established pursuant to s. 1004.933.

228 (2) The Department of Education shall administer the GATE
229 Scholarship Program in accordance with rules adopted by the
230 State Board of Education.

231 (3) The GATE Scholarship Program shall reimburse eligible
232 institutions for registration, tuition, laboratory, and

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233 examination fees and related instructional materials costs for
234 students enrolled in the GATE Program. Institutions must be
235 reimbursed at the in-state resident tuition rate established in
236 s. 1009.22(3)(c).

237 (4) Each participating institution shall report to the
238 department all students enrolled in the GATE Program during the
239 fall, spring, or summer terms within 30 days after the end of
240 regular registration. For each eligible student, the institution
241 shall report the total reimbursable expenses by category, which
242 the department must consider in determining an institution's
243 award under this section. The department shall reimburse each
244 participating institution no later than 30 days after the
245 institution has reported enrollment for that term.

246 (5) Reimbursements from the GATE Scholarship Program are
247 contingent upon an annual appropriation in the General
248 Appropriations Act. If the statewide reimbursement amount is
249 greater than the appropriation, the institutional reimbursement
250 amounts specified in subsection (3) must be prorated among the
251 institutions that have timely reported eligible students to the
252 department.

253 (6) The State Board of Education may adopt rules to
254 implement this section.

255 Section 6. Subsection (10) of section 1011.80, Florida
256 Statutes, is amended to read:

257 1011.80 Funds for operation of workforce education
258 programs.—

259 (10) A high school student dually enrolled under s.
260 1007.271 in a workforce education program operated by a Florida
261 College System institution or school district career center

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262 generates the amount calculated for workforce education funding,
263 including any payment of performance funding, and the
264 proportional share of full-time equivalent enrollment generated
265 through the Florida Education Finance Program for the student's
266 enrollment in a high school. If a high school student is dually
267 enrolled in a Florida College System institution program,
268 including a program conducted at a high school, the Florida
269 College System institution earns the funds generated for
270 workforce education funding, and the school district earns the
271 proportional share of full-time equivalent funding from the
272 Florida Education Finance Program. If a student is dually
273 enrolled in a career center operated by the same district as the
274 district in which the student attends high school, that district
275 earns the funds generated for workforce education funding and
276 also earns the proportional share of full-time equivalent
277 funding from the Florida Education Finance Program. If a student
278 is dually enrolled in a workforce education program provided by
279 a career center operated by a different school district, the
280 funds must be divided between the two school districts
281 proportionally from the two funding sources. A student may not
282 be reported for funding in a dual enrollment workforce education
283 program unless the student has completed the basic skills
284 assessment pursuant to s. 1004.91. A student who is coenrolled
285 in a K-12 education program and an adult education program may
286 be reported for purposes of funding in an adult education
287 program. If a student is coenrolled in ~~core curricula~~ courses
288 for credit recovery or dropout prevention purposes and does not
289 have a pattern of excessive absenteeism or habitual truancy or a
290 history of disruptive behavior in school, the student may be

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291 reported for funding for up to four ~~two~~ courses per year. Such a
292 student is exempt from the payment of the block tuition for
293 adult general education programs provided in s. 1009.22(3)(c).
294 ~~The Department of Education shall develop a list of courses to~~
295 ~~be designated as core curricula courses for the purposes of~~
296 ~~reenrollment.~~

297 Section 7. Section 1011.804, Florida Statutes, is created
298 to read:

299 1011.804 GATE Startup Grant Program.-

300 (1) The GATE Startup Grant Program is established within
301 the Department of Education to fund and support the startup and
302 implementation of the GATE Program, subject to legislative
303 appropriation. The purpose of the grant program is to increase
304 access to programs that support adult learners earning a high
305 school credential, either a high school diploma or its
306 equivalent, and a workforce credential aligned to statewide or
307 regional demand. The department shall administer the grants,
308 determine eligibility, and distribute grant awards.

309 (2) As used in this section, the term "institution" means a
310 school district career center established under s. 1001.44, a
311 charter technical career center established under s. 1002.34, or
312 a Florida College System institution identified in s. 1000.21
313 which offers the GATE Program pursuant to s. 1004.933.

314 (3) The department may solicit proposals from institutions
315 without programs that meet the requirements of s. 1004.933(2).
316 Such institutions must be located in or serve a rural area of
317 opportunity as designated by the Governor.

318 (4) The department shall prioritize grant proposals that
319 combine adult basic education, adult secondary education, and

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320 career education programs at one location or allow students to
321 complete programs through distance learning. An applicant may
322 not receive more than 10 percent of the total amount
323 appropriated for the program.

324 (5) The department shall make the grant application
325 available to potential applicants no later than August 15, 2024.
326 A grant proposal must include:

327 (a) The institution or institutions that will provide the
328 adult basic education, adult secondary education, and career
329 education programs;

330 (b) The proposed adult basic education and adult secondary
331 education program or programs the institution or institutions
332 will provide, and the projected enrollment for such program or
333 programs;

334 (c) The proposed career education program or programs the
335 institution or institutions will provide and the projected
336 enrollment for such program or programs;

337 (d) The credential or credentials associated with the
338 career education program or programs. Such credential or
339 credentials must be included on the Master Credentials List
340 under s. 445.004(4);

341 (e) The cost of instruction for all programs contemplated
342 in the proposal, including costs for tuition, fees,
343 registration, and laboratory, examination, and instructional
344 materials costs;

345 (f) Outreach strategies, including collaboration with local
346 workforce development boards; and

347 (g) A plan or timeline for implementing s. 1004.933 and
348 enrolling students.

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349 (6) Grant funds may be used for planning activities and
350 other expenses associated with the creation of the GATE Program,
351 such as expenses related to program instruction, instructional
352 equipment, supplies, instructional personnel, and student
353 services. Grant funds may not be used for indirect costs. Grant
354 recipients must submit an annual report in a format prescribed
355 by the department. The department shall consolidate such annual
356 reports and include the reports in the report required by s.
357 1004.933(5).

358 (7) The State Board of Education may adopt rules to
359 administer this section.

360 Section 8. Section 1011.8041, Florida Statutes, is created
361 to read:

362 1011.8041 GATE Program Performance Fund.—

363 (1) The GATE Program Performance Fund is created to reward
364 institutions for the documented success of students
365 participating in the GATE Program established under s. 1004.933.

366 (2) As used in this section, the term "institution" means a
367 school district career center established under s. 1001.44, a
368 charter technical career center established under s. 1002.34, or
369 a Florida College System institution identified in s. 1000.21
370 which offers the GATE Program pursuant to s. 1004.933.

371 (3) Subject to legislative appropriation, each
372 participating institution must receive \$1,000 per student who
373 completes the GATE Program by completing the adult secondary
374 education program and the career education program within 3
375 years. If the student completed the adult secondary education
376 program and the career education programs at different
377 institutions, then each institution must receive \$500. If funds

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378 are insufficient to fully fund the calculated total award, such
379 funds must be prorated among the institutions.

380 (4) The State Board of Education may adopt rules to
381 implement this section.

382 Section 9. This act shall take effect July 1, 2024.