

**FOR CONSIDERATION** By the Committee on Education Postsecondary

589-01972A-24

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1                                   A bill to be entitled  
2       An act relating to education; amending s. 1003.435,  
3       F.S.; requiring district school boards to notify all  
4       candidates for the high school equivalency diploma of  
5       adult secondary and postsecondary education options;  
6       creating s. 1004.933, F.S.; providing legislative  
7       intent; defining the terms "career education program"  
8       and "institution"; establishing the Graduation  
9       Alternative to Traditional Education (GATE) Program;  
10      providing the purpose of the program; providing that  
11      students enrolled in the program are exempt from  
12      payments for registration, tuition, laboratory, and  
13      examination fees; providing eligibility requirements;  
14      prohibiting an institution from imposing additional  
15      eligibility requirements; requiring the State Board of  
16      Education to adopt rules; amending s. 1008.34, F.S.;  
17      providing that high school students enrolled in the  
18      GATE Program are not included in a high school's  
19      graduation rate; creating s. 1009.711, F.S.; creating  
20      the GATE Scholarship Program; requiring the Department  
21      of Education to administer the program; requiring the  
22      program to reimburse eligible institutions for student  
23      costs; requiring participating institutions to report  
24      to the department all students enrolled in the  
25      program; providing that reimbursements are contingent  
26      on legislative appropriations and may be prorated in  
27      the event that total reimbursements owed exceed  
28      available funds; requiring the state board to adopt  
29      rules; amending s. 1011.80, F.S.; revising the number

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30 of courses certain students may be reported for  
31 relating to funding purposes; providing that such  
32 courses do not have to be core curricula courses;  
33 deleting a requirement for the department to develop a  
34 list of courses to be designated as core curricula  
35 courses; creating s. 1011.804, F.S.; creating the GATE  
36 Program Student Success Incentive Fund; defining the  
37 term "institution"; providing that, subject to the  
38 appropriation of funds by the Legislature, each  
39 participating institution must receive specified  
40 allocations; providing for proration of funds, as  
41 necessary; providing an effective date.

42  
43 Be It Enacted by the Legislature of the State of Florida:

44  
45 Section 1. Subsection (3) of section 1003.435, Florida  
46 Statutes, is amended to read:

47 1003.435 High school equivalency diploma program.—

48 (3) Each district school board shall:

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

52 (b) Notify each candidate of adult secondary and  
53 postsecondary education options available in or near the  
54 district. The candidate must also be informed of the eligibility  
55 requirements and any minimum academic requirements for each  
56 available option.

57 Section 2. Section 1004.933, Florida Statutes, is created  
58 to read:

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59 1004.933 Graduation Alternative to Traditional Education  
60 (GATE) Program.—

61 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature  
62 that each high school student have the opportunity to earn  
63 postsecondary course credits at no cost to the student while  
64 pursuing the completion of a standard high school diploma or  
65 equivalent credential. Furthermore, to help meet this state’s  
66 workforce skill needs, it is the intent of the Legislature that  
67 high school students have access to high-quality workforce  
68 education programs that can help them build their basic  
69 education abilities and attain industry-recognized postsecondary  
70 credentials.

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

72 (a) “Career education program” means an applied technology  
73 diploma program as defined in s. 1004.02(7) or a career  
74 certificate program as defined in s. 1004.02(20).

75 (b) “Institution” means a school district career center  
76 established under s. 1001.44, a charter technical career center  
77 established under s. 1002.34, or a Florida College System  
78 institution identified in s. 1000.21.

79 (3) ESTABLISHMENT; PURPOSE.—The Graduation Alternative to  
80 Traditional Education (GATE) Program is created within the  
81 Department of Education for the following purposes:

82 (a) Assisting students who may have challenges in  
83 completing the requirements for a standard high school diploma  
84 in a traditional setting.

85 (b) Creating an alternative education pathway that supports  
86 this state’s commitment to educational accessibility for all  
87 students by providing additional opportunities for students 16

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88 to 21 years of age who have discontinued enrollment in  
89 traditional high school programs.

90 (c) Increasing the number of students who successfully earn  
91 a high school credential in this state.

92 (d) Increasing the interest and participation of students  
93 in career and technical education (CTE) programs.

94 (4) PAYMENT EXEMPTION; ELIGIBILITY.—

95 (a) Any student enrolled in the GATE Program is exempt from  
96 the payment of registration, tuition, laboratory, and  
97 examination fees to a participating institution. Instructional  
98 materials assigned for use under the GATE program must be made  
99 available to GATE Program students free of charge. An  
100 institution may not require payment by students of instructional  
101 material costs eligible for reimbursement under s. 1009.711.

102 (b) To be eligible for participation in the GATE Program, a  
103 student may not have earned a standard high school diploma  
104 pursuant to s. 1003.4282 or a high school equivalency diploma  
105 pursuant to s. 1003.435 before enrolling in the GATE Program and  
106 must:

107 1. Be a resident of this state as defined under s. 1009.21;

108 2. Be concurrently enrolled in an adult secondary education  
109 program as defined in s. 1004.02(4) and a career education  
110 program at a Florida College System institution, a school  
111 district career center, or a charter technical career center;

112 3. Be 16 to 21 years of age at the time of initial  
113 enrollment;

114 4. Select the CTE pathway or program of his or her choice  
115 at the time of enrollment. The student may not change the  
116 requested pathway after enrollment;

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117 5. Maintain a 2.0 GPA for CTE coursework; and

118 6. Complete the programs under subparagraph 2. within 3  
119 years after initial enrollment unless the institution determines  
120 that an extension is warranted due to extenuating circumstances.

121 (c) An institution may not impose additional criteria to  
122 determine a student's eligibility to receive a waiver under this  
123 section.

124 (5) RULES.—The State Board of Education shall adopt rules  
125 to implement this section.

126 Section 3. Paragraph (b) of subsection (3) of section  
127 1008.34, Florida Statutes, is amended to read:

128 1008.34 School grading system; school report cards;  
129 district grade.—

130 (3) DESIGNATION OF SCHOOL GRADES.—

131 (b)1. A school's grade shall be based on the following  
132 components, each worth 100 points:

133 a. The percentage of eligible students passing statewide,  
134 standardized assessments in English Language Arts under s.  
135 1008.22(3).

136 b. The percentage of eligible students passing statewide,  
137 standardized assessments in mathematics under s. 1008.22(3).

138 c. The percentage of eligible students passing statewide,  
139 standardized assessments in science under s. 1008.22(3).

140 d. The percentage of eligible students passing statewide,  
141 standardized assessments in social studies under s. 1008.22(3).

142 e. The percentage of eligible students who make Learning  
143 Gains in English Language Arts as measured by statewide,  
144 standardized assessments administered under s. 1008.22(3).

145 f. The percentage of eligible students who make Learning

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146 Gains in mathematics as measured by statewide, standardized  
147 assessments administered under s. 1008.22(3).

148 g. The percentage of eligible students in the lowest 25  
149 percent in English Language Arts, as identified by prior year  
150 performance on statewide, standardized assessments, who make  
151 Learning Gains as measured by statewide, standardized English  
152 Language Arts assessments administered under s. 1008.22(3).

153 h. The percentage of eligible students in the lowest 25  
154 percent in mathematics, as identified by prior year performance  
155 on statewide, standardized assessments, who make Learning Gains  
156 as measured by statewide, standardized Mathematics assessments  
157 administered under s. 1008.22(3).

158 i. For schools comprised of middle grades 6 through 8 or  
159 grades 7 and 8, the percentage of eligible students passing high  
160 school level statewide, standardized end-of-course assessments  
161 or attaining national industry certifications identified in the  
162 CAPE Industry Certification Funding List pursuant to state board  
163 rule.

164 j. Beginning in the 2023-2024 school year, for schools  
165 comprised of grade levels that include grade 3, the percentage  
166 of eligible students who score an achievement level 3 or higher  
167 on the grade 3 statewide, standardized English Language Arts  
168 assessment administered under s. 1008.22(3).

169

170 In calculating Learning Gains for the components listed in sub-  
171 subparagraphs e.-h., the State Board of Education shall require  
172 that learning growth toward achievement levels 3, 4, and 5 is  
173 demonstrated by students who scored below each of those levels  
174 in the prior year. In calculating the components in sub-

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175 subparagraphs a.-d., the state board shall include the  
176 performance of English language learners only if they have been  
177 enrolled in a school in the United States for more than 2 years.

178 2. For a school comprised of grades 9, 10, 11, and 12, or  
179 grades 10, 11, and 12, the school's grade shall also be based on  
180 the following components, each worth 100 points:

181 a. The 4-year high school graduation rate of the school as  
182 defined by state board rule. Students enrolled in high school  
183 who choose to enroll in the GATE Program, pursuant to s.  
184 1004.933, may not be included in the graduation rate.

185 b. The percentage of students who were eligible to earn  
186 college and career credit through an assessment identified  
187 pursuant to s. 1007.27(2), College Board Advanced Placement  
188 examinations, International Baccalaureate examinations, dual  
189 enrollment courses, including career dual enrollment courses  
190 resulting in the completion of 300 or more clock hours during  
191 high school which are approved by the state board as meeting the  
192 requirements of s. 1007.271, or Advanced International  
193 Certificate of Education examinations; who, at any time during  
194 high school, earned national industry certification identified  
195 in the CAPE Industry Certification Funding List, pursuant to  
196 rules adopted by the state board; or who earned an Armed  
197 Services Qualification Test score that falls within Category II  
198 or higher on the Armed Services Vocational Aptitude Battery and  
199 earned a minimum of two credits in Junior Reserve Officers'  
200 Training Corps courses from the same branch of the United States  
201 Armed Forces.

202 Section 4. Section 1009.711, Florida Statutes, is created  
203 to read:

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204       1009.711 GATE Scholarship Program.—

205       (1) The GATE Scholarship Program is created to financially  
206 support institutions in providing the GATE Program established  
207 pursuant to s. 1004.933.

208       (2) The Department of Education shall administer the GATE  
209 Scholarship Program in accordance with rules adopted by the  
210 State Board of Education pursuant to subsection (6).

211       (3) The program shall reimburse eligible institutions for  
212 registration, tuition, laboratory, and examination fees and  
213 related instructional materials costs for students enrolled in  
214 the GATE Program. School district career centers and Florida  
215 College System institutions must be reimbursed at the in-state  
216 resident tuition rate established in s. 1009.22(3)(c).

217       (4) Each participating institution shall report to the  
218 department all students enrolled in the GATE Program during the  
219 fall, spring, or summer terms within 30 days after the end of  
220 regular registration. For each eligible student, the institution  
221 shall report the total reimbursable expenses by category, which  
222 the department must consider in determining an institution's  
223 award under this section. The department shall reimburse each  
224 participating institution no later than 30 days after the  
225 institution has reported enrollment for that term.

226       (5) Reimbursements from the GATE Scholarship Program are  
227 contingent upon an annual appropriation in the General  
228 Appropriations Act. If the statewide reimbursement amount is  
229 greater than the appropriation, the institutional reimbursement  
230 amounts specified in subsection (3) must be prorated among the  
231 institutions that have timely reported eligible students to the  
232 department.



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233       (6) The State Board of Education shall adopt rules to  
234 implement this section.

235       Section 5. Subsection (10) of section 1011.80, Florida  
236 Statutes, is amended to read:

237       1011.80 Funds for operation of workforce education  
238 programs.—

239       (10) A high school student dually enrolled under s.  
240 1007.271 in a workforce education program operated by a Florida  
241 College System institution or school district career center  
242 generates the amount calculated for workforce education funding,  
243 including any payment of performance funding, and the  
244 proportional share of full-time equivalent enrollment generated  
245 through the Florida Education Finance Program for the student's  
246 enrollment in a high school. If a high school student is dually  
247 enrolled in a Florida College System institution program,  
248 including a program conducted at a high school, the Florida  
249 College System institution earns the funds generated for  
250 workforce education funding, and the school district earns the  
251 proportional share of full-time equivalent funding from the  
252 Florida Education Finance Program. If a student is dually  
253 enrolled in a career center operated by the same district as the  
254 district in which the student attends high school, that district  
255 earns the funds generated for workforce education funding and  
256 also earns the proportional share of full-time equivalent  
257 funding from the Florida Education Finance Program. If a student  
258 is dually enrolled in a workforce education program provided by  
259 a career center operated by a different school district, the  
260 funds must be divided between the two school districts  
261 proportionally from the two funding sources. A student may not

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262 be reported for funding in a dual enrollment workforce education  
263 program unless the student has completed the basic skills  
264 assessment pursuant to s. 1004.91. A student who is coenrolled  
265 in a K-12 education program and an adult education program may  
266 be reported for purposes of funding in an adult education  
267 program. If a student is coenrolled in ~~core curricula~~ courses  
268 for credit recovery or dropout prevention purposes and does not  
269 have a pattern of excessive absenteeism or habitual truancy or a  
270 history of disruptive behavior in school, the student may be  
271 reported for funding for up to four ~~two~~ courses per year. Such a  
272 student is exempt from the payment of the block tuition for  
273 adult general education programs provided in s. 1009.22(3)(c).  
274 ~~The Department of Education shall develop a list of courses to~~  
275 ~~be designated as core curricula courses for the purposes of~~  
276 ~~coenrollment.~~

277 Section 6. Section 1011.804, Florida Statutes, is created  
278 to read:

279 1011.804 GATE Program Student Success Incentive Fund.—

280 (1) A GATE Program Student Success Incentive Fund is  
281 created to reward school districts and Florida College System  
282 institutions for the documented success of students  
283 participating in the GATE Program established under s. 1004.933.

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

289 (3) Subject to legislative appropriation, each  
290 participating institution must receive an allocation based on

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291 the performance of students in its GATE Program according to the  
292 following metrics:

293 (a) The number of students obtaining a standard high school  
294 diploma or high school equivalency diploma while participating  
295 in the program.

296 (b) The number of postsecondary industry certifications or  
297 other program completion credentials earned by students  
298 participating in the program. Eligible industry certifications  
299 must be identified on the CAPE Industry Certification Funding  
300 List approved by the State Board of Education under s. 1008.44.

301 (c) Unless otherwise specified in the General  
302 Appropriations Act, each institution must be provided \$750 per  
303 student described in paragraph (a) and \$1,000 per student  
304 earning certificates or credentials as provided in paragraph  
305 (b). If funds are insufficient to fully fund the calculated  
306 total award, such funds must be prorated among the institutions.

307 Section 7. This act shall take effect July 1, 2024.