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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/RM	.	Floor: SEN1/C
05/02/2014 12:03 PM	.	05/02/2014 08:52 PM
	.	

Senator Legg moved the following:

1 **Senate Amendment to House Amendment (937491) (with title**
2 **amendment)**

3
4 Delete lines 5 - 2114

5 and insert:

6 Section 1. Subsection (18) of section 1001.42, Florida
7 Statutes, is amended to read:

8 1001.42 Powers and duties of district school board.—The
9 district school board, acting as a board, shall exercise all
10 powers and perform all duties listed below:

11 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—



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12 Maintain a state system of school improvement and education
13 accountability as provided by statute and State Board of
14 Education rule. This system of school improvement and education
15 accountability shall be consistent with, and implemented
16 through, the district's continuing system of planning and
17 budgeting required by this section and ss. 1008.385, 1010.01,
18 and 1011.01. This system of school improvement and education
19 accountability shall comply with the provisions of ss. 1008.33,
20 1008.34, 1008.345, and 1008.385 and include the following:

21 (a) *School improvement plans.*—

22 1. The district school board shall annually approve and
23 require implementation of a new, amended, or continuation school
24 improvement plan for each school in the district. If a school
25 has a significant gap in achievement on statewide assessments
26 pursuant to s. 1008.34(3)(b) by one or more student subgroups,
27 as defined in the federal Elementary and Secondary Education Act
28 (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not significantly
29 decreased the percentage of students scoring below satisfactory
30 on statewide assessments; or has significantly lower graduation
31 rates for a subgroup when compared to the state's graduation
32 rate, that school's improvement plan shall include strategies
33 for improving these results. The state board shall adopt rules
34 establishing thresholds and for determining compliance with this
35 subparagraph ~~paragraph~~.

36 2. A school that includes any of grades 6, 7, or 8 shall
37 include annually in its school improvement plan information and
38 data on the school's early warning system required under
39 paragraph (b), including a list of the early warning indicators
40 used in the system, the number of students identified by the



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41 system as exhibiting two or more early warning indicators, the
42 number of students by grade level that exhibit each early
43 warning indicator, and a description of all intervention
44 strategies employed by the school to improve the academic
45 performance of students identified by the early warning system.
46 In addition, a school that includes any of grades 6, 7, or 8
47 shall describe in its school improvement plan the strategies
48 used by the school to implement the instructional practices for
49 middle grades emphasized by the district's professional
50 development system pursuant to s. 1012.98(4)(b)9.

51 (b) Early warning system.—

52 1. A school that includes any of grades 6, 7, or 8 shall
53 implement an early warning system to identify students in grades
54 6, 7, and 8 who need additional support to improve academic
55 performance and stay engaged in school. The early warning system
56 must include the following early warning indicators:

57 a. Attendance below 90 percent, regardless of whether
58 absence is excused or a result of out-of-school suspension.

59 b. One or more suspensions, whether in school or out of
60 school.

61 c. Course failure in English Language Arts or mathematics.

62 d. A Level 1 score on the statewide, standardized
63 assessments in English Language Arts or mathematics.

64
65 A school district may identify additional early warning
66 indicators for use in a school's early warning system.

67 2. When a student exhibits two or more early warning
68 indicators, the school's child study team under s. 1003.02 or a
69 school-based team formed for the purpose of implementing the



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70 requirements of this paragraph shall convene to determine
71 appropriate intervention strategies for the student. The school
72 shall provide at least 10 days' written notice of the meeting to
73 the student's parent, indicating the meeting's purpose, time,
74 and location, and provide the parent the opportunity to
75 participate.

76 (c) ~~(b)~~ Public disclosure.—The district school board shall
77 provide information regarding the performance of students and
78 educational programs as required pursuant to ss. 1008.22 and
79 1008.385 and implement a system of school reports as required by
80 statute and State Board of Education rule which shall include
81 schools operating for the purpose of providing educational
82 services to students ~~youth~~ in Department of Juvenile Justice
83 programs, and for those schools, report on the elements
84 specified in s. 1003.52(17) ~~1003.52(19)~~. Annual public
85 disclosure reports shall be in an easy-to-read report card
86 format and shall include the school's grade, high school
87 graduation rate calculated without high school equivalency
88 examinations ~~GED tests~~, disaggregated by student ethnicity, and
89 performance data as specified in state board rule.

90 (d) ~~(e)~~ School improvement funds.—The district school board
91 shall provide funds to schools for developing and implementing
92 school improvement plans. Such funds shall include those funds
93 appropriated for the purpose of school improvement pursuant to
94 s. 24.121(5)(c).

95 Section 2. Subsection (1) of section 1003.02, Florida
96 Statutes, is amended to read:

97 1003.02 District school board operation and control of
98 public K-12 education within the school district.—As provided in



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99 part II of chapter 1001, district school boards are
100 constitutionally and statutorily charged with the operation and
101 control of public K-12 education within their school district.
102 The district school boards must establish, organize, and operate
103 their public K-12 schools and educational programs, employees,
104 and facilities. Their responsibilities include staff
105 development, public K-12 school student education including
106 education for exceptional students and students in juvenile
107 justice programs, special programs, adult education programs,
108 and career education programs. Additionally, district school
109 boards must:

110 (1) Provide for the proper accounting for all students of
111 school age, for the attendance and control of students at
112 school, and for proper attention to health, safety, and other
113 matters relating to the welfare of students in the following
114 areas fields:

115 (a) *Admission, classification, promotion, and graduation of*
116 *students.*—Adopt rules for admitting, classifying, promoting, and
117 graduating students to or from the various schools of the
118 district.

119 (b) *Enforcement of attendance laws.*—Provide for the
120 enforcement of all laws and rules relating to the attendance of
121 students at school. District school boards are authorized to
122 establish policies that allow accumulated unexcused tardies,
123 regardless of when they occur during the school day, and early
124 departures from school to be recorded as unexcused absences.
125 District school boards are also authorized to establish policies
126 that require referral to a school's child study team for
127 students who have fewer absences than the number required by s.



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128 1003.26(1)(b).

129 (c) *Control of students.*—

130 1. Adopt rules for the control, attendance, discipline, in-
131 school suspension, suspension, and expulsion of students and
132 decide all cases recommended for expulsion.

133 2. Maintain a code of student conduct as provided in
134 chapter 1006.

135 (d) *Courses of study and instructional materials.*—

136 1. Provide adequate instructional materials for all
137 students as follows and in accordance with the requirements of
138 chapter 1006, in the core courses of mathematics, language arts,
139 social studies, science, reading, and literature, except for
140 instruction for which the school advisory council approves the
141 use of a program that does not include a textbook as a major
142 tool of instruction.

143 2. Adopt courses of study for use in the schools of the
144 district.

145 3. Provide for proper requisitioning, distribution,
146 accounting, storage, care, and use of all instructional
147 materials as may be needed, and ensure that instructional
148 materials used in the district are consistent with the district
149 goals and objectives and the curriculum frameworks approved by
150 the State Board of Education, as well as with the state and
151 school district performance standards required by law and state
152 board rule.

153 (e) *Transportation.*—Make provision for the transportation
154 of students to the public schools or school activities they are
155 required or expected to attend, efficiently and economically, in
156 accordance with the requirements of chapter 1006, which function



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157 may be accomplished, in whole or part, by means of an interlocal
158 agreement under s. 163.01.

159 (f) *Facilities and school plant.*—

160 1. Approve and adopt a districtwide school facilities
161 program, in accordance with the requirements of chapter 1013.

162 2. Approve plans for locating, planning, constructing,
163 sanitating, insuring, maintaining, protecting, and condemning
164 school property as prescribed in chapter 1013.

165 3. Approve and adopt a districtwide school building
166 program.

167 4. Select and purchase school sites, playgrounds, and
168 recreational areas located at centers at which schools are to be
169 constructed, of adequate size to meet the needs of projected
170 students to be accommodated.

171 5. Approve the proposed purchase of any site, playground,
172 or recreational area for which school district funds are to be
173 used.

174 6. Expand existing sites.

175 7. Rent buildings when necessary, which function may be
176 accomplished, in whole or part, by means of an interlocal
177 agreement under s. 163.01.

178 8. Enter into leases or lease-purchase arrangements, in
179 accordance with the requirements and conditions provided in s.
180 1013.15(2).

181 9. Provide for the proper supervision of construction.

182 10. Make or contract for additions, alterations, and
183 repairs on buildings and other school properties.

184 11. Ensure that all plans and specifications for buildings
185 provide adequately for the safety and well-being of students, as



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186 well as for economy of construction.

187 12. Provide adequately for the proper maintenance and
188 upkeep of school plants, which function may be accomplished, in
189 whole or part, by means of an interlocal agreement under s.
190 163.01.

191 13. Carry insurance on every school building in all school
192 plants including contents, boilers, and machinery, except
193 buildings of three classrooms or less which are of frame
194 construction and located in a tenth class public protection zone
195 as defined by the Florida Inspection and Rating Bureau, and on
196 all school buses and other property under the control of the
197 district school board or title to which is vested in the
198 district school board, except as exceptions may be authorized
199 under rules of the State Board of Education.

200 14. Condemn and prohibit the use for public school purposes
201 of any building under the control of the district school board.

202 (g) *School operation.*—

203 1. Provide for the operation of all public schools as free
204 schools for a term of 180 days or the equivalent on an hourly
205 basis as specified by rules of the State Board of Education;
206 determine district school funds necessary in addition to state
207 funds to operate all schools for the minimum term; and arrange
208 for the levying of district school taxes necessary to provide
209 the amount needed from district sources.

210 2. Prepare, adopt, and timely submit to the Department of
211 Education, as required by law and by rules of the State Board of
212 Education, the annual school budget, so as to promote the
213 improvement of the district school system.

214 (h) *Records and reports.*—



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215 1. Keep all necessary records and make all needed and
216 required reports, as required by law or by rules of the State
217 Board of Education.

218 2. At regular intervals require reports to be made by
219 principals or teachers in all public schools to the parents of
220 the students enrolled and in attendance at their schools,
221 apprising them of the academic and other progress being made by
222 the student and giving other useful information.

223 (i) *Parental notification of acceleration options.*—At the
224 beginning of each school year, notify parents of students in or
225 entering high school of the opportunity and benefits of advanced
226 placement, International Baccalaureate, Advanced International
227 Certificate of Education, dual enrollment, and Florida Virtual
228 School courses and options for early graduation under s.
229 1003.4281.

230 (j) *Return on investment.*—Notify the parent of a student
231 who earns an industry certification that articulates for
232 postsecondary credit of the estimated cost savings to the parent
233 before the student's high school graduation versus the cost of
234 acquiring such certification after high school graduation, which
235 would include the tuition and fees associated with available
236 postsecondary credits. Also, the student and the parent must be
237 informed of any additional industry certifications available to
238 the student.

239 Section 3. Subsection (1) of section 1003.42, Florida
240 Statutes, is amended to read:

241 1003.42 Required instruction.—

242 (1) Each district school board shall provide all courses
243 required for middle grades promotion, high school graduation,



244 and appropriate instruction designed to ensure that students
245 meet State Board of Education adopted standards in the following
246 subject areas: reading and other language arts, mathematics,
247 science, social studies, foreign languages, health and physical
248 education, and the arts. The state board must remove a middle
249 grades course in the Course Code Directory that does not fully
250 integrate all appropriate curricular content required by s.
251 1003.41 and may approve a new course only if it meets the
252 required curricular content.

253 Section 4. Section 1003.4203, Florida Statutes, is amended
254 to read:

255 1003.4203 Digital materials, CAPE Digital Tool
256 ~~recognitions~~, certificates, and technical assistance.-

257 (1) DIGITAL MATERIALS.-Each district school board, in
258 consultation with the district school superintendent, shall make
259 available digital materials, CAPE Digital Tool certificates, and
260 CAPE industry certifications for students in prekindergarten
261 through grade 12 in order to enable students to attain digital
262 skills. The digital materials, CAPE Digital Tool certificates,
263 and CAPE industry certifications may be integrated into subject
264 area curricula, offered as a separate course, made available
265 through open-access options, or deployed through online or
266 digital computer applications, ~~subject to available funding.~~

267 (2) CAPE ESE DIGITAL TOOLS.~~Beginning with the 2013-2014~~
268 ~~school year,~~ Each district school board, in consultation with
269 the district school superintendent, shall make available digital
270 and instructional materials, including software applications, to
271 students with disabilities who are in prekindergarten through
272 grade 12. Beginning with the 2015-2016 school year:



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273 (a) Digital materials may include CAPE Digital Tool
274 certificates, workplace industry certifications, and OSHA
275 industry certifications identified pursuant to s. 1008.44 for
276 students with disabilities; and

277 (b) Each student's individual educational plan for students
278 with disabilities developed pursuant to this chapter must
279 identify the CAPE Digital Tool certificates and CAPE industry
280 certifications the student seeks to attain before high school
281 graduation.

282 ~~(3) Subject to available funding, by December 1, 2013, the~~
283 ~~department shall contract with one or more technology companies,~~
284 ~~or affiliated nonprofit organizations, that have approved~~
285 ~~industry certifications identified on the Industry Certification~~
286 ~~Funding List or the Postsecondary Industry Certification Funding~~
287 ~~List, pursuant to s. 1003.492 or s. 1008.44, to develop a~~
288 ~~Florida Cyber Security Recognition and a Florida Digital Arts~~
289 ~~Recognition. The department shall notify each school district~~
290 ~~when the recognitions are developed and available. The~~
291 ~~recognitions shall be made available to all public elementary~~
292 ~~school students at no cost to the districts or charter schools.~~

293 ~~(a) Targeted knowledge and skills to be mastered for each~~
294 ~~recognition shall be identified by the department. Knowledge and~~
295 ~~skills may be demonstrated through student attainment of the~~
296 ~~below recognitions in particular content areas:~~

297 ~~1. The Florida Cyber Security Recognition must be based~~
298 ~~upon an understanding of computer processing operations and, in~~
299 ~~most part, on cyber security skills that increase a student's~~
300 ~~cyber-safe practices.~~

301 ~~2. The Florida Digital Arts Recognition must reflect a~~



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302 ~~balance of skills in technology and the arts.~~

303 ~~(b) The technology companies or affiliated nonprofit~~
304 ~~organizations that provide the recognition must provide open~~
305 ~~access to materials for teaching and assessing the skills a~~
306 ~~student must acquire in order to earn a Florida Cyber Security~~
307 ~~Recognition or a Florida Digital Arts Recognition. The school~~
308 ~~district shall notify each elementary school advisory council of~~
309 ~~the methods of delivery of the open access content and~~
310 ~~assessments. If there is no elementary school advisory council,~~
311 ~~notification must be provided to the district advisory council.~~

312 ~~(3)(4) CAPE DIGITAL TOOL CERTIFICATES. Subject to available~~
313 ~~funding, by December 1, 2013, The department shall identify, by~~
314 ~~June 15 of each year, CAPE Digital Tool certificates that~~
315 ~~contract with one or more technology companies that have~~
316 ~~approved industry certifications identified on the Industry~~
317 ~~Certification Funding List or the Postsecondary Industry~~
318 ~~Certification Funding List, pursuant to s. 1003.492 or s.~~
319 ~~1008.44, to develop a Florida Digital Tools Certificate to~~
320 ~~indicate a student's digital skills. The department shall notify~~
321 ~~each school district when the certificates are ~~certificate is~~~~
322 ~~developed and available. The certificates ~~certificate~~ shall be~~
323 ~~made available to all public elementary and middle grades~~
324 ~~students at no cost to the districts or charter schools.~~

325 (a) Targeted skills to be mastered for the certificate
326 include digital skills that are necessary to the student's
327 academic work and skills the student may need in future
328 employment. The skills must include, but are not limited to,
329 word processing; spreadsheets; spreadsheet display, and
330 creation of presentations, including sound, motion, and color



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331 presentations; digital arts; cybersecurity; and coding including
332 sound, text, and graphic presentations, consistent with CAPE
333 industry certifications that are listed on the CAPE Industry
334 Certification Funding List, pursuant to ss. 1003.492 and
335 1008.44. CAPE Digital Tool certificates earned by students are
336 eligible for additional full-time equivalent membership pursuant
337 to s. 1011.62(1)(o)1.a s. 1003.492.

338 ~~(b) A technology company that provides the certificate must~~
339 ~~provide open access to materials for teaching and assessing the~~
340 ~~skills necessary to earn the certificate.~~ The school district
341 shall notify each middle school advisory council of the methods
342 of delivery of the open-access content and assessments for the
343 certificates certificate. If there is no middle school advisory
344 council, notification must be provided to the district advisory
345 council.

346 (c) The Legislature intends that by July 1, 2018, on an
347 annual basis, at least 75 percent of public middle grades
348 students earn at least one CAPE Digital Tool certificate a
349 Florida Digital Tools Certificate.

350 (4) CAPE INDUSTRY CERTIFICATIONS.—

351 (a) CAPE industry certifications, issued to middle school
352 and high school students, which do not articulate for college
353 credit, are eligible for additional full-time equivalent
354 membership pursuant to s. 1011.62(1)(o)1.b.

355 (b) CAPE industry certifications, issued to high school
356 students, which articulate for college credit, are eligible for
357 additional full-time equivalent membership pursuant to s.
358 1011.62(1)(o)1.b.

359 (5) CAPE INNOVATION AND CAPE ACCELERATION.—



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360 (a) CAPE Innovation.—Up to five courses annually approved
361 by the commissioner that combine academic and career content,
362 and performance outcome expectations that, if achieved by a
363 student, shall articulate for college credit and be eligible for
364 additional full-time equivalent membership pursuant to s.
365 1011.62(1)(o)1.c. Such approved courses must incorporate at
366 least two third-party assessments that, if successfully
367 completed by a student, shall articulate for college credit. At
368 least one of the two third-party assessments must be associated
369 with an industry certification that is identified on the CAPE
370 Industry Certification Funding List. Each course that is
371 approved by the commissioner must be specifically identified in
372 the Course Code Directory as a CAPE Innovation Course.

373 (b) CAPE Acceleration.—Industry certifications, annually
374 approved by the commissioner, that articulate for 15 or more
375 college credit hours and, if successfully completed, shall be
376 eligible for additional full-time equivalent membership pursuant
377 to s. 1011.62(1)(o)1.d. Each approved industry certification
378 must be specifically identified in the CAPE Industry
379 Certification Funding List as a CAPE Acceleration Industry
380 Certification.

381 (6) GRADE POINT AVERAGE CALCULATION.—For purposes of
382 calculating grade point average, a grade in a course that is
383 level 3 or above and leads to an industry certification must be
384 weighted the same as a grade in an Honors course.

385 (7) ~~(5)~~ TECHNICAL ASSISTANCE.—

386 (a) The Department of Education ~~or a company contracted~~
387 with under subsection ~~(4)~~ shall collaborate with Florida
388 educators and school leaders to provide technical assistance to



389 district school boards in the implementation of this section.
390 Technical assistance to districts shall include, but is not
391 limited to, identification of digital resources, primarily open-
392 access resources, including digital curriculum, instructional
393 materials, media assets, and other digital tools and
394 applications; training mechanisms for teachers and others to
395 facilitate integration of digital resources and technologies
396 into instructional strategies; and model policies and procedures
397 that support sustainable implementation practices.

398 (b) Public schools may provide students with access to
399 third-party assessment centers and career and professional
400 academy curricula in a digital format in support of CAPE Digital
401 Tool certificates and CAPE industry certifications, pursuant to
402 ss. 1003.4203 and 1008.44, to assist public schools and school
403 districts to establish Florida Digital Classrooms.

404 (8) ~~(6)~~ PARTNERSHIPS.-

405 (a) A district school board may seek partnerships with
406 other school districts, private businesses, postsecondary
407 institutions, or consultants to offer classes and instruction to
408 teachers and students to assist the school district in providing
409 digital materials, CAPE Digital Tool recognitions, and
410 certificates, and CAPE industry certifications established
411 pursuant to this section.

412 (b) Third-party assessment providers and career and
413 professional academy curricula providers are encouraged to
414 provide annual training to staff of the Department of Education,
415 staff of school district offices, instructional staff of public
416 schools, including charter schools, and other appropriate
417 administrative staff through face-to-face training models;



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418 online, video conferencing training models; and through state,
419 regional, or conference presentations.

420 (9) (7) RULES.—The State Board of Education shall adopt
421 rules to administer this section.

422 Section 5. Subsection (5) of section 1003.4281, Florida
423 Statutes, is amended to read:

424 1003.4281 Early high school graduation.—

425 ~~(5) For purposes of this section, a credit is equal to 1/6~~
426 ~~FTE. A student may earn up to six paid high school credits~~
427 ~~equivalent to 1 FTE per school year in grades 9 through 12 for~~
428 ~~courses provided by the school district. High school credits~~
429 ~~earned in excess of six per school year in courses delivered by~~
430 ~~the school district are unpaid credits.~~

431 Section 6. Subsection (3) of section 1003.492, Florida
432 Statutes, is amended to read:

433 1003.492 Industry-certified career education programs.—

434 (3) The Department of Education shall collect student
435 achievement and performance data in industry-certified career
436 education programs and career-themed courses and shall work with
437 Workforce Florida, Inc., in the analysis of collected data. The
438 data collection and analyses shall examine the performance of
439 participating students over time. Performance factors shall
440 include, but not be limited to, graduation rates, retention
441 rates, Florida Bright Futures Scholarship awards, additional
442 educational attainment, employment records, earnings, industry
443 certification, return on investment, and employer satisfaction.
444 The results of this study shall be submitted to the President of
445 the Senate and the Speaker of the House of Representatives
446 annually by December 31.



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447 Section 7. Subsection (4) is added to section 1003.4935,
448 Florida Statutes, to read:

449 1003.4935 Middle grades career and professional academy
450 courses and career-themed courses.—

451 (4) CAPE Digital Tool certificates and CAPE industry
452 certifications offered in the middle grades that are included on
453 the CAPE Industry Certification Funding List, if earned by
454 students, are eligible for additional full-time equivalent
455 membership pursuant to s. 1011.62(1)(o)1.a. and b.

456 Section 8. Paragraph (c) of subsection (1) of section
457 1003.53, Florida Statutes, is amended to read:

458 1003.53 Dropout prevention and academic intervention.—

459 (1)

460 (c) A student shall be identified as being eligible to
461 receive services funded through the dropout prevention and
462 academic intervention program based upon one of the following
463 criteria:

464 1. The student is academically unsuccessful as evidenced by
465 low test scores, retention, failing grades, low grade point
466 average, falling behind in earning credits, or not meeting the
467 state or district proficiency levels in reading, mathematics, or
468 writing.

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

471 3. The student has a history of disruptive behavior in
472 school or has committed an offense that warrants out-of-school
473 suspension or expulsion from school according to the district
474 school board's code of student conduct. For the purposes of this
475 program, "disruptive behavior" is behavior that:



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476 a. Interferes with the student's own learning or the
477 educational process of others and requires attention and
478 assistance beyond that which the traditional program can provide
479 or results in frequent conflicts of a disruptive nature while
480 the student is under the jurisdiction of the school either in or
481 out of the classroom; or

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

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

486 Section 9. Section 1006.135, Florida Statutes, is amended
487 to read:

488 1006.135 Hazing prohibited at ~~high~~ schools with any of
489 grades 6-12 ~~9-12 prohibited.~~

490 (1) DEFINITION.—As used in this section, "hazing" means any
491 action or situation that ~~recklessly or intentionally~~ endangers
492 the mental or physical health or safety of a student at a ~~high~~
493 school with any of grades 6 ~~9~~ through 12 for purposes including,
494 but not limited to, initiation or admission into or affiliation
495 with any organization operating under the sanction of a ~~high~~
496 school with any of grades 6 ~~9~~ through 12. "Hazing" includes, but
497 is not limited to: ~~;~~

498 (a) Pressuring, ~~or~~ coercing, or forcing a ~~the~~ student into:

499 1. Violating state or federal law;~~;~~

500 2. Consuming any food, liquor, drug, or other substance; or

501 3. Participating in physical activity that could adversely
502 affect the health or safety of the student.

503 (b) Any brutality of a physical nature, such as whipping,
504 beating, branding, or exposure to the elements,~~forced~~



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505 ~~consumption of any food, liquor, drug, or other substance, or~~
506 ~~other forced physical activity that could adversely affect the~~
507 ~~physical health or safety of the student, and also includes any~~
508 ~~activity that would subject the student to extreme mental~~
509 ~~stress, such as sleep deprivation, forced exclusion from social~~
510 ~~contact, forced conduct that could result in extreme~~
511 ~~embarrassment, or other forced activity that could adversely~~
512 ~~affect the mental health or dignity of the student.~~

513

514 Hazing does not include customary athletic events or other
515 similar contests or competitions or any activity or conduct that
516 furthers a legal and legitimate objective.

517 (2) SCHOOL DISTRICT POLICY.—Each school district shall
518 adopt in rule a policy that prohibits hazing and establishes
519 consequences for a student who commits an act of hazing. The
520 policy must include:

521 (a) A definition of hazing, which must include the
522 definition provided in this section.

523 (b) A procedure for reporting an alleged act of hazing,
524 including provisions that permit a person to anonymously report
525 such an act. However, disciplinary action may not be based
526 solely on an anonymous report.

527 (c) A requirement that a school with any of grades 9
528 through 12 report an alleged act of hazing to a local law
529 enforcement agency if the alleged act meets the criteria
530 established under subsection (3).

531 (d) A provision for referral of victims and perpetrators of
532 hazing to a certified school counselor.

533 (e) A requirement that each incident of hazing be reported



534 in the school's safety and discipline report required under s.
535 1006.09(6). The report must include the number of hazing
536 incidents reported, the number of incidents referred to a local
537 law enforcement agency, the number of incidents that result in
538 disciplinary action taken by the school, and the number of
539 incidents that do not result in either referral to a local law
540 enforcement agency or disciplinary action taken by the school.

541 (3) ~~(2)~~ CRIMINAL PENALTIES.—This subsection applies only to
542 students in any of grades 9 through 12.

543 (a)1. A person who commits an act of hazing, ~~a third degree~~
544 felony, punishable as provided in s. 775.082 or s. 775.083, when
545 he or she intentionally or recklessly commits any act of hazing
546 as defined in subsection (1) upon another person who is a member
547 of or an applicant to any type of student organization commits a
548 felony of the third degree, punishable as provided in s. 775.082
549 or s. 775.083, if the person knew or should have known the act
550 would result in serious bodily injury or death of such other
551 person and the act ~~hazing~~ results in serious bodily injury or
552 death of such other person.

553 2. ~~(3)~~ A person who commits an act of hazing, ~~a first degree~~
554 misdemeanor, punishable as provided in s. 775.082 or s. 775.083,
555 when he or she intentionally or recklessly commits any act of
556 hazing as defined in subsection (1) upon another person who is a
557 member of or an applicant to any type of student organization
558 commits a misdemeanor of the first degree, punishable as
559 provided in s. 775.082 or s. 775.083, if the person knew or
560 should have known the act would create a potential risk of
561 physical injury or death to such other person and the act ~~hazing~~
562 creates a potential ~~substantial~~ risk of physical injury or death



563 to such other person.

564 (b) ~~(4)~~ As a condition of any sentence imposed pursuant to
565 paragraph (a) subsection ~~(2)~~ or subsection ~~(3)~~, the court:

566 1. Shall order the defendant to attend and complete a 4-
567 hour hazing education course and may also impose a condition of
568 drug or alcohol probation.

569 2. May require the defendant to make a public apology to
570 the students and victims at the school.

571 3. May require the defendant to participate in a school-
572 sponsored antihazing campaign to raise awareness of what
573 constitutes hazing and the penalties for hazing.

574 (c) ~~(5)~~ It is not a defense to a charge of hazing that:

575 1. ~~(a)~~ Consent of the victim had been obtained;

576 2. ~~(b)~~ The conduct or activity that resulted in the death or
577 injury of a person was not part of an official organizational
578 event or was not otherwise sanctioned or approved by the
579 organization; or

580 3. ~~(e)~~ The conduct or activity that resulted in death or
581 injury of the person was not done as a condition of membership
582 to an organization.

583 (4) ~~(6)~~ CONSTRUCTION.—This section shall not be construed to
584 preclude prosecution for a more general offense resulting from
585 the same criminal transaction or episode.

586 Section 10. Section 1007.273, Florida Statutes, is created
587 to read:

588 1007.273 Collegiate high school program.—

589 (1) Each Florida College System institution shall work with
590 each district school board in its designated service area to
591 establish one or more collegiate high school programs.



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592 (2) At a minimum, collegiate high school programs must
593 include an option for public school students in grade 11 or
594 grade 12 participating in the program, for at least 1 full
595 school year, to earn CAPE industry certifications pursuant to s.
596 1008.44 and to successfully complete 30 credit hours through the
597 dual enrollment program under s. 1007.271 toward the first year
598 of college for an associate degree or baccalaureate degree while
599 enrolled in the program.

600 (3) Each district school board and its local Florida
601 College System institution shall execute a contract to establish
602 one or more collegiate high school programs at a mutually agreed
603 upon location or locations. Beginning with the 2015-2016 school
604 year, if the institution does not establish a program with a
605 district school board in its designated service area, another
606 Florida College System institution may execute a contract with
607 that district school board to establish the program. The
608 contract must be executed by January 1 of each school year for
609 implementation of the program during the next school year. The
610 contract must:

611 (a) Identify the grade levels to be included in the
612 collegiate high school program which must, at a minimum, include
613 grade 12.

614 (b) Describe the collegiate high school program, including
615 the delineation of courses and industry certifications offered,
616 including online course availability; the high school and
617 college credits earned for each postsecondary course completed
618 and industry certification earned; student eligibility criteria;
619 and the enrollment process and relevant deadlines.

620 (c) Describe the methods, medium, and process by which



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621 students and their parents are annually informed about the
622 availability of the collegiate high school program, the return
623 on investment associated with participation in the program, and
624 the information described in paragraphs (a) and (b).

625 (d) Identify the delivery methods for instruction and the
626 instructors for all courses.

627 (e) Identify student advising services and progress
628 monitoring mechanisms.

629 (f) Establish a program review and reporting mechanism
630 regarding student performance outcomes.

631 (g) Describe the terms of funding arrangements to implement
632 the collegiate high school program.

633 (4) Each student participating in a collegiate high school
634 program must enter into a student performance contract which
635 must be signed by the student, the parent, and a representative
636 of the school district and the applicable Florida College System
637 institution, state university, or other institution
638 participating pursuant to subsection (5). The performance
639 contract must include the schedule of courses, by semester, and
640 industry certifications to be taken by the student, student
641 attendance requirements, and course grade requirements.

642 (5) In addition to executing a contract with the local
643 Florida College System institution under this section, a
644 district school board may execute a contract to establish a
645 collegiate high school program with a state university or an
646 institution that is eligible to participate in the William L.
647 Boyd, IV, Florida Resident Access Grant Program, that is a
648 nonprofit independent college or university located and
649 chartered in this state, and that is accredited by the



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650 Commission on Colleges of the Southern Association of Colleges
651 and Schools to grant baccalaureate degrees. Such university or
652 institution must meet the requirements specified under
653 subsections (3) and (4).

654 (6) The collegiate high school program shall be funded
655 pursuant to ss. 1007.271 and 1011.62. The State Board of
656 Education shall enforce compliance with this section by
657 withholding the transfer of funds for the school districts and
658 the Florida College System institutions in accordance with s.
659 1008.32.

660 Section 11. Subsection (5) of section 1008.345, Florida
661 Statutes, is amended to read:

662 1008.345 Implementation of state system of school
663 improvement and education accountability.-

664 (5) The commissioner shall report to the Legislature and
665 recommend changes in state policy necessary to foster school
666 improvement and education accountability. Included in the report
667 shall be a list of the schools, including schools operating for
668 the purpose of providing educational services to youth in
669 Department of Juvenile Justice programs, for which district
670 school boards have developed intervention and support strategies
671 and an analysis of the various strategies used by the school
672 boards. School reports shall be distributed pursuant to this
673 subsection and s. 1001.42(18)(c) ~~1001.42(18)(b)~~ and according to
674 rules adopted by the State Board of Education.

675 Section 12. Section 1008.44, Florida Statutes, is amended
676 to read:

677 1008.44 ~~Industry certifications;~~ CAPE Industry
678 Certification Funding List and CAPE Postsecondary Industry



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679 Certification Funding List.-

680 (1) Pursuant to ss. 1003.4203 and ~~s.~~ 1003.492, the
681 Department of Education shall, at least annually, identify,
682 under rules adopted by the State Board of Education, and the
683 Industry Certification Funding List that must be applied in the
684 distribution of funding to school districts pursuant to s.
685 1011.62. the Commissioner of Education may at any time recommend
686 adding the following certificates, certifications, and courses:-

687 (a) CAPE industry certifications identified on the CAPE
688 Industry Certification Funding List that must be applied in the
689 distribution of funding to school districts pursuant to s.
690 1011.62(1)(o). The CAPE Industry Certification Funding List
691 shall incorporate by reference the industry certifications on
692 the career pathways list approved for the Florida Gold Seal
693 Vocational Scholars award. In addition, by August 1 of each
694 year, the not-for-profit corporation established pursuant to s.
695 445.004 may annually select one industry certification, that
696 does not articulate for college credit, for inclusion on the
697 CAPE Industry Certification Funding List for a period of 3 years
698 unless otherwise approved by the curriculum review committee
699 pursuant to s. 1003.491. Such industry certifications, if earned
700 by a student, shall be eligible for additional full-time
701 equivalent membership, pursuant to s. 1011.62(1)(o)1.

702 (b) No more than 15 CAPE Digital Tool certificates limited
703 to the areas of word processing; spreadsheets; sound, motion,
704 and color presentations; digital arts; cybersecurity; and coding
705 pursuant to s. 1003.4203(3) that do not articulate for college
706 credit. Such certificates shall be annually identified on the
707 CAPE Industry Certification Funding List and updated solely by



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708 the Chancellor of Career and Adult Education. The certificates
709 shall be made available to students in elementary school and
710 middle school grades and, if earned by a student, shall be
711 eligible for additional full-time equivalent membership pursuant
712 to s. 1011.62(1)(o)1.

713 (c) CAPE ESE Digital Tool certificates, workplace industry
714 certifications, and OSHA industry certifications identified by
715 the Chancellor of Career and Adult Education for students with
716 disabilities pursuant to s. 1003.4203(2). Such certificates and
717 certifications shall be identified on the CAPE Industry
718 Certification Funding List and, if earned by a student, be
719 eligible for additional full-time equivalent membership pursuant
720 to s. 1011.62(1)(o)1.

721 (d) CAPE Innovation Courses that combine academic and
722 career performance outcomes with embedded industry
723 certifications shall be annually approved by the Commissioner of
724 Education and identified pursuant to s. 1003.4203(5)(a) and, if
725 completed by a student, be eligible for additional full-time
726 equivalent membership pursuant to s. 1011.62(1)(o)1.

727 (e) CAPE Acceleration Industry Certifications that
728 articulate for 15 or more college credit hours pursuant to s.
729 1003.4203(5)(b) shall be annually approved by the Commissioner
730 of Education and, if successfully completed, shall be eligible
731 for additional full-time equivalent membership pursuant to s.
732 1011.62(1)(o)1. The approved industry certifications must be
733 identified on the CAPE Industry Certification Funding List.

734 (2) The State Board of Education shall approve, at least
735 annually, the CAPE Postsecondary Industry Certification Funding
736 List pursuant to this section. The Commissioner of Education



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737 shall recommend, at least annually, the CAPE Postsecondary
738 Industry Certification Funding List to the State Board of
739 Education and may at any time recommend adding certifications.
740 The Chancellor of the State University System, the Chancellor of
741 the Florida College System, and the Chancellor of Career and
742 Adult Education shall work with local workforce boards, other
743 postsecondary institutions, businesses, and industry to
744 identify, create, and recommend to the Commissioner of Education
745 industry certifications to be placed on the funding list. The
746 list shall be used to determine annual performance funding
747 distributions to school districts or Florida College System
748 institutions as specified in ss. 1011.80 and 1011.81,
749 respectively. The chancellors shall review results of the
750 economic security report of employment and earning outcomes
751 produced annually pursuant to s. 445.07 ~~s. 445.007~~ when
752 determining recommended certifications for the list, as well as
753 other reports and indicators available regarding certification
754 needs.

755 (3) In the case of rigorous industry certifications that
756 have embedded prerequisite minimum age, grade level, diploma or
757 degree, postgraduation period of work experience of at least 12
758 months, or other reasonable requirements that may limit the
759 extent to which a student can complete all requirements of the
760 certification recognized by industry for employment purposes,
761 the Commissioner of Education shall differentiate content,
762 instructional, and assessment requirements that, when provided
763 by a public institution and satisfactorily attained by a
764 student, indicate accomplishment of requirements necessary for
765 funding pursuant to ss. 1011.62, 1011.80, and 1011.81,



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766 notwithstanding attainment of prerequisite requirements
767 necessary for recognition by industry for employment purposes.
768 The differentiated requirements established by the Commissioner
769 of Education shall be included on ~~in~~ the CAPE Industry
770 Certification Funding List at the time the certification is
771 adopted.

772 (4) (a) CAPE industry certifications and CAPE Digital Tool
773 certificates placed on the CAPE Industry Certification Funding
774 List must include the version of the certifications and
775 certificates available at the time of the adoption and, without
776 further review and approval, include the subsequent updates to
777 the certifications and certificates on the approved list, unless
778 the certifications and certificates are specifically removed
779 from the CAPE Industry Certification Funding List by the
780 Commissioner of Education.

781 (b) The Commissioner of Education may limit CAPE industry
782 certifications and CAPE Digital Tool certificates to students in
783 certain grades based on formal recommendations by providers of
784 CAPE industry certifications and CAPE Digital Tool certificates.

785 (c) The Articulation Coordinating Committee shall review
786 statewide articulation agreement proposals for industry
787 certifications and make recommendations to the State Board of
788 Education for approval. After an industry certification is
789 adopted by the State Board of Education for inclusion on the
790 Industry Certification Funding List, the Chancellor of Career
791 and Adult Education, within 90 days, must provide to the
792 Articulation Coordinating Committee recommendations for
793 articulation of postsecondary credit for related degrees for the
794 approved certifications.



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795 Section 13. Paragraphs (o), (p), and (s) of subsection (1)
796 of section 1011.62, Florida Statutes, are amended to read:

797 1011.62 Funds for operation of schools.—If the annual
798 allocation from the Florida Education Finance Program to each
799 district for operation of schools is not determined in the
800 annual appropriations act or the substantive bill implementing
801 the annual appropriations act, it shall be determined as
802 follows:

803 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
804 OPERATION.—The following procedure shall be followed in
805 determining the annual allocation to each district for
806 operation:

807 (o) *Calculation of additional full-time equivalent*
808 *membership based on successful completion of a career-themed*
809 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*
810 *courses with embedded CAPE industry certifications or CAPE*
811 *Digital Tool certificates, and issuance of industry*
812 *certification identified on ~~in~~ the CAPE Industry Certification*
813 *Funding List pursuant to rules adopted by the State Board of*
814 *Education or CAPE Digital Tool certificates pursuant to s.*
815 *1003.4203.—*

816 1.a. A value of 0.025 full-time equivalent student
817 membership shall be calculated for CAPE Digital Tool
818 certificates earned by students in elementary and middle school
819 grades.

820 b.~~1.~~ A value of 0.1 or 0.2 full-time equivalent student
821 membership shall be calculated for each student who completes a
822 career-themed course as defined in s. 1003.493(1)(b) or courses
823 with embedded CAPE industry certifications and who is issued an



824 industry certification identified annually on ~~in~~ the CAPE
825 Industry Certification Funding List approved under rules adopted
826 by the State Board of Education. ~~The maximum full-time~~
827 ~~equivalent student membership value for any student in grades 9~~
828 ~~through 12 is 0.3.~~ A value of 0.2 full-time equivalent
829 membership shall be calculated for each student who is issued a a
830 CAPE ~~an~~ industry certification that has a statewide articulation
831 agreement for college credit approved by the State Board of
832 Education. For CAPE industry certifications that do not
833 articulate for college credit, the Department of Education shall
834 assign a full-time equivalent value of 0.1 for each
835 certification. Middle grades students who earn additional FTE
836 membership for a CAPE Digital Tool certificate pursuant to sub-
837 subparagraph a. may not use the previously funded examination to
838 satisfy the requirements for earning an industry certification
839 under this sub-subparagraph. Additional FTE membership for an
840 elementary or middle grades student shall not exceed 0.1 for
841 certificates or certifications earned within the same fiscal
842 year. The State Board of Education shall include the assigned
843 values on ~~in~~ the CAPE Industry Certification Funding List under
844 rules adopted by the state board. Such value shall be added to
845 the total full-time equivalent student membership ~~in secondary~~
846 ~~career education programs~~ for grades 6 ~~9~~ through 12 in the
847 subsequent year for courses that were not provided through dual
848 enrollment. CAPE industry certifications earned through dual
849 enrollment must be reported and funded pursuant to s. 1011.80
850 ~~ss. 1011.80 and 1011.81.~~

851 c. A value of 0.3 full-time equivalent student membership
852 shall be calculated for student completion of the courses and



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853 the embedded certifications identified on the CAPE Industry
854 Certification Funding List and approved by the commissioner
855 pursuant to s. 1003.4203(5) (a) and s. 1008.44.

856 d. A value of 0.5 full-time equivalent student membership
857 shall be calculated for CAPE Acceleration Industry
858 Certifications that articulate for 15 to 29 college credit
859 hours, and 1.0 full-time equivalent student membership shall be
860 calculated for CAPE Acceleration Industry Certifications that
861 articulate for 30 or more college credit hours pursuant to CAPE
862 Acceleration Industry Certifications approved by the
863 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

864 2. Each district must allocate at least 80 percent of the
865 funds provided for CAPE industry certification, in accordance
866 with this paragraph, to the program that generated the funds.
867 This allocation may not be used to supplant funds provided for
868 basic operation of the program. ~~Unless a different amount is~~
869 ~~specified in the General Appropriations Act, the appropriation~~
870 ~~for this calculation is limited to \$60 million annually. If the~~
871 ~~appropriation is insufficient to fully fund the total~~
872 ~~calculation, the appropriation shall be prorated.~~

873 3. For CAPE industry certifications earned in the 2013-2014
874 school year and in subsequent years, the school district shall
875 distribute to each classroom teacher who provided direct
876 instruction toward the attainment of a CAPE ~~an~~ industry
877 certification that qualified for additional full-time equivalent
878 membership under subparagraph 1.:

879 a. A bonus in the amount of \$25 for each student taught by
880 a teacher who provided instruction in a course that led to the
881 attainment of a CAPE ~~an~~ industry certification on the CAPE



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882 Industry Certification Funding List with a weight of 0.1.

883 b. A bonus in the amount of \$50 for each student taught by
884 a teacher who provided instruction in a course that led to the
885 attainment of a CAPE ~~an~~ industry certification on the CAPE
886 Industry Certification Funding List with a weight of 0.2, 0.3,
887 0.5, and 1.0.

888 ~~4. For the 2013-2014 fiscal year, the additional FTE~~
889 ~~membership calculation must include the additional FTE for any~~
890 ~~student who earned a certification in the 2009-2010, 2010-2011,~~
891 ~~and 2011-2012 fiscal years who was not previously funded and was~~
892 ~~enrolled in 2012-2013.~~

893
894 Bonuses awarded pursuant to this paragraph shall be provided to
895 teachers who are employed by the district in the year in which
896 the additional FTE membership calculation is included in the
897 calculation. Bonuses shall be calculated based upon the
898 associated weight of a CAPE ~~an~~ industry certification on the
899 CAPE Industry Certification Funding List for the year in which
900 the certification is earned by the student. Any bonus awarded to
901 a teacher under this paragraph may not exceed \$2,000 in any
902 given school year and is in addition to any regular wage or
903 other bonus the teacher received or is scheduled to receive.

904 (p) *Calculation of additional full-time equivalent*
905 *membership based upon early high school graduation.-*
906 ~~Notwithstanding s. 1011.61(4), Each unpaid high school credit~~
907 ~~delivered by a school district may receive funding for each~~
908 ~~during the student's prior enrollment may be reported by the~~
909 ~~district as 1/6 FTE when the student who graduates early~~
910 pursuant to s. 1003.4281. A district may earn 0.25 additional



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911 ~~report up to 1/2 FTE for unpaid credits delivered by the~~
912 ~~district~~ for a student who graduates one semester in advance of
913 the student's cohort and 0.5 additional ~~and up to 1 FTE~~ for a
914 student who graduates 1 year or more in advance of the student's
915 cohort. If the student was enrolled in the district as a full-
916 time high school student for at least 2 years, the district
917 shall report the additional unpaid FTE for payment in the
918 subsequent fiscal year ~~delivered by the district during the~~
919 ~~student's prior enrollment~~. If the student was enrolled in the
920 district for less than 2 years, the district of enrollment shall
921 report the additional unpaid FTE ~~delivered by the district~~ and
922 ~~by the district in which the student was previously enrolled.~~
923 ~~The district of enrollment for which early graduation is claimed~~
924 shall transfer a proportionate share of the funds earned for
925 early graduation ~~the unpaid FTE~~ to the district in which the
926 student was previously enrolled. Additional FTE included in the
927 2014-2015 Florida Education Finance Program for early graduation
928 shall be reported and funded pursuant to this paragraph.

929 ~~(s) Florida Cyber Security Recognition, Florida Digital~~
930 ~~Arts Recognition, and Florida Digital Tools Certificate~~
931 ~~established pursuant to s. 1003.4203.~~

932 ~~1. Each school district shall certify by June 30 of each~~
933 ~~year to the Department of Education each elementary school that~~
934 ~~achieves 50 percent of student attainment of the Florida Cyber~~
935 ~~Security Recognition or the Florida Digital Arts Recognition~~
936 ~~established pursuant to s. 1003.4203. Upon verification by the~~
937 ~~department, each school that has achieved the designated student~~
938 ~~recognitions shall be awarded a Florida Digital Learning~~
939 ~~Certificate of Achievement by the Commissioner of Education.~~



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940 ~~2. Each middle school shall receive \$50 for each student~~
941 ~~who earns the Florida Digital Tools Certificate established~~
942 ~~pursuant to s. 1003.4203 with a minimum awarded per school of~~
943 ~~\$1,000 annually and a maximum award per school of \$15,000~~
944 ~~annually. This performance payment shall be calculated in the~~
945 ~~FEFP as a full-time equivalent student.~~

946 Section 14. Paragraph (d) is added to subsection (3) of
947 section 1012.98, Florida Statutes, and subsections (4) and (7)
948 of that section are amended, to read:

949 1012.98 School Community Professional Development Act.—

950 (3) The activities designed to implement this section must:

951 (d) Provide middle grades instructional personnel and
952 school administrators with the knowledge, skills, and best
953 practices necessary to support excellence in classroom
954 instruction and educational leadership.

955 (4) The Department of Education, school districts, schools,
956 Florida College System institutions, and state universities
957 share the responsibilities described in this section. These
958 responsibilities include the following:

959 (a)1. The department shall disseminate to the school
960 community research-based professional development methods and
961 programs that have demonstrated success in meeting identified
962 student needs. The Commissioner of Education shall use data on
963 student achievement to identify student needs. The methods of
964 dissemination must include a web-based statewide performance
965 support system, including a database of exemplary professional
966 development activities, a listing of available professional
967 development resources, training programs, and available
968 assistance.



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969 2. The web-based statewide performance support system
970 established pursuant to subparagraph 1. must include for middle
971 grades, subject to appropriation, materials related to classroom
972 instruction, including integrated digital instruction and
973 competency-based instruction; CAPE Digital Tool certificates and
974 CAPE industry certifications; classroom management; student
975 behavior and interaction; extended learning opportunities for
976 students; and instructional leadership.

977 (b) Each school district shall develop a professional
978 development system as specified in subsection (3). The system
979 shall be developed in consultation with teachers, teacher-
980 educators of Florida College System institutions and state
981 universities, business and community representatives, and local
982 education foundations, consortia, and professional
983 organizations. The professional development system must:

984 1. Be approved by the department. All substantial revisions
985 to the system shall be submitted to the department for review
986 for continued approval.

987 2. Be based on analyses of student achievement data and
988 instructional strategies and methods that support rigorous,
989 relevant, and challenging curricula for all students. Schools
990 and districts, in developing and refining the professional
991 development system, shall also review and monitor school
992 discipline data; school environment surveys; assessments of
993 parental satisfaction; performance appraisal data of teachers,
994 managers, and administrative personnel; and other performance
995 indicators to identify school and student needs that can be met
996 by improved professional performance.

997 3. Provide inservice activities coupled with followup



998 support appropriate to accomplish district-level and school-
999 level improvement goals and standards. The inservice activities
1000 for instructional personnel shall focus on analysis of student
1001 achievement data, ongoing formal and informal assessments of
1002 student achievement, identification and use of enhanced and
1003 differentiated instructional strategies that emphasize rigor,
1004 relevance, and reading in the content areas, enhancement of
1005 subject content expertise, integrated use of classroom
1006 technology that enhances teaching and learning, classroom
1007 management, parent involvement, and school safety.

1008 4. Include a master plan for inservice activities, pursuant
1009 to rules of the State Board of Education, for all district
1010 employees from all fund sources. The master plan shall be
1011 updated annually by September 1, must be based on input from
1012 teachers and district and school instructional leaders, and must
1013 use the latest available student achievement data and research
1014 to enhance rigor and relevance in the classroom. Each district
1015 inservice plan must be aligned to and support the school-based
1016 inservice plans and school improvement plans pursuant to s.
1017 1001.42(18). Each district inservice plan must provide a
1018 description of the training that middle grades instructional
1019 personnel and school administrators receive on the district's
1020 code of student conduct adopted pursuant to s. 1006.07;
1021 integrated digital instruction and competency-based instruction
1022 and CAPE Digital Tool certificates and CAPE industry
1023 certifications; classroom management; student behavior and
1024 interaction; extended learning opportunities for students; and
1025 instructional leadership. District plans must be approved by the
1026 district school board annually in order to ensure compliance



1027 with subsection (1) and to allow for dissemination of research-
1028 based best practices to other districts. District school boards
1029 must submit verification of their approval to the Commissioner
1030 of Education no later than October 1, annually. Each school
1031 principal may establish and maintain an individual professional
1032 development plan for each instructional employee assigned to the
1033 school as a seamless component to the school improvement plans
1034 developed pursuant to s. 1001.42(18). An individual professional
1035 development plan must be related to specific performance data
1036 for the students to whom the teacher is assigned, define the
1037 inservice objectives and specific measurable improvements
1038 expected in student performance as a result of the inservice
1039 activity, and include an evaluation component that determines
1040 the effectiveness of the professional development plan.

1041 5. Include inservice activities for school administrative
1042 personnel that address updated skills necessary for
1043 instructional leadership and effective school management
1044 pursuant to s. 1012.986.

1045 6. Provide for systematic consultation with regional and
1046 state personnel designated to provide technical assistance and
1047 evaluation of local professional development programs.

1048 7. Provide for delivery of professional development by
1049 distance learning and other technology-based delivery systems to
1050 reach more educators at lower costs.

1051 8. Provide for the continuous evaluation of the quality and
1052 effectiveness of professional development programs in order to
1053 eliminate ineffective programs and strategies and to expand
1054 effective ones. Evaluations must consider the impact of such
1055 activities on the performance of participating educators and



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1056 their students' achievement and behavior.

1057 9. For middle grades, emphasize:

1058 a. Interdisciplinary planning, collaboration, and
1059 instruction.

1060 b. Alignment of curriculum and instructional materials to
1061 the state academic standards adopted pursuant to s. 1003.41.

1062 c. Use of small learning communities; problem-solving,
1063 inquiry-driven research and analytical approaches for students;
1064 strategies and tools based on student needs; competency-based
1065 instruction; integrated digital instruction; and project-based
1066 instruction.

1067

1068 Each school that includes any of grades 6, 7, or 8 must include
1069 in its school improvement plan, required under s. 1001.42(18), a
1070 description of the specific strategies used by the school to
1071 implement each item listed in this subparagraph.

1072 (7)(a) The Department of Education shall disseminate, using
1073 web-based technology, research-based best practice methods by
1074 which the state and district school boards may evaluate and
1075 improve the professional development system. The best practices
1076 must include data that indicate the progress of all students.
1077 The department shall report annually to the State Board of
1078 Education and the Legislature any school district that, in the
1079 determination of the department, has failed to provide an
1080 adequate professional development system. This report must
1081 include the results of the department's investigation and of any
1082 intervention provided.

1083 (b) The department shall also disseminate, using web-based
1084 technology, professional development in the use of integrated



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1085 digital instruction at schools that include middle grades. The
1086 professional development must provide training and materials
1087 that districts can use to provide instructional personnel with
1088 the necessary knowledge, skills, and strategies to effectively
1089 blend digital instruction into subject-matter curricula. The
1090 professional development must emphasize online learning and
1091 research techniques, reading instruction, the use of digital
1092 devices to supplement the delivery of curricular content to
1093 students, and digital device management and security. Districts
1094 are encouraged to incorporate the professional development as
1095 part of their professional development system.

1096 Section 15. Paragraph (k) is added to subsection (2) and
1097 paragraph (y) is added to subsection (3) of section 11.45,
1098 Florida Statutes, and subsection (8) of that section is amended,
1099 to read:

1100 11.45 Definitions; duties; authorities; reports; rules.—

1101 (2) DUTIES.—The Auditor General shall:

1102 (k) Annually conduct operational audits of the accounts and
1103 records of eligible nonprofit scholarship-funding organizations
1104 receiving eligible contributions under s. 1002.395, including
1105 any contracts for services with related entities, to determine
1106 compliance with the provisions of that section. Such audits
1107 shall include, but not be limited to, a determination of the
1108 eligible nonprofit scholarship-funding organization's compliance
1109 with s. 1002.395(6)(j). The Auditor General shall provide its
1110 report on the results of the audits to the Governor, the
1111 President of the Senate, the Speaker of the House of
1112 Representatives, the Chief Financial Officer, and the
1113 Legislative Auditing Committee, within 30 days of completion of



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1114 the audit.

1115

1116 The Auditor General shall perform his or her duties
1117 independently but under the general policies established by the
1118 Legislative Auditing Committee. This subsection does not limit
1119 the Auditor General's discretionary authority to conduct other
1120 audits or engagements of governmental entities as authorized in
1121 subsection (3).

1122 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor
1123 General may, pursuant to his or her own authority, or at the
1124 direction of the Legislative Auditing Committee, conduct audits
1125 or other engagements as determined appropriate by the Auditor
1126 General of:

1127 (y) The accounts and records of a nonprofit scholarship-
1128 funding organization participating in a state sponsored
1129 scholarship program authorized by chapter 1002.

1130 (8) RULES OF THE AUDITOR GENERAL.—The Auditor General, in
1131 consultation with the Board of Accountancy, shall adopt rules
1132 for the form and conduct of all financial audits performed by
1133 independent certified public accountants pursuant to ss.
1134 215.981, 218.39, 1001.453, 1002.395, 1004.28, and 1004.70. The
1135 rules for audits of local governmental entities, charter
1136 schools, charter technical career centers, and district school
1137 boards must include, but are not limited to, requirements for
1138 the reporting of information necessary to carry out the purposes
1139 of the Local Governmental Entity, Charter School, Charter
1140 Technical Career Center, and District School Board Financial
1141 Emergencies Act as stated in s. 218.501.

1142 Section 16. Section 1002.385, Florida Statutes, is created



1143 to read:

1144 1002.385 Florida personal learning scholarship accounts.—

1145 (1) ESTABLISHMENT OF PROGRAM.—The Florida Personal Learning

1146 Scholarship Accounts Program is established to provide the

1147 option for a parent to better meet the individual educational

1148 needs of his or her eligible child.

1149 (2) DEFINITIONS.—As used in this section, the term:

1150 (a) "Approved provider" means a provider approved by the

1151 Agency for Persons with Disabilities, a health care practitioner

1152 as defined in s. 456.001(4), or a provider approved by the

1153 department pursuant to s. 1002.66.

1154 (b) "Curriculum" means a complete course of study for a

1155 particular content area or grade level, including any required

1156 supplemental materials.

1157 (c) "Department" means the Department of Education.

1158 (d) "Disability" means, for a student in kindergarten to

1159 grade 12, autism, as defined in s. 393.063(3); cerebral palsy,

1160 as defined in s. 393.063(4); Down syndrome, as defined in s.

1161 393.063(13); an intellectual disability, as defined in s.

1162 393.063(21); Prader-Willi syndrome, as defined in s.

1163 393.063(25); or Spina bifida, as defined in s. 393.063(36); for

1164 a student in kindergarten, being a high-risk child, as defined

1165 in s. 393.063(20) (a); and Williams syndrome.

1166 (e) "Eligible nonprofit scholarship-funding organization"

1167 or "organization" has the same meaning as in s. 1002.395.

1168 (f) "Eligible postsecondary educational institution" means

1169 a Florida College System institution, a state university, a

1170 school district technical center, a school district adult

1171 general education center, or an accredited nonpublic



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1172 postsecondary educational institution, as defined in s. 1005.02,
1173 which is licensed to operate in the state pursuant to
1174 requirements specified in part III of chapter 1005.

1175 (g) "Eligible private school" means a private school, as
1176 defined in s. 1002.01, which is located in this state, which
1177 offers an education to students in any grade from kindergarten
1178 to grade 12, and which meets requirements of:

- 1179 1. Sections 1002.42 and 1002.421; and
1180 2. A scholarship program under s. 1002.39 or s. 1002.395,
1181 as applicable, if the private school participates in a
1182 scholarship program under s. 1002.39 or s. 1002.395.

1183 (h) "IEP" means individual education plan.

1184 (i) "Parent" means a resident of this state who is a
1185 parent, as defined in s. 1000.21.

1186 (j) "Program" means the Florida Personal Learning
1187 Scholarship Accounts Program established in this section.

1188 (3) PROGRAM ELIGIBILITY.—A parent of a student with a
1189 disability may request and receive from the state a Florida
1190 personal learning scholarship account for the purposes specified
1191 in subsection (5) if:

1192 (a) The student:

- 1193 1. Is a resident of this state;
1194 2. Is eligible to enroll in kindergarten through grade 12
1195 in a public school in this state;

1196 3. Has a disability as defined in paragraph (2) (d); and

1197 4. Is the subject of an IEP written in accordance with
1198 rules of the State Board of Education or has received a
1199 diagnosis of a disability as defined in subsection (2) from a
1200 physician who is licensed under chapter 458 or chapter 459 or a



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1201 psychologist who is licensed in this state.

1202 (b) Beginning January, 2015, the parent has applied to an
1203 eligible nonprofit scholarship-funding organization to
1204 participate in the program by February 1 before the school year
1205 in which the student will participate or an alternative date as
1206 set by the organization for any vacant, funded slots. The
1207 request must be communicated directly to the organization in a
1208 manner that creates a written or electronic record of the
1209 request and the date of receipt of the request. The organization
1210 shall notify the district and the department of the parent's
1211 intent upon receipt of the parent's request.

1212 (4) PROGRAM PROHIBITIONS.—

1213 (a) A student is not eligible for the program while he or
1214 she is:

1215 1. Enrolled in a public school, including, but not limited
1216 to, the Florida School for the Deaf and the Blind, the Florida
1217 Virtual School, the College-Preparatory Boarding Academy, a
1218 developmental research school authorized under s. 1002.32, a
1219 charter school authorized under s. 1002.33, s. 1002.331, or s.
1220 1002.332, or a virtual education program authorized under s.
1221 1002.45;

1222 2. Enrolled in a school operating for the purpose of
1223 providing educational services to youth in the Department of
1224 Juvenile Justice commitment programs;

1225 3. Receiving a scholarship pursuant to the Florida Tax
1226 Credit Scholarship Program under s. 1002.395 or the John M.
1227 McKay Scholarships for Students with Disabilities Program under
1228 s. 1002.39; or

1229 4. Receiving any other educational scholarship pursuant to



1230 this chapter.

1231 (b) A student is not eligible for the program if:

1232 1. The student or student's parent has accepted any
1233 payment, refund, or rebate, in any manner, from a provider of
1234 any services received pursuant to subsection (5);

1235 2. The student's participation in the program has been
1236 denied or revoked by the Commissioner of Education pursuant to
1237 subsection (10); or

1238 3. The student's parent has forfeited participation in the
1239 program for failure to comply with requirements pursuant to
1240 subsection (11).

1241 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds may be
1242 spent for the following purposes:

1243 (a) Instructional materials, including digital devices,
1244 digital periphery devices, and assistive technology devices that
1245 allow a student to access instruction or instructional content.

1246 (b) Curriculum as defined in paragraph (2) (b).

1247 (c) Specialized services by approved providers that are
1248 selected by the parent. These specialized services may include,
1249 but are not limited to:

1250 1. Applied behavior analysis services as provided in ss.
1251 627.6686 and 641.31098.

1252 2. Services provided by speech-language pathologists as
1253 defined in s. 468.1125.

1254 3. Occupational therapy services as defined in s. 468.203.

1255 4. Services provided by physical therapists as defined in
1256 s. 486.021.

1257 5. Services provided by listening and spoken language
1258 specialists and an appropriate acoustical environment for a



1259 child who is deaf or hard of hearing and who has received an
1260 implant or assistive hearing device.

1261 (d) Enrollment in, or tuition or fees associated with
1262 enrollment in, an eligible private school, an eligible
1263 postsecondary educational institution, a private tutoring
1264 program authorized under s. 1002.43, a virtual program offered
1265 by a department-approved private online provider that meets the
1266 provider qualifications specified in s. 1002.45(2)(a), the
1267 Florida Virtual School as a private paying student, or an
1268 approved online course offered pursuant to s. 1003.499 or s.
1269 1004.0961.

1270 (e) Fees for nationally standardized, norm-referenced
1271 achievement tests, Advanced Placement Examinations, industry
1272 certification examinations, assessments related to postsecondary
1273 education, or other assessments.

1274 (f) Contributions to the Stanley G. Tate Florida Prepaid
1275 College Program pursuant to s. 1009.98, for the benefit of the
1276 eligible student.

1277 (g) Contracted services provided by a public school or
1278 school district, including classes. A student who receives
1279 services under a contract under this paragraph is not considered
1280 enrolled in a public school for eligibility purposes as
1281 specified in subsection (4).

1282
1283 A specialized service provider, eligible private school,
1284 eligible postsecondary educational institution, private tutoring
1285 program provider, online or virtual program provider, public
1286 school, school district, or other entity receiving payments
1287 pursuant to this subsection may not share, refund, or rebate any



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1288 moneys from the Florida Personal learning scholarship account
1289 with the parent or participating student in any manner.

1290 (6) TERM OF THE PROGRAM.—For purposes of continuity of
1291 educational choice, the program payments made under this section
1292 shall remain in force until a student participating in the
1293 program participates in any of the prohibited activities
1294 specified in subsection (4), has funds revoked by the
1295 Commissioner of Education pursuant to subsection (10), returns
1296 to a public school, graduates from high school, or attains 22
1297 years of age, whichever occurs first. A participating student
1298 who enrolls in a public school or public school program is
1299 considered to have returned to a public school for the purpose
1300 of determining the end of the program's term.

1301 (7) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

1302 (a)1. For a student with a disability who does not have a
1303 matrix of services under s. 1011.62(1)(e) and for whom the
1304 parent requests a matrix of services, the school district must
1305 complete a matrix that assigns the student to one of the levels
1306 of service as they existed before the 2000-2001 school year.

1307 2.a. Within 10 school days after a school district receives
1308 notification of a parent's request for completion of a matrix of
1309 services, the school district must notify the student's parent
1310 if the matrix of services has not been completed and inform the
1311 parent that the district is required to complete the matrix
1312 within 30 days after receiving notice of the parent's request
1313 for the matrix of services. This notice must include the
1314 required completion date for the matrix.

1315 b. The school district shall complete the matrix of
1316 services for a student whose parent has made a request. The



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1317 school district must provide the student's parent with the
1318 student's matrix level within 10 school days after its
1319 completion.

1320 c. The department shall notify the parent and the eligible
1321 nonprofit scholarship-funding organization of the amount of the
1322 funds awarded within 10 days after receiving the school
1323 district's notification of the student's matrix level.

1324 d. A school district may change a matrix of services only
1325 if the change is to correct a technical, typographical, or
1326 calculation error.

1327 (b) For each student participating in the program who
1328 chooses to participate in statewide, standardized assessments
1329 under s. 1008.22 or the Florida Alternate Assessment, the school
1330 district in which the student resides must notify the student
1331 and his or her parent about the locations and times to take all
1332 statewide, standardized assessments.

1333 (c) For each student participating in the program, a school
1334 district shall notify the parent about the availability of a
1335 reevaluation at least every 3 years.

1336 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
1337 private school may be sectarian or nonsectarian and shall:

1338 (a) Comply with all requirements for private schools
1339 participating in state school choice scholarship programs
1340 pursuant to s. 1002.421.

1341 (b) Provide to the eligible nonprofit scholarship-funding
1342 organization, upon request, all documentation required for the
1343 student's participation, including the private school's and
1344 student's fee schedules.

1345 (c) Be academically accountable to the parent for meeting



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1346 the educational needs of the student by:
1347 1. At a minimum, annually providing to the parent a written
1348 explanation of the student's progress.
1349 2. Annually administering or making provision for students
1350 participating in the program in grades 3 through 10 to take one
1351 of the nationally norm-referenced tests identified by the
1352 Department of Education or the statewide assessments pursuant to
1353 s. 1008.22. Students with disabilities for whom standardized
1354 testing is not appropriate are exempt from this requirement. A
1355 participating private school shall report a student's scores to
1356 the parent.
1357 3. Cooperating with the scholarship student whose parent
1358 chooses to have the student participate in the statewide
1359 assessments pursuant to s. 1008.22 or, if a private school
1360 chooses to offer the statewide assessments, administering the
1361 assessments at the school.
1362 a. A participating private school may choose to offer and
1363 administer the statewide assessments to all students who attend
1364 the private school in grades 3 through 10.
1365 b. A participating private school shall submit a request in
1366 writing to the Department of Education by March 1 of each year
1367 in order to administer the statewide assessments in the
1368 subsequent school year.
1369 (d) Employ or contract with teachers who have regular and
1370 direct contact with each student receiving a scholarship under
1371 this section at the school's physical location.
1372 (e) Annually contract with an independent certified public
1373 accountant to perform the agreed-upon procedures developed under
1374 s. 1002.395(6)(n) and produce a report of the results if the



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1375 private school receives more than \$250,000 in funds from
1376 scholarships awarded under this section in the 2014-2015 state
1377 fiscal year or a state fiscal year thereafter. A private school
1378 subject to this paragraph must submit the report by September
1379 15, 2015, and annually thereafter to the scholarship-funding
1380 organization that awarded the majority of the school's
1381 scholarship funds. The agreed-upon procedures must be conducted
1382 in accordance with attestation standards established by the
1383 American Institute of Certified Public Accountants.

1384
1385 The inability of a private school to meet the requirements of
1386 this subsection constitutes a basis for the ineligibility of the
1387 private school to participate in the program as determined by
1388 the department.

1389 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
1390 shall:

1391 (a) Maintain a list of approved providers.

1392 (b) Require each eligible nonprofit scholarship-funding
1393 organization to verify eligible expenditures before the
1394 distribution of funds for any expenditures made pursuant to
1395 paragraphs (5) (a) and (b). Review of expenditures made for
1396 services in paragraphs (5) (c) through (g) may be completed after
1397 the payment has been made.

1398 (c) Investigate any written complaint of a violation of
1399 this section in accordance with the process established by s.
1400 1002.395(9) (f).

1401 (d) Require quarterly reports by an eligible nonprofit
1402 scholarship-funding organization regarding the number of
1403 students participating in the program, the providers of services



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1404 to students, and other information deemed necessary by the
1405 department.

1406 (e) Compare the list of student's participating in the
1407 program with the public school enrollment lists before each
1408 program payment to avoid duplicate payments.

1409 (10) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.-

1410 (a) The Commissioner of Education:

1411 1. Shall deny, suspend, or revoke a student's participation
1412 in the program if the health, safety, or welfare of the student
1413 is threatened or fraud is suspected.

1414 2. Shall deny, suspend, or revoke an authorized use of
1415 program funds if the health, safety, or welfare of the student
1416 is threatened or fraud is suspected.

1417 3. May deny, suspend, or revoke an authorized use of
1418 program funds for material failure to comply with this section
1419 and applicable department rules if the noncompliance is
1420 correctable within a reasonable period of time. Otherwise, the
1421 commissioner shall deny, suspend, or revoke an authorized use
1422 for failure to materially comply with the law and rules adopted
1423 under this section.

1424 4. Shall require compliance by the appropriate party by a
1425 date certain for all nonmaterial failures to comply with this
1426 section and applicable department rules. The commissioner may
1427 deny, suspend, or revoke program participation under this
1428 section thereafter.

1429 (b) In determining whether to deny, suspend, or revoke in
1430 accordance with this subsection, the commissioner may consider
1431 factors that include, but are not limited to, acts or omissions
1432 by a participating entity which led to a previous denial or



1433 revocation of participation in an education scholarship program;
1434 failure to reimburse the eligible nonprofit scholarship-funding
1435 organization for program funds improperly received or retained
1436 by the entity; imposition of a prior criminal sanction related
1437 to the entity or its officers or employees; imposition of a
1438 civil fine or administrative fine, license revocation or
1439 suspension, or program eligibility suspension, termination, or
1440 revocation related to an entity's management or operation; or
1441 other types of criminal proceedings in which the entity or its
1442 officers or employees were found guilty of, regardless of
1443 adjudication, or entered a plea of nolo contendere or guilty to,
1444 any offense involving fraud, deceit, dishonesty, or moral
1445 turpitude.

1446 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1447 PARTICIPATION.—A parent who applies for program participation
1448 under this section is exercising his or her parental option to
1449 determine the appropriate placement or the services that best
1450 meet the needs of his or her child. The scholarship award for a
1451 student is based on a matrix that assigns the student to support
1452 Level III services. If a parent chooses to request and receive
1453 an IEP and a matrix of services from the school district, the
1454 amount of the payment shall be adjusted as needed, when the
1455 school district completes the matrix.

1456 (a) To enroll an eligible student in the program, the
1457 parent must sign an agreement with the eligible nonprofit
1458 scholarship-funding organization and annually submit a
1459 notarized, sworn compliance statement to the organization to:

1460 1. Affirm that the student is enrolled in a program that
1461 meets regular school attendance requirements as provided in s.



1462 1003.01(13)(b) through (d).
1463 2. Use the program funds only for authorized purposes, as
1464 described in subsection (5).
1465 3. Affirm that the student takes all appropriate
1466 standardized assessments as specified in this section.
1467 a. If the parent enrolls the child in an eligible private
1468 school, the student must take an assessment selected by the
1469 private school pursuant to s. 1002.395(7)(e).
1470 b. If the parent enrolls the child in a home education
1471 program, the parent may choose to participate in an assessment
1472 as part of the annual evaluation provided for in s.
1473 1002.41(1)(c).
1474 4. Notify the school district that the student is
1475 participating in the Personal Learning Scholarship Accounts if
1476 the parent chooses to enroll in a home education program as
1477 provided in s. 1002.41.
1478 5. Request participation in the program by the date
1479 established by the eligible nonprofit scholarship-funding
1480 organization.
1481 6. Affirm that the student remains in good standing with
1482 the provider or school if those options are selected by the
1483 parent.
1484 7. Apply for admission of his or her child if the private
1485 school option is selected by the parent.
1486 8. Annually renew participation in the program.
1487 Notwithstanding any changes to the student's IEP, a student who
1488 was previously eligible for participation in the program shall
1489 remain eligible to apply for renewal as provided in subsection
1490 (6).



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1491 9. Affirm that the parent will not transfer any college
1492 savings funds to another beneficiary.

1493 10. Affirm that the parent will not take possession of any
1494 funding provided by the state for the Florida Personal Learning
1495 Scholarship Accounts.

1496 11. Maintain a portfolio of records and materials which
1497 must be preserved by the parent for 2 years and be made
1498 available for inspection by the district school superintendent
1499 or the superintendent's designee upon 15 days' written notice.
1500 This paragraph does not require the superintendent to inspect
1501 the portfolio. The portfolio of records and materials must
1502 consist of:

1503 a. A log of educational instruction and services which is
1504 made contemporaneously with delivery of the instruction and
1505 services and which designates by title any reading materials
1506 used; and

1507 b. Samples of any writings, worksheets, workbooks, or
1508 creative materials used or developed by the student.

1509 (b) The parent is responsible for procuring the services
1510 necessary to educate the student. When the student receives a
1511 personal learning scholarship account, the district school board
1512 is not obligated to provide the student with a free appropriate
1513 public education. For purposes of s. 1003.57 and the Individuals
1514 with Disabilities in Education Act, a participating student has
1515 only those rights that apply to all other unilaterally
1516 parentally placed students, except that, when requested by the
1517 parent, school district personnel must develop an individual
1518 education plan or matrix level of services.

1519 (c) The parent is responsible for the payment of all



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1520 eligible expenses in excess of the amount of the personal
1521 learning scholarship account in accordance with the terms agreed
1522 to between the parent and the providers.

1523
1524 A parent who fails to comply with this subsection forfeits the
1525 personal learning scholarship account.

1526 (12) ADMINISTRATION OF PERSONAL LEARNING SCHOLARSHIP
1527 ACCOUNTS.—An eligible nonprofit scholarship-funding organization
1528 participating in the Florida Tax Credit Scholarship Program
1529 established under s. 1002.395 may establish personal learning
1530 scholarship accounts for eligible students by:

1531 (a) Receiving applications and determining student
1532 eligibility in accordance with the requirements of this section.
1533 The organization shall notify the department of the applicants
1534 for the program by March 1 before the school year in which the
1535 student intends to participate. When an application is received,
1536 the scholarship funding organization must provide the department
1537 with information on the student to enable the department to
1538 report the student for funding in accordance with subsection
1539 (13).

1540 (b) Notifying parents of their receipt of a scholarship on
1541 a first-come, first-served basis based upon the funds provided
1542 for this program in the General Appropriations Act.

1543 (c) Establishing a date by which a parent must confirm
1544 initial or continuing participation in the program and confirm
1545 the establishment or continuance of a personal learning
1546 scholarship account.

1547 (d) Establishing a date and process by which students on
1548 the wait list or late-filing applicants may be allowed to



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1549 participate in the program during the school year, within the
1550 amount of funds provided for this program in the General
1551 Appropriations Act.

1552 (e) Establishing and maintaining separate accounts for each
1553 eligible student.

1554 (f) Verifying qualifying expenditures pursuant to the
1555 requirements of paragraph (8) (b).

1556 (g) Returning any unused funds to the department when the
1557 student is no longer eligible for a personal scholarship
1558 learning account.

1559 (13) FUNDING AND PAYMENT.—

1560 (a)1. The maximum funding amount granted for an eligible
1561 student with a disability, pursuant to subsection (3), shall be
1562 equivalent to the base student allocation in the Florida
1563 Education Finance Program multiplied by the appropriate cost
1564 factor for the educational program which would have been
1565 provided for the student in the district school to which he or
1566 she would have been assigned, multiplied by the district cost
1567 differential.

1568 2. In addition, an amount equivalent to a share of the
1569 guaranteed allocation for exceptional students in the Florida
1570 Education Finance Program shall be determined and added to the
1571 amount in subparagraph 1. The calculation shall be based on the
1572 methodology and the data used to calculate the guaranteed
1573 allocation for exceptional students for each district in chapter
1574 2000-166, Laws of Florida. Except as provided in subparagraph
1575 3., the calculation shall be based on the student's grade, the
1576 matrix level of services, and the difference between the 2000-
1577 2001 basic program and the appropriate level of services cost



1578 factor, multiplied by the 2000-2001 base student allocation and
1579 the 2000-2001 district cost differential for the sending
1580 district. The calculated amount must also include an amount
1581 equivalent to the per-student share of supplemental academic
1582 instruction funds, instructional materials funds, technology
1583 funds, and other categorical funds as provided in the General
1584 Appropriations Act.

1585 3. Except as otherwise provided, the calculation for all
1586 students participating in the program shall be based on the
1587 matrix that assigns the student to support level III of
1588 services. If a parent chooses to request and receive a matrix of
1589 services from the school district, when the school district
1590 completes the matrix, the amount of the payment shall be
1591 adjusted as needed.

1592 (b) The amount of the awarded funds shall be 90 percent of
1593 the calculated amount.

1594 (c) Upon an eligible student's graduation from an eligible
1595 postsecondary educational institution or after any period of 4
1596 consecutive years after high school graduation in which the
1597 student is not enrolled in an eligible postsecondary educational
1598 institution, the student's personal learning scholarship account
1599 shall be closed, and any remaining funds shall revert to the
1600 state.

1601 (d) The eligible nonprofit scholarship-funding organization
1602 shall develop a system for payment of benefits by electronic
1603 funds transfer, including, but not limited to, debit cards,
1604 electronic payment cards, or any other means of electronic
1605 payment that the department deems to be commercially viable or
1606 cost-effective. Commodities or services related to the



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1607 development of such a system shall be procured by competitive
1608 solicitation unless they are purchased from a state term
1609 contract pursuant to s. 287.056.

1610 (e) Moneys received pursuant to this section do not
1611 constitute taxable income to the parent of the qualified
1612 student.

1613 (14) OBLIGATIONS OF THE AUDITOR GENERAL.—

1614 (a) The Auditor General shall conduct an annual financial
1615 and operational audit of accounts and records of each eligible
1616 scholarship-funding organization that participates in the
1617 program. As part of this audit, the Auditor General shall
1618 verify, at a minimum, the total amount of students served and
1619 eligibility of reimbursements made by each eligible nonprofit
1620 scholarship-funding organization and transmit that information
1621 to the department.

1622 (b) The Auditor General shall notify the department of any
1623 eligible nonprofit scholarship-funding organization that fails
1624 to comply with a request for information.

1625 (15) OBLIGATIONS RELATED TO APPROVED PROVIDERS.—The
1626 Department of Health, the Agency for Persons with Disabilities,
1627 and the Department of Education shall work with an eligible
1628 nonprofit scholarship-funding organization for easy or automated
1629 access to lists of licensed providers of services specified in
1630 paragraph (5) (c) to ensure efficient administration of the
1631 program.

1632 (16) LIABILITY.—The state is not liable for the award or
1633 any use of awarded funds under this section.

1634 (17) SCOPE OF AUTHORITY.—This section does not expand the
1635 regulatory authority of this state, its officers, or any school



1636 district to impose additional regulation on participating
1637 private schools, nonpublic postsecondary educational
1638 institutions, and private providers beyond those reasonably
1639 necessary to enforce requirements expressly set forth in this
1640 section.

1641 (18) RULES.—The State Board of Education shall adopt rules
1642 pursuant to ss. 120.536(1) and 120.54 to administer this
1643 section.

1644 (19) IMPLEMENTATION SCHEDULE FOR THE 2014-2015 SCHOOL
1645 YEAR.—Notwithstanding the provisions of this section related to
1646 notification and eligibility timelines, an eligible nonprofit
1647 scholarship-funding organization may enroll parents on a rolling
1648 schedule on a first-come, first-served basis, within the amount
1649 of funds provided in the General Appropriations Act.

1650 Section 17. Paragraph (c) is added to subsection (1),
1651 paragraph (f) of subsection (2), subsection (3), subsection (5),
1652 subsection (6), paragraphs (c) and (e) of subsection (8),
1653 paragraphs (d), (j), and (o) of subsection (9), and paragraph
1654 (a) of subsection (12) of section 1002.395, Florida Statutes,
1655 are amended, present paragraphs (h) through (j) of subsection
1656 (2) are redesignated as paragraphs (i) through (k),
1657 respectively, and a new paragraph (h) is added to that
1658 subsection, paragraph (g) is added to subsection (7), and
1659 subsection (16) is added to that section, to read:

1660 1002.395 Florida Tax Credit Scholarship Program.—

1661 (1) FINDINGS AND PURPOSE.—

1662 (c) The purpose of this section is not to prescribe the
1663 standards or curriculum for private schools. A private school
1664 retains the authority to determine its own standards and



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1665 curriculum.

1666 (2) DEFINITIONS.—As used in this section, the term:

1667 (f) “Eligible nonprofit scholarship-funding organization”

1668 means a state university; or an independent college or

1669 university that is eligible to participate in the William L.

1670 Boyd, IV, Florida Resident Access Grant Program, located and

1671 chartered in this state, is not for profit, and is accredited by

1672 the Commission on Colleges of the Southern Association of

1673 Colleges and Schools; or is a charitable organization that:

1674 1. Is exempt from federal income tax pursuant to s.

1675 501(c)(3) of the Internal Revenue Code;

1676 2. Is a Florida entity formed under chapter 607, chapter

1677 608, or chapter 617 and whose principal office is located in the

1678 state; and

1679 3. Complies with subsections ~~the provisions of subsection~~

1680 (6) and (16).

1681 (h) “Household income” has the same meaning as the term

1682 “income” is defined in the Income Eligibility Guidelines for

1683 free and reduced price meals under the National School Lunch

1684 Program in 7 C.F.R. part 210 as published in the Federal

1685 Register by the United States Department of Agriculture.

1686 (3) PROGRAM; SCHOLARSHIP ELIGIBILITY.—

1687 (a) The Florida Tax Credit Scholarship Program is

1688 established.

1689 (b) For the 2014-2015 and 2015-2016 school years,

1690 contingent upon available funds, a student is eligible for a

1691 Florida tax credit scholarship under this section if the student

1692 meets one or more of the following criteria:

1693 1. The student qualifies for free or reduced-price school



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1694 lunches under the National School Lunch Act or is on the direct
1695 certification list; ~~and:~~

1696 ~~a. Was counted as a full-time equivalent student during the~~
1697 ~~previous state fiscal year for purposes of state per-student~~
1698 ~~funding;~~

1699 ~~b. Received a scholarship from an eligible nonprofit~~
1700 ~~scholarship-funding organization or from the State of Florida~~
1701 ~~during the previous school year; or~~

1702 ~~e. Is eligible to enter kindergarten through fifth grade.~~

1703 2. The student is currently placed, or during the previous
1704 state fiscal year was placed, in foster care or in out-of-home
1705 care as defined in s. 39.01; ~~or.~~

1706 3. The student continues in the scholarship program as long
1707 as the student's household income level does not exceed 230
1708 percent of the federal poverty level.

1709 ~~4. The student, who is a first-time tax credit scholarship~~
1710 ~~recipient, is a sibling of a student who is continuing in the~~
1711 ~~scholarship program and who resides in the same household as the~~
1712 ~~student if the sibling meets one or more of the criteria~~
1713 ~~specified in subparagraphs 1. and 2. and as long as the~~
1714 ~~student's and sibling's household income level does not exceed~~
1715 ~~230 percent of the federal poverty level.~~

1716 (c) For the 2016-2017 school year and thereafter,
1717 contingent upon available funds, a student is eligible for a
1718 Florida tax credit scholarship under this section if the student
1719 meets one or more of the following criteria:

1720 1. The student is on the direct certification list or the
1721 student's household income level does not exceed 185 percent of
1722 the federal poverty level; or



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1723 2. The student is currently placed, or during the previous
1724 state fiscal year was placed, in foster care or in out-of-home
1725 care as defined in s. 39.01.

1726 3. The student's household income level is greater than 185
1727 percent of the federal poverty level but does not exceed 260
1728 percent of the federal poverty level.

1729
1730 A student who initially receives a scholarship based on
1731 eligibility under subparagraph (b)2. or subparagraph (c)2.
1732 remains eligible until the student graduates from high school or
1733 attains the age of 21 years, whichever occurs first, regardless
1734 of the student's household income level. A sibling of a student
1735 who is participating in the scholarship program under this
1736 subsection is eligible for a scholarship if the student resides
1737 in the same household as the sibling.

1738 (5) SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS.—

1739 (a)1. The tax credit cap amount is \$229 million in the
1740 2012-2013 state fiscal year.

1741 2. In the 2013-2014 state fiscal year and each state fiscal
1742 year thereafter, the tax credit cap amount is the tax credit cap
1743 amount in the prior state fiscal year. However, in any state
1744 fiscal year when the annual tax credit amount for the prior
1745 state fiscal year is equal to or greater than 90 percent of the
1746 tax credit cap amount applicable to that state fiscal year, the
1747 tax credit cap amount shall increase by 25 percent. The
1748 Department of Education and Department of Revenue ~~department~~
1749 shall publish on their websites ~~its website~~ information
1750 identifying the tax credit cap amount when it is increased
1751 pursuant to this subparagraph.



1752 (b) A taxpayer may submit an application to the department
1753 for a tax credit or credits under one or more of s. 211.0251, s.
1754 212.1831, s. 220.1875, s. 561.1211, or s. 624.51055.

1755 1. The taxpayer shall specify in the application each tax
1756 for which the taxpayer requests a credit and the applicable
1757 taxable year for a credit under s. 220.1875 or s. 624.51055 or
1758 the applicable state fiscal year for a credit under s. 211.0251,
1759 s. 212.1831, or s. 561.1211. The department shall approve tax
1760 credits on a first-come, first-served basis and must obtain the
1761 division's approval before ~~prior to~~ approving a tax credit under
1762 s. 561.1211.

1763 2. Within 10 days after approving an application, the
1764 department shall provide a copy of its approval letter to the
1765 eligible nonprofit scholarship-funding organization specified by
1766 the taxpayer in the application.

1767 (c) If a tax credit approved under paragraph (b) is not
1768 fully used within the specified state fiscal year for credits
1769 under s. 211.0251, s. 212.1831, or s. 561.1211 or against taxes
1770 due for the specified taxable year for credits under s. 220.1875
1771 or s. 624.51055 because of insufficient tax liability on the
1772 part of the taxpayer, the unused amount may be carried forward
1773 for a period not to exceed 5 years. However, any taxpayer that
1774 seeks to carry forward an unused amount of tax credit must
1775 submit an application to the department for approval of the
1776 carryforward tax credit in the year that the taxpayer intends to
1777 use the carryforward. The department must obtain the division's
1778 approval prior to approving the carryforward of a tax credit
1779 under s. 561.1211.

1780 (d) A taxpayer may not convey, assign, or transfer an



1781 approved tax credit or a carryforward tax credit to another
1782 entity unless all of the assets of the taxpayer are conveyed,
1783 assigned, or transferred in the same transaction. However, a tax
1784 credit under s. 211.0251, s. 212.1831, s. 220.1875, s. 561.1211,
1785 or s. 624.51055 may be conveyed, transferred, or assigned
1786 between members of an affiliated group of corporations if the
1787 type of tax credit under s. 211.0251, s. 212.1831, s. 220.1875,
1788 s. 561.1211, or s. 624.51055 remains the same. A taxpayer shall
1789 notify the department of its intent to convey, transfer, or
1790 assign a tax credit to another member within an affiliated group
1791 of corporations. The amount conveyed, transferred, or assigned
1792 is available to another member of the affiliated group of
1793 corporations upon approval by the department. The department
1794 shall obtain the division's approval before approving a
1795 conveyance, transfer, or assignment of a tax credit under s.
1796 561.1211.

1797 (e) Within any state fiscal year, a taxpayer may rescind
1798 all or part of a tax credit approved under paragraph (b). The
1799 amount rescinded shall become available for that state fiscal
1800 year to another eligible taxpayer as approved by the department
1801 if the taxpayer receives notice from the department that the
1802 rescindment has been accepted by the department. The department
1803 must obtain the division's approval prior to accepting the
1804 rescindment of a tax credit under s. 561.1211. Any amount
1805 rescinded under this paragraph shall become available to an
1806 eligible taxpayer on a first-come, first-served basis based on
1807 tax credit applications received after the date the rescindment
1808 is accepted by the department.

1809 (f) For purposes of calculating the underpayment of



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1810 estimated corporate income taxes pursuant to s. 220.34 and tax
1811 installment payments for taxes on insurance premiums or
1812 assessments under s. 624.5092, the final amount due is the
1813 amount after credits earned under s. 220.1875 or s. 624.51055
1814 for contributions to eligible nonprofit scholarship-funding
1815 organizations are deducted.

1816 1. For purposes of determining if a penalty or interest
1817 shall be imposed for underpayment of estimated corporate income
1818 tax pursuant to s. 220.34(2)(d)1., a taxpayer may, after earning
1819 a credit under s. 220.1875, reduce the following estimated
1820 payment in that taxable year by the amount of the credit. This
1821 subparagraph applies to contributions made on or after July 1,
1822 2014.

1823 2. For purposes of determining if a penalty under s.
1824 624.5092 shall be imposed, an insurer may, after earning a
1825 credit under s. 624.51055, reduce the following installment
1826 payment of 27 percent of the amount of the net tax due as
1827 reported on the return for the preceding year under s.
1828 624.5092(2)(b) by the amount of the credit. This subparagraph
1829 applies to contributions made on or after July 1, 2014.

1830 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
1831 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
1832 organization:

1833 (a) Must comply with the antidiscrimination provisions of
1834 42 U.S.C. s. 2000d.

1835 (b) Must comply with the following background check
1836 requirements:

1837 1. All owners and operators as defined in subparagraph
1838 (2)(i)1. ~~(2)(h)1.~~ are, before ~~upon~~ employment or engagement to



1839 provide services, subject to level 2 background screening as
1840 provided under chapter 435. The fingerprints for the background
1841 screening must be electronically submitted to the Department of
1842 Law Enforcement and can be taken by an authorized law
1843 enforcement agency or by an employee of the eligible nonprofit
1844 scholarship-funding organization or a private company who is
1845 trained to take fingerprints. However, the complete set of
1846 fingerprints of an owner or operator may not be taken by the
1847 owner or operator. The results of the state and national
1848 criminal history check shall be provided to the Department of
1849 Education for screening under chapter 435. The cost of the
1850 background screening may be borne by the eligible nonprofit
1851 scholarship-funding organization or the owner or operator.

1852 2. Every 5 years following employment or engagement to
1853 provide services or association with an eligible nonprofit
1854 scholarship-funding organization, each owner or operator must
1855 meet level 2 screening standards as described in s. 435.04, at
1856 which time the nonprofit scholarship-funding organization shall
1857 request the Department of Law Enforcement to forward the
1858 fingerprints to the Federal Bureau of Investigation for level 2
1859 screening. If the fingerprints of an owner or operator are not
1860 retained by the Department of Law Enforcement under subparagraph
1861 3., the owner or operator must electronically file a complete
1862 set of fingerprints with the Department of Law Enforcement. Upon
1863 submission of fingerprints for this purpose, the eligible
1864 nonprofit scholarship-funding organization shall request that
1865 the Department of Law Enforcement forward the fingerprints to
1866 the Federal Bureau of Investigation for level 2 screening, and
1867 the fingerprints shall be retained by the Department of Law



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1868 Enforcement under subparagraph 3.

1869 3. ~~All~~ Fingerprints submitted to the Department of Law
1870 Enforcement as required by this paragraph must be retained by
1871 the Department of Law Enforcement in a manner approved by rule
1872 and entered in the statewide automated biometric identification
1873 system authorized by s. 943.05(2)(b). The fingerprints must
1874 thereafter be available for all purposes and uses authorized for
1875 arrest fingerprints entered in the statewide automated biometric
1876 identification system pursuant to s. 943.051.

1877 4. The Department of Law Enforcement shall search all
1878 arrest fingerprints received under s. 943.051 against the
1879 fingerprints retained in the statewide automated biometric
1880 identification system under subparagraph 3. Any arrest record
1881 that is identified with an owner's or operator's fingerprints
1882 must be reported to the Department of Education. The Department
1883 of Education shall participate in this search process by paying
1884 an annual fee to the Department of Law Enforcement and by
1885 informing the Department of Law Enforcement of any change in the
1886 employment, engagement, or association status of the owners or
1887 operators whose fingerprints are retained under subparagraph 3.
1888 The Department of Law Enforcement shall adopt a rule setting the
1889 amount of the annual fee to be imposed upon the Department of
1890 Education for performing these services and establishing the
1891 procedures for the retention of owner and operator fingerprints
1892 and the dissemination of search results. The fee may be borne by
1893 the owner or operator of the nonprofit scholarship-funding
1894 organization.

1895 5. A nonprofit scholarship-funding organization whose owner
1896 or operator fails the level 2 background screening is not ~~shall~~



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1897 ~~not be~~ eligible to provide scholarships under this section.

1898 6. A nonprofit scholarship-funding organization whose owner
1899 or operator in the last 7 years has filed for personal
1900 bankruptcy or corporate bankruptcy in a corporation of which he
1901 or she owned more than 20 percent shall not be eligible to
1902 provide scholarships under this section.

1903 7. In addition to the offenses listed in s. 435.04, a
1904 person required to undergo background screening pursuant to this
1905 part or authorizing statutes must not have an arrest awaiting
1906 final disposition for, must not have been found guilty of, or
1907 entered a plea of nolo contendere to, regardless of
1908 adjudication, and must not have been adjudicated delinquent, and
1909 the record must not have been sealed or expunged for, any of the
1910 following offenses or any similar offense of another
1911 jurisdiction:

1912 a. Any authorizing statutes, if the offense was a felony.

1913 b. This chapter, if the offense was a felony.

1914 c. Section 409.920, relating to Medicaid provider fraud.

1915 d. Section 409.9201, relating to Medicaid fraud.

1916 e. Section 741.28, relating to domestic violence.

1917 f. Section 817.034, relating to fraudulent acts through
1918 mail, wire, radio, electromagnetic, photoelectronic, or
1919 photooptical systems.

1920 g. Section 817.234, relating to false and fraudulent
1921 insurance claims.

1922 h. Section 817.505, relating to patient brokering.

1923 i. Section 817.568, relating to criminal use of personal
1924 identification information.

1925 j. Section 817.60, relating to obtaining a credit card



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1926 through fraudulent means.
1927 k. Section 817.61, relating to fraudulent use of credit
1928 cards, if the offense was a felony.
1929 l. Section 831.01, relating to forgery.
1930 m. Section 831.02, relating to uttering forged instruments.
1931 n. Section 831.07, relating to forging bank bills, checks,
1932 drafts, or promissory notes.
1933 o. Section 831.09, relating to uttering forged bank bills,
1934 checks, drafts, or promissory notes.
1935 p. Section 831.30, relating to fraud in obtaining medicinal
1936 drugs.
1937 q. Section 831.31, relating to the sale, manufacture,
1938 delivery, or possession with the intent to sell, manufacture, or
1939 deliver any counterfeit controlled substance, if the offense was
1940 a felony.
1941 (c) Must not have an owner or operator who owns or operates
1942 an eligible private school that is participating in the
1943 scholarship program.
1944 (d) Must provide scholarships, from eligible contributions,
1945 to eligible students for the cost of:
1946 1. Tuition and fees for an eligible private school; or
1947 2. Transportation to a Florida public school that is
1948 located outside the district in which the student resides or to
1949 a lab school as defined in s. 1002.32.
1950 (e) Must give first priority to eligible students who
1951 received a scholarship from an eligible nonprofit scholarship-
1952 funding organization or from the State of Florida during the
1953 previous school year. Beginning in the 2016-2017 school year, an
1954 eligible nonprofit scholarship-funding organization shall give



1955 priority to new applicants whose household income levels do not
1956 exceed 185 percent of the federal poverty level or who are in
1957 foster care or out-of-home care.

1958 (f) Must provide a scholarship to an eligible student on a
1959 first-come, first-served basis unless the student qualifies for
1960 priority pursuant to paragraph (e).

1961 (g) May not restrict or reserve scholarships for use at a
1962 particular private school or provide scholarships to a child of
1963 an owner or operator.

1964 (h) Must allow a student in foster care or out-of-home care
1965 to apply for a scholarship at any time.

1966 (i) ~~(h)~~ Must allow an eligible student to attend any
1967 eligible private school and must allow a parent to transfer a
1968 scholarship during a school year to any other eligible private
1969 school of the parent's choice.

1970 (j) ~~(i)~~ 1. May use up to 3 percent of eligible contributions
1971 received during the state fiscal year in which such
1972 contributions are collected for administrative expenses if the
1973 organization has operated under this section for at least 3
1974 state fiscal years and did not have any negative financial
1975 findings in its most recent audit under paragraph (m) ~~(l)~~. Such
1976 administrative expenses must be reasonable and necessary for the
1977 organization's management and distribution of eligible
1978 contributions under this section. No funds authorized under this
1979 subparagraph shall be used for lobbying or political activity or
1980 expenses related to lobbying or political activity. Up to ~~no~~
1981 more than one-third of the funds authorized for administrative
1982 expenses under this subparagraph may be used for expenses
1983 related to the recruitment of contributions from taxpayers. If



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1984 an eligible nonprofit scholarship-funding organization charges
1985 an application fee for a scholarship, the application fee must
1986 be immediately refunded to the person that paid the fee if the
1987 student is not enrolled in a participating school within twelve
1988 months.

1989 2. Must expend for annual or partial-year scholarships an
1990 amount equal to or greater than 75 percent of the net eligible
1991 contributions remaining after administrative expenses during the
1992 state fiscal year in which such contributions are collected. No
1993 more than 25 percent of such net eligible contributions may be
1994 carried forward to the following state fiscal year. All amounts
1995 carried forward, for audit purposes, must be specifically
1996 identified for particular students, by student name and the name
1997 of the school to which the student is admitted, subject to the
1998 requirements of s. 1002.22, s. 1002.221, 20 U.S.C. s. 1232g, and
1999 the applicable rules and regulations issued pursuant thereto.

2000 Any amounts carried forward shall be expended for annual or
2001 partial-year scholarships in the following state fiscal year.
2002 Net eligible contributions remaining on June 30 of each year
2003 that are in excess of the 25 percent that may be carried forward
2004 shall be returned to the State Treasury for deposit in the
2005 General Revenue Fund.

2006 3. Must, before granting a scholarship for an academic
2007 year, document each scholarship student's eligibility for that
2008 academic year. A scholarship-funding organization may not grant
2009 multiyear scholarships in one approval process.

2010 (k) ~~(j)~~ Must maintain separate accounts for scholarship
2011 funds and operating funds.

2012 (l) ~~(k)~~ With the prior approval of the Department of



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2013 Education, may transfer funds to another eligible nonprofit
2014 scholarship-funding organization if additional funds are
2015 required to meet scholarship demand at the receiving nonprofit
2016 scholarship-funding organization. A transfer is ~~shall be~~ limited
2017 to the greater of \$500,000 or 20 percent of the total
2018 contributions received by the nonprofit scholarship-funding
2019 organization making the transfer. All transferred funds must be
2020 deposited by the receiving nonprofit scholarship-funding
2021 organization into its scholarship accounts. All transferred
2022 amounts received by any nonprofit scholarship-funding
2023 organization must be separately disclosed in the annual
2024 financial and compliance audit required in this section.

2025 (m) ~~(l)~~ Must provide to the Auditor General and the
2026 Department of Education a report on the results of an annual
2027 financial and compliance audit of its accounts and records
2028 conducted by an independent certified public accountant ~~and~~ in
2029 accordance with auditing standards generally accepted in the
2030 United States, government auditing standards, and rules
2031 promulgated ~~adopted~~ by the Auditor General. The audit report
2032 ~~must be conducted in compliance with generally accepted auditing~~
2033 ~~standards and~~ must include a report on financial statements
2034 presented in accordance with generally accepted accounting
2035 principles ~~set forth by the American Institute of Certified~~
2036 ~~Public Accountants for not-for-profit organizations and a~~
2037 ~~determination of compliance with the statutory eligibility and~~
2038 ~~expenditure requirements set forth in this section.~~ Audit
2039 reports ~~Audits~~ must be provided to the Auditor General and the
2040 Department of Education within 180 days after completion of the
2041 eligible nonprofit scholarship-funding organization's fiscal



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2042 year. The Auditor General shall review all audit reports
2043 submitted pursuant to this paragraph. The Auditor General shall
2044 request any significant items that were omitted in violation of
2045 a rule adopted by the Auditor General. The items must be
2046 provided within 45 days after the date of the request. If the
2047 scholarship-funding organization does not comply with the
2048 Auditor General's request, the Auditor General shall notify the
2049 Legislative Auditing Committee.

2050 (n) ~~(m)~~ Must prepare and submit quarterly reports to the
2051 Department of Education pursuant to paragraph (9) (m). In
2052 addition, an eligible nonprofit scholarship-funding organization
2053 must submit in a timely manner any information requested by the
2054 Department of Education relating to the scholarship program.

2055 (o) ~~(n)~~ 1.a. Must participate in the joint development of
2056 agreed-upon procedures to be performed by an independent
2057 certified public accountant as required under paragraph (8) (e)
2058 if the scholarship-funding organization provided more than
2059 \$250,000 in scholarship funds to an eligible private school
2060 under this section during the 2009-2010 state fiscal year. The
2061 agreed-upon procedures must uniformly apply to all private
2062 schools and must determine, at a minimum, whether the private
2063 school has been verified as eligible by the Department of
2064 Education under paragraph (9) (c); has an adequate accounting
2065 system, system of financial controls, and process for deposit
2066 and classification of scholarship funds; and has properly
2067 expended scholarship funds for education-related expenses.
2068 During the development of the procedures, the participating
2069 scholarship-funding organizations shall specify guidelines
2070 governing the materiality of exceptions that may be found during



2071 the accountant's performance of the procedures. The procedures
2072 and guidelines shall be provided to private schools and the
2073 Commissioner of Education by March 15, 2011.

2074 b. Must participate in a joint review of the agreed-upon
2075 procedures and guidelines developed under sub-subparagraph a.,
2076 by February 2013 and biennially thereafter, if the scholarship-
2077 funding organization provided more than \$250,000 in scholarship
2078 funds to an eligible private school under this section during
2079 the state fiscal year preceding the biennial review. If the
2080 procedures and guidelines are revised, the revisions must be
2081 provided to private schools and the Commissioner of Education by
2082 March 15, 2013, and biennially thereafter.

2083 c. Must monitor the compliance of a private school with
2084 paragraph (8) (e) if the scholarship-funding organization
2085 provided the majority of the scholarship funding to the school.
2086 For each private school subject to paragraph (8) (e), the
2087 appropriate scholarship-funding organization shall notify the
2088 Commissioner of Education by October 30, 2011, and annually
2089 thereafter of:

2090 (I) A private school's failure to submit a report required
2091 under paragraph (8) (e); or

2092 (II) Any material exceptions set forth in the report
2093 required under paragraph (8) (e).

2094 2. Must seek input from the accrediting associations that
2095 are members of the Florida Association of Academic Nonpublic
2096 Schools when jointly developing the agreed-upon procedures and
2097 guidelines under sub-subparagraph 1.a. and conducting a review
2098 of those procedures and guidelines under sub-subparagraph 1.b.

2099 (p) Must maintain the surety bond or letter of credit



2100 required by subsection (16). The amount of the surety bond or
2101 letter of credit may be adjusted quarterly to equal the actual
2102 amount of undisbursed funds based upon submission by the
2103 organization of a statement from a certified public accountant
2104 verifying the amount of undisbursed funds. The requirements of
2105 this paragraph are waived if the cost of acquiring a surety bond
2106 or letter of credit exceeds the average 10-year cost of
2107 acquiring a surety bond or letter of credit by 200 percent. The
2108 requirements of this paragraph are waived for a state
2109 university; or an independent college or university which is
2110 eligible to participate in the William L. Boyd, IV, Florida
2111 Resident Access Grant Program, located and chartered in this
2112 state, is not for profit, and is accredited by the Commission on
2113 Colleges of the Southern Association of Colleges and Schools.

2114 (q) Must provide to the Auditor General any information or
2115 documentation requested in connection with an operational audit
2116 of a scholarship funding organization conducted pursuant to s.
2117 11.45.

2118
2119 ~~Any and all~~ Information and documentation provided to the
2120 Department of Education and the Auditor General relating to the
2121 identity of a taxpayer that provides an eligible contribution
2122 under this section shall remain confidential at all times in
2123 accordance with s. 213.053.

2124 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
2125 PARTICIPATION.—

2126 (g) The parent shall authorize the nonprofit scholarship-
2127 funding organization to access information needed for income
2128 eligibility determination and verification held by other state



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2129 or federal agencies, including the Department of Revenue, the
2130 Department of Children and Families, the Department of
2131 Education, the Department of Economic Opportunity, and the
2132 Agency for Health Care Administration.

2133 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
2134 private school may be sectarian or nonsectarian and must:

2135 (c) Be academically accountable to the parent for meeting
2136 the educational needs of the student by:

2137 1. At a minimum, annually providing to the parent a written
2138 explanation of the student's progress.

2139 2. Annually administering or making provision for students
2140 participating in the scholarship program in grades 3 through 10
2141 to take one of the nationally norm-referenced tests identified
2142 by the Department of Education or the statewide assessments
2143 pursuant to s. 1008.22. Students with disabilities for whom
2144 standardized testing is not appropriate are exempt from this
2145 requirement. A participating private school must report a
2146 student's scores to the parent. A participating private school
2147 must annually report by August 15 the scores of all
2148 participating students to the Learning System Institute
2149 ~~independent research organization~~ described in paragraph (9)(j).

2150 3. Cooperating with—the scholarship student whose parent
2151 chooses to have the student participate in the statewide
2152 assessments pursuant to s. 1008.22 or, if a private school
2153 chooses to offer the statewide assessments, administering the
2154 assessments at the school.

2155 a. A participating private school may choose to offer and
2156 administer the statewide assessments to all students who attend
2157 the private school in grades 3 through 10.



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2158 b. A participating private school must submit a request in
2159 writing to the Department of Education by March 1 of each year
2160 in order to administer the statewide assessments in the
2161 subsequent school year.

2162 (e) Annually contract with an independent certified public
2163 accountant to perform the agreed-upon procedures developed under
2164 paragraph (6) (o) ~~(6) (n)~~ and produce a report of the results if
2165 the private school receives more than \$250,000 in funds from
2166 scholarships awarded under this section in the 2010-2011 state
2167 fiscal year or a state fiscal year thereafter. A private school
2168 subject to this paragraph must submit the report by September
2169 15, 2011, and annually thereafter to the scholarship-funding
2170 organization that awarded the majority of the school's
2171 scholarship funds. The agreed-upon procedures must be conducted
2172 in accordance with attestation standards established by the
2173 American Institute of Certified Public Accountants.

2174
2175 The inability of a private school to meet the requirements of
2176 this subsection shall constitute a basis for the ineligibility
2177 of the private school to participate in the scholarship program
2178 as determined by the Department of Education.

2179 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
2180 Education shall:

2181 (d) Annually verify the eligibility of expenditures as
2182 provided in paragraph (6) (d) using the audit required by
2183 paragraph (6) (m) and s. 11.45(2) (k) ~~(6) (l)~~.

2184 (j) Issue a project grant award to the Learning System
2185 Institute at the Florida State University ~~Select an independent~~
2186 ~~research organization, which may be a public or private entity~~



2187 ~~or university~~, to which participating private schools must
2188 report the scores of participating students on the nationally
2189 norm-referenced tests or the statewide assessments administered
2190 by the private school in grades 3 through 10. The project term
2191 is 2 years, and the amount of the project is up to \$500,000 per
2192 year. The project grant award must be reissued in 2 year
2193 intervals in accordance with this paragraph.

2194 1. The Learning System Institute ~~independent research~~
2195 ~~organization~~ must annually report to the Department of Education
2196 on the student performance ~~year-to-year learning gains~~ of
2197 participating students:

2198 a. On a statewide basis. The report shall also include, to
2199 the extent possible, a comparison of scholarship students'
2200 performance ~~these learning gains~~ to the statewide student
2201 performance ~~learning gains~~ of public school students with
2202 socioeconomic backgrounds similar to those of students
2203 participating in the scholarship program. To minimize costs and
2204 reduce time required for the Learning System Institute's
2205 ~~independent research organization's~~ analysis and evaluation, the
2206 Department of Education shall coordinate with the Learning
2207 System Institute to provide data to the Learning System
2208 Institute in order to conduct analyses of matched students from
2209 public school assessment data and calculate control group
2210 student performance ~~learning gains~~ using an agreed-upon
2211 methodology ~~outlined in the contract~~ with the Learning System
2212 Institute ~~independent research organization~~; and

2213 b. On an individual school basis. The annual report must
2214 include student performance for each participating private
2215 school in which at least 51 percent of the total enrolled



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2216 students in the private school participated in the Florida Tax
2217 Credit Scholarship Program in the prior school year. The report
2218 shall be according to each participating private school, and for
2219 participating students, in which there are at least 30
2220 participating students who have scores for tests administered
2221 during or after the 2009-2010 school year for 2 consecutive
2222 years at that private school. If the Learning System Institute
2223 determines that the 30 participating student cell size may be
2224 reduced without disclosing personally identifiable information,
2225 as described in 34 C.F.R. 99.12, of a participating student, the
2226 Learning System Institute may reduce the participating student
2227 cell size, but the cell size must not be reduced to less than 10
2228 participating students. The department shall provide each
2229 private school's prior school year's student enrollment
2230 information to the Learning System Institute no later than June
2231 15 of each year, or as requested by the Learning System
2232 Institute.

2233 2. The sharing and reporting of student performance
2234 ~~learning gain~~ data under this paragraph must be in accordance
2235 with requirements of s. 1002.22, s. 1002.221, 20 U.S.C. s.
2236 1232g, the Family Educational Rights and Privacy Act, and the
2237 applicable rules and regulations issued pursuant thereto, and
2238 shall be for the sole purpose of creating the annual report
2239 required by subparagraph 1. All parties must preserve the
2240 confidentiality of such information as required by law. The
2241 annual report must not disaggregate data to a level that will
2242 identify individual participating schools, except as required
2243 under sub-subparagraph 1.b., or disclose the academic level of
2244 individual students.



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2245 3. The annual report required by subparagraph 1. shall be
2246 published by the Department of Education on its website.

2247 (o) Provide a process to match the direct certification
2248 list with the scholarship application data submitted by any
2249 nonprofit scholarship-funding organization eligible to receive
2250 the 3-percent administrative allowance under paragraph (6) (j)
2251 ~~(6) (i)~~.

2252 (12) SCHOLARSHIP AMOUNT AND PAYMENT.—

2253 (a) ~~1.~~ Except as provided in subparagraph 2., the amount of
2254 a scholarship provided to any student for any single school year
2255 by an eligible nonprofit scholarship-funding organization from
2256 eligible contributions shall be for total costs authorized under
2257 paragraph (6) (d), not to exceed annual limits, which shall be
2258 determined as follows:

2259 1.a. For a scholarship awarded to a student enrolled in an
2260 eligible private school ~~+~~

2261 ~~(I) For the 2009-2010 state fiscal year, the limit shall be~~
2262 ~~\$3,950.~~

2263 ~~(II) For the 2010-2011 state fiscal year, the limit shall~~
2264 ~~be 60 percent of the unweighted FTE funding amount for that~~
2265 ~~year.~~

2266 ~~(III) For the 2011-2012 state fiscal year and thereafter,~~
2267 the limit shall be determined by multiplying the unweighted FTE
2268 funding amount in that state fiscal year by the percentage used
2269 to determine the limit in the prior state fiscal year. However,
2270 in each state fiscal year that the tax credit cap amount
2271 increases pursuant to paragraph (5) (a) ~~subparagraph (5) (a) 2.~~,
2272 the prior year percentage shall be increased by 4 percentage
2273 points and the increased percentage shall be used to determine



2274 the limit for that state fiscal year. If the percentage so
2275 calculated reaches 80 percent in a state fiscal year, no further
2276 increase in the percentage is allowed and the limit shall be 80
2277 percent of the unweighted FTE funding amount for that state
2278 fiscal year and thereafter. Beginning in the 2016-2017 state
2279 fiscal year, the amount of a scholarship awarded to a student
2280 enrolled in an eligible private school shall be equal to 82
2281 percent of the unweighted FTE funding amount for that state
2282 fiscal year and thereafter.

2283 b. For a scholarship awarded to a student enrolled in a
2284 Florida public school that is located outside the district in
2285 which the student resides or in a lab school as defined in s.
2286 1002.32, the limit shall be \$500.

2287 2. The annual limit for a scholarship under sub-
2288 subparagraph 1.a. shall be reduced by:

2289 a. Twenty-five percent if the student's household income
2290 level is equal to or greater than 200 percent, but less than 215
2291 percent, of the federal poverty level.

2292 b. Fifty percent if the student's household income level is
2293 equal to or greater than 215 percent, but equal to or less than
2294 230 percent, of the federal poverty level.

2295 3. For the 2016-2017 state fiscal year and thereafter, the
2296 annual limit for a scholarship under sub-subparagraph 1.a. shall
2297 be reduced by:

2298 a. Twelve percent if the student's household income level
2299 is greater than or equal to 200 percent, but less than 215
2300 percent, of the federal poverty level.

2301 b. Twenty-six percent if the student's household income
2302 level is greater than or equal to 215 percent, but less than 230



2303 percent, of the federal poverty level.

2304 c. Forty percent if the student's household income level is
2305 greater than or equal to 230 percent, but less than 245 percent,
2306 of the federal poverty level.

2307 d. Fifty percent if the student's household income level is
2308 greater than or equal to 245 percent, but less than or equal to
2309 260 percent, of the federal poverty level.

2310 (16) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
2311 APPLICATION.—In order to participate in the scholarship program
2312 created under this section, a charitable organization that seeks
2313 to be a nonprofit scholarship-funding organization must submit
2314 an application for initial approval or renewal to the Office of
2315 Independent Education and Parental Choice no later than
2316 September 1 of each year before the school year for which the
2317 organization intends to offer scholarships.

2318 (a) An application for initial approval must include:

2319 1. A copy of the organization's incorporation documents and
2320 registration with the Division of Corporations of the Department
2321 of State.

2322 2. A copy of the organization's Internal Revenue Service
2323 determination letter as a s. 501(c)(3) not-for-profit
2324 organization.

2325 3. A description of the organization's financial plan that
2326 demonstrates sufficient funds to operate throughout the school
2327 year.

2328 4. A description of the geographic region that the
2329 organization intends to serve and an analysis of the demand and
2330 unmet need for eligible students in that area.

2331 5. The organization's organizational chart.



2332 6. A description of the criteria and methodology that the
2333 organization will use to evaluate scholarship eligibility.

2334 7. A description of the application process, including
2335 deadlines and any associated fees.

2336 8. A description of the deadlines for attendance
2337 verification and scholarship payments.

2338 9. A copy of the organization's policies on conflict of
2339 interest and whistleblowers.

2340 10. A copy of a surety bond or letter of credit in an
2341 amount equal to 25 percent of the scholarship funds anticipated
2342 for each school year or \$100,000, whichever is greater.

2343 (b) In addition to the information required by
2344 subparagraphs (a)1.-9., an application for renewal must include:

2345 1. A surety bond or letter of credit equal to the amount of
2346 undisbursed donations held by the organization based on the
2347 annual report submitted pursuant to paragraph (6) (m). The amount
2348 of the surety bond or letter of credit must be at least
2349 \$100,000, but not more than \$25 million.

2350 2. The organization's completed Internal Revenue Service
2351 Form 990 submitted no later than November 30 of the year before
2352 the school year that the organization intends to offer the
2353 scholarships, notwithstanding the September 1 application
2354 deadline.

2355 3. A copy of the statutorily required audit to the
2356 Department of Education and Auditor General.

2357 4. An annual report that includes:

2358 a. The number of students who completed applications, by
2359 county and by grade.

2360 b. The number of students who were approved for



2361 scholarships, by county and by grade.

2362 c. The number of students who received funding for
2363 scholarships within each funding category, by county and by
2364 grade.

2365 d. The amount of funds received, the amount of funds
2366 distributed in scholarships, and an accounting of remaining
2367 funds and the obligation of those funds.

2368 e. A detailed accounting of how the organization spent the
2369 administrative funds allowable under paragraph (6)(j).

2370 (c) In consultation with the Department of Revenue and the
2371 Chief Financial Officer, the Office of Independent Education and
2372 Parental Choice shall review the application. The Department of
2373 Education shall notify the organization in writing of any
2374 deficiencies within 30 days after receipt of the application and
2375 allow the organization 30 days to correct any deficiencies.

2376 (d) Within 30 days after receipt of the finalized
2377 application by the Office of Independent Education and Parental
2378 Choice, the Commissioner of Education shall recommend approval
2379 or disapproval of the application to the State Board of
2380 Education. The State Board of Education shall consider the
2381 application and recommendation at the next scheduled meeting,
2382 adhering to appropriate meeting notice requirements. If the
2383 State Board of Education disapproves the organization's
2384 application, it shall provide the organization with a written
2385 explanation of that determination. The State Board of
2386 Education's action is not subject to chapter 120.

2387 (e) If the State Board of Education disapproves the renewal
2388 of a nonprofit scholarship-funding organization, the
2389 organization must notify the affected eligible students and



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2390 parents of the decision within 15 days after disapproval. An
2391 eligible student affected by the disapproval of an
2392 organization's participation remains eligible under this section
2393 until the end of the school year in which the organization was
2394 disapproved. The student must apply and be accepted by another
2395 eligible nonprofit scholarship-funding organization for the
2396 upcoming school year. The student shall be given priority in
2397 accordance with paragraph (6) (f).

2398 (f) All remaining funds held by a nonprofit scholarship-
2399 funding organization that is disapproved for participation must
2400 revert to the Department of Revenue for redistribution to other
2401 eligible nonprofit scholarship-funding organizations.

2402 (g) A nonprofit scholarship-funding organization is a
2403 renewing organization if it maintains continuous approval and
2404 participation in the program. An organization that chooses not
2405 to participate for 1 year or more or is disapproved to
2406 participate for 1 year or more must submit an application for
2407 initial approval in order to participate in the program again.

2408 (h) The State Board of Education shall adopt rules
2409 providing guidelines for receiving, reviewing, and approving
2410 applications for new and renewing nonprofit scholarship-funding
2411 organizations. The rules must include a process for compiling
2412 input and recommendations from the Chief Financial Officer, the
2413 Department of Revenue, and the Department of Education. The
2414 rules must also require that the nonprofit scholarship-funding
2415 organization make a brief presentation to assist the State Board
2416 of Education in its decision.

2417 (i) A state university; or an independent college or
2418 university which is eligible to participate in the William L.



2419 Boyd, IV, Florida Resident Access Grant Program, located and
2420 chartered in this state, is not for profit, and is accredited by
2421 the Commission on Colleges of the Southern Association of
2422 Colleges and Schools, is exempt from the initial or renewal
2423 application process, but must file a registration notice with
2424 the Department of Education to be an eligible nonprofit
2425 scholarship-funding organization. The State Board of Education
2426 shall adopt rules that identify the procedure for filing the
2427 registration notice with the department. The rules must identify
2428 appropriate reporting requirements for fiscal, programmatic, and
2429 performance accountability purposes consistent with this
2430 section, but shall not exceed the requirements for eligible
2431 nonprofit scholarship-funding organizations for charitable
2432 organizations. An nonprofit scholarship-funding organization
2433 that becomes eligible pursuant to this paragraph may begin
2434 providing scholarships to participating students in the 2015-
2435 2016 school year.

2436 Section 18. A nonprofit scholarship-funding organization
2437 whose application for participation in the program established
2438 by s. 1002.395, Florida Statutes, was approved before July 1,
2439 2014, must, by August 1, 2014, provide a copy of a surety bond
2440 or letter of credit meeting the requirements of s. 1002.395(16),
2441 Florida Statutes, to the Office of Independent Education and
2442 Parental Choice.

2443 Section 19. Effective July 1, 2015, section 1003.438,
2444 Florida Statutes, is repealed.

2445 Section 20. Section 1003.5716, Florida Statutes, is created
2446 to read:

2447 1003.5716 Transition to postsecondary education and career



2448 opportunities.-All students with disabilities who are 3 years of
2449 age to 21 years of age have the right to a free, appropriate
2450 public education. As used in this section, the term "IEP" means
2451 individual education plan.

2452 (1) To ensure quality planning for a successful transition
2453 of a student with a disability to postsecondary education and
2454 career opportunities, an IEP team shall begin the process of,
2455 and develop an IEP for, identifying the need for transition
2456 services before the student with a disability attains the age of
2457 14 years in order for his or her postsecondary goals and career
2458 goals to be identified and in place when he or she attains the
2459 age of 16 years. This process must include, but is not limited
2460 to:

2461 (a) Consideration of the student's need for instruction in
2462 the area of self-determination and self-advocacy to assist the
2463 student's active and effective participation in an IEP meeting;
2464 and

2465 (b) Preparation for the student to graduate from high
2466 school with a standard high school diploma pursuant to s.
2467 1003.4282 with a Scholar designation unless the parent chooses a
2468 Merit designation.

2469 (2) Beginning not later than the first IEP to be in effect
2470 when the student attains the age of 16, or younger if determined
2471 appropriate by the parent and the IEP team, the IEP must include
2472 the following statements that must be updated annually:

2473 (a) A statement of intent to pursue a standard high school
2474 diploma and a Scholar or Merit designation, pursuant to s.
2475 1003.4285, as determined by the parent.

2476 (b) A statement of intent to receive a standard high school



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2477 diploma before the student attains the age of 22 and a
2478 description of how the student will fully meet the requirements
2479 in s. 1003.428 or s. 1003.4282, as applicable, including, but
2480 not limited to, a portfolio pursuant to s. 1003.4282(10)(b)
2481 which meets the criteria specified in State Board of Education
2482 rule. The IEP must also specify the outcomes and additional
2483 benefits expected by the parent and the IEP team at the time of
2484 the student's graduation.

2485 (c) A statement of appropriate measurable long-term
2486 postsecondary education and career goals based upon age-
2487 appropriate transition assessments related to training,
2488 education, employment, and, if appropriate, independent living
2489 skills and the transition services, including courses of study
2490 needed to assist the student in reaching those goals.

2491 (3) Any change in the IEP for the goals specified in
2492 subsection (2) must be approved by the parent and is subject to
2493 verification for appropriateness by an independent reviewer
2494 selected by the parent as provided in s. 1003.572.

2495 (4) If a participating agency responsible for transition
2496 services, other than the school district, fails to provide the
2497 transition services described in the IEP, the school district
2498 shall reconvene the IEP team to identify alternative strategies
2499 to meet the transition objectives for the student that are
2500 specified in the IEP. However, this does not relieve any
2501 participating agency of the responsibility to provide or pay for
2502 any transition service that the agency would otherwise provide
2503 to students with disabilities who meet the eligibility criteria
2504 of that agency.

2505 Section 21. Subsection (3) of section 1003.572, Florida



2506 Statutes, is amended to read:

2507 1003.572 Collaboration of public and private instructional
2508 personnel.—

2509 (3) Private instructional personnel who are hired or
2510 contracted by parents to collaborate with public instructional
2511 personnel must be permitted to observe the student in the
2512 educational setting, collaborate with instructional personnel in
2513 the educational setting, and provide services in the educational
2514 setting according to the following requirements:

2515 (a) The student's public instructional personnel and
2516 principal consent to the time and place.

2517 (b) The private instructional personnel satisfy the
2518 requirements of s. 1012.32 or s. 1012.321.

2519

2520 For the purpose of implementing this subsection, a school
2521 district may not impose any requirements beyond those
2522 requirements specified in this subsection or charge any fees.

2523 Section 22. Paragraph (c) of subsection (5) and paragraph
2524 (b) of subsection (6) of section 1008.25, Florida Statutes, are
2525 amended to read:

2526 1008.25 Public school student progression; remedial
2527 instruction; reporting requirements.—

2528 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

2529 (c) The parent of any student who exhibits a substantial
2530 deficiency in reading, as described in paragraph (a), must be
2531 notified in writing of the following:

2532 1. That his or her child has been identified as having a
2533 substantial deficiency in reading.

2534 2. A description of the current services that are provided



2535 to the child.

2536 3. A description of the proposed supplemental instructional
2537 services and supports that will be provided to the child that
2538 are designed to remediate the identified area of reading
2539 deficiency.

2540 4. That if the child's reading deficiency is not remediated
2541 by the end of grade 3, the child must be retained unless he or
2542 she is exempt from mandatory retention for good cause.

2543 5. Strategies for parents to use in helping their child
2544 succeed in reading proficiency.

2545 6. That the Florida Comprehensive Assessment Test (FCAT) is
2546 not the sole determiner of promotion and that additional
2547 evaluations, portfolio reviews, and assessments are available to
2548 the child to assist parents and the school district in knowing
2549 when a child is reading at or above grade level and ready for
2550 grade promotion.

2551 7. The district's specific criteria and policies for a
2552 portfolio as provided in subparagraph (6)(b)4. and the evidence
2553 required for a student to demonstrate mastery of Florida's
2554 academic standards for English Language Arts. A parent of a
2555 student in grade 3 who is identified anytime during the year as
2556 being at risk of retention may request that the school
2557 immediately begin collecting evidence for a portfolio.

2558 ~~8.7.~~ The district's specific criteria and policies for
2559 midyear promotion. Midyear promotion means promotion of a
2560 retained student at any time during the year of retention once
2561 the student has demonstrated ability to read at grade level.

2562 (6) ELIMINATION OF SOCIAL PROMOTION.—

2563 (b) The district school board may only exempt students from



2564 mandatory retention, as provided in paragraph (5)(b), for good
2565 cause. A student who is promoted to grade 4 with a good cause
2566 exemption shall be provided intensive reading instruction and
2567 intervention that include specialized diagnostic information and
2568 specific reading strategies to meet the needs of each student so
2569 promoted. The school district shall assist schools and teachers
2570 with the implementation of reading strategies for students
2571 promoted with a good cause exemption which research has shown to
2572 be successful in improving reading among students that have
2573 reading difficulties. Good cause exemptions are ~~shall be~~ limited
2574 to the following:

2575 1. Limited English proficient students who have had less
2576 than 2 years of instruction in an English for Speakers of Other
2577 Languages program.

2578 2. Students with disabilities whose individual education
2579 plan indicates that participation in the statewide assessment
2580 program is not appropriate, consistent with the requirements of
2581 State Board of Education rule.

2582 3. Students who demonstrate an acceptable level of
2583 performance on an alternative standardized reading or English
2584 Language Arts assessment approved by the State Board of
2585 Education.

2586 4. A student who demonstrates through a student portfolio
2587 that he or she is performing at least at Level 2 on FCAT Reading
2588 or the common core English Language Arts assessment, as
2589 applicable under s. 1008.22.

2590 5. Students with disabilities who participate in FCAT
2591 Reading or the common core English Language Arts assessment, as
2592 applicable under s. 1008.22, and who have an individual



2593 education plan or a Section 504 plan that reflects that the
2594 student has received intensive remediation in reading and
2595 English Language Arts for more than 2 years but still
2596 demonstrates a deficiency and was previously retained in
2597 kindergarten, grade 1, grade 2, or grade 3.

2598 6. Students who have received intensive reading
2599 intervention for 2 or more years but still demonstrate a
2600 deficiency in reading and who were previously retained in
2601 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
2602 years. A student may not be retained more than once in grade 3.

2603 7.6. Students who have received intensive remediation in
2604 reading and English Language Arts, as applicable under s.
2605 1008.22, for 2 or more years but still demonstrate a deficiency
2606 and who were previously retained in kindergarten, grade 1, grade
2607 2, or grade 3 for a total of 2 years. Intensive instruction for
2608 students so promoted must include an altered instructional day
2609 that includes specialized diagnostic information and specific
2610 reading strategies for each student. The district school board
2611 shall assist schools and teachers to implement reading
2612 strategies that research has shown to be successful in improving
2613 reading among low-performing readers.

2614 Section 23. The Florida Prepaid College Board shall conduct
2615 a study and submit a report to the President of the Senate and
2616 the Speaker of the House of Representatives by December 31,
2617 2014, which includes, but is not limited to, a description of
2618 the following:

2619 (1) The terms and conditions under which payments may be
2620 withdrawn from the Florida Prepaid College Trust Fund for the
2621 payment of program fees in excess of, or in lieu of, tuition for



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2622 a student with a disability, up to the limits of an advanced
2623 payment contract;

2624 (2) A policy for accelerated disbursement of funds for
2625 payment of other qualified higher education expenses; and

2626 (3) Instances where a student with a disability can use an
2627 advanced payment contract when auditing a class or receiving a
2628 tuition waiver.

2629 Section 24. Effective July 1, 2015, paragraph (c) of
2630 subsection (1) of section 120.81, Florida Statutes, is amended
2631 to read:

2632 120.81 Exceptions and special requirements; general areas.-

2633 (1) EDUCATIONAL UNITS.-

2634 (c) Notwithstanding s. 120.52(16), any tests, test scoring
2635 criteria, or testing procedures relating to student assessment
2636 which are developed or administered by the Department of
2637 Education pursuant to s. 1003.428, s. 1003.429, ~~s. 1003.438~~, s.
2638 1008.22, or s. 1008.25, or any other statewide educational tests
2639 required by law, are not rules.

2640 Section 25. Effective July 1, 2015, subsection (2) of
2641 section 409.1451, Florida Statutes, is amended to read:

2642 409.1451 The Road-to-Independence Program.-

2643 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.-

2644 (a) A young adult is eligible for services and support
2645 under this subsection if he or she:

2646 1. Was living in licensed care on his or her 18th birthday
2647 or is currently living in licensed care; or was at least 16
2648 years of age and was adopted from foster care or placed with a
2649 court-approved dependency guardian after spending at least 6
2650 months in licensed care within the 12 months immediately



2651 preceding such placement or adoption;
2652 2. Spent at least 6 months in licensed care before reaching
2653 his or her 18th birthday;
2654 3. Earned a standard high school diploma or its equivalent
2655 pursuant to s. 1003.428, s. 1003.4281, s. 1003.429, or s.
2656 1003.435, ~~or s. 1003.438~~;
2657 4. Has been admitted for enrollment as a full-time student
2658 or its equivalent in an eligible postsecondary educational
2659 institution as provided in s. 1009.533. For purposes of this
2660 section, the term "full-time" means 9 credit hours or the
2661 vocational school equivalent. A student may enroll part-time if
2662 he or she has a recognized disability or is faced with another
2663 challenge or circumstance that would prevent full-time
2664 attendance. A student needing to enroll part-time for any reason
2665 other than having a recognized disability must get approval from
2666 his or her academic advisor;
2667 5. Has reached 18 years of age but is not yet 23 years of
2668 age;
2669 6. Has applied, with assistance from the young adult's
2670 caregiver and the community-based lead agency, for any other
2671 grants and scholarships for which he or she may qualify;
2672 7. Submitted a Free Application for Federal Student Aid
2673 which is complete and error free; and
2674 8. Signed an agreement to allow the department and the
2675 community-based care lead agency access to school records.
2676 Section 26. Effective July 1, 2015, subsection (4) of
2677 section 1007.263, Florida Statutes, is amended to read:
2678 1007.263 Florida College System institutions; admissions of
2679 students.—Each Florida College System institution board of



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2680 trustees is authorized to adopt rules governing admissions of
2681 students subject to this section and rules of the State Board of
2682 Education. These rules shall include the following:

2683 (4) A student who has been awarded ~~a special diploma as~~
2684 ~~defined in s. 1003.438 or~~ a certificate of completion as defined
2685 in s. 1003.428(7)(b) is eligible to enroll in certificate career
2686 education programs.

2687
2688 Each board of trustees shall establish policies that notify
2689 students about developmental education options for improving
2690 their communication or computation skills that are essential to
2691 performing college-level work, including tutoring, extended time
2692 in gateway courses, free online courses, adult basic education,
2693 adult secondary education, or private provider instruction.

2694 Section 27. The amendments made by this act to ss. 1003.438
2695 and 409.1451, Florida Statutes, do not apply to a student with
2696 disabilities, as defined in s. 1003.438, Florida Statutes, who
2697 is eligible for and currently participating in the Road to
2698 Independence Program, as of the effective date of this act. Such
2699 student shall continue to participate in the program as long as
2700 he or she meets the eligibility criteria in effect as of the
2701 effective date of this act.

2702 Section 28. The amendment made by this act to s. 1003.438,
2703 Florida Statutes, does not apply to a student with disabilities,
2704 as defined in s. 1003.438, Florida Statutes, whose individual
2705 education plan, as of the effective date of this act, contains a
2706 statement of intent to receive a special diploma. Such student
2707 shall be awarded a special diploma in a form prescribed by the
2708 Commissioner of Education if the student meets the requirements



2709 specified in s. 1003.438, Florida Statutes, and in effect as of
2710 the effective date of this act. Any such student who meets all
2711 special requirements of the district school board in effect as
2712 of the effective date of this act, but who is unable to meet the
2713 appropriate special state minimum requirements in effect as of
2714 the effective date of this act, shall be awarded a special
2715 certificate of completion in a form prescribed by the
2716 Commissioner of Education.

2717 Section 29. Section 985.622, Florida Statutes, is amended
2718 to read:

2719 985.622 Multiagency plan for career and professional
2720 education (CAPE) ~~vocational education.~~

2721 (1) The Department of Juvenile Justice and the Department
2722 of Education shall, in consultation with the statewide Workforce
2723 Development Youth Council, school districts, providers, and
2724 others, jointly develop a multiagency plan for career and
2725 professional education (CAPE) ~~vocational education~~ that
2726 establishes the curriculum, goals, and outcome measures for CAPE
2727 ~~vocational~~ programs in juvenile justice education programs
2728 ~~commitment facilities.~~ The plan must be reviewed annually,
2729 revised as appropriate, and include:

2730 (a) Provisions for maximizing appropriate state and federal
2731 funding sources, including funds under the Workforce Investment
2732 Act and the Perkins Act.†

2733 (b) Provisions for eliminating barriers to increasing
2734 occupation-specific job training and high school equivalency
2735 examination preparation opportunities.

2736 (c) ~~(b)~~ The responsibilities of both departments and all
2737 other appropriate entities.† ~~and~~



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2738 (d) ~~(e)~~ A detailed implementation schedule.

2739 (2) The plan must define CAPE ~~vocational~~ programming that
2740 is appropriate based upon:

2741 (a) The age and assessed educational abilities and goals of
2742 the student youth to be served; and

2743 (b) The typical length of stay and custody characteristics
2744 at the juvenile justice education commitment program to which
2745 each student youth is assigned.

2746 (3) The plan must include a definition of CAPE ~~vocational~~
2747 programming that includes the following classifications of
2748 juvenile justice education programs commitment facilities that
2749 will offer CAPE ~~vocational~~ programming by one of the following
2750 types:

2751 (a) *Type 1 A.*—Programs that teach personal accountability
2752 skills and behaviors that are appropriate for students youth in
2753 all age groups and ability levels and that lead to work habits
2754 that help maintain employment and living standards.

2755 (b) *Type 2 B.*—Programs that include Type 1 A program
2756 content and an orientation to the broad scope of career choices,
2757 based upon personal abilities, aptitudes, and interests.
2758 Exploring and gaining knowledge of occupation options and the
2759 level of effort required to achieve them are essential
2760 prerequisites to skill training.

2761 (c) *Type 3 C.*—Programs that include Type 1 A program
2762 content and the ~~vocational~~ competencies or the prerequisites
2763 needed for entry into a specific occupation.

2764 (4) The plan must also address strategies to facilitate
2765 involvement of business and industry in the design, delivery,
2766 and evaluation of CAPE ~~vocational~~ programming in juvenile



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2767 justice education ~~commitment facilities and conditional release~~
2768 programs, including apprenticeship and work experience programs,
2769 mentoring and job shadowing, and other strategies that lead to
2770 postrelease employment. Incentives for business involvement,
2771 such as tax breaks, bonding, and liability limits should be
2772 investigated, implemented where appropriate, or recommended to
2773 the Legislature for consideration.

2774 (5) The plan must also evaluate the effect of students'
2775 mobility between juvenile justice education programs and school
2776 districts on the students' educational outcomes and whether the
2777 continuity of the students' education can be better addressed
2778 through virtual education.

2779 (6) ~~(5)~~ The Department of Juvenile Justice and the
2780 Department of Education shall each align its respective agency
2781 policies, practices, technical manuals, contracts, quality-
2782 assurance standards, performance-based-budgeting measures, and
2783 outcome measures with the plan in juvenile justice education
2784 programs ~~commitment facilities~~ by July 31, 2015 ~~2001~~. Each
2785 agency shall provide a report on the implementation of this
2786 section to the Governor, the President of the Senate, and the
2787 Speaker of the House of Representatives by August 31, 2015 ~~2001~~.

2788 (7) ~~(6)~~ All provider contracts executed by the Department of
2789 Juvenile Justice or the school districts after January 1, 2015
2790 ~~2002~~, must be aligned with the plan.

2791 (8) ~~(7)~~ The planning and execution of quality assurance
2792 reviews conducted by the Department of Education or the
2793 Department of Juvenile Justice after August 1, 2015 ~~2002~~, must
2794 be aligned with the plan.

2795 (9) ~~(8)~~ Outcome measures reported by the Department of



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2796 Juvenile Justice and the Department of Education for students
2797 ~~youth~~ released on or after January 1, 2016 ~~2002~~, should include
2798 outcome measures that conform to the plan.

2799 Section 30. Section 1001.31, Florida Statutes, is amended
2800 to read:

2801 1001.31 Scope of district system.—A district school system
2802 shall include all public schools, classes, and courses of
2803 instruction and all services and activities directly related to
2804 education in that district which are under the direction of the
2805 district school officials. A district school system may also
2806 include alternative site schools for disruptive or violent
2807 students ~~youth~~. Such schools for disruptive or violent students
2808 ~~youth~~ may be funded by each district or provided through
2809 cooperative programs administered by a consortium of school
2810 districts, private providers, state and local law enforcement
2811 agencies, and the Department of Juvenile Justice. Pursuant to
2812 cooperative agreement, a district school system shall provide
2813 instructional personnel at juvenile justice facilities ~~of 50 or~~
2814 ~~more beds or slots~~ with access to the district school system
2815 database for the purpose of accessing student academic,
2816 immunization, and registration records for students assigned to
2817 the programs. Such access shall be in the same manner as
2818 provided to other schools in the district.

2819 Section 31. Section 1003.51, Florida Statutes, is amended
2820 to read:

2821 1003.51 Other public educational services.—

2822 (1) The general control of other public educational
2823 services shall be vested in the State Board of Education except
2824 as provided in this section ~~herein~~. The State Board of Education



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2825 shall, at the request of the Department of Children and Families
2826 ~~Family Services~~ and the Department of Juvenile Justice, advise
2827 as to standards and requirements relating to education to be met
2828 in all state schools or institutions under their control which
2829 provide educational programs. The Department of Education shall
2830 provide supervisory services for the educational programs of all
2831 such schools or institutions. The direct control of any of these
2832 services provided as part of the district program of education
2833 shall rest with the district school board. These services shall
2834 be supported out of state, district, federal, or other ~~lawful~~
2835 funds, depending on the requirements of the services being
2836 supported.

2837 (2) The State Board of Education shall adopt rules ~~and~~
2838 ~~maintain an administrative rule~~ articulating expectations for
2839 effective education programs for students ~~youth~~ in Department of
2840 Juvenile Justice programs, including, but not limited to,
2841 education programs in juvenile justice prevention, day
2842 treatment, residential, ~~commitment~~ and detention programs
2843 ~~facilities~~. The rule shall establish ~~articulate~~ policies and
2844 standards for education programs for students ~~youth~~ in
2845 Department of Juvenile Justice programs and shall include the
2846 following:

2847 (a) The interagency collaborative process needed to ensure
2848 effective programs with measurable results.

2849 (b) The responsibilities of the Department of Education,
2850 the Department of Juvenile Justice, Workforce Florida, Inc.,
2851 district school boards, and providers of education services to
2852 students ~~youth~~ in Department of Juvenile Justice programs.

2853 (c) Academic expectations.



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- 2854 (d) Career expectations.
- 2855 (e) Education transition planning and services.
- 2856 (f)~~(d)~~ Service delivery options available to district
2857 school boards, including direct service and contracting.
- 2858 (g)~~(e)~~ Assessment procedures, which:
- 2859 1. For prevention, day treatment, and residential programs,
2860 include appropriate academic and career assessments administered
2861 at program entry and exit that are selected by the Department of
2862 Education in partnership with representatives from the
2863 Department of Juvenile Justice, district school boards, and
2864 education providers. Assessments must be completed within the
2865 first 10 school days after a student's entry into the program.
- 2866 2. Provide for determination of the areas of academic need
2867 and strategies for appropriate intervention and instruction for
2868 each student in a detention facility within 5 school days after
2869 the student's entry into the program and administer a research-
2870 based assessment that will assist the student in determining his
2871 or her educational and career options and goals within 22 school
2872 days after the student's entry into the program ~~Require district~~
2873 ~~school boards to be responsible for ensuring the completion of~~
2874 ~~the assessment process.~~
- 2875 3. ~~Require assessments for students in detention who will~~
2876 ~~move on to commitment facilities, to be designed to create the~~
2877 ~~foundation for developing the student's education program in the~~
2878 ~~assigned commitment facility.~~
- 2879 4. ~~Require assessments of students sent directly to~~
2880 ~~commitment facilities to be completed within the first 10 school~~
2881 ~~days of the student's commitment.~~
- 2882



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2883 The results of these assessments, together with a portfolio
2884 depicting the student's academic and career accomplishments,
2885 shall be included in the discharge packet ~~package~~ assembled for
2886 each student ~~youth~~.

2887 (h) ~~(f)~~ Recommended instructional programs, including, but
2888 not limited to:r

2889 1. Secondary education.

2890 2. High school equivalency examination preparation.

2891 3. Postsecondary education.

2892 4. Career and professional education (CAPE). ~~career~~

2893 ~~training and~~

2894 5. Job preparation.

2895 6. Virtual education that:

2896 a. Provides competency-based instruction that addresses the
2897 unique academic needs of the student through delivery by an
2898 entity accredited by AdvanceED or the Southern Association of
2899 Colleges and Schools.

2900 b. Confers certifications and diplomas.

2901 c. Issues credit that articulates with and transcripts that
2902 are recognized by secondary schools.

2903 d. Allows the student to continue to access and progress
2904 through the program once the student leaves the juvenile justice
2905 system.

2906 (i) ~~(g)~~ Funding requirements, which shall include the
2907 requirement that at least 90 percent of the FEFP funds generated
2908 by students in Department of Juvenile Justice programs or in an
2909 education program for juveniles under s. 985.19 be spent on
2910 instructional costs for those students. One hundred percent of
2911 the formula-based categorical funds generated by students in



2912 Department of Juvenile Justice programs must be spent on
2913 appropriate categoricals such as instructional materials and
2914 public school technology for those students.

2915 (j)~~(h)~~ Qualifications of instructional staff, procedures
2916 for the selection of instructional staff, and procedures for to~~to~~
2917 ~~ensure~~ consistent instruction and qualified staff year round.
2918 Qualifications shall include those for instructors of CAPE
2919 courses, standardized across the state, and shall be based on
2920 state certification, local school district approval, and
2921 industry-recognized certifications as identified on the Industry
2922 Certification Funding List. Procedures for the use of
2923 noncertified instructional personnel who possess expert
2924 knowledge or experience in their fields of instruction shall be
2925 established.

2926 (k)~~(i)~~ Transition services, including the roles and
2927 responsibilities of appropriate personnel in the juvenile
2928 justice education program, the school district where the student
2929 will reenter districts, provider organizations, and the
2930 Department of Juvenile Justice.

2931 (l)~~(j)~~ Procedures and timeframe for transfer of education
2932 records when a student youth enters and leaves a Department of
2933 Juvenile Justice education program facility.

2934 (m)~~(k)~~ The requirement that each district school board
2935 maintain an academic transcript for each student enrolled in a
2936 juvenile justice education program facility that delineates each
2937 course completed by the student as provided by the State Course
2938 Code Directory.

2939 (n)~~(l)~~ The requirement that each district school board make
2940 available and transmit a copy of a student's transcript in the



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2941 discharge packet when the student exits a juvenile justice
2942 education program facility.

2943 (o) ~~(m)~~ Contract requirements.

2944 (p) ~~(n)~~ Performance expectations for providers and district
2945 school boards, including student performance measures by type of
2946 program, education program performance ratings, school
2947 improvement, and corrective action plans for low-performing
2948 programs ~~the provision of a progress monitoring plan as required~~
2949 ~~in s. 1008.25.~~

2950 (q) ~~(e)~~ The role and responsibility of the district school
2951 board in securing workforce development funds.

2952 (r) ~~(p)~~ A series of graduated sanctions for district school
2953 boards whose educational programs in Department of Juvenile
2954 Justice programs ~~facilities~~ are considered to be unsatisfactory
2955 and for instances in which district school boards fail to meet
2956 standards prescribed by law, rule, or State Board of Education
2957 policy. These sanctions shall include the option of requiring a
2958 district school board to contract with a provider or another
2959 district school board if the educational program at the
2960 Department of Juvenile Justice program is performing below
2961 minimum standards ~~facility has failed a quality assurance review~~
2962 and, after 6 months, is still performing below minimum
2963 standards.

2964 (s) Curriculum, guidance counseling, transition, and
2965 education services expectations, including curriculum
2966 flexibility for detention centers operated by the Department of
2967 Juvenile Justice.

2968 (t) ~~(q)~~ Other aspects of program operations.

2969 (3) The Department of Education in partnership with the



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2970 Department of Juvenile Justice, the district school boards, and
2971 providers shall:

2972 (a) Develop and implement requirements for contracts and
2973 cooperative agreements regarding ~~Maintain model contracts for~~
2974 the delivery of appropriate education services to students youth
2975 in Department of Juvenile Justice education programs ~~to be used~~
2976 ~~for the development of future contracts~~. The minimum contract
2977 requirements shall include, but are not limited to, payment
2978 structure and amounts; access to district services; contract
2979 management provisions; data reporting requirements, including
2980 reporting of full-time equivalent student membership;
2981 administration of federal programs such as Title I, exceptional
2982 student education, and the Carl D. Perkins Career and Technical
2983 Education Act of 2006; and ~~model contracts shall reflect the~~
2984 policy and standards included in subsection (2). ~~The Department~~
2985 ~~of Education shall ensure that appropriate district school board~~
2986 ~~personnel are trained and held accountable for the management~~
2987 ~~and monitoring of contracts for education programs for youth in~~
2988 ~~juvenile justice residential and nonresidential facilities.~~

2989 (b) Develop and implement ~~Maintain model~~ procedures for
2990 transitioning students youth into and out of Department of
2991 Juvenile Justice education programs. These procedures shall
2992 reflect the policy and standards adopted pursuant to subsection
2993 (2).

2994 (c) Maintain standardized required content of education
2995 records to be included as part of a student's youth's commitment
2996 record and procedures for securing the student's records. The
2997 education records ~~These requirements shall reflect the policy~~
2998 ~~and standards adopted pursuant to subsection (2) and shall~~



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2999 include, but not be limited to, the following:
3000 1. A copy of the student's individual educational plan.
3001 2. A copy of the student's individualized progress
3002 monitoring plan.
3003 3. A copy of the student's individualized transition plan.
3004 ~~4.2.~~ Data on student performance on assessments taken
3005 according to s. 1008.22.
3006 ~~5.3.~~ A copy of the student's permanent cumulative record.
3007 ~~6.4.~~ A copy of the student's academic transcript.
3008 ~~7.5.~~ A portfolio reflecting the student's youth's academic
3009 accomplishments and industry certification earned, when age
3010 appropriate, while in the Department of Juvenile Justice
3011 program.
3012 (d) ~~Establish Maintain model procedures for securing the~~
3013 ~~education record and the roles and responsibilities of the~~
3014 ~~juvenile probation officer and others involved in the withdrawal~~
3015 ~~of the student from school and assignment to a juvenile justice~~
3016 ~~education program commitment or detention facility. District~~
3017 ~~school boards shall respond to requests for student education~~
3018 ~~records received from another district school board or a~~
3019 ~~juvenile justice facility within 5 working days after receiving~~
3020 ~~the request.~~
3021 (4) ~~Each The Department of Education shall ensure that~~
3022 ~~district school board shall: boards~~
3023 (a) Notify students in juvenile justice education programs
3024 ~~residential or nonresidential facilities~~ who attain the age of
3025 16 years of the ~~provisions of~~ law regarding compulsory school
3026 attendance and make available the option of enrolling in an
3027 education a program to attain a Florida high school diploma by



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3028 taking the high school equivalency examination before General
3029 Educational Development test prior to release from the program
3030 facility. The Department of Education shall assist juvenile
3031 justice education programs with becoming high school equivalency
3032 examination centers District school boards or Florida College
3033 System institutions, or both, shall waive GED testing fees for
3034 youth in Department of Juvenile Justice residential programs and
3035 shall, upon request, designate schools operating for the purpose
3036 of providing educational services to youth in Department of
3037 Juvenile Justice programs as GED testing centers, subject to GED
3038 testing center requirements. The administrative fees for the
3039 General Educational Development test required by the Department
3040 of Education are the responsibility of district school boards
3041 and may be required of providers by contractual agreement.

3042 (b) Respond to requests for student education records
3043 received from another district school board or a juvenile
3044 justice education program within 5 working days after receiving
3045 the request.

3046 (c) Provide access to courses offered pursuant to ss.
3047 1002.37, 1002.45, and 1003.498. School districts and providers
3048 may enter into cooperative agreements for the provision of
3049 curriculum associated with courses offered pursuant to s.
3050 1003.498 to enable providers to offer such courses.

3051 (d) Complete the assessment process required by subsection
3052 (2).

3053 (e) Monitor compliance with contracts for education
3054 programs for students in juvenile justice prevention, day
3055 treatment, residential, and detention programs.

3056 (5) The Department of Education shall establish and



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3057 operate, either directly or indirectly through a contract, a
3058 mechanism to provide accountability measures that annually
3059 assesses and evaluates all juvenile justice education programs
3060 using student performance data and program performance ratings
3061 by type of program ~~quality assurance reviews of all juvenile~~
3062 ~~justice education programs~~ and shall provide technical
3063 assistance and related research to district school boards and
3064 juvenile justice education providers ~~on how to establish,~~
3065 ~~develop, and operate educational programs that exceed the~~
3066 ~~minimum quality assurance standards.~~ The Department of
3067 Education, with input from the Department of Juvenile Justice,
3068 school districts, and education providers shall develop annual
3069 recommendations for system and school improvement.

3070 Section 32. Section 1003.52, Florida Statutes, is amended
3071 to read:

3072 1003.52 Educational services in Department of Juvenile
3073 Justice programs.-

3074 (1) ~~The Legislature finds that education is the single most~~
3075 ~~important factor in the rehabilitation of adjudicated delinquent~~
3076 ~~youth in the custody of Department of Juvenile Justice programs.~~
3077 ~~It is the goal of the Legislature that youth in the juvenile~~
3078 ~~justice system continue to be allowed the opportunity to obtain~~
3079 ~~a high quality education.~~ The Department of Education shall
3080 serve as the lead agency for juvenile justice education
3081 programs, curriculum, support services, and resources. To this
3082 end, the Department of Education and the Department of Juvenile
3083 Justice shall each designate a Coordinator for Juvenile Justice
3084 Education Programs to serve as the point of contact for
3085 resolving issues not addressed by district school boards and to



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3086 provide each department's participation in the following
3087 activities:

3088 (a) Training, collaborating, and coordinating with ~~the~~
3089 ~~Department of Juvenile Justice~~, district school boards, regional
3090 workforce boards, and local youth councils, educational contract
3091 providers, and juvenile justice providers, whether state
3092 operated or contracted.

3093 (b) Collecting information on the academic, career and
3094 professional education (CAPE), and transition performance of
3095 students in juvenile justice programs and reporting on the
3096 results.

3097 (c) Developing academic and CAPE ~~career~~ protocols that
3098 provide guidance to district school boards and juvenile justice
3099 education providers in all aspects of education programming,
3100 including records transfer and transition.

3101 (d) Implementing a joint accountability, program
3102 performance, and program improvement process ~~Prescribing the~~
3103 ~~roles of program personnel and interdepartmental district school~~
3104 ~~board or provider collaboration strategies.~~

3105
3106 Annually, a cooperative agreement and plan for juvenile justice
3107 education service enhancement shall be developed between the
3108 Department of Juvenile Justice and the Department of Education
3109 and submitted to the Secretary of Juvenile Justice and the
3110 Commissioner of Education by June 30. The plan shall include, at
3111 a minimum, each agency's role regarding educational program
3112 accountability, technical assistance, training, and coordination
3113 of services.

3114 (2) Students participating in Department of Juvenile



3115 Justice education programs pursuant to chapter 985 which are
3116 sponsored by a community-based agency or are operated or
3117 contracted for by the Department of Juvenile Justice shall
3118 receive education ~~educational~~ programs according to rules of the
3119 State Board of Education. These students shall be eligible for
3120 services afforded to students enrolled in programs pursuant to
3121 s. 1003.53 and all corresponding State Board of Education rules.

3122 (3) The district school board of the county in which the
3123 juvenile justice education prevention, day treatment,
3124 residential, or detention program ~~residential or nonresidential~~
3125 ~~care facility or juvenile assessment facility~~ is located shall
3126 provide or contract for appropriate educational assessments and
3127 an appropriate program of instruction and special education
3128 services.

3129 (a) The district school board shall make provisions for
3130 each student to participate in basic, CAPE ~~career education~~, and
3131 exceptional student programs as appropriate. Students served in
3132 Department of Juvenile Justice education programs shall have
3133 access to the appropriate courses and instruction to prepare
3134 them for the high school equivalency examination ~~GED test~~.
3135 Students participating in high school equivalency examination
3136 ~~GED~~ preparation programs shall be funded at the basic program
3137 cost factor for Department of Juvenile Justice programs in the
3138 Florida Education Finance Program. Each program shall be
3139 conducted according to applicable law providing for the
3140 operation of public schools and rules of the State Board of
3141 Education. School districts shall provide the high school
3142 equivalency examination ~~GED~~ exit option for all juvenile justice
3143 education programs.



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3144 (b) ~~By October 1, 2004,~~ The Department of Education, with
3145 the assistance of the school districts and juvenile justice
3146 education providers, shall select a common student assessment
3147 instrument and protocol for measuring student learning gains and
3148 student progression while a student is in a juvenile justice
3149 education program. The Department of Education and the
3150 Department of Juvenile Justice shall jointly review the
3151 effectiveness of this assessment and implement changes as
3152 necessary ~~The assessment instrument and protocol must be~~
3153 ~~implemented in all juvenile justice education programs in this~~
3154 ~~state by January 1, 2005.~~

3155 (4) Educational services shall be provided at times of the
3156 day most appropriate for the juvenile justice program. School
3157 programming in juvenile justice detention, prevention, day
3158 treatment, and residential commitment, ~~and rehabilitation~~
3159 programs shall be made available by the local school district
3160 during the juvenile justice school year, as provided ~~defined~~ in
3161 s. 1003.01(11). In addition, students in juvenile justice
3162 education programs shall have access to courses offered pursuant
3163 to ss. 1002.37, 1002.45, and 1003.498 ~~Florida Virtual School~~
3164 ~~courses.~~ The Department of Education and the school districts
3165 shall adopt policies necessary to provide ~~ensure~~ such access.

3166 (5) The educational program shall provide instruction based
3167 on each student's individualized transition plan, assessed
3168 educational needs, and the education programs available in the
3169 school district in which the student will return. Depending on
3170 the student's needs, educational programming may consist of
3171 remedial courses, ~~consist of appropriate basic academic~~ courses
3172 required for grade advancement, CAPE courses, high school



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3173 equivalency examination preparation ~~career~~, or exceptional
3174 student education curricula and related services which support
3175 the transition ~~treatment~~ goals and reentry and which may lead to
3176 completion of the requirements for receipt of a high school
3177 diploma or its equivalent. Prevention and day treatment juvenile
3178 justice education programs, at a minimum, shall provide career
3179 readiness and exploration opportunities as well as truancy and
3180 dropout prevention intervention services. Residential juvenile
3181 justice education programs with a contracted minimum length of
3182 stay of 9 months shall provide CAPE courses that lead to
3183 preapprentice certifications and industry certifications.
3184 Programs with contracted lengths of stay of less than 9 months
3185 may provide career education courses that lead to preapprentice
3186 certifications and CAPE industry certifications. If the duration
3187 of a program is less than 40 days, the educational component may
3188 be limited to tutorial remediation activities, and career
3189 employability skills instruction, education counseling, and
3190 transition services that prepare students for a return to
3191 school, the community, and their home settings based on the
3192 students' needs.

3193 (6) Participation in the program by students of compulsory
3194 school-attendance age as provided for in s. 1003.21 shall be
3195 mandatory. All students of noncompulsory school-attendance age
3196 who have not received a high school diploma or its equivalent
3197 shall participate in the educational program, unless the student
3198 files a formal declaration of his or her intent to terminate
3199 school enrollment as described in s. 1003.21 and is afforded the
3200 opportunity to take the general educational development test and
3201 attain a Florida high school diploma before ~~prior to~~ release



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3202 from a juvenile justice education program ~~facility~~. A student
3203 ~~youth~~ who has received a high school diploma or its equivalent
3204 and is not employed shall participate in workforce development
3205 or other CAPE ~~career or technical~~ education or Florida College
3206 System institution or university courses while in the program,
3207 subject to available funding.

3208 (7) An individualized A progress monitoring plan shall be
3209 developed for all students not classified as exceptional
3210 education students upon entry in a juvenile justice education
3211 program and upon reentry in the school district ~~who score below~~
3212 ~~the level specified in district school board policy in reading,~~
3213 ~~writing, and mathematics or below the level specified by the~~
3214 ~~Commissioner of Education on statewide assessments as required~~
3215 ~~by s. 1008.25.~~ These plans shall address academic, literacy, and
3216 career and technical ~~life~~ skills and shall include provisions
3217 for intensive remedial instruction in the areas of weakness.

3218 (8) Each district school board shall maintain an academic
3219 record for each student enrolled in a juvenile justice education
3220 program ~~facility~~ as prescribed by s. 1003.51. Such record shall
3221 delineate each course completed by the student according to
3222 procedures in the State Course Code Directory. The district
3223 school board shall include a copy of a student's academic record
3224 in the discharge packet when the student exits the program
3225 ~~facility~~.

3226 (9) ~~Each~~ ~~The Department of Education shall ensure that all~~
3227 district school board shall ~~boards~~ make provisions for high
3228 school level students ~~youth~~ to earn credits toward high school
3229 graduation while in residential and nonresidential juvenile
3230 justice education programs ~~facilities~~. Provisions must be made



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3231 for the transfer of credits and partial credits earned.
3232 (10) School districts and juvenile justice education
3233 providers shall develop individualized transition plans during
3234 the course of a student's stay in a juvenile justice education
3235 program to coordinate academic, career and technical, and
3236 secondary and postsecondary services that assist the student in
3237 successful community reintegration upon release. Development of
3238 the transition plan shall be a collaboration of the personnel in
3239 the juvenile justice education program, reentry personnel,
3240 personnel from the school district where the student will
3241 return, the student, the student's family, and Department of
3242 Juvenile Justice personnel for committed students.
3243 (a) Transition planning must begin upon a student's
3244 placement in the program. The transition plan must include, at a
3245 minimum:
3246 1. Services and interventions that address the student's
3247 assessed educational needs and postrelease education plans.
3248 2. Services to be provided during the program stay and
3249 services to be implemented upon release, including, but not
3250 limited to, continuing education in secondary school, CAPE
3251 programs, postsecondary education, or employment, based on the
3252 student's needs.
3253 3. Specific monitoring responsibilities to determine
3254 whether the individualized transition plan is being implemented
3255 and the student is provided access to support services that will
3256 sustain the student's success by individuals who are responsible
3257 for the reintegration and coordination of these activities.
3258 (b) For the purpose of transition planning and reentry
3259 services, representatives from the school district and the one



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3260 stop center where the student will return shall participate as
3261 members of the local Department of Juvenile Justice reentry
3262 teams. The school district, upon return of a student from a
3263 juvenile justice education program, must consider the individual
3264 needs and circumstances of the student and the transition plan
3265 recommendations when reenrolling a student in a public school. A
3266 local school district may not maintain a standardized policy for
3267 all students returning from a juvenile justice program but place
3268 students based on their needs and their performance in the
3269 juvenile justice education program, including any virtual
3270 education options.

3271 (c) The Department of Education and the Department of
3272 Juvenile Justice shall provide oversight and guidance to school
3273 districts, education providers, and reentry personnel on how to
3274 implement effective educational transition planning and
3275 services.

3276 (11)-(10) The district school board shall recruit and train
3277 teachers who are interested, qualified, or experienced in
3278 educating students in juvenile justice programs. Students in
3279 juvenile justice programs shall be provided a wide range of
3280 education ~~educational~~ programs and opportunities including
3281 textbooks, technology, instructional support, and ~~other~~
3282 resources commensurate with resources provided ~~available~~ to
3283 students in public schools, including textbooks and access to
3284 technology. If the district school board operates a juvenile
3285 justice education program at a juvenile justice facility, the
3286 district school board, in consultation with the director of the
3287 juvenile justice facility, shall select the instructional
3288 personnel assigned to that program. The Secretary of Juvenile



3289 Justice or the director of a juvenile justice program may
3290 request that the performance of a teacher assigned by the
3291 district to a juvenile justice education program be reviewed by
3292 the district and that the teacher be reassigned based upon an
3293 evaluation conducted pursuant to s. 1012.34 or for inappropriate
3294 behavior ~~Teachers assigned to educational programs in juvenile~~
3295 ~~justice settings in which the district school board operates the~~
3296 ~~educational program shall be selected by the district school~~
3297 ~~board in consultation with the director of the juvenile justice~~
3298 ~~facility. Educational programs in Juvenile justice education~~
3299 ~~programs facilities~~ shall have access to the substitute teacher
3300 pool used ~~utilized~~ by the district school board.

3301 (12) ~~(11)~~ District school boards may contract with a private
3302 provider for the provision of education ~~educational~~ programs to
3303 students ~~youths~~ placed with the Department of Juvenile Justice
3304 and shall generate local, state, and federal funding, including
3305 funding through the Florida Education Finance Program for such
3306 students. The district school board's planning and budgeting
3307 process shall include the needs of Department of Juvenile
3308 Justice education programs in the district school board's plan
3309 for expenditures for state categorical and federal funds.

3310 (13) ~~(12)~~ (a) Funding for eligible students enrolled in
3311 juvenile justice education programs shall be provided through
3312 the Florida Education Finance Program as provided in s. 1011.62
3313 and the General Appropriations Act. Funding shall include, at a
3314 minimum:

3315 1. Weighted program funding or the basic amount for current
3316 operation multiplied by the district cost differential as
3317 provided in s. 1011.62(2) ~~s. 1011.62(1)(s) and (2);~~



3318 2. The supplemental allocation for juvenile justice
3319 education as provided in s. 1011.62(10);
3320 3. A proportionate share of the district's exceptional
3321 student education guaranteed allocation, the supplemental
3322 academic instruction allocation, and the instructional materials
3323 allocation;
3324 4. An amount equivalent to the proportionate share of the
3325 state average potential discretionary local effort for
3326 operations, which shall be determined as follows:
3327 a. If the district levies the maximum discretionary local
3328 effort and the district's discretionary local effort per FTE is
3329 less than the state average potential discretionary local effort
3330 per FTE, the proportionate share shall include both the
3331 discretionary local effort and the compression supplement per
3332 FTE. If the district's discretionary local effort per FTE is
3333 greater than the state average per FTE, the proportionate share
3334 shall be equal to the state average; or
3335 b. If the district does not levy the maximum discretionary
3336 local effort and the district's actual discretionary local
3337 effort per FTE is less than the state average potential
3338 discretionary local effort per FTE, the proportionate share
3339 shall be equal to the district's actual discretionary local
3340 effort per FTE. If the district's actual discretionary local
3341 effort per FTE is greater than the state average per FTE, the
3342 proportionate share shall be equal to the state average
3343 potential local effort per FTE; and
3344 5. A proportionate share of the district's proration to
3345 funds available, if necessary.
3346 (b) Juvenile justice education ~~educational~~ programs to



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3347 receive the appropriate FEFP funding for Department of Juvenile
3348 Justice education programs shall include those operated through
3349 a contract with the Department of Juvenile Justice ~~and which are~~
3350 ~~under purview of the Department of Juvenile Justice quality~~
3351 ~~assurance standards for education.~~

3352 (c) Consistent with the rules of the State Board of
3353 Education, district school boards shall ~~are required to~~ request
3354 an alternative FTE survey for Department of Juvenile Justice
3355 education programs experiencing fluctuations in student
3356 enrollment.

3357 (d) FTE count periods shall be prescribed in rules of the
3358 State Board of Education and shall be the same for programs of
3359 the Department of Juvenile Justice as for other public school
3360 programs. The summer school period for students in Department of
3361 Juvenile Justice education programs shall begin on the day
3362 immediately following the end of the regular school year and end
3363 on the day immediately preceding the subsequent regular school
3364 year. Students shall be funded for no more than 25 hours per
3365 week of direct instruction.

3366 (e) Each juvenile justice education program must receive
3367 all federal funds for which the program is eligible.

3368 ~~(14)-(13)~~ (14) Each district school board shall negotiate a
3369 cooperative agreement with the Department of Juvenile Justice on
3370 the delivery of educational services to students ~~youths~~
3371 the jurisdiction of the Department of Juvenile Justice. Such
3372 agreement must include, but is not limited to:

3373 (a) Roles and responsibilities of each agency, including
3374 the roles and responsibilities of contract providers.

3375 (b) Administrative issues including procedures for sharing



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3376 information.

3377 (c) Allocation of resources including maximization of
3378 local, state, and federal funding.

3379 (d) Procedures for educational evaluation for educational
3380 exceptionalities and special needs.

3381 (e) Curriculum and delivery of instruction.

3382 (f) Classroom management procedures and attendance
3383 policies.

3384 (g) Procedures for provision of qualified instructional
3385 personnel, whether supplied by the district school board or
3386 provided under contract by the provider, and for performance of
3387 duties while in a juvenile justice setting.

3388 (h) Provisions for improving skills in teaching and working
3389 with students referred to juvenile justice education programs
3390 delinquents.

3391 (i) Transition plans for students moving into and out of
3392 juvenile justice education programs facilities.

3393 (j) Procedures and timelines for the timely documentation
3394 of credits earned and transfer of student records.

3395 (k) Methods and procedures for dispute resolution.

3396 (l) Provisions for ensuring the safety of education
3397 personnel and support for the agreed-upon education program.

3398 (m) Strategies for correcting any deficiencies found
3399 through the accountability and evaluation system and student
3400 performance measures ~~quality assurance process~~.

3401 ~~(15)-(14)~~ Nothing in this section or in a cooperative
3402 agreement requires ~~shall be construed to require~~ the district
3403 school board to provide more services than can be supported by
3404 the funds generated by students in the juvenile justice



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3405 programs.

3406 ~~(16)~~~~(15)~~~~(a)~~ The Department of Education, in consultation
3407 with the Department of Juvenile Justice, district school boards,
3408 and providers, shall adopt rules establishing: ~~establish~~

3409 (a) Objective and measurable student performance measures
3410 to evaluate a student's educational progress while participating
3411 in a prevention, day treatment, or residential program. The
3412 student performance measures must be based on appropriate
3413 outcomes for all students in juvenile justice education
3414 programs, taking into consideration the student's length of stay
3415 in the program. Performance measures shall include outcomes that
3416 relate to student achievement of career education goals,
3417 acquisition of employability skills, receipt of a high school
3418 diploma or its equivalent, grade advancement, and the number of
3419 CAPE industry certifications earned.

3420 (b) A performance rating system to be used by the
3421 Department of Education to evaluate quality assurance standards
3422 ~~for~~ the delivery of educational services within each of the
3423 juvenile justice programs. The performance rating shall be
3424 primarily based on data regarding student performance as
3425 described in paragraph (a) component of residential and
3426 nonresidential juvenile justice facilities.

3427 (c) The timeframes, procedures, and resources to be used to
3428 improve a low-rated educational program or to terminate or
3429 reassign the program ~~These standards shall rate the district~~
3430 ~~school board's performance both as a provider and contractor.~~
3431 ~~The quality assurance rating for the educational component shall~~
3432 ~~be disaggregated from the overall quality assurance score and~~
3433 ~~reported separately.~~



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3434 (d) ~~(b)~~ The Department of Education, in partnership with the
3435 Department of Juvenile Justice, shall develop a comprehensive
3436 accountability and program improvement ~~quality assurance review~~
3437 process. The accountability and program improvement process
3438 shall be based on student performance measures by type of
3439 program and shall rate education program performance. The
3440 accountability system shall identify and recognize high-
3441 performing education programs. The Department of Education, in
3442 partnership with the Department of Juvenile Justice, shall
3443 identify low-performing programs. Low-performing education
3444 programs shall receive an onsite program evaluation from the
3445 Department of Juvenile Justice. School improvement, technical
3446 assistance, or the reassignment of the program shall be based,
3447 in part, on the results of the program evaluation. Through a
3448 corrective action process, low-performing programs must
3449 demonstrate improvement or reassign the program and schedule for
3450 the evaluation of the educational component in juvenile justice
3451 programs. The Department of Juvenile Justice quality assurance
3452 site visit and the education quality assurance site visit shall
3453 be conducted during the same visit.

3454 (c) The Department of Education, in consultation with
3455 district school boards and providers, shall establish minimum
3456 thresholds for the standards and key indicators for educational
3457 programs in juvenile justice facilities. If a district school
3458 board fails to meet the established minimum standards, it will
3459 be given 6 months to achieve compliance with the standards. If
3460 after 6 months, the district school board's performance is still
3461 below minimum standards, the Department of Education shall
3462 exercise sanctions as prescribed by rules adopted by the State



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3463 ~~Board of Education. If a provider, under contract with the~~
3464 ~~district school board, fails to meet minimum standards, such~~
3465 ~~failure shall cause the district school board to cancel the~~
3466 ~~provider's contract unless the provider achieves compliance~~
3467 ~~within 6 months or unless there are documented extenuating~~
3468 ~~circumstances.~~

3469 ~~(d) The requirements in paragraphs (a), (b), and (c) shall~~
3470 ~~be implemented to the extent that funds are available.~~

3471 (17) The department, in collaboration with the Department
3472 of Juvenile Justice, shall collect data and report on
3473 commitment, day treatment, prevention, and detention programs.
3474 The report shall be submitted to the President of the Senate,
3475 the Speaker of the House of Representatives, and the Governor by
3476 February 1 of each year. The report must include, at a minimum:

3477 (a) The number and percentage of students who:

3478 1. Return to an alternative school, middle school, or high
3479 school upon release and the attendance rate of such students
3480 before and after participation in juvenile justice education
3481 programs.

3482 2. Receive a standard high school diploma or a high school
3483 equivalency diploma.

3484 3. Receive industry certification.

3485 4. Enroll in a postsecondary educational institution.

3486 5. Complete a juvenile justice education program without
3487 reoffending.

3488 6. Reoffend within 1 year after completion of a day
3489 treatment or residential commitment program.

3490 7. Remain employed 1 year after completion of a day
3491 treatment or residential commitment program.



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3492 8. Demonstrate learning gains pursuant to paragraph (3) (b).

3493 (b) The following cost data for each juvenile justice
3494 education program:

3495 1. The amount of funding provided by district school boards
3496 to juvenile justice programs and the amount retained for
3497 administration, including documenting the purposes of such
3498 expenses.

3499 2. The status of the development of cooperative agreements.

3500 3. Recommendations for system improvement.

3501 4. Information on the identification of, and services
3502 provided to, exceptional students, to determine whether these
3503 students are properly reported for funding and are appropriately
3504 served.

3505 (18)(16) The district school board shall not be charged any
3506 rent, maintenance, utilities, or overhead on such facilities.
3507 Maintenance, repairs, and remodeling of existing facilities
3508 shall be provided by the Department of Juvenile Justice.

3509 (19)(17) When additional facilities are required, the
3510 district school board and the Department of Juvenile Justice
3511 shall agree on the appropriate site based on the instructional
3512 needs of the students. When the most appropriate site for
3513 instruction is on district school board property, a special
3514 capital outlay request shall be made by the commissioner in
3515 accordance with s. 1013.60. When the most appropriate site is on
3516 state property, state capital outlay funds shall be requested by
3517 the Department of Juvenile Justice provided by s. 216.043 and
3518 shall be submitted as specified by s. 216.023. Any instructional
3519 facility to be built on state property shall have educational
3520 specifications jointly developed by the district school board



3521 and the Department of Juvenile Justice and approved by the
3522 Department of Education. The size of space and occupant design
3523 capacity criteria as provided by State Board of Education rules
3524 shall be used for remodeling or new construction whether
3525 facilities are provided on state property or district school
3526 board property.

3527 (20)~~(18)~~ The parent of an exceptional student shall have
3528 the due process rights provided for in this chapter.

3529 ~~(19) The Department of Education and the Department of~~
3530 ~~Juvenile Justice, after consultation with and assistance from~~
3531 ~~local providers and district school boards, shall report~~
3532 ~~annually to the Legislature by February 1 on the progress toward~~
3533 ~~developing effective educational programs for juvenile~~
3534 ~~delinquents, including the amount of funding provided by~~
3535 ~~district school boards to juvenile justice programs, the amount~~
3536 ~~retained for administration including documenting the purposes~~
3537 ~~for such expenses, the status of the development of cooperative~~
3538 ~~agreements, the results of the quality assurance reviews~~
3539 ~~including recommendations for system improvement, and~~
3540 ~~information on the identification of, and services provided to,~~
3541 ~~exceptional students in juvenile justice commitment facilities~~
3542 ~~to determine whether these students are properly reported for~~
3543 ~~funding and are appropriately served.~~

3544 (21)~~(20)~~ The education ~~educational~~ programs at the ~~Arthur~~
3545 ~~Dozier School for Boys in Jackson County and the Florida School~~
3546 ~~for Boys in Okeechobee shall be operated by the Department of~~
3547 ~~Education, either directly or through grants or contractual~~
3548 ~~agreements with other public or duly accredited education~~
3549 ~~agencies approved by the Department of Education.~~



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3550 ~~(22)~~~~(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~
3551 rules necessary to implement ~~the provisions of~~ this section,
3552 ~~including uniform curriculum, funding, and second chance~~
3553 ~~schools~~. Such rules must require the minimum amount of paperwork
3554 and reporting.

3555 ~~(23)~~~~(22)~~ The Department of Juvenile Justice and the
3556 Department of Education, in consultation with Workforce Florida,
3557 Inc., the statewide Workforce Development Youth Council,
3558 district school boards, Florida College System institutions,
3559 providers, and others, shall jointly develop a multiagency plan
3560 for CAPE ~~career education~~ which describes the funding,
3561 curriculum, transfer of credits, goals, and outcome measures for
3562 career education programming in juvenile commitment facilities,
3563 pursuant to s. 985.622. The plan must be reviewed annually.

3564 Section 33. Subsection (4) of section 1003.4282, Florida
3565 Statutes, is amended, and present subsection (10) of section
3566 1003.4282, Florida Statutes, is renumbered as subsection (11),
3567 and a new subsection (10) is added to that section, to read:

3568 1003.4282 Requirements for a standard high school diploma.—

3569 (4) ONLINE COURSE REQUIREMENT. ~~Excluding a driver education~~
3570 ~~course~~, At least one course within the 24 credits required under
3571 this section must be completed through online learning. A school
3572 district may not require a student to take the online course
3573 outside the school day or in addition to a student's courses for
3574 a given semester. An online course taken in grade 6, grade 7, or
3575 grade 8 fulfills this requirement. This requirement is met
3576 through an online course offered by the Florida Virtual School,
3577 a virtual education provider approved by the State Board of
3578 Education, a high school, or an online dual enrollment course. A



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3579 student who is enrolled in a full-time or part-time virtual
3580 instruction program under s. 1002.45 meets this requirement.
3581 This requirement does not apply to a student who has an
3582 individual education plan under s. 1003.57 which indicates that
3583 an online course would be inappropriate or to an out-of-state
3584 transfer student who is enrolled in a Florida high school and
3585 has 1 academic year or less remaining in high school.

3586 (10) STUDENTS WITH DISABILITIES.—Beginning with students
3587 entering grade 9 in the 2014-2015 school year, this subsection
3588 applies to a student with a disability.

3589 (a) A parent of the student with a disability shall, in
3590 collaboration with the individual education plan (IEP) team
3591 during the transition planning process pursuant to s. 1003.5716,
3592 declare an intent for the student to graduate from high school
3593 with either a standard high school diploma or a certificate of
3594 completion. A student with a disability who does not satisfy the
3595 standard high school diploma requirements pursuant to this
3596 section shall be awarded a certificate of completion.

3597 (b) The following options, in addition to the other options
3598 specified in this section, may be used to satisfy the standard
3599 high school diploma requirements, as specified in the student's
3600 individual education plan:

3601 1. For a student with a disability for whom the IEP team
3602 has determined that the Florida Alternate Assessment is the most
3603 appropriate measure of the student's skills:

3604 a. A combination of course substitutions, assessments,
3605 industry certifications, other acceleration options, or
3606 occupational completion points appropriate to the student's
3607 unique skills and abilities that meet the criteria established



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3608 by State Board of Education rule.

3609 b. A portfolio of quantifiable evidence that documents a

3610 student's mastery of academic standards through rigorous metrics

3611 established by State Board of Education rule. A portfolio may

3612 include, but is not limited to, documentation of work

3613 experience, internships, community service, and postsecondary

3614 credit.

3615 2. For a student with a disability for whom the IEP team

3616 has determined that mastery of academic and employment

3617 competencies is the most appropriate way for a student to

3618 demonstrate his or her skills:

3619 a. Documented completion of the minimum high school

3620 graduation requirements, including the number of course credits

3621 prescribed by rules of the State Board of Education.

3622 b. Documented achievement of all annual goals and short-

3623 term objectives for academic and employment competencies,

3624 industry certifications, and occupational completion points

3625 specified in the student's transition plan. The documentation

3626 must be verified by the IEP team.

3627 c. Documented successful employment for the number of hours

3628 per week specified in the student's transition plan, for the

3629 equivalent of 1 semester, and payment of a minimum wage in

3630 compliance with the requirements of the federal Fair Labor

3631 Standards Act.

3632 d. Documented mastery of the academic and employment

3633 competencies, industry certifications, and occupational

3634 completion points specified in the student's transition plan.

3635 The documentation must be verified by the IEP team, the

3636 employer, and the teacher. The transition plan must be developed



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3637 and signed by the student, parent, teacher, and employer before
3638 placement in employment and must identify the following:
3639 (I) The expected academic and employment competencies,
3640 industry certifications, and occupational completion points;
3641 (II) The criteria for determining and certifying mastery of
3642 the competencies;
3643 (III) The work schedule and the minimum number of hours to
3644 be worked per week; and
3645 (IV) A description of the supervision to be provided by the
3646 school district.
3647 3. Any change to the high school graduation option
3648 specified in the student's IEP must be approved by the parent
3649 and is subject to verification for appropriateness by an
3650 independent reviewer selected by the parent as provided in s.
3651 1003.572.
3652 (c) A student with a disability who meets the standard high
3653 school diploma requirements in this section may defer the
3654 receipt of a standard high school diploma if the student:
3655 1. Has an individual education plan that prescribes special
3656 education, transition planning, transition services, or related
3657 services through age 21; and
3658 2. Is enrolled in accelerated college credit instruction
3659 pursuant to s. 1007.27, industry certification courses that lead
3660 to college credit, a collegiate high school program, courses
3661 necessary to satisfy the Scholar designation requirements, or a
3662 structured work-study, internship, or preapprenticeship program.
3663 (d) A student with a disability who receives a certificate
3664 of completion and has an individual education plan that
3665 prescribes special education, transition planning, transition



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3666 services, or related services through 21 years of age may
3667 continue to receive the specified instruction and services.

3668 (e) Any waiver of the statewide, standardized assessment
3669 requirements by the individual education plan team, pursuant to
3670 s. 1008.22(3)(c), must be approved by the parent and is subject
3671 to verification for appropriateness by an independent reviewer
3672 selected by the parent as provided for in s. 1003.572.

3673
3674 The State Board of Education shall adopt rules under ss.
3675 120.536(1) and 120.54 to implement this paragraph, including
3676 rules that establish the minimum requirements for students
3677 described in this paragraph to earn a standard high school
3678 diploma. The State Board of Education shall adopt emergency
3679 rules pursuant to ss. 120.536(1) and 120.54.

3680 Section 34. If this act and CS/HB 7031, 2014 Regular
3681 Session, or similar legislation, are adopted in the same
3682 legislative session or an extension thereof and become law, and
3683 the respective provisions of such acts amending s. 1003.4282(4),
3684 Florida Statutes, differ, it is the intent of the Legislature
3685 that the amendments made by this act to s. 1003.4282(4), Florida
3686 Statutes, shall control over the language of CS/HB 7031, or
3687 similar legislation, regardless of the order in which they are
3688 enacted.

3689 Section 35. Section 1003.4995, Florida Statutes, is created
3690 to read:

3691 1003.4995 Fine arts report.—The Commissioner of Education
3692 shall prepare an annual report that includes a description,
3693 based on annual reporting by schools, of student access to and
3694 participation in fine arts courses, which are visual arts,



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3695 music, dance, and theatre courses; the number and certification
3696 status of educators providing instruction in the courses;
3697 educational facilities designed and classroom space equipped for
3698 fine arts instruction; and the manner in which schools are
3699 providing the core curricular content for fine arts established
3700 in the Next Generation Sunshine State Standards. The report
3701 shall be posted on the Department of Education's website and
3702 updated annually.

3703 Section 36. The Florida Agricultural and Mechanical
3704 University Crestview Education Center is renamed as the "Senator
3705 Durell Peaden, Jr., FAMU Educational Center."

3706 Section 37. Except as otherwise expressly provided in this
3707 act, this act shall take effect upon becoming a law.

3708
3709 ===== T I T L E A M E N D M E N T =====

3710 And the title is amended as follows:

3711 Delete lines 2120 - 2256

3712 and insert:

3713 An act relating to education; amending s. 1001.42,
3714 F.S.; requiring a school that includes middle grades
3715 to include information, data, and instructional
3716 strategies in its school improvement plan; requiring a
3717 school that includes middle grades to implement an
3718 early warning system based on indicators to identify
3719 students in need of additional academic support;
3720 amending s. 1003.02, F.S.; requiring a district school
3721 board to notify parents of return on investment
3722 relating to industry certifications; amending s.
3723 1003.42, F.S.; providing State Board of Education



3724 duties relating to middle grades courses; amending s.
3725 1003.4203, F.S.; requiring a district school board, in
3726 consultation with the district school superintendent,
3727 to make CAPE Digital Tool certificates and CAPE
3728 industry certifications available to students,
3729 including students with disabilities, in
3730 prekindergarten through grade 12, to enable students
3731 to attain digital skills; providing eligibility for
3732 additional FTE funding; requiring innovative programs
3733 and courses that combine academic and career
3734 instructional tools and industry certifications into
3735 education for both college and career preparedness;
3736 providing for additional FTE funding; providing for
3737 grade point average calculation; requiring the
3738 Department of Education to collaborate with Florida
3739 educators and school leaders to provide technical
3740 assistance to district school boards regarding
3741 implementation; authorizing public schools to provide
3742 students with access to third-party assessment centers
3743 and career and professional academy curricula;
3744 encouraging third-party assessment providers and
3745 career and professional academy curricula providers to
3746 provide annual training; amending s. 1003.4281, F.S.;
3747 deleting calculations for paid and unpaid high school
3748 credits; amending s. 1003.492, F.S.; requiring return-
3749 on-investment information for career education;
3750 amending s. 1003.4935, F.S.; authorizing additional
3751 FTE funding for certain Digital Tool certificates and
3752 industry certifications; amending s. 1003.53, F.S.;



3753 authorizing dropout prevention and academic
3754 intervention services for a student identified by a
3755 school's early warning system; amending s. 1006.135,
3756 F.S.; including middle grades schools under provisions
3757 prohibiting hazing; revising the definition of the
3758 term "hazing"; requiring a school district policy that
3759 prohibits hazing and establishes consequences for an
3760 act of hazing; revising penalty provisions and
3761 providing for applicability; creating s. 1007.273,
3762 F.S.; requiring a Florida College System institution
3763 to work with each district school board in its
3764 designated service area to establish collegiate high
3765 school programs; providing options for participation
3766 in a collegiate high school program; requiring a local
3767 Florida College System institution to execute a
3768 contract with a district school board to establish the
3769 program; authorizing another Florida College System
3770 institution to execute a contract with the district
3771 school board in certain circumstances; requiring each
3772 district school board to execute the contract with the
3773 local Florida College System institution; requiring
3774 the contract to be executed by a specified date for
3775 the purpose of implementation; specifying information
3776 that must be included in the contract; specifying
3777 requirements for student performance contracts for
3778 students participating in the collegiate high school
3779 program; authorizing district school boards to execute
3780 a contract with a state university or certain
3781 independent colleges and universities to establish the



3782 collegiate high school program; providing funding;
3783 requiring the State Board of Education to enforce
3784 compliance; amending s. 1008.345, F.S.; correcting a
3785 cross-reference; amending s. 1008.44, F.S.; requiring
3786 the department to annually identify CAPE Digital Tool
3787 certificates and CAPE industry certifications;
3788 authorizing the Commissioner of Education to recommend
3789 adding certain certificates and certifications;
3790 providing requirements for inclusion of CAPE Digital
3791 Tool certificates and CAPE industry certifications on
3792 the funding list; authorizing the commissioner to
3793 limit certain Digital Tool certificates and CAPE
3794 industry certifications to students in certain grades;
3795 providing requirements for the Articulation
3796 Coordinating Committee; amending s. 1011.62, F.S.;
3797 specifying requirements relating to additional FTE
3798 funding based on completion of certain courses or
3799 programs and issuance of CAPE industry certification;
3800 deleting obsolete provisions; deleting provisions
3801 regarding Florida Cyber Security Recognition, Florida
3802 Digital Arts Recognition, and Florida Digital Tool
3803 Certificates; amending s. 1012.98, F.S.; providing
3804 requirements relating to professional development,
3805 including inservice plans and instructional
3806 strategies, for middle grades educators; requiring the
3807 Department of Education to disseminate professional
3808 development in the use of integrated digital
3809 instruction; amending s. 11.45, F.S.; authorizing the
3810 Auditor General to conduct audits of the accounts and



3811 records of nonprofit scholarship-funding
3812 organizations; creating s. 1002.385, F.S.;
3813 establishing the Florida Personal Learning Scholarship
3814 Accounts Program; defining terms; specifying criteria
3815 for students who are eligible to participate in the
3816 program; identifying certain students who are not
3817 eligible to participate in the program; authorizing
3818 the use of awarded funds for specific purposes;
3819 prohibiting specific providers, schools, institutions,
3820 school districts, and other entities from sharing,
3821 refunding, or rebating program funds; specifying the
3822 terms of the program; requiring a school district to
3823 notify the parent regarding the option to participate
3824 in the program; specifying the school district's
3825 responsibilities for completing a matrix of services
3826 and notifying the Department of Education of the
3827 completion of the matrix; requiring the department to
3828 notify the parent regarding the amount of the awarded
3829 funds; authorizing the school district to change the
3830 matrix under certain circumstances; requiring the
3831 school district in which a student resides to notify
3832 students and parents of locations and times to take
3833 all statewide assessments; requiring the school
3834 district to notify parents of the availability of a
3835 reevaluation; specifying the eligibility requirements
3836 and obligations of an eligible private school relating
3837 to the program; specifying the duties of the
3838 Department of Education relating to the program;
3839 requiring the Commissioner of Education to deny,



3840 suspend, or revoke participation in the program or use
3841 of program funds under certain circumstances;
3842 providing additional factors under which the
3843 commissioner may deny, suspend, or revoke a
3844 participation in the program or program funds;
3845 requiring a parent to sign an agreement with the
3846 Department of Education to enroll his or her child in
3847 the program which specifies the responsibilities of a
3848 parent or student for using funds in an account and
3849 for submitting a compliance statement to the
3850 department; providing that a parent who fails to
3851 comply with the responsibilities of the agreement
3852 forfeits the personal learning scholarship account;
3853 authorizing an eligible nonprofit scholarship-funding
3854 organization to establish personal learning
3855 scholarship accounts for eligible students
3856 participating in the program; providing for funding
3857 and payments; providing for the closing of a student's
3858 account and reversion of funds to the state; requiring
3859 an eligible nonprofit scholarship-funding organization
3860 to develop a system for payment of benefits by
3861 electronic funds transfer; providing that moneys
3862 received pursuant to the program do not constitute
3863 taxable income; providing the Auditor General's
3864 obligations under the program; requiring the
3865 Department of Health, the Agency for Persons with
3866 Disabilities, and the Department of Education to work
3867 with an eligible nonprofit scholarship-funding
3868 organization for easy or automated access to lists of



3869 licensed providers of services; providing that the
3870 state is not liable for the award or use of awarded
3871 funds; providing for the scope of authority of the
3872 act; requiring the State Board of Education to adopt
3873 rules to administer the program; providing for
3874 implementation of the program in a specified school
3875 year; amending s. 1002.395, F.S.; revising the purpose
3876 of the Florida Tax Credit Scholarship Program;
3877 revising definitions; revising eligibility
3878 requirements for the Florida Tax Credit Scholarship
3879 Program; requiring the Department of Education and
3880 Department of Revenue to publish the tax credit cap on
3881 their websites when it is increased; requiring the
3882 Department of Revenue to provide a copy of a letter
3883 approving a taxpayer for a specified tax credit to the
3884 eligible nonprofit scholarship-funding organization;
3885 authorizing certain entities to convey, transfer, or
3886 assign certain tax credits; providing for the
3887 calculation of underpayment of estimated corporate
3888 income taxes and tax installation payments for taxes
3889 on insurance premiums and assessments and the
3890 determination of whether penalties or interest shall
3891 be imposed on the underpayment; revising the
3892 disqualifying offenses for nonprofit scholarship-
3893 funding organization owners and operators; revising
3894 priority for new applicants; allowing a student in
3895 foster care or out-of-home care to apply for a
3896 scholarship at any time; prohibiting use of eligible
3897 contributions from being used for lobbying or



3898 political activity or related expenses; requiring
3899 application fees to be expended for student
3900 scholarships in any year a nonprofit scholarship-
3901 funding organization uses eligible contributions for
3902 administrative expenses; requiring amounts carried
3903 forward to be specifically reserved for particular
3904 students and schools for audit purposes; revising
3905 audit and report requirements for nonprofit
3906 scholarship-funding organizations and Auditor General
3907 review of all reports; requiring nonprofit
3908 scholarship-funding organizations to maintain a surety
3909 bond or letter of credit and to adjust the bond or
3910 letter of credit quarterly based upon a statement from
3911 a certified public accountant; providing exceptions;
3912 requiring the nonprofit scholarship-funding
3913 organization to provide the Auditor General any
3914 information or documentation requested in connection
3915 with an operational audit; requiring a private school
3916 to provide agreed upon transportation and make
3917 arrangements for taking statewide assessments at the
3918 school district testing site and in accordance with
3919 the district's testing schedule if the student chooses
3920 to take the statewide assessment; requiring parental
3921 authorization for access to income eligibility
3922 information; specifying that the independent research
3923 organization is the Learning System Institute at the
3924 Florida State University; identifying grant terms and
3925 payments; revising statewide and individual school
3926 report requirements; revising limitations on annual



3927 scholarship amounts; providing initial and renewal
3928 application requirements and an approval process for a
3929 charitable organization that seeks to be a nonprofit
3930 scholarship-funding organization; requiring the State
3931 Board of Education to adopt rules; providing a
3932 registration notice requirement for public and private
3933 universities to be nonprofit scholarship-funding
3934 organizations; requiring the State Board of Education
3935 to adopt rules; allowing existing nonprofit
3936 scholarship-funding organizations to provide the
3937 required bond at a specified date; repealing s.
3938 1003.438, F.S., relating to special high school
3939 graduation requirements for certain exceptional
3940 students; creating s. 1003.5716, F.S.; providing that
3941 certain students with disabilities have a right to
3942 free, appropriate public education; requiring an
3943 individual education plan (IEP) team to begin the
3944 process of, and to develop an IEP for, identifying
3945 transition services needs for a student with a
3946 disability before the student attains a specified age;
3947 providing requirements for the process; requiring
3948 certain statements to be included and annually updated
3949 in the IEP; providing that changes in the goals
3950 specified in an IEP are subject to independent review
3951 and parental approval; requiring the school district
3952 to reconvene the IEP team to identify alternative
3953 strategies to meet transition objectives if a
3954 participating agency fails to provide transition
3955 services specified in the IEP; providing that the



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3956 agency's failure does not relieve the agency of the
3957 responsibility to provide or pay for the transition
3958 services that the agency otherwise would have
3959 provided; amending s. 1003.572, F.S.; prohibiting a
3960 school district from charging fees or imposing
3961 additional requirements on private instructional
3962 personnel; amending s. 1008.25, F.S.; requiring
3963 written notification relating to portfolios to a
3964 parent of a student with a substantial reading
3965 deficiency; requiring a student promoted to a certain
3966 grade with a good cause exemption to receive intensive
3967 reading instruction and intervention; requiring a
3968 school district to assist schools and teachers with
3969 the implementation of reading strategies; revising
3970 good cause exemptions; directing the Florida Prepaid
3971 College Board to conduct a study and submit to the
3972 Legislature a report under established parameters;
3973 amending ss. 120.81, 409.1451, and 1007.263, F.S.;
3974 conforming cross-references; providing for application
3975 of specified provisions in the act; amending s.
3976 985.622, F.S.; revising requirements for the
3977 multiagency education plan for students in juvenile
3978 justice education programs; including virtual
3979 education as an option; amending s. 1001.31, F.S.;
3980 authorizing instructional personnel at all juvenile
3981 justice facilities to access specific student records
3982 at the district; amending s. 1003.51, F.S.; revising
3983 terminology; revising requirements for rules to be
3984 maintained by the State Board of Education; providing



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3985 expectations for effective education programs for
3986 students in Department of Juvenile Justice programs;
3987 revising requirements for contract and cooperative
3988 agreements for the delivery of appropriate education
3989 services to students in Department of Juvenile Justice
3990 programs; requiring the Department of Education to
3991 ensure that juvenile justice students who are eligible
3992 have access to high school equivalency testing and
3993 assist juvenile justice education programs with
3994 becoming high school equivalency testing centers;
3995 revising requirements for an accountability system for
3996 all juvenile justice education programs; revising
3997 requirements for district school boards; amending s.
3998 1003.52, F.S.; revising requirements for activities to
3999 be coordinated by the coordinators for juvenile
4000 justice education programs; authorizing contracting
4001 for educational assessments; revising requirements for
4002 assessments; authorizing access to local virtual
4003 education courses; requiring that an education program
4004 shall be based on each student's transition plan and
4005 assessed educational needs; providing requirements for
4006 prevention and day treatment juvenile justice
4007 education programs; requiring progress monitoring
4008 plans for all students not classified as exceptional
4009 student education students; revising requirements for
4010 such plans; requiring the Department of Education, in
4011 partnership with the Department of Juvenile Justice,
4012 to ensure that school districts and juvenile justice
4013 education providers develop individualized transition



4014 plans; providing requirements for such plans;
4015 authorizing the Secretary of Juvenile Justice or the
4016 director of a juvenile justice program to request that
4017 a school district teacher's performance be reviewed by
4018 the district and that the teacher be reassigned in
4019 certain circumstances; requiring the Department of
4020 Education to establish by rule objective and
4021 measurable student performance measures and program
4022 performance ratings; providing requirements for such
4023 ratings; requiring a comprehensive accountability and
4024 program improvement process; providing requirements
4025 for such a process; deleting provisions for minimum
4026 thresholds for the standards and key indicators for
4027 education programs in juvenile justice facilities;
4028 revising data collection and annual report
4029 requirements; deleting provisions concerning the
4030 Arthur Dozier School for Boys; requiring rulemaking;
4031 amending s. 1001.42, F.S.; revising terminology;
4032 revising a cross-reference; amending s. 1003.4282,
4033 F.S.; revising provisions relating to the online
4034 course requirement for a standard high school diploma;
4035 providing standard high school diploma requirements
4036 for students with disabilities; requiring an
4037 independent review and a parent's approval to change a
4038 high school graduation option specified in the
4039 student's individual education plan; providing for a
4040 student with a disability to defer the receipt of a
4041 standard high school diploma under certain
4042 circumstances; authorizing certain students with



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4043 disabilities to continue to receive certain
4044 instruction and services; requiring parental approval
4045 and independent review of a waiver of statewide,
4046 standardized assessments; requiring the State Board of
4047 Education to adopt rules; providing construction with
4048 respect to the passage of similar legislation;
4049 creating s. 1003.4995, F.S.; requiring the
4050 Commissioner of Education to prepare an annual report
4051 relating to student access to and participation in
4052 fine arts courses and information on educators,
4053 facilities, and instruction in such courses; renaming
4054 the Florida Agricultural and Mechanical University
4055 Crestview Education Center as the "Senator Durell
4056 Peaden, Jr., FAMU Educational Center"; providing
4057 effective dates.