



854832

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/23/2012	.	
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The Committee on Higher Education (Siplin) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Section 1001.435, Florida Statutes, is repealed.

Section 2. Paragraphs (i), (j), and (k) of subsection (3) of section 1002.20, Florida Statutes, are amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child’s academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory



854832

13 rights including, but not limited to, the following:

14 (3) HEALTH ISSUES.—

15 (i) *Epinephrine use.*—A student who has experienced or is at  
16 risk for life-threatening allergic reactions may carry an  
17 epinephrine auto-injector and self-administer epinephrine by  
18 auto-injector while in school, participating in school-sponsored  
19 activities, or in transit to or from school or school-sponsored  
20 activities if the school has been provided with parental and  
21 physician authorization. ~~The State Board of Education, in~~  
22 ~~cooperation with the Department of Health, shall adopt rules for~~  
23 ~~such use of epinephrine auto-injectors that shall include~~  
24 ~~provisions to protect the safety of all students from the misuse~~  
25 ~~or abuse of auto-injectors.~~ A school district, county health  
26 department, public-private partner, and their employees and  
27 volunteers shall be indemnified by the parent of a student  
28 authorized to carry an epinephrine auto-injector for any and all  
29 liability with respect to the student's use of an epinephrine  
30 auto-injector pursuant to this paragraph.

31 (j) *Diabetes management.*—A school district may not restrict  
32 the assignment of a student who has diabetes to a particular  
33 school on the basis that the student has diabetes, that the  
34 school does not have a full-time school nurse, or that the  
35 school does not have trained diabetes personnel. Diabetic  
36 students whose parent and physician provide their written  
37 authorization to the school principal may carry diabetic  
38 supplies and equipment on their person and attend to the  
39 management and care of their diabetes while in school,  
40 participating in school-sponsored activities, or in transit to  
41 or from school or school-sponsored activities to the extent



854832

42 authorized by the parent and physician ~~and within the parameters~~  
43 ~~set forth by State Board of Education rule.~~ The written  
44 authorization shall identify the diabetic supplies and equipment  
45 that the student is authorized to carry and shall describe the  
46 activities the child is capable of performing without  
47 assistance, such as performing blood-glucose level checks and  
48 urine ketone testing, administering insulin through the insulin-  
49 delivery system used by the student, and treating hypoglycemia  
50 and hyperglycemia. ~~The State Board of Education, in cooperation~~  
51 ~~with the Department of Health, shall adopt rules to encourage~~  
52 ~~every school in which a student with diabetes is enrolled to~~  
53 ~~have personnel trained in routine and emergency diabetes care.~~  
54 ~~The State Board of Education, in cooperation with the Department~~  
55 ~~of Health, shall also adopt rules for the management and care of~~  
56 ~~diabetes by students in schools that include provisions to~~  
57 ~~protect the safety of all students from the misuse or abuse of~~  
58 ~~diabetic supplies or equipment.~~ A school district, county health  
59 department, and public-private partner, and the employees and  
60 volunteers of those entities, shall be indemnified by the parent  
61 of a student authorized to carry diabetic supplies or equipment  
62 for any and all liability with respect to the student's use of  
63 such supplies and equipment pursuant to this paragraph.

64 (k) *Use of prescribed pancreatic enzyme supplements.*—A  
65 student who has experienced or is at risk for pancreatic  
66 insufficiency or who has been diagnosed as having cystic  
67 fibrosis may carry and self-administer a prescribed pancreatic  
68 enzyme supplement while in school, participating in school-  
69 sponsored activities, or in transit to or from school or school-  
70 sponsored activities if the school has been provided with



854832

71 authorization from the student's parent and prescribing  
72 practitioner. ~~The State Board of Education, in cooperation with~~  
73 ~~the Department of Health, shall adopt rules for the use of~~  
74 ~~prescribed pancreatic enzyme supplements which shall include~~  
75 ~~provisions to protect the safety of all students from the misuse~~  
76 ~~or abuse of the supplements.~~ A school district, county health  
77 department, public-private partner, and their employees and  
78 volunteers shall be indemnified by the parent of a student  
79 authorized to use prescribed pancreatic enzyme supplements for  
80 any and all liability with respect to the student's use of the  
81 supplements under this paragraph.

82 Section 3. Section 1002.375, Florida Statutes, is repealed.

83 Section 4. Section 1002.65, Florida Statutes, is repealed.

84 Section 5. Subsection (1) of section 1003.4285, Florida  
85 Statutes, is repealed.

86 Section 6. Section 1003.496, Florida Statutes, is repealed.

87 Section 7. Section 1003.576, Florida Statutes, is repealed.

88 Section 8. Section 1004.05, Florida Statutes, is repealed.

89 Section 9. Section 1004.62, Florida Statutes, is repealed.

90 Section 10. Section 1006.02, Florida Statutes, is repealed.

91 Section 11. Section 1006.025, Florida Statutes, is  
92 repealed.

93 Section 12. Section 1006.035, Florida Statutes, is  
94 repealed.

95 Section 13. Section 1006.051, Florida Statutes, is  
96 repealed.

97 Section 14. Section 1006.141, Florida Statutes, is  
98 repealed.

99 Section 15. Section 1006.17, Florida Statutes, is repealed.



854832

100 Section 16. Section 1006.70, Florida Statutes, is repealed.

101 Section 17. Section 1007.21, Florida Statutes, is repealed.

102 Section 18. Section 1007.272, Florida Statutes, is  
103 repealed.

104 Section 19. Subsection (6) of section 1007.33, Florida  
105 Statutes, is repealed.

106 Section 20. Paragraph (c) of subsection (1) of section  
107 1011.61, Florida Statutes, is amended to read:

108 1011.61 Definitions.—Notwithstanding the provisions of s.  
109 1000.21, the following terms are defined as follows for the  
110 purposes of the Florida Education Finance Program:

111 (1) A “full-time equivalent student” in each program of the  
112 district is defined in terms of full-time students and part-time  
113 students as follows:

114 (c)1. A “full-time equivalent student” is:

115 a. A full-time student in any one of the programs listed in  
116 s. 1011.62(1)(c); or

117 b. A combination of full-time or part-time students in any  
118 one of the programs listed in s. 1011.62(1)(c) which is the  
119 equivalent of one full-time student based on the following  
120 calculations:

121 (I) A full-time student in a combination of programs listed  
122 in s. 1011.62(1)(c) shall be a fraction of a full-time  
123 equivalent membership in each special program equal to the  
124 number of net hours per school year for which he or she is a  
125 member, divided by the appropriate number of hours set forth in  
126 subparagraph (a)1. or subparagraph (a)2. The difference between  
127 that fraction or sum of fractions and the maximum value as set  
128 forth in subsection (4) for each full-time student is presumed



854832

129 to be the balance of the student's time not spent in such  
130 special education programs and shall be recorded as time in the  
131 appropriate basic program.

132 (II) A prekindergarten handicapped student shall meet the  
133 requirements specified for kindergarten students.

134 (III) A full-time equivalent student for students in  
135 kindergarten through grade 5 in a virtual instruction program  
136 under s. 1002.45 or a virtual charter school under s. 1002.33  
137 shall consist of a student who has successfully completed a  
138 basic program listed in s. 1011.62(1)(c)1.a. or b., and who is  
139 promoted to a higher grade level.

140 (IV) A full-time equivalent student for students in grades  
141 6 through 12 in a virtual instruction program under s.  
142 1002.45(1)(b)1., 2., or 3. or a virtual charter school under s.  
143 1002.33 shall consist of six full credit completions in programs  
144 listed in s. 1011.62(1)(c)1.b. or c. and 3. Credit completions  
145 may be a combination of full-credit courses or half-credit  
146 courses. Beginning in the 2014-2015 fiscal year, when s.  
147 1008.22(3)(g) is implemented, the reported full-time equivalent  
148 students and associated funding of students enrolled in courses  
149 requiring passage of an end-of-course assessment shall be  
150 adjusted after the student completes the end-of-course  
151 assessment.

152 (V) A Florida Virtual School full-time equivalent student  
153 shall consist of six full credit completions or the prescribed  
154 level of content that counts toward promotion to the next grade  
155 in the programs listed in s. 1011.62(1)(c)1.a. and b. for  
156 kindergarten through grade 8 and the programs listed in s.  
157 1011.62(1)(c)1.c. for grades 9 through 12. Credit completions



854832

158 may be a combination of full-credit courses or half-credit  
159 courses. Beginning in the 2014-2015 fiscal year, when s.  
160 1008.22(3)(g) is implemented, the reported full-time equivalent  
161 students and associated funding of students enrolled in courses  
162 requiring passage of an end-of-course assessment shall be  
163 adjusted after the student completes the end-of-course  
164 assessment.

165 (VI) Each successfully completed full-credit course earned  
166 through an online course delivered by a district other than the  
167 one in which the student resides shall be calculated as 1/6 FTE.

168 ~~(VII) Each successfully completed credit earned under the~~  
169 ~~alternative high school course credit requirements authorized in~~  
170 ~~s. 1002.375, which is not reported as a portion of the 900 net~~  
171 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~  
172 ~~calculated as 1/6 FTE.~~

173 2. A student in membership in a program scheduled for more  
174 or less than 180 school days or the equivalent on an hourly  
175 basis as specified by rules of the State Board of Education is a  
176 fraction of a full-time equivalent membership equal to the  
177 number of instructional hours in membership divided by the  
178 appropriate number of hours set forth in subparagraph (a)1.;

179 however, for the purposes of this subparagraph, membership in  
180 programs scheduled for more than 180 days is limited to students  
181 enrolled in juvenile justice education programs and the Florida  
182 Virtual School.

183  
184 The department shall determine and implement an equitable method  
185 of equivalent funding for experimental schools and for schools  
186 operating under emergency conditions, which schools have been



187 approved by the department to operate for less than the minimum  
188 school day.

189 Section 21. Section 1012.58, Florida Statutes, is repealed.

190 Section 22. This act shall take effect upon becoming a law.

191

192 ===== T I T L E A M E N D M E N T =====

193 And the title is amended as follows:

194 Delete everything before the enacting clause

195 and insert:

196

A bill to be entitled

197 An act relating to education; repealing s. 1001.435,  
198 F.S., relating to a K-12 foreign language curriculum  
199 plan; amending s. 1002.20, F.S., relating to the  
200 rights of public school students and parents; deleting  
201 requirements that the State Board of Education adopt  
202 rules relating to epinephrine use, diabetes  
203 management, and the use of pancreatic enzyme  
204 supplements by students; repealing s. 1002.375, F.S.,  
205 relating to a pilot project that allows school  
206 districts to award alternative credit for high school  
207 courses; repealing s. 1002.65, F.S., relating to  
208 aspirational goals for the professional credentials of  
209 prekindergarten instructors; repealing s.  
210 1003.4285(1), F.S., relating to a standard high school  
211 diploma designation that indicates a student's major  
212 area of interest; repealing s. 1003.496, F.S.,  
213 relating to the High School to Business Career  
214 Enhancement Program; repealing s. 1003.576, F.S.,  
215 relating to the development and operation of an





854832

216 electronic individual education plan system; repealing  
217 s. 1004.05, F.S., relating to the development by state  
218 universities and Florida College System institutions  
219 of substance abuse training programs; repealing s.  
220 1004.62, F.S., relating to incentives for urban or  
221 socially and economically disadvantaged area  
222 internships; repealing s. 1006.02, F.S., relating to  
223 the provision of information to students and parents  
224 regarding the school-to-work transition; repealing s.  
225 1006.025, F.S., relating to the preparation and  
226 submission of a school district guidance report by  
227 district school boards; repealing s. 1006.035, F.S.,  
228 relating to a dropout reentry and mentor project;  
229 repealing s. 1006.051, F.S., relating to the Sunshine  
230 Workforce Solutions Grant Program; repealing s.  
231 1006.141, F.S., relating to authorization for the  
232 Department of Education to contract with the Florida  
233 Sheriffs Association to operate a statewide school  
234 safety hotline; repealing s. 1006.17, F.S., relating  
235 to school district or Florida College System  
236 institution sponsorship of athletic activities or  
237 sports similar to sports for which public  
238 postsecondary educational institutions offer  
239 scholarships; repealing s. 1006.70, F.S., relating to  
240 school district or Florida College System institution  
241 sponsorship of athletic activities or sports similar  
242 to sports for which public postsecondary educational  
243 institutions offer scholarships; repealing s. 1007.21,  
244 F.S., relating to student readiness for postsecondary



854832

245 education and the workplace; repealing s. 1007.272,  
246 F.S., relating to authorization for school districts,  
247 Florida College System institutions, and state  
248 universities to conduct advanced placement instruction  
249 within dual enrollment courses; repealing s.  
250 1007.33(6), F.S., relating to authorization for  
251 certain Florida College System institutions to obtain  
252 an exemption from required State Board of Education  
253 approval for baccalaureate degree programs if  
254 eligibility requirements are met; amending s. 1011.61,  
255 F.S.; conforming provisions to changes made by the  
256 act; repealing s. 1012.58, F.S., relating to the  
257 Transition to Teaching Program; providing an effective  
258 date.