

1 A bill to be entitled

2 An act relating to school attendance; amending s.
3 1003.01, F.S.; providing and revising definitions;
4 amending s. 1003.02, F.S.; prohibiting an out-of-
5 school suspension as a punishment for a student's
6 attendance record; amending s. 1003.04, F.S.;
7 conforming provisions to changes made by the act;
8 amending s. 1003.21, F.S.; requiring the State Board
9 of Education to adopt rules relating to a certificate
10 of exemption from school attendance requirements;
11 amending s. 1003.24, F.S.; conforming provisions to
12 changes made by the act; amending s. 1003.26, F.S.;
13 requiring the state board to adopt a statewide
14 attendance policy; providing requirements for such
15 policy; revising the school district and public school
16 duties and responsibilities relating to the promotion
17 and enforcement and of regular school attendance,
18 including required actions for students who are absent
19 for a specified amount of days or classes; amending
20 ss. 1003.436, 1003.52, and 1006.08, F.S.; conforming
21 provisions to changes made by the act; amending ss.
22 11.45, 39.0016, 327.371, 414.1251, 446.54, 553.865,
23 984.151, 1001.11, 1002.01, 1002.20, 1002.3105,
24 1002.33, 1002.394, 1002.395, 1002.42, 1002.43,
25 1002.44, 1003.03, 1003.4282, 1003.573, 1003.575,

26 1006.0626, 1006.07, 1008.24, and 1012.2315, F.S.;

27 conforming cross-references to changes made by the

28 act; providing an effective date.

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

31

32 **Section 1. Section 1003.01, Florida Statutes, is amended**

33 **to read:**

34 1003.01 Definitions.—As used in this chapter, the term:

35 (1) "Absence" or "absent" means a student who is subject

36 to compulsory school attendance and who is not in attendance for

37 a school day or a class for any reason, whether excused or not.

38 A student not in attendance for a school day or a class for an

39 interscholastic or intrascholastic extracurricular student

40 activity may not be considered absent as long as the student

41 meets all other criteria for participation.

42 (2)~~(1)~~ "Alternative measures for students with special

43 needs" or "special programs" means measures designed to meet the

44 special needs of a student that cannot be met by regular school

45 curricula.

46 (3)~~(2)~~ "Career education" means education that provides

47 instruction for the following purposes:

48 (a) At the elementary, middle, and high school levels,

49 exploratory courses designed to give students initial exposure

50 to a broad range of occupations to assist them in preparing

51 their academic and occupational plans, and practical arts
52 courses that provide generic skills that may apply to many
53 occupations but are not designed to prepare students for entry
54 into a specific occupation. Career education provided before
55 high school completion must be designed to strengthen both
56 occupational awareness and academic skills integrated throughout
57 all academic instruction.

58 (b) At the secondary school level, job-preparatory
59 instruction in the competencies that prepare students for
60 effective entry into an occupation, including diversified
61 cooperative education, work experience, and job-entry programs
62 that coordinate directed study and on-the-job training.

63 (c) At the postsecondary education level, courses of study
64 that provide competencies needed for entry into specific
65 occupations or for advancement within an occupation.

66 (4)~~(3)~~ "Certified unaccompanied homeless youth" means a
67 youth certified as an unaccompanied homeless youth pursuant to
68 s. 743.067.

69 (5)~~(4)~~ "Children and youths who are experiencing
70 homelessness," for programs authorized under subtitle B,
71 Education for Homeless Children and Youths, of Title VII of the
72 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et
73 seq., means children and youths who lack a fixed, regular, and
74 adequate nighttime residence, and includes:

75 (a) Children and youths sharing the housing of other

76 persons due to loss of housing, economic hardship, or a similar
 77 reason; living in motels, hotels, travel trailer parks, or
 78 camping grounds due to the lack of alternative adequate
 79 accommodations; living in emergency or transitional shelters; or
 80 abandoned in hospitals.

81 (b) Children and youths having a primary nighttime
 82 residence that is a public or private place not designed for or
 83 ordinarily used as a regular sleeping accommodation for human
 84 beings.

85 (c) Children and youths living in cars, parks, public
 86 spaces, abandoned buildings, bus or train stations, or similar
 87 settings.

88 (d) Migratory children living in circumstances described
 89 in paragraphs (a)-(c).

90 (6) "Chronically absent" or "chronic absenteeism" means a
 91 student who has been absent for at least 10 percent of school
 92 days or the same classes required for grade promotion or
 93 graduation, when enrolled for more than 45 days.

94 (7)~~(5)~~ "Core-curricula courses" means:

95 (a) Courses in language arts/reading, mathematics, social
 96 studies, and science in prekindergarten through grade 3,
 97 excluding extracurricular courses pursuant to subsection
 98 (15)~~(11)~~;

99 (b) Courses in grades 4 through 8 in subjects that are
 100 measured by state assessment at any grade level and courses

101 required for middle school promotion, excluding extracurricular
102 courses pursuant to subsection (15).~~(11)~~;

103 (c) Courses in grades 9 through 12 in subjects that are
104 measured by state assessment at any grade level and courses that
105 are specifically identified by name in statute as required for
106 high school graduation and that are not measured by state
107 assessment, excluding extracurricular courses pursuant to
108 subsection (15).~~(11)~~;

109 (d) Exceptional student education courses.~~;~~ and

110 (e) English for Speakers of Other Languages courses.

111

112 The term is limited in meaning and used for the sole purpose of
113 designating classes that are subject to the maximum class size
114 requirements established in s. 1, Art. IX of the State
115 Constitution. This term does not include courses offered under
116 ss. 1002.321(4)(e), 1002.33(7)(a)2.c., 1002.37, 1002.45, and
117 1003.499.

118 ~~(8)~~~~(6)~~ "Corporal punishment" means the moderate use of
119 physical force or physical contact by a teacher or principal as
120 may be necessary to maintain discipline or to enforce school
121 rule. However, the term "corporal punishment" does not include
122 the use of such reasonable force by a teacher or principal as
123 may be necessary for self-protection or to protect other
124 students from disruptive students.

125 (9) "Day of attendance" means the percentage of a day a

126 student must be in attendance for to be considered a full day of
127 attendance for reporting purposes, as defined in State Board of
128 Education rule.

129 (10)-(7) "District school board" means the members who are
130 elected by the voters of a school district created and existing
131 pursuant to s. 4, Art. IX of the State Constitution to operate
132 and control public K-12 education within the school district.

133 (11)-(8) "Dropout" means a student who meets any one or
134 more of the following criteria:

135 (a) The student has voluntarily removed himself or herself
136 from the school system before graduation for reasons that
137 include, but are not limited to, marriage, or the student has
138 withdrawn from school because he or she has failed the statewide
139 student assessment test and thereby does not receive any of the
140 certificates of completion;

141 (b) The student has not met the relevant attendance
142 requirements ~~of the school district~~ pursuant to State Board of
143 Education rules, or the student was expected to attend a school
144 but did not enter as expected for unknown reasons, or the
145 student's whereabouts are unknown;

146 (c) The student has withdrawn from school, but has not
147 transferred to another public or private school or enrolled in
148 any career, adult, home education, or alternative educational
149 program;

150 (d) The student has withdrawn from school due to hardship,

151 unless such withdrawal has been granted under the provisions of
152 s. 322.091, court action, expulsion, medical reasons, or
153 pregnancy; or

154 (e) The student is not eligible to attend school because
155 of reaching the maximum age for an exceptional student program
156 in accordance with the district's policy.

157

158 The State Board of Education may adopt rules to implement the
159 provisions of this subsection.

160 (12) (a) ~~(9) (a)~~ "Exceptional student" means any student who
161 has been determined eligible for a special program in accordance
162 with rules of the State Board of Education. The term includes
163 students who are gifted and students with disabilities who have
164 an intellectual disability; autism spectrum disorder; a speech
165 impairment; a language impairment; an orthopedic impairment; an
166 other health impairment; traumatic brain injury; a visual
167 impairment; an emotional or behavioral disability; or a specific
168 learning disability, including, but not limited to, dyslexia,
169 dyscalculia, or developmental aphasia; students who are deaf or
170 hard of hearing or dual sensory impaired; students who are
171 hospitalized or homebound; children with developmental delays
172 ages birth through 9 years or through the student's completion
173 of grade 2, whichever occurs first, or children, ages birth
174 through 2 years, with established conditions that are identified
175 in State Board of Education rules pursuant to s. 1003.21(1)(e).

176 (b) "Special education services" means specially designed
177 instruction and such related services as are necessary for an
178 exceptional student to benefit from education. Such services may
179 include transportation; diagnostic and evaluation services;
180 social services; physical and occupational therapy; speech and
181 language pathology services; job placement; orientation and
182 mobility training; braillists, typists, and readers for the
183 blind; interpreters and auditory amplification; services
184 provided by a certified listening and spoken language
185 specialist; rehabilitation counseling; transition services;
186 mental health services; guidance and career counseling;
187 specified materials, assistive technology devices, and other
188 specialized equipment; and other such services as approved by
189 rules of the state board.

190 (13) "Excused absence" means a student who is not in
191 attendance for a class or school day for a death in the family,
192 medical absence, religious observance, or any other allowable
193 excuse defined in State Board of Education rules.

194 (14)~~(10)~~ "Expulsion" means the removal of the right and
195 obligation of a student to attend a public school under
196 conditions set by the district school board, and for a period of
197 time not to exceed the remainder of the term or school year and
198 1 additional year of attendance. Expulsions may be imposed with
199 or without continuing educational services and shall be reported
200 accordingly.

201 (15)~~(11)~~ "Extracurricular courses" means all courses that
202 are not defined as "core-curricula courses," which may include,
203 but are not limited to, physical education, fine arts,
204 performing fine arts, career education, and courses that may
205 result in college credit. The term is limited in meaning and
206 used for the sole purpose of designating classes that are not
207 subject to the maximum class size requirements established in s.
208 1, Art. IX of the State Constitution.

209 (16)~~(12)~~ "Habitual truant" means a student who has 15
210 unexcused absences within 90 calendar days with or without the
211 knowledge or consent of the student's parent, is subject to
212 compulsory school attendance under s. 1003.21(1) and (2)(a), and
213 is not exempt under s. 1003.21(3) or s. 1003.24, or by meeting
214 the criteria for any other exemption specified by law or rules
215 of the State Board of Education. Such a student must have been
216 the subject of the activities specified in ss. 1003.26 and
217 1003.27(3), without resultant successful remediation of the
218 truancy problem before being dealt with as a child in need of
219 services according to the provisions of chapter 984.

220 (17)(a)~~(13)(a)~~ "In-school suspension" means the temporary
221 removal of a student from the student's regular school program
222 and placement in an alternative program, such as that provided
223 in s. 1003.53, under the supervision of district school board
224 personnel, for a period not to exceed 10 school days. A student
225 participating in in-school suspension may not be considered

226 absent.

227 (b) "Suspension," also referred to as out-of-school
228 suspension, means the temporary removal of a student from all
229 classes of instruction on public school grounds and all other
230 school-sponsored activities, except as authorized by the
231 principal or the principal's designee, for a period not to
232 exceed 10 school days and remanding of the student to the
233 custody of the student's parent with specific homework
234 assignments for the student to complete. A student's absence
235 that is the result of the student receiving a suspension shall
236 be reported as an excused absence.

237 (18) (a) ~~(14) (a)~~ "Juvenile justice education programs or
238 schools" means programs or schools operating for the purpose of
239 providing educational services to youth in Department of
240 Juvenile Justice programs, for a school year composed of 250
241 days of instruction, or the equivalent expressed in hours as
242 specified in State Board of Education rule, distributed over 12
243 months. If the period of operation is expressed in hours, the
244 State Board of Education must review the calculation annually. A
245 district school board, including an educational entity under s.
246 985.619, may decrease the minimum number of days of instruction
247 by up to 20 days or equivalent hours as specified in the State
248 Board of Education rule for teacher planning, subject to the
249 approval of the Department of Juvenile Justice and the
250 Department of Education.

251 (b) "Juvenile justice provider" means the Department of
252 Juvenile Justice, the sheriff, or a private, public, or other
253 governmental organization under contract with the Department of
254 Juvenile Justice or the sheriff that provides treatment, care
255 and custody, or educational programs for youth in juvenile
256 justice intervention, detention, or commitment programs.

257 (19)~~(15)~~ "Physical education" means the development or
258 maintenance of skills related to strength, agility, flexibility,
259 movement, and stamina, including dance; the development of
260 knowledge and skills regarding teamwork and fair play; the
261 development of knowledge and skills regarding nutrition and
262 physical fitness as part of a healthy lifestyle; and the
263 development of positive attitudes regarding sound nutrition and
264 physical activity as a component of personal well-being.

265 (20)~~(16)~~ "Regular school attendance" means the actual
266 attendance of a student during the school day as defined by law
267 and rules of the State Board of Education. Regular attendance
268 within the intent of s. 1003.21 may be achieved by attendance
269 in:

- 270 (a) A public school supported by public funds;
271 (b) A parochial, religious, or denominational school;
272 (c) A private school supported in whole or in part by
273 tuition charges or by endowments or gifts;
274 (d) A home education program that meets the requirements
275 of chapter 1002;

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

278 (f) A personalized education program that meets the
 279 requirements of s. 1002.395.

280 (21)-(17) "School" means an organization of students for
 281 instructional purposes on an elementary, middle or junior high
 282 school, secondary or high school, or other public school level
 283 authorized under rules of the State Board of Education.

284 (22) "Unexcused absence" means a student not in attendance
 285 for a school day or his or her same classes required for grade
 286 promotion or graduation for which the student does not have an
 287 allowable excuse as defined in State Board of Education rule.

288 **Section 2. Paragraphs (b) and (c) of subsection (1) of**
 289 **section 1003.02, Florida Statutes, are amended to read:**

290 1003.02 District school board operation and control of
 291 public K-12 education within the school district.—As provided in
 292 part II of chapter 1001, district school boards are
 293 constitutionally and statutorily charged with the operation and
 294 control of public K-12 education within their school districts.
 295 The district school boards must establish, organize, and operate
 296 their public K-12 schools and educational programs, employees,
 297 and facilities. Their responsibilities include staff
 298 development, public K-12 school student education including
 299 education for exceptional students and students in juvenile
 300 justice programs, special programs, adult education programs,

301 and career education programs. Additionally, district school
302 boards must:

303 (1) Provide for the proper accounting for all students of
304 school age, for the attendance and control of students at
305 school, and for proper attention to health, safety, and other
306 matters relating to the welfare of students in the following
307 areas:

308 (b) Enforcement of attendance laws.—Provide for the
309 enforcement of all laws and rules relating to the attendance of
310 students at school. ~~District school boards are authorized to~~
311 ~~establish policies that allow accumulated unexcused tardies,~~
312 ~~regardless of when they occur during the school day, and early~~
313 ~~departures from school to be recorded as unexcused absences.~~
314 ~~District school boards are also authorized to establish policies~~
315 ~~that require referral to a school's child study team for~~
316 ~~students who have fewer absences than the number required by s.~~
317 ~~1003.26(1)(b).~~

318 (c) Control of students.—

319 1. Adopt rules for the control, attendance, discipline,
320 in-school suspension, suspension, and expulsion of students and
321 decide all cases recommended for expulsion. However, such rules
322 may not authorize a student to receive an out-of-school
323 suspension as a result of the student's attendance record.

324 2. Maintain a code of student conduct as provided in
325 chapter 1006.

326 **Section 3. Subsection (1) of section 1003.04, Florida**
327 **Statutes, is amended to read:**

328 1003.04 Student conduct and parental involvement.—

329 (1) Each public K-12 student must remain in attendance
330 throughout the school year, unless excused by the school for
331 illness or other good cause pursuant to law and State Board of
332 Education rules, and must comply fully with the school's code of
333 conduct.

334 **Section 4. Paragraph (c) of subsection (1) and subsections**
335 **(3) and (4) of section 1003.21, Florida Statutes, are amended to**
336 **read:**

337 1003.21 School attendance.—

338 (1)

339 (c) A student who attains the age of 16 years during the
340 school year is not subject to compulsory school attendance
341 beyond the date upon which he or she attains that age if the
342 student files a formal declaration of intent to terminate school
343 enrollment with the district school board. Public school
344 students who have attained the age of 16 years and who have not
345 graduated are subject to compulsory school attendance until the
346 formal declaration of intent is filed with the district school
347 board. The declaration must acknowledge that terminating school
348 enrollment is likely to reduce the student's earning potential
349 and must be signed by the student and the student's parent. The
350 school district shall notify the student's parent of receipt of

351 the student's declaration of intent to terminate school
352 enrollment. The student's certified school counselor or other
353 school personnel shall conduct an exit interview with the
354 student to determine the reasons for the student's decision to
355 terminate school enrollment and actions that could be taken to
356 keep the student in school. The student's certified school
357 counselor or other school personnel shall inform the student of
358 opportunities to continue his or her education in a different
359 environment, including, but not limited to, adult education,
360 high school equivalency examination preparation, and the
361 Graduation Alternative to Traditional Education Program under s.
362 1004.933, and other interventions available to the student.
363 Additionally, the student shall complete a survey in a format
364 prescribed by the Department of Education to provide data on
365 student reasons for terminating enrollment and actions taken by
366 schools to keep students enrolled.

367 (3) The State Board of Education shall adopt rules
368 providing requirements for a student to receive a certificate of
369 exemption from school attendance requirements in certain
370 situations. The district school superintendent, pursuant to such
371 rules, shall ~~may~~ authorize certificates of exemptions from
372 school attendance requirements ~~in certain situations~~. Students
373 within the compulsory attendance age limits who hold valid
374 certificates of exemption that have been issued by the
375 superintendent shall be exempt from attending school. A

376 certificate of exemption shall cease to be valid at the end of
377 the school year in which it is issued.

378 (4) Before admitting a child to kindergarten, the
379 principal shall require evidence that the child has attained the
380 age at which he or she should be admitted in accordance with the
381 provisions of subparagraph (1)(a)2. The district school
382 superintendent may require evidence of the age of any child who
383 is being enrolled in public school and who the district school
384 superintendent believes to be within the limits of compulsory
385 attendance as provided for by law; however, the district school
386 superintendent may not require evidence from any child who meets
387 regular attendance requirements by attending a school or program
388 listed in s. 1003.01(20)(b)-(e) ~~s. 1003.01(16)(b)-(e)~~. If the
389 first prescribed evidence is not available, the next evidence
390 obtainable in the order set forth below shall be accepted:

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

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

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

399 (d) A bona fide contemporary religious record of the
400 child's birth accompanied by an affidavit sworn to by the

401 parent;

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

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

407 (g) If none of these evidences can be produced, an
408 affidavit of age sworn to by the parent, accompanied by a
409 certificate of age signed by a public health officer or by a
410 public school physician, or, if these are not available in the
411 county, by a licensed practicing physician designated by the
412 district school board, which states that the health officer or
413 physician has examined the child and believes that the age as
414 stated in the affidavit is substantially correct. Children and
415 youths who are experiencing homelessness and children who are
416 known to the department, as defined in s. 39.0016, shall be
417 given temporary exemption from this section for 30 school days.

418 **Section 5. Section 1003.24, Florida Statutes, is amended**
419 **to read:**

420 1003.24 Parents responsible for attendance of children;
421 attendance policy.—Each parent of a child within the compulsory
422 attendance age is responsible for the child's school attendance
423 as required by law. The absence of a student from school is
424 prima facie evidence of a violation of this section; however,
425 criminal prosecution under this chapter may not be brought

426 against a parent until the provisions of s. 1003.26 have been
427 complied with. A parent of a student is not responsible for the
428 student's nonattendance at school under any of the following
429 conditions:

430 (1) WITH PERMISSION.—The absence was with permission of
431 the head of the school;

432 (2) WITHOUT KNOWLEDGE.—The absence was without the
433 parent's knowledge, consent, or connivance, in which case the
434 student shall be dealt with as a dependent child;

435 (3) FINANCIAL INABILITY.—The parent was unable financially
436 to provide necessary clothes for the student, which inability
437 was reported in writing to the superintendent prior to the
438 opening of school or immediately after the beginning of such
439 inability, provided that the validity of any claim for exemption
440 under this subsection shall be determined by the district school
441 superintendent subject to appeal to the district school board;
442 or

443 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
444 Attendance was impracticable or inadvisable on account of
445 sickness or injury, as attested to by a written statement of a
446 licensed practicing physician, or was impracticable because of
447 some other stated insurmountable condition as defined by and
448 attested to in accordance with rules of the State Board of
449 Education. If a student is continually sick and repeatedly
450 absent from school, he or she must be under the supervision of a

451 physician, or if the absence is related to the student having
452 autism spectrum disorder, receiving services from a licensed
453 health care practitioner or behavior analyst certified pursuant
454 to s. 393.17, in order to receive an excuse from attendance.
455 Such excuse provides that a student's condition justifies
456 absence for more than the number of days permitted by the
457 district school board.

458 (5) AGRICULTURAL SCHOOL ACTIVITIES.—

459 (a) A student who participates in an activity or program
460 sponsored by 4-H or Future Farmers of America (FFA) must be
461 credited with an excused absence by the school in which he or
462 she is enrolled in the same manner as any other excused absence
463 is credited. Any such participation in an activity or program
464 sponsored by 4-H or FFA may not be counted as an unexcused
465 absence, for any day, portion of a day, or days missed from
466 school.

467 (b) Upon request from a school principal or the
468 principal's designee, a 4-H or FFA representative shall provide
469 documentation as proof of a student's participation in an
470 activity or program sponsored by 4-H or FFA.

471 (c) As used in this subsection, the term "4-H
472 representative" means an individual officially recognized or
473 designated by the Florida Cooperative Extension Service 4-H
474 Program as a 4-H professional or a 4-H adult volunteer.
475

476 The State Board of Education shall adopt rules to ~~Each district~~
477 ~~school board shall~~ establish an attendance policy that includes,
478 but is not limited to, the required number of days each school
479 year that a student must be in attendance and the number of
480 absences and tardinesses after which a statement explaining such
481 absences and tardinesses must be on file at the school. Each
482 school in the district must determine if an absence or tardiness
483 is excused or unexcused according to criteria established by the
484 state ~~district school~~ board.

485 **Section 6. Section 1003.26, Florida Statutes, is amended**
486 **to read:**

487 1003.26 Enforcement of school attendance.—

488 (1) The Legislature finds that poor academic performance
489 is associated with nonattendance and that school districts must
490 take an active role in promoting and enforcing attendance as a
491 means of improving student performance.

492 (2) The State Board of Education shall adopt in rules a
493 statewide attendance policy. At a minimum, such policy must:

494 (a) Provide guidance and documentation requirements for
495 determining each type of absence, including excused absences and
496 unexcused absences.

497 (b) Provide for the early identification of chronically
498 absent students.

499 (c) Require a student, or his or her parent, who intends
500 to claim an excused absence because of pregnancy, parenting, or

501 a medical condition to communicate the student's status to the
502 appropriate school personnel and provide any required
503 documentation.

504 (d) For reporting purposes, provide instructions on how to
505 document students who may not be in attendance for a school day
506 or class for interscholastic or intrascholastic extracurricular
507 student activities.

508 (e) Provide reporting requirements to schools relating to
509 student attendance. The reporting requirements must require
510 schools provide such reports at least four times per year.

511
512 Nothing in this section shall preclude a school district from
513 setting its own operational 180-day calendar under s.

514 1003.02(1)(g)1. ~~It is the policy of the state that~~

515 (3) Each district school superintendent is ~~be~~ responsible
516 for enforcing school attendance of all students subject to the
517 compulsory school age in the school district and supporting
518 enforcement of school attendance by local law enforcement
519 agencies. The responsibility includes recommending policies and
520 procedures to the district school board that require public
521 schools to respond in a timely manner to every unexcused
522 absence, and every absence for which the reason is unknown, of
523 students enrolled in the schools pursuant to law and state board
524 rule. District school board policies shall require the parent of
525 a student to justify each absence of the student, and that

526 justification will be evaluated based on criteria established in
527 state board rule ~~adopted district school board policies~~ that
528 define excused and unexcused absences. ~~The policies must provide~~
529 ~~that public schools track excused and unexcused absences and~~
530 ~~contact the home in the case of an unexcused absence from~~
531 ~~school, or an absence from school for which the reason is~~
532 ~~unknown, to prevent the development of patterns of~~
533 ~~nonattendance. The Legislature finds that early intervention in~~
534 ~~school attendance is the most effective way of producing good~~
535 ~~attendance habits that will lead to improved student learning~~
536 ~~and achievement.~~ Each public school shall implement the
537 following steps to promote and enforce regular school
538 attendance:

539 (a) ~~(1)~~ CONTACT, REFER, AND ENFORCE.—

540 1. ~~(a)~~ Upon each unexcused absence, or absence for which
541 the reason is unknown, the school principal or his or her
542 designee shall contact the student's parent to determine the
543 reason for the absence. If the absence is an excused absence, as
544 defined by state board rule ~~district school board policy~~, the
545 school shall provide opportunities for the student to make up
546 assigned work and not receive an academic penalty unless the
547 work is not made up within a reasonable time.

548 2. ~~(b)~~ If a student is absent at least 10 percent of school
549 days or the same classes required for grade promotion or
550 graduation for any reason after the first 45 days of enrollment,

551 ~~has had at least five unexcused absences, or absences for which~~
552 ~~the reasons are unknown, within a calendar month or 10 unexcused~~
553 ~~absences, or absences for which the reasons are unknown, within~~
554 ~~a 90-calendar-day period,~~ the student's primary teacher shall
555 report to the school principal or his or her designee that the
556 student may be exhibiting a pattern of nonattendance. The
557 principal shall inform the parent of the student's attendance
558 history, the impact of student absences on student academic
559 outcomes, any interventions or services available to the
560 student, information on how to access a choice navigator as
561 defined in s. 1002.395(2) to determine if the student would be
562 more engaged in a different educational environment, unless
563 ~~there is clear evidence that the absences are not a pattern of~~
564 ~~nonattendance, refer the case to the school's child study team~~
565 ~~to determine if early patterns of truancy are developing. If the~~
566 ~~child study team finds that a pattern of nonattendance is~~
567 ~~developing, whether the absences are excused or not, a meeting~~
568 ~~with the parent must be scheduled to identify potential~~
569 ~~remedies,~~ and the principal shall notify the district school
570 superintendent and the school district contact for home
571 education programs that the referred student is exhibiting a
572 pattern of nonattendance.

573 3.(e) If an initial meeting does not resolve the problem,
574 the principal ~~child study team~~ shall implement the following:

575 a.1. Frequent attempts at communication between the

576 teacher and the family.

577 ~~b.2.~~ Evaluation for alternative education programs.

578 ~~c.3.~~ Attendance contracts.

579

580 The principal ~~child study~~ team may, but is not required to,
581 implement other interventions, including referral to other
582 agencies for family services or recommendation for filing a
583 truancy petition pursuant to s. 984.151.

584 ~~4.(d)~~ The principal ~~child study team~~ shall be diligent in
585 facilitating intervention services and shall report the case to
586 the district school superintendent only when all reasonable
587 efforts to resolve the nonattendance behavior are exhausted.

588 ~~5.(e)~~ If the parent refuses to participate in the remedial
589 strategies because he or she believes that those strategies are
590 unnecessary or inappropriate, the parent may appeal to the
591 district school board. The district school board may provide a
592 hearing officer, and the hearing officer shall make a
593 recommendation for final action to the district school board. If
594 the district school board's final determination is that the
595 strategies of the child study team are appropriate, and the
596 parent still refuses to participate or cooperate, the district
597 school superintendent may seek criminal prosecution for
598 noncompliance with compulsory school attendance.

599 ~~6.a.(f)1.~~ If the parent of a child who has been identified
600 as exhibiting a pattern of nonattendance enrolls the child in a

601 home education program pursuant to chapter 1002, the district
602 school superintendent shall provide the parent a copy of s.
603 1002.41 and the accountability requirements of this paragraph.
604 The district school superintendent shall also refer the parent
605 to a home education review committee composed of the district
606 contact for home education programs and at least two home
607 educators selected by the parent from a district list of all
608 home educators who have conducted a home education program for
609 at least 3 years and who have indicated a willingness to serve
610 on the committee. The home education review committee shall
611 review the portfolio of the student, as defined by s. 1002.41,
612 every 30 days during the district's regular school terms until
613 the committee is satisfied that the home education program is in
614 compliance with s. 1002.41(1)(d). The first portfolio review
615 must occur within the first 30 calendar days of the
616 establishment of the program. The provisions of subparagraph 2.
617 do not apply once the committee determines the home education
618 program is in compliance with s. 1002.41(1)(d).

619 b.2. If the parent fails to provide a portfolio to the
620 committee, the committee shall notify the district school
621 superintendent. The district school superintendent shall then
622 terminate the home education program and require the parent to
623 enroll the child in an attendance option that meets the
624 definition of "regular school attendance" under s.
625 1003.01(12)(a), (b), (c), or (e) ~~s. 1003.01(16)(a), (b), (c), or~~

626 ~~(e)~~, within 3 days. Upon termination of a home education program
627 pursuant to this subparagraph, the parent shall not be eligible
628 to reenroll the child in a home education program for 180
629 calendar days. Failure of a parent to enroll the child in an
630 attendance option as required by this subparagraph after
631 termination of the home education program pursuant to this
632 subparagraph shall constitute noncompliance with the compulsory
633 attendance requirements of s. 1003.21 and may result in criminal
634 prosecution under s. 1003.27(2). Nothing contained herein shall
635 restrict the ability of the district school superintendent, or
636 the ability of his or her designee, to review the portfolio
637 pursuant to s. 1002.41(1)(e).

638 7.~~(g)~~ If a student subject to compulsory school attendance
639 will not comply with attempts to enforce school attendance, the
640 parent or the district school superintendent or his or her
641 designee shall refer the case to the case staffing committee
642 pursuant to s. 984.12, and the district school superintendent or
643 his or her designee may file a truancy petition pursuant to the
644 procedures in s. 984.151.

645 (b)~~(2)~~ GIVE WRITTEN NOTICE.—

646 1.~~(a)~~ Under the direction of the district school
647 superintendent, a designated school representative shall give
648 written notice that requires enrollment or attendance within 3
649 days after the date of notice, in person or by return-receipt
650 mail, to the parent when no valid reason is found for a

651 student's nonenrollment in school. If the notice and requirement
652 are ignored, the designated school representative shall report
653 the case to the district school superintendent, who may refer
654 the case to the child study team in subparagraph (a)1. ~~paragraph~~
655 ~~(1)(b)~~ at the school the student would be assigned according to
656 district school board attendance area policies or to the case
657 staffing committee, established pursuant to s. 984.12. The child
658 study team shall diligently facilitate intervention services and
659 shall report the case back to the district school superintendent
660 only when all reasonable efforts to resolve the nonenrollment
661 behavior are exhausted. If the parent still refuses to cooperate
662 or enroll the child in school, the district school
663 superintendent shall take such steps as are necessary to bring
664 criminal prosecution against the parent.

665 2. ~~(b)~~ Subsequent to the activities required under
666 paragraph (a) subsection (1), the district school superintendent
667 or his or her designee shall give written notice in person or by
668 return-receipt mail to the parent that criminal prosecution is
669 being sought for nonattendance. The district school
670 superintendent may file a truancy petition, as defined in s.
671 984.03, following the procedures outlined in s. 984.151.

672 (c) ~~(3)~~ RETURN STUDENT TO PARENT.—A designated school
673 representative may visit the home or place of residence of a
674 student and any other place in which he or she is likely to find
675 any student who is required to attend school when the student is

676 not enrolled or is absent from school during school hours
677 without an excuse, and, when the student is found, shall return
678 the student to his or her parent or to the principal or teacher
679 in charge of the school, or to the private tutor from whom
680 absent, or to the juvenile assessment center or other location
681 established by the district school board to receive students who
682 are absent from school. Upon receipt of the student, the parent
683 shall be immediately notified.

684 (d)~~(4)~~ REPORT TO APPROPRIATE AUTHORITY.—A designated
685 school representative shall report to the appropriate authority
686 designated by law to receive such notices, all violations of the
687 Child Labor Law that may come to his or her knowledge.

688 (e)~~(5)~~ RIGHT TO INSPECT.—A designated school
689 representative shall have the right of access to, and inspection
690 of, establishments where minors may be employed or detained only
691 for the purpose of ascertaining whether students of compulsory
692 school age are actually employed there and are actually working
693 there regularly. The designated school representative shall, if
694 he or she finds unsatisfactory working conditions or violations
695 of the Child Labor Law, report his or her findings to the
696 appropriate authority.

697 **Section 7. Subsection (2) of section 1003.436, Florida**
698 **Statutes, is amended to read:**

699 1003.436 Definition of "credit."—

700 (2) In awarding credit for high school graduation, each

701 district school board shall maintain a one-half credit earned
702 system that shall include courses provided on a full-year basis.
703 A student enrolled in a full-year course shall receive one-half
704 credit if the student successfully completes either the first
705 half or the second half of a full-year course but fails to
706 successfully complete the other half of the course and the
707 averaging of the grades obtained in each half would not result
708 in a passing grade. A student enrolled in a full-year course
709 shall receive a full credit if the student successfully
710 completes either the first half or the second half of a full-
711 year course but fails to successfully complete the other half of
712 the course and the averaging of the grades obtained in each half
713 would result in a passing grade, provided that such additional
714 requirements specified in district school board policies, such
715 as class attendance, pursuant to State Board of Education rules,
716 homework, participation, and other indicators of performance,
717 shall be successfully completed by the student.

718 **Section 8. Subsection (4) and paragraph (f) of subsection**
719 **(14) of section 1003.52, Florida Statutes, are amended to read:**

720 1003.52 Educational services in Department of Juvenile
721 Justice programs.—

722 (4) Educational services shall be provided at times of the
723 day most appropriate for the juvenile justice program. School
724 programming in juvenile justice detention, prevention, or day
725 treatment programs shall be made available by the local school

726 district during the juvenile justice school year, as provided in
 727 s. 1003.01(18) ~~s. 1003.01(14)~~. In addition, students in juvenile
 728 justice education programs shall have access to courses offered
 729 pursuant to ss. 1002.37, 1002.45, and 1003.498. The Department
 730 of Education and the school districts shall adopt policies
 731 necessary to provide such access.

732 (14) Each district school board shall negotiate a
 733 cooperative agreement with the Department of Juvenile Justice on
 734 the delivery of educational services to students in juvenile
 735 justice detention, prevention, or day treatment programs under
 736 the jurisdiction of the Department of Juvenile Justice. Such
 737 agreement must include, but is not limited to:

738 (f) Classroom management procedures and, pursuant to State
 739 Board of Education rules, attendance policies.

740 **Section 9. Subsection (1) of section 1006.08, Florida**
 741 **Statutes, is amended to read:**

742 1006.08 District school superintendent duties relating to
 743 student discipline and school safety.—

744 (1) The district school superintendent shall recommend
 745 plans to the district school board for the proper accounting for
 746 all students of school age, for the attendance, pursuant to
 747 State Board of Education rules, and control of students at
 748 school, and for the proper attention to health, safety, and
 749 other matters which will best promote the welfare of students.
 750 Each district school superintendent shall fully support the

751 authority of his or her principals, teachers, and school bus
 752 drivers to remove disobedient, disrespectful, violent, abusive,
 753 uncontrollable, or disruptive students from the classroom and
 754 the school bus and, when appropriate and available, to place
 755 such students in an alternative educational setting. When the
 756 district school superintendent makes a recommendation for
 757 expulsion to the district school board, he or she shall give
 758 written notice to the student and the student's parent of the
 759 recommendation, setting forth the charges against the student
 760 and advising the student and his or her parent of the student's
 761 right to due process as prescribed by ss. 120.569 and 120.57(2).
 762 When district school board action on a recommendation for the
 763 expulsion of a student is pending, the district school
 764 superintendent may extend the suspension assigned by the
 765 principal beyond 10 school days if such suspension period
 766 expires before the next regular or special meeting of the
 767 district school board.

768 **Section 10. Paragraph (k) of subsection (2) of section**
 769 **11.45, Florida Statutes, is amended to read:**

770 11.45 Definitions; duties; authorities; reports; rules.—
 771 (2) DUTIES.—The Auditor General shall:
 772 (k) Contact each district school board, as defined in s.
 773 1003.01 ~~s. 1003.01(7)~~, with the findings and recommendations
 774 contained within the Auditor General's previous operational
 775 audit report. The district school board shall provide the

776 Auditor General with evidence of the initiation of corrective
777 action within 45 days after the date it is requested by the
778 Auditor General and evidence of completion of corrective action
779 within 180 days after the date it is requested by the Auditor
780 General. If the district school board fails to comply with the
781 Auditor General's request or is unable to take corrective action
782 within the required timeframe, the Auditor General shall notify
783 the Legislative Auditing Committee.

784

785 The Auditor General shall perform his or her duties
786 independently but under the general policies established by the
787 Legislative Auditing Committee. This subsection does not limit
788 the Auditor General's discretionary authority to conduct other
789 audits or engagements of governmental entities as authorized in
790 subsection (3).

791 **Section 11. Paragraph (b) of subsection (3) of section**
792 **39.0016, Florida Statutes, is amended to read:**

793 39.0016 Education of abused, neglected, and abandoned
794 children; agency agreements; children having or suspected of
795 having a disability.—

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

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

801 a. After reasonable efforts, no parent can be located; or
802 b. A court of competent jurisdiction over a child under
803 this chapter has determined that no person has the authority
804 under the Individuals with Disabilities Education Act, including
805 the parent or parents subject to the dependency action, or that
806 no person has the authority, willingness, or ability to serve as
807 the educational decisionmaker for the child without judicial
808 action.

809 2. A surrogate parent appointed by the district school
810 superintendent or the court must be at least 18 years old and
811 have no personal or professional interest that conflicts with
812 the interests of the student to be represented. Neither the
813 district school superintendent nor the court may appoint an
814 employee of the Department of Education, the local school
815 district, a community-based care provider, the Department of
816 Children and Families, or any other public or private agency
817 involved in the education or care of the child as appointment of
818 those persons is prohibited by federal law. This prohibition
819 includes group home staff and therapeutic foster parents.
820 However, a person who acts in a parental role to a child, such
821 as a foster parent or relative caregiver, is not prohibited from
822 serving as a surrogate parent if he or she is employed by such
823 agency, willing to serve, and knowledgeable about the child and
824 the exceptional student education process. The surrogate parent
825 may be a court-appointed guardian ad litem or a relative or

826 nonrelative adult who is involved in the child's life regardless
827 of whether that person has physical custody of the child. Each
828 person appointed as a surrogate parent must have the knowledge
829 and skills acquired by successfully completing training using
830 materials developed and approved by the Department of Education
831 to ensure adequate representation of the child.

832 3. The district school superintendent must first consider
833 the child's guardian ad litem when appointing a surrogate
834 parent. The district school superintendent must accept the
835 appointment of the court if he or she has not previously
836 appointed a surrogate parent. Similarly, the court must accept a
837 surrogate parent duly appointed by a district school
838 superintendent.

839 4. A surrogate parent appointed by the district school
840 superintendent or the court must be accepted by any subsequent
841 school or school district without regard to where the child is
842 receiving residential care so that a single surrogate parent can
843 follow the education of the child during his or her entire time
844 in state custody. Nothing in this paragraph or in rule shall
845 limit or prohibit the continuance of a surrogate parent
846 appointment when the responsibility for the student's
847 educational placement moves among and between public and private
848 agencies.

849 5. For a child known to the department, the responsibility
850 to appoint a surrogate parent resides with both the district

851 school superintendent and the court with jurisdiction over the
852 child. If the court elects to appoint a surrogate parent, notice
853 shall be provided as soon as practicable to the child's school.
854 At any time the court determines that it is in the best
855 interests of a child to remove a surrogate parent, the court may
856 appoint a new surrogate parent for educational decisionmaking
857 purposes for that child.

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

860 a. The child is determined to no longer be eligible or in
861 need of special programs, except when termination of special
862 programs is being contested.

863 b. The child achieves permanency through adoption or legal
864 guardianship and is no longer in the custody of the department.

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

868 d. The appointed surrogate no longer wishes to represent
869 the child or is unable to represent the child.

870 e. The superintendent of the school district in which the
871 child is attending school, the Department of Education contract
872 designee, or the court that appointed the surrogate determines
873 that the appointed surrogate parent no longer adequately
874 represents the child.

875 f. The child moves to a geographic location that is not

876 reasonably accessible to the appointed surrogate.

877 7. The appointment and termination of appointment of a
878 surrogate under this paragraph shall be entered as an order of
879 the court with a copy of the order provided to the child's
880 school as soon as practicable.

881 8. The person appointed as a surrogate parent under this
882 paragraph must:

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

885 b. Represent the child in all matters relating to
886 identification, evaluation, and educational placement and the
887 provision of a free and appropriate education to the child.

888 c. Represent the interests and safeguard the rights of the
889 child in educational decisions that affect the child.

890 9. The responsibilities of the person appointed as a
891 surrogate parent shall not extend to the care, maintenance,
892 custody, residential placement, or any other area not
893 specifically related to the education of the child, unless the
894 same person is appointed by the court for such other purposes.

895 10. A person appointed as a surrogate parent shall enjoy
896 all of the procedural safeguards afforded a parent with respect
897 to the identification, evaluation, and educational placement of
898 a student with a disability or a student who is suspected of
899 having a disability.

900 11. A person appointed as a surrogate parent shall not be

901 held liable for actions taken in good faith on behalf of the
902 student in protecting the special education rights of the child.

903 **Section 12. Paragraph (c) of subsection (1) of section**
904 **327.371, Florida Statutes, is amended to read:**

905 327.371 Human-powered vessels regulated.—

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

909 (c) When participating in practices or competitions for
910 interscholastic, intercollegiate, intramural, or club rowing
911 teams affiliated with an educational institution identified in
912 s. 1000.21, s. 1002.01(3), s. 1003.01(21) ~~s. 1003.01(17)~~, s.
913 1005.02(4), or s. 1005.03(1)(d), if the adjacent area outside of
914 the marked channel is not suitable for such practice or
915 competition. The teams must use their best efforts to make use
916 of the adjacent area outside of the marked channel. The
917 commission must be notified in writing of the details of any
918 such competition, and the notification must include, but need
919 not be limited to, the date, time, and location of the
920 competition.

921 **Section 13. Subsection (1) of section 414.1251, Florida**
922 **Statutes, is amended to read:**

923 414.1251 Learnfare program.—

924 (1) The department shall reduce the temporary cash
925 assistance for a participant's eligible dependent child or for

926 an eligible teenage participant who has not been exempted from
927 education participation requirements, if the eligible dependent
928 child or eligible teenage participant has been identified either
929 as a habitual truant, as defined in s. 1003.01 ~~pursuant to s.~~
930 ~~1003.01(12)~~, or as a dropout, as defined in s. 1003.01 ~~pursuant~~
931 ~~to s. 1003.01(8)~~. For a student who has been identified as a
932 habitual truant, the temporary cash assistance must be
933 reinstated after a subsequent grading period in which the
934 child's attendance has substantially improved. For a student who
935 has been identified as a dropout, the temporary cash assistance
936 must be reinstated after the student enrolls in a public school,
937 receives a high school diploma or its equivalency, enrolls in
938 preparation for the high school equivalency examination, or
939 enrolls in other educational activities approved by the district
940 school board. Good cause exemptions from the rule of unexcused
941 absences include the following:

942 (a) The student is expelled from school and alternative
943 schooling is not available.

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

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

948
949 Within 10 days after sanction notification, the participant
950 parent of a dependent child or the teenage participant may file

951 an internal fair hearings process review procedure appeal, and
 952 no sanction shall be imposed until the appeal is resolved.

953 **Section 14. Paragraph (c) of subsection (2) of section**
 954 **446.54, Florida Statutes, is amended to read:**

955 446.54 Reimbursement for workers' compensation insurance
 956 premiums.—

957 (2) Subject to appropriation, employers, including school
 958 districts and Florida College System institutions, may apply to
 959 the Department of Financial Services for reimbursement of the
 960 proportionate cost of workers' compensation premiums paid during
 961 the fiscal year for students participating in work-based
 962 learning opportunities in the previous state fiscal year.

963 (c) For purposes of this section, the term "educational
 964 institution" means a school as defined in s. 1003.01 ~~s.~~
 965 ~~1003.01(2)~~ operated by a district school board, a charter school
 966 formed under s. 1002.33, a career center operated by a district
 967 school board under s. 1001.44, a charter technical career center
 968 under s. 1002.34, or a Florida College System institution
 969 identified in s. 1000.21.

970 **Section 15. Paragraph (g) of subsection (3) of section**
 971 **553.865, Florida Statutes, is amended to read:**

972 553.865 Private spaces.—

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

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

975 1. A school as defined in s. 1003.01 ~~s. 1003.01(17)~~

976 | operated under the control of a district school board as defined
 977 | in s. 1003.01 ~~s. 1003.01(7)~~;

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

980 | 3. A developmental research (laboratory) school
 981 | established pursuant to s. 1002.32(2);

982 | 4. A charter school authorized under s. 1002.33; or

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

984 | **Section 16. Subsection (1) of section 984.151, Florida**
 985 | **Statutes, is amended to read:**

986 | 984.151 Truancy petition; prosecution; disposition.—

987 | (1) If the school determines that a student subject to
 988 | compulsory school attendance has had at least five unexcused
 989 | absences, or absences for which the reasons are unknown, within
 990 | a calendar month or 10 unexcused absences, or absences for which
 991 | the reasons are unknown, within a 90-calendar-day period
 992 | pursuant to s. 1003.26(3)(a) ~~s. 1003.26(1)(b)~~, or has had more
 993 | than 15 unexcused absences in a 90-calendar-day period, the
 994 | superintendent of schools or his or her designee may file a
 995 | truancy petition.

996 | **Section 17. Subsection (7) of section 1001.11, Florida**
 997 | **Statutes, is amended to read:**

998 | 1001.11 Commissioner of Education; other duties.—

999 | (7) The commissioner shall make prominently available on
 1000 | the department's website the following: links to the Internet-

1001 based clearinghouse for professional learning regarding physical
 1002 education; the school wellness and physical education policies
 1003 and other resources required under s. 1003.453; and other
 1004 Internet sites that provide professional learning for elementary
 1005 teachers of physical education as defined in s. 1003.01 ~~s.~~
 1006 ~~1003.01(15)~~. These links must provide elementary teachers with
 1007 information concerning current physical education and nutrition
 1008 philosophy and best practices that result in student
 1009 participation in physical activities that promote lifelong
 1010 physical and mental well-being.

1011 **Section 18. Section 1002.01, Florida Statutes, is amended**
 1012 **to read:**

1013 1002.01 Definitions.—

1014 (1) A "home education program" means the sequentially
 1015 progressive instruction of a student directed by his or her
 1016 parent to satisfy the attendance requirements of ss. 1002.41,
 1017 1003.01(20) ~~1003.01(16)~~, and 1003.21(1).

1018 (2) A "personalized education program" means the
 1019 sequentially progressive instruction of a student directed by
 1020 his or her parent to satisfy the attendance requirements of ss.
 1021 1003.01(20) ~~ss. 1003.01(16)~~ and 1003.21(1) while registered with
 1022 an eligible nonprofit scholarship-funding organization pursuant
 1023 to s. 1002.395. A personalized education student shall be
 1024 provided the same flexibility and opportunities as provided in
 1025 s. 1002.41(3)-(12).

1026 (3) A "private school" is a nonpublic school defined as an
1027 individual, association, copartnership, or corporation, or
1028 department, division, or section of such organizations, that
1029 designates itself as an educational center that includes
1030 kindergarten or a higher grade or as an elementary, secondary,
1031 business, technical, or trade school below college level or any
1032 organization that provides instructional services that meet the
1033 intent of s. 1003.01(20) ~~s. 1003.01(16)~~ or that gives
1034 preemployment or supplementary training in technology or in
1035 fields of trade or industry or that offers academic, literary,
1036 or career training below college level, or any combination of
1037 the above, including an institution that performs the functions
1038 of the above schools through correspondence or extension, except
1039 those licensed under the provisions of chapter 1005. A private
1040 school may be a parochial, religious, denominational, for-
1041 profit, or nonprofit school. This definition does not include
1042 home education programs conducted in accordance with s. 1002.41.

1043 **Section 19. Paragraph (b) of subsection (2) of section**
1044 **1002.20, Florida Statutes, is amended to read:**

1045 1002.20 K-12 student and parent rights.—Parents of public
1046 school students must receive accurate and timely information
1047 regarding their child's academic progress and must be informed
1048 of ways they can help their child to succeed in school. K-12
1049 students and their parents are afforded numerous statutory
1050 rights including, but not limited to, the following:

1051 (2) ATTENDANCE.—

1052 (b) Regular school attendance.—Parents of students who
1053 have attained the age of 6 years by February 1 of any school
1054 year but who have not attained the age of 16 years must comply
1055 with the compulsory school attendance laws. Parents have the
1056 option to comply with the school attendance laws by attendance
1057 of the student in a public school; a parochial, religious, or
1058 denominational school; a private school; a home education
1059 program; or a private tutoring program, in accordance with the
1060 provisions of s. 1003.01(20) ~~s. 1003.01(16)~~.

1061 **Section 20. Paragraph (d) of subsection (3) of section**
1062 **1002.3105, Florida Statutes, is amended to read:**

1063 1002.3105 Academically Challenging Curriculum to Enhance
1064 Learning (ACCEL) options.—

1065 (3) STUDENT ELIGIBILITY CONSIDERATIONS.—When establishing
1066 student eligibility requirements, principals and school
1067 districts must consider, at a minimum:

1068 (d) Recommendations from one or more of the student's
1069 teachers in core-curricula courses as defined in s. 1003.01(7)
1070 ~~s. 1003.01(5)(a)–(e)~~.

1071 **Section 21. Paragraph (a) of subsection (20) of section**
1072 **1002.33, Florida Statutes, is amended to read:**

1073 1002.33 Charter schools.—

1074 (20) SERVICES.—

1075 (a)1. A sponsor shall provide certain administrative and

1076 educational services to charter schools. These services shall
1077 include contract management services; full-time equivalent and
1078 data reporting services; exceptional student education
1079 administration services; services related to eligibility and
1080 reporting duties required to ensure that school lunch services
1081 under the National School Lunch Program, consistent with the
1082 needs of the charter school, are provided by the sponsor at the
1083 request of the charter school, that any funds due to the charter
1084 school under the National School Lunch Program be paid to the
1085 charter school as soon as the charter school begins serving food
1086 under the National School Lunch Program, and that the charter
1087 school is paid at the same time and in the same manner under the
1088 National School Lunch Program as other public schools serviced
1089 by the sponsor or the school district; test administration
1090 services, including payment of the costs of state-required or
1091 district-required student assessments; processing of teacher
1092 certificate data services; and information services, including
1093 equal access to the sponsor's student information systems that
1094 are used by public schools in the district in which the charter
1095 school is located or by schools in the sponsor's portfolio of
1096 charter schools if the sponsor is not a school district. Student
1097 performance data for each student in a charter school,
1098 including, but not limited to, FCAT scores, standardized test
1099 scores, previous public school student report cards, and student
1100 performance measures, shall be provided by the sponsor to a

1101 charter school in the same manner provided to other public
 1102 schools in the district or by schools in the sponsor's portfolio
 1103 of charter schools if the sponsor is not a school district.

1104 2. A sponsor shall provide training to charter schools on
 1105 systems the sponsor will require the charter school to use.

1106 3. A sponsor may withhold an administrative fee for the
 1107 provision of such services which shall be a percentage of the
 1108 available funds defined in paragraph (17)(b) calculated based on
 1109 weighted full-time equivalent students. If the charter school
 1110 serves 75 percent or more exceptional education students as
 1111 defined in s. 1003.01 ~~s. 1003.01(9)~~, the percentage shall be
 1112 calculated based on unweighted full-time equivalent students.
 1113 The administrative fee shall be calculated as follows:

1114 a. Up to 5 percent for:

1115 (I) Enrollment of up to and including 250 students in a
 1116 charter school as defined in this section.

1117 (II) Enrollment of up to and including 500 students within
 1118 a charter school system which meets all of the following:

1119 (A) Includes conversion charter schools and nonconversion
 1120 charter schools.

1121 (B) Has all of its schools located in the same county.

1122 (C) Has a total enrollment exceeding the total enrollment
 1123 of at least one school district in this state.

1124 (D) Has the same governing board for all of its schools.

1125 (E) Does not contract with a for-profit service provider

1126 | for management of school operations.

1127 | (III) Enrollment of up to and including 250 students in a
1128 | virtual charter school.

1129 | b. Up to 2 percent for enrollment of up to and including
1130 | 250 students in a high-performing charter school as defined in
1131 | s. 1002.331.

1132 | c. Up to 2 percent for enrollment of up to and including
1133 | 250 students in an exceptional student education center that
1134 | meets the requirements of the rules adopted by the State Board
1135 | of Education pursuant to s. 1008.3415(3).

1136 | 4. A sponsor may not charge charter schools any additional
1137 | fees or surcharges for administrative and educational services
1138 | in addition to the maximum percentage of administrative fees
1139 | withheld pursuant to this paragraph. A sponsor may not charge or
1140 | withhold any administrative fee against a charter school for any
1141 | funds specifically allocated by the Legislature for teacher
1142 | compensation.

1143 | 5. A sponsor shall provide to the department by September
1144 | 15 of each year the total amount of funding withheld from
1145 | charter schools pursuant to this subsection for the prior fiscal
1146 | year. The department must include the information in the report
1147 | required under sub-sub-subparagraph (5)(b)1.k.(III).

1148 | 6. A sponsor shall annually provide a report to its
1149 | charter schools on what services are being rendered from the
1150 | sponsor's portion of the administrative fee. The report must

1151 include the listed services and be submitted to the department
 1152 by September 15 of each year.

1153 **Section 22. Subsection (4) and paragraph (b) of subsection**
 1154 **(10) of section 1002.394, Florida Statutes, are amended to read:**

1155 1002.394 The Family Empowerment Scholarship Program.—

1156 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

1157 (a) Program funds awarded to a student determined eligible
 1158 pursuant to paragraph (3) (a) may be used for:

- 1159 1. Tuition and fees at an eligible private school.
- 1160 2. Instructional materials, including digital materials
 1161 and Internet resources.
- 1162 3. Curriculum as defined in subsection (2).
- 1163 4. Tuition and fees associated with full-time or part-time
 1164 enrollment in an eligible postsecondary educational institution
 1165 or a program offered by the postsecondary educational
 1166 institution, unless the program is subject to s. 1009.25 or
 1167 reimbursed pursuant to s. 1009.30; an approved preapprenticeship
 1168 program as defined in s. 446.021(5) which is not subject to s.
 1169 1009.25 and complies with all applicable requirements of the
 1170 department pursuant to chapter 1005; a private tutoring program
 1171 authorized under s. 1002.43; a virtual program offered by a
 1172 department-approved private online provider that meets the
 1173 provider qualifications specified in s. 1002.45(2) (a); the
 1174 Florida Virtual School as a private paying student; or an
 1175 approved online course offered pursuant to s. 1003.499 or s.

1176 | 1004.0961.

1177 | 5. Fees for nationally standardized, norm-referenced
1178 | achievement tests, Advanced Placement Examinations, industry
1179 | certification examinations, assessments related to postsecondary
1180 | education, or other assessments.

1181 | 6. Contracted services provided by a public school or
1182 | school district, including classes. A student who receives
1183 | contracted services under this subparagraph is not considered
1184 | enrolled in a public school for eligibility purposes as
1185 | specified in subsection (6) but rather attending a public school
1186 | on a part-time basis as authorized under s. 1002.44.

1187 | 7. Tuition and fees for part-time tutoring services or
1188 | fees for services provided by a choice navigator. Such services
1189 | must be provided by a person who holds a valid Florida
1190 | educator's certificate pursuant to s. 1012.56, a person who
1191 | holds an adjunct teaching certificate pursuant to s. 1012.57, a
1192 | person who has a bachelor's degree or a graduate degree in the
1193 | subject area in which instruction is given, a person who has
1194 | demonstrated a mastery of subject area knowledge pursuant to s.
1195 | 1012.56(5), or a person certified by a nationally or
1196 | internationally recognized research-based training program as
1197 | approved by the department. As used in this subparagraph, the
1198 | term "part-time tutoring services" does not qualify as regular
1199 | school attendance as defined in s. 1003.01(20)(e) ~~s.~~
1200 | ~~1003.01(16)(e)~~.

1201 (b) Program funds awarded to a student with a disability
 1202 determined eligible pursuant to paragraph (3) (b) may be used for
 1203 the following purposes:

1204 1. Instructional materials, including digital devices,
 1205 digital periphery devices, and assistive technology devices that
 1206 allow a student to access instruction or instructional content
 1207 and training on the use of and maintenance agreements for these
 1208 devices.

1209 2. Curriculum as defined in subsection (2).

1210 3. Specialized services by approved providers or by a
 1211 hospital in this state which are selected by the parent. These
 1212 specialized services may include, but are not limited to:

1213 a. Applied behavior analysis services as provided in ss.
 1214 627.6686 and 641.31098.

1215 b. Services provided by speech-language pathologists as
 1216 defined in s. 468.1125(8).

1217 c. Occupational therapy as defined in s. 468.203.

1218 d. Services provided by physical therapists as defined in
 1219 s. 486.021(8).

1220 e. Services provided by listening and spoken language
 1221 specialists and an appropriate acoustical environment for a
 1222 child who has a hearing impairment, including deafness, and who
 1223 has received an implant or assistive hearing device.

1224 4. Tuition and fees associated with full-time or part-time
 1225 enrollment in a home education program; an eligible private

1226 school; an eligible postsecondary educational institution or a
1227 program offered by the postsecondary educational institution,
1228 unless the program is subject to s. 1009.25 or reimbursed
1229 pursuant to s. 1009.30; an approved preapprenticeship program as
1230 defined in s. 446.021(5) which is not subject to s. 1009.25 and
1231 complies with all applicable requirements of the department
1232 pursuant to chapter 1005; a private tutoring program authorized
1233 under s. 1002.43; a virtual program offered by a department-
1234 approved private online provider that meets the provider
1235 qualifications specified in s. 1002.45(2)(a); the Florida
1236 Virtual School as a private paying student; or an approved
1237 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1238 5. Fees for nationally standardized, norm-referenced
1239 achievement tests, Advanced Placement Examinations, industry
1240 certification examinations, assessments related to postsecondary
1241 education, or other assessments.

1242 6. Contributions to the Stanley G. Tate Florida Prepaid
1243 College Program pursuant to s. 1009.98 or the Florida College
1244 Savings Program pursuant to s. 1009.981 for the benefit of the
1245 eligible student.

1246 7. Contracted services provided by a public school or
1247 school district, including classes. A student who receives
1248 services under a contract under this paragraph is not considered
1249 enrolled in a public school for eligibility purposes as
1250 specified in subsection (6) but rather attending a public school

1251 on a part-time basis as authorized under s. 1002.44.

1252 8. Tuition and fees for part-time tutoring services or
 1253 fees for services provided by a choice navigator. Such services
 1254 must be provided by a person who holds a valid Florida
 1255 educator's certificate pursuant to s. 1012.56, a person who
 1256 holds an adjunct teaching certificate pursuant to s. 1012.57, a
 1257 person who has a bachelor's degree or a graduate degree in the
 1258 subject area in which instruction is given, a person who has
 1259 demonstrated a mastery of subject area knowledge pursuant to s.
 1260 1012.56(5), or a person certified by a nationally or
 1261 internationally recognized research-based training program as
 1262 approved by the department. As used in this subparagraph, the
 1263 term "part-time tutoring services" does not qualify as regular
 1264 school attendance as defined in s. 1003.01(20)(e) ~~s.~~
 1265 ~~1003.01(16)(e)~~.

1266 9. Fees for specialized summer education programs.

1267 10. Fees for specialized after-school education programs.

1268 11. Transition services provided by job coaches.

1269 Transition services are a coordinated set of activities which
 1270 are focused on improving the academic and functional achievement
 1271 of a student with a disability to facilitate the student's
 1272 movement from school to postschool activities and are based on
 1273 the student's needs.

1274 12. Fees for an annual evaluation of educational progress
 1275 by a state-certified teacher under s. 1002.41(1)(f), if this

1276 option is chosen for a home education student.

1277 13. Tuition and fees associated with programs offered by
 1278 Voluntary Prekindergarten Education Program providers approved
 1279 pursuant to s. 1002.55, school readiness providers approved
 1280 pursuant to s. 1002.88, and prekindergarten programs offered by
 1281 an eligible private school.

1282 14. Fees for services provided at a center that is a
 1283 member of the Professional Association of Therapeutic
 1284 Horsemanship International.

1285 15. Fees for services provided by a therapist who is
 1286 certified by the Certification Board for Music Therapists or
 1287 credentialed by the Art Therapy Credentials Board, Inc.

1288 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 1289 PARTICIPATION.—

1290 (b) A parent who applies for a scholarship under paragraph
 1291 (3)(b) is exercising his or her parental option to determine the
 1292 appropriate placement or the services that best meet the needs
 1293 of his or her child and must:

1294 1. Apply to an eligible nonprofit scholarship-funding
 1295 organization to participate in the program by a date set by the
 1296 organization. The request must be communicated directly to the
 1297 organization in a manner that creates a written or electronic
 1298 record of the request and the date of receipt of the request.

1299 2.a. Beginning with new applications for the 2025-2026
 1300 school year and thereafter, notify the organization by December

1301 15 that the scholarship is being accepted or declined.

1302 b. Beginning with renewal applications for the 2025-2026

1303 school year and thereafter, notify the organization by May 31

1304 that the scholarship is being renewed or declined.

1305 3. Sign an agreement with the organization and annually

1306 submit a sworn compliance statement to the organization to

1307 satisfy or maintain program eligibility, including eligibility

1308 to receive and spend program payments by:

1309 a. Affirming that the student is enrolled in a program

1310 that meets regular school attendance requirements as provided in

1311 s. 1003.01(20)(b), (c), or (d) ~~s. 1003.01(16)(b), (c), or (d)~~.

1312 b. Affirming that the program funds are used only for

1313 authorized purposes serving the student's educational needs, as

1314 described in paragraph (4)(b); that any prepaid college plan or

1315 college savings plan funds contributed pursuant to subparagraph

1316 (4)(b)6. will not be transferred to another beneficiary while

1317 the plan contains funds contributed pursuant to this section;

1318 and that they will not receive a payment, refund, or rebate of

1319 any funds provided under this section.

1320 c. Affirming that the parent is responsible for all

1321 eligible expenses in excess of the amount of the scholarship and

1322 for the education of his or her student by, as applicable:

1323 (I) Requiring the student to take an assessment in

1324 accordance with paragraph (9)(c);

1325 (II) Providing an annual evaluation in accordance with s.

1326 | 1002.41(1)(f); or
 1327 | (III) Requiring the child to take any preassessments and
 1328 | postassessments selected by the provider if the child is 4 years
 1329 | of age and is enrolled in a program provided by an eligible
 1330 | Voluntary Prekindergarten Education Program provider. A student
 1331 | with disabilities for whom the physician or psychologist who
 1332 | issued the diagnosis or the IEP team determines that a
 1333 | preassessment and postassessment is not appropriate is exempt
 1334 | from this requirement. A participating provider shall report a
 1335 | student's scores to the parent.

1336 | d. Affirming that the student remains in good standing
 1337 | with the provider or school if those options are selected by the
 1338 | parent.

1339 | e. Enrolling his or her child in a program from a
 1340 | Voluntary Prekindergarten Education Program provider authorized
 1341 | under s. 1002.55, a school readiness provider authorized under
 1342 | s. 1002.88, a prekindergarten program offered by an eligible
 1343 | private school, or an eligible private school if selected by the
 1344 | parent.

1345 | f. Comply with the scholarship application and renewal
 1346 | processes and requirements established by the organization. A
 1347 | student whose participation in the program is not renewed may
 1348 | continue to spend scholarship funds that are in his or her
 1349 | account from prior years unless the account must be closed
 1350 | pursuant to subparagraph (5)(b)3. Notwithstanding any changes to

1351 the student's IEP, a student who was previously eligible for
1352 participation in the program shall remain eligible to apply for
1353 renewal. However, for a high-risk child to continue to
1354 participate in the program in the school year after he or she
1355 reaches 6 years of age, the child's application for renewal of
1356 program participation must contain documentation that the child
1357 has a disability defined in paragraph (2)(e) other than high-
1358 risk status.

1359 g. Procuring the services necessary to educate the
1360 student. If such services include enrollment in an eligible
1361 private school, the parent must meet with the private school's
1362 principal or the principal's designee to review the school's
1363 academic programs and policies, specialized services, code of
1364 student conduct, and attendance policies before his or her
1365 student is enrolled. The parent must also approve each payment
1366 to the eligible private school before the scholarship funds may
1367 be deposited by funds transfer pursuant to subparagraph
1368 (12)(a)4. The parent may not designate any entity or individual
1369 associated with the eligible private school as the parent's
1370 attorney in fact to approve a funds transfer. When the student
1371 receives a scholarship, the district school board is not
1372 obligated to provide the student with a free appropriate public
1373 education. For purposes of s. 1003.57 and the Individuals with
1374 Disabilities in Education Act, a participating student has only
1375 those rights that apply to all other unilaterally parentally

1376 placed students, except that, when requested by the parent,
1377 school district personnel must develop an IEP or matrix level of
1378 services.

1379 **Section 23. Paragraphs (d) and (e) of subsection (6) of**
1380 **section 1002.395, Florida Statutes, are amended to read:**

1381 1002.395 Florida Tax Credit Scholarship Program.—

1382 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1383 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
1384 organization:

1385 (d)1. For the 2023-2024 school year, may fund no more than
1386 20,000 scholarships for students who are enrolled pursuant to
1387 paragraph (7) (b). The number of scholarships funded for such
1388 students may increase by 40,000 in each subsequent school year.
1389 This subparagraph is repealed July 1, 2027.

1390 2. Shall establish a process for parents who are in
1391 compliance with paragraph (7) (a) to renew their students'
1392 scholarships. Renewal applications for the 2025-2026 school year
1393 and thereafter must provide for a renewal timeline beginning
1394 February 1 of the prior school year and ending April 30 of the
1395 prior school year. A student's renewal is contingent upon an
1396 eligible private school providing confirmation of admission
1397 pursuant to subsection (8). The process must require that
1398 parents confirm that the scholarship is being renewed or
1399 declined by May 31.

1400 3. Shall establish a process that allows a parent to apply

1401 for a new scholarship. The process must be in a manner that
1402 creates a written or electronic record of the application
1403 request and the date of receipt of the application request. The
1404 process must require that parents confirm that the scholarship
1405 is being accepted or declined by a date set by the organization.

1406 4. Must establish and maintain separate scholarship
1407 accounts from eligible contributions for each eligible student.
1408 For each account, the organization must maintain a record of
1409 accrued interest retained in the student's account. The
1410 organization must verify that scholarship funds are used for:

1411 a. Tuition and fees for full-time or part-time enrollment
1412 in an eligible private school.

1413 b. Instructional materials, including digital materials
1414 and Internet resources.

1415 c. Curriculum as defined in s. 1002.394(2).

1416 d. Tuition and fees associated with full-time or part-time
1417 enrollment in a home education instructional program; an
1418 eligible postsecondary educational institution or a program
1419 offered by the postsecondary educational institution, unless the
1420 program is subject to s. 1009.25 or reimbursed pursuant to s.
1421 1009.30; an approved preapprenticeship program as defined in s.
1422 446.021(5) which is not subject to s. 1009.25 and complies with
1423 all applicable requirements of the Department of Education
1424 pursuant to chapter 1005; a private tutoring program authorized
1425 under s. 1002.43; a virtual program offered by a department-

1426 approved private online provider that meets the provider
1427 qualifications specified in s. 1002.45(2)(a); the Florida
1428 Virtual School as a private paying student; or an approved
1429 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1430 e. Fees for nationally standardized, norm-referenced
1431 achievement tests, Advanced Placement Examinations, industry
1432 certification examinations, assessments related to postsecondary
1433 education, or other assessments.

1434 f. Contracted services provided by a public school or
1435 school district, including classes. A student who receives
1436 contracted services under this sub-subparagraph is not
1437 considered enrolled in a public school for eligibility purposes
1438 as specified in subsection (11) but rather attending a public
1439 school on a part-time basis as authorized under s. 1002.44.

1440 g. Tuition and fees for part-time tutoring services or
1441 fees for services provided by a choice navigator. Such services
1442 must be provided by a person who holds a valid Florida
1443 educator's certificate pursuant to s. 1012.56, a person who
1444 holds an adjunct teaching certificate pursuant to s. 1012.57, a
1445 person who has a bachelor's degree or a graduate degree in the
1446 subject area in which instruction is given, a person who has
1447 demonstrated a mastery of subject area knowledge pursuant to s.
1448 1012.56(5), or a person certified by a nationally or
1449 internationally recognized research-based training program as
1450 approved by the Department of Education. As used in this

1451 paragraph, the term "part-time tutoring services" does not
1452 qualify as regular school attendance as defined in s.
1453 1003.01(20)(e) ~~s. 1003.01(16)(e)~~.

1454 (e) For students determined eligible pursuant to paragraph
1455 (7)(b), must:

1456 1. Establish a process for parents who are in compliance
1457 with subparagraph (7)(b)1. to apply for a new scholarship. New
1458 scholarship applications for the 2025-2026 school year and
1459 thereafter must provide for an application timeline beginning
1460 February 1 of the prior school year and ending April 30 of the
1461 prior school year. The process must require that parents confirm
1462 that the scholarship is being accepted or declined by May 31.

1463 2. Establish a process for parents who are in compliance
1464 with paragraph (7)(b) to renew their students' scholarships.
1465 Renewal scholarship applications for the 2025-2026 school year
1466 and thereafter must provide for a renewal timeline beginning
1467 February 1 of the prior school year and ending April 30 of the
1468 prior school year. The process must require that parents confirm
1469 that the scholarship is being renewed or declined by May 31.

1470 3. Maintain a signed agreement from the parent which
1471 constitutes compliance with the attendance requirements under
1472 ss. 1003.01(20) ~~ss. 1003.01(16)~~ and 1003.21(1).

1473 4. Receive eligible student test scores and, beginning
1474 with the 2027-2028 school year, by August 15, annually report
1475 test scores for students pursuant to paragraph (7)(b) to a state

1476 university pursuant to paragraph (9)(f).

1477 5. Provide parents with information, guidance, and support
 1478 to create and annually update a student learning plan for their
 1479 student. The organization must maintain the plan and allow
 1480 parents to electronically submit, access, and revise the plan
 1481 continuously.

1482 6. Upon submission by the parent of an annual student
 1483 learning plan, fund a scholarship for a student determined
 1484 eligible.

1485
 1486 Information and documentation provided to the Department of
 1487 Education and the Auditor General relating to the identity of a
 1488 taxpayer that provides an eligible contribution under this
 1489 section shall remain confidential at all times in accordance
 1490 with s. 213.053.

1491 **Section 24. Subsection (7) of section 1002.42, Florida**
 1492 **Statutes, is amended to read:**

1493 1002.42 Private schools.—

1494 (7) ATTENDANCE REQUIREMENTS.—Attendance of a student at a
 1495 private, parochial, religious, or denominational school
 1496 satisfies the attendance requirements of ss. 1003.01(20) ~~ss.~~
 1497 ~~1003.01(16)~~ and 1003.21(1).

1498 **Section 25. Subsection (1) of section 1002.43, Florida**
 1499 **Statutes, is amended to read:**

1500 1002.43 Private tutoring programs.—

1501 (1) Regular school attendance as defined in s. 1003.01 ~~s.~~
1502 ~~1003.01(16)~~ may be achieved by attendance in a private tutoring
1503 program if the person tutoring the student meets the following
1504 requirements:

1505 (a) Holds a valid Florida certificate to teach the
1506 subjects or grades in which instruction is given.

1507 (b) Keeps all records and makes all reports required by
1508 the state and district school board and makes regular reports on
1509 the attendance of students in accordance with the provisions of
1510 s. 1003.23(2).

1511 (c) Requires students to be in actual attendance for the
1512 minimum length of time prescribed by s. 1011.60(2).

1513 **Section 26. Subsections (1) and (3) of section 1002.44,**
1514 **Florida Statutes, are amended to read:**

1515 1002.44 Part-time public school enrollment.—

1516 (1) Any public school in this state, including a charter
1517 school, may enroll a student who meets the regular school
1518 attendance criteria in s. 1003.01(20)(b)-(f) ~~s. 1003.01(16)(b)-~~
1519 ~~(f)~~ on a part-time basis, subject to space and availability
1520 according to the school's capacity determined pursuant to s.
1521 1002.31(2)(b).

1522 (3) A student attending a public school on a part-time
1523 basis pursuant to this section is not considered to be in
1524 regular attendance at a public school as defined in s.
1525 1003.01(20)(a) ~~s. 1003.01(16)(a)~~.

Section 27. Subsection (6) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

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

Section 28. Paragraph (b) of subsection (1) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(1) TWENTY-FOUR CREDITS REQUIRED.—

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01 ~~s. 1003.01(2)~~, including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the state academic standards for that subject. An applied course aligns with state academic standards and includes real-world applications of a career and technical education

1551 standard used in business or industry. An integrated course
 1552 includes content from several courses within a content area or
 1553 across content areas.

1554 **Section 29. Paragraph (f) of subsection (1) of section**
 1555 **1003.573, Florida Statutes, is amended to read:**

1556 1003.573 Seclusion and restraint of students with
 1557 disabilities in public schools.—

1558 (1) DEFINITIONS.—As used in this section, the term:

1559 (f) "Student" means a child with an individual education
 1560 plan enrolled in grades kindergarten through 12 in a school, as
 1561 defined in s. 1003.01 ~~s. 1003.01(17)~~, or the Florida School for
 1562 the Deaf and Blind. The term does not include students in
 1563 prekindergarten, students who reside in residential care
 1564 facilities under s. 1003.58, or students participating in a
 1565 Department of Juvenile Justice education program under s.
 1566 1003.52.

1567 **Section 30. Section 1003.575, Florida Statutes, is amended**
 1568 **to read:**

1569 1003.575 Assistive technology devices; findings;
 1570 interagency agreements.—Accessibility, utilization, and
 1571 coordination of appropriate assistive technology devices and
 1572 services are essential as a young person with disabilities moves
 1573 from early intervention to preschool, from preschool to school,
 1574 from one school to another, from school to employment or
 1575 independent living, and from school to home and community. If an

1576 individual education plan team makes a recommendation in
1577 accordance with State Board of Education rule for a student with
1578 a disability, as defined in s. 1003.01 ~~s. 1003.01(9)~~, to receive
1579 an assistive technology assessment, that assessment must be
1580 completed within 60 school days after the team's recommendation.
1581 To ensure that an assistive technology device issued to a young
1582 person as part of his or her individualized family support plan,
1583 individual support plan, individualized plan for employment, or
1584 individual education plan remains with the individual through
1585 such transitions, the following agencies shall enter into
1586 interagency agreements, as appropriate, to ensure the
1587 transaction of assistive technology devices:

1588 (1) The Early Steps Program in the Division of Children's
1589 Medical Services of the Department of Health.

1590 (2) The Division of Blind Services, the Bureau of
1591 Exceptional Education and Student Services, the Office of
1592 Independent Education and Parental Choice, and the Division of
1593 Vocational Rehabilitation of the Department of Education.

1594 (3) The Voluntary Prekindergarten Education Program
1595 administered by the Department of Education and the Office of
1596 Early Learning.

1597
1598 Interagency agreements entered into pursuant to this section
1599 shall provide a framework for ensuring that young persons with
1600 disabilities and their families, educators, and employers are

1601 informed about the utilization and coordination of assistive
 1602 technology devices and services that may assist in meeting
 1603 transition needs, and shall establish a mechanism by which a
 1604 young person or his or her parent may request that an assistive
 1605 technology device remain with the young person as he or she
 1606 moves through the continuum from home to school to postschool.

1607 **Section 31. Paragraph (c) of subsection (1) of section**
 1608 **1006.0626, Florida Statutes, is amended to read:**

1609 1006.0626 Care of students with epilepsy or seizure
 1610 disorders.—

1611 (1) As used in this section, the term:

1612 (c) "School" has the same meaning as in s. 1003.01 ~~s.~~
 1613 ~~1003.01(17)~~.

1614 **Section 32. Paragraph (d) of subsection (2) of section**
 1615 **1006.07, Florida Statutes, is amended to read:**

1616 1006.07 District school board duties relating to student
 1617 discipline and school safety.—The district school board shall
 1618 provide for the proper accounting for all students, for the
 1619 attendance and control of students at school, and for proper
 1620 attention to health, safety, and other matters relating to the
 1621 welfare of students, including:

1622 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
 1623 conduct for elementary schools and a code of student conduct for
 1624 middle and high schools and distribute the appropriate code to
 1625 all teachers, school personnel, students, and parents, at the

1626 beginning of every school year. Each code shall be organized and
1627 written in language that is understandable to students and
1628 parents and shall be discussed at the beginning of every school
1629 year in student classes, school advisory council meetings, and
1630 parent and teacher association or organization meetings. Each
1631 code shall be based on the rules governing student conduct and
1632 discipline adopted by the district school board and shall be
1633 made available in the student handbook or similar publication.
1634 Each code shall include, but is not limited to:

1635 (d)1. An explanation of the responsibilities of each
1636 student with regard to appropriate dress, respect for self and
1637 others, and the role that appropriate dress and respect for self
1638 and others has on an orderly learning environment. Each district
1639 school board shall adopt a dress code policy that prohibits a
1640 student, while on the grounds of a public school during the
1641 regular school day, from wearing clothing that exposes underwear
1642 or body parts in an indecent or vulgar manner or that disrupts
1643 the orderly learning environment.

1644 2. Any student who violates the dress code policy
1645 described in subparagraph 1. is subject to the following
1646 disciplinary actions:

1647 a. For a first offense, a student shall be given a verbal
1648 warning and the school principal shall call the student's parent
1649 or guardian.

1650 b. For a second offense, the student is ineligible to

1651 participate in any extracurricular activity for a period of time
 1652 not to exceed 5 days and the school principal shall meet with
 1653 the student's parent or guardian.

1654 c. For a third or subsequent offense, a student shall
 1655 receive an in-school suspension as defined in s. 1003.01(17)
 1656 ~~pursuant to s. 1003.01(13)~~ for a period not to exceed 3 days,
 1657 the student is ineligible to participate in any extracurricular
 1658 activity for a period not to exceed 30 days, and the school
 1659 principal shall call the student's parent or guardian and send
 1660 the parent or guardian a written letter regarding the student's
 1661 in-school suspension and ineligibility to participate in
 1662 extracurricular activities.

1663 **Section 33. Subsection (5) of section 1008.24, Florida**
 1664 **Statutes, is amended to read:**

1665 1008.24 Test administration and security; public records
 1666 exemption.—

1667 (5) Exceptional students with disabilities, as defined in
 1668 s. 1003.01 ~~s. 1003.01(9)~~, shall have access to testing sites.
 1669 The Department of Education and each school district shall adopt
 1670 policies that are necessary to ensure such access.

1671 **Section 34. Paragraph (c) of subsection (6) of section**
 1672 **1012.2315, Florida Statutes, is amended to read:**

1673 1012.2315 Assignment of teachers.—

1674 (6) ASSIGNMENT OF TEACHERS BASED UPON PERFORMANCE
 1675 EVALUATIONS.—

1676 (c) For a student enrolling in an extracurricular course
1677 as defined in s. 1003.01 ~~s. 1003.01(11)~~, a parent may choose to
1678 have the student taught by a teacher who received a performance
1679 evaluation of "needs improvement" or "unsatisfactory" in the
1680 preceding school year if the student and the student's parent
1681 receive an explanation of the impact of teacher effectiveness on
1682 student learning and the principal receives written consent from
1683 the parent.

1684 **Section 35.** This act shall take effect July 1, 2025.