

By Senator Montford

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1 A bill to be entitled
2 An act relating to education; amending s. 11.45, F.S.;
3 requiring the Auditor General to notify the
4 Legislative Auditing Committee if a district school
5 board fails to take corrective action subsequent to an
6 audit; amending s. 120.74, F.S.; exempting educational
7 units from rule review and reporting requirements;
8 amending s. 120.81, F.S.; conforming cross-references;
9 amending s. 409.1451; conforming cross-references;
10 repealing ss. 411.226, 411.227, and 411.228, F.S.,
11 relating to the Learning Gateway program; amending s.
12 496.404, F.S.; conforming cross-references; amending
13 s. 775.215, F.S.; conforming cross-references;
14 amending s. 984.151, F.S.; authorizing a district
15 school superintendent's designee to submit a truancy
16 petition; repealing s. 1000.01(5), F.S., relating to
17 obsolete education governance transfers; amending s.
18 1000.21, F.S.; revising the definition of the term
19 "Next Generation Sunshine State Standards"; repealing
20 ss. 1000.33 and 1000.37, F.S., relating to the
21 distribution of copies of educational compacts to
22 other states; amending s. 1001.10, F.S.; deleting and
23 revising certain duties of the Commissioner of
24 Education relating to educational plans and programs;
25 repealing s. 1001.25, F.S., relating to educational
26 television; amending s. 1001.26, F.S.; revising
27 Department of Education duties relating to the public
28 broadcasting program system; prohibiting the use of
29 educational television stations for the advancement of

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30 political candidates; providing penalties; repealing
31 ss. 1001.47(7) and 1001.50(6), F.S., relating to
32 obsolete district school superintendent salary
33 provisions; repealing s. 1001.62, F.S., relating to
34 obsolete provisions for the transfer of benefits
35 arising under local or special acts; repealing s.
36 1001.73(3), F.S., relating to the abolished Board of
37 Regents as trustee; amending s. 1002.20, F.S.;
38 correcting cross-references and conforming provisions;
39 amending s. 1002.31, F.S.; revising provisions
40 relating to school district controlled open enrollment
41 plans; amending s. 1002.3105, F.S.; conforming
42 provisions; amending s. 1002.321, F.S.; conforming
43 provisions; amending s. 1002.33, F.S.; deleting
44 required training before charter school application;
45 conforming cross-references and provisions; amending
46 s. 1002.34, F.S.; conforming cross-references;
47 revising provisions relating to department assistance
48 to charter technical career centers; amending s.
49 1002.345, F.S.; revising provisions relating to
50 expedited review of deteriorating financial conditions
51 for a charter school or charter technical career
52 center; deleting an annual reporting requirement;
53 amending s. 1002.39, F.S.; deleting obsolete
54 provisions relating to eligibility for a John M. McKay
55 Scholarship; amending s. 1002.41, F.S.; correcting
56 cross-references; repealing s. 1002.415, F.S.,
57 relating to the K-8 Virtual School Program; amending
58 s. 1002.45, F.S.; conforming cross-references;

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59 amending s. 1002.455, F.S.; conforming provisions;
60 repealing s. 1002.65, F.S., relating to aspirational
61 goals for credentials of prekindergarten instructors;
62 amending s. 1003.01, F.S.; conforming cross-
63 references; amending s. 1003.02, F.S.; requiring
64 instructional materials to be consistent with course
65 descriptions; amending s. 1003.03, F.S.; conforming
66 cross-references; amending s. 1003.41, F.S.; deleting
67 an obsolete cost analysis requirement relating to a
68 separate financial literacy course; amending s.
69 1003.4156, F.S.; revising course and assessment
70 requirements for middle grades students for promotion
71 to high school; providing an exemption for transfer
72 students from certain course grade and assessment
73 requirements; repealing s. 1003.428, F.S., relating to
74 obsolete requirements for high school graduation;
75 amending s. 1003.4281, F.S.; conforming cross-
76 references; amending s. 1003.4282, F.S.; revising
77 course and assessment requirements for the award of a
78 standard high school diploma; providing requirements
79 for a student in an adult general education program to
80 be awarded a standard high school diploma; revising
81 requirements for award of a certificate of completion;
82 providing an exemption for transfer students from
83 certain course grade and assessment requirements;
84 providing specificity regarding course and assessment
85 requirements for graduation for certain cohorts of
86 high school students transitioning to new graduation
87 requirements; providing for future repeal of

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88 transition requirements; amending s. 1003.4285, F.S.;

89 revising requirements for standard high school diploma

90 designations; amending s. 1003.438, F.S.; conforming

91 cross-references; repealing s. 1003.451(5), F.S.,

92 relating to State Board of Education rulemaking;

93 amending s. 1003.49, F.S.; conforming cross-

94 references; amending s. 1003.493, F.S.; conforming a

95 cross-reference; amending s. 1003.4935, F.S.;

96 conforming a cross-reference; amending s. 1003.57,

97 F.S., relating to exceptional student instruction;

98 amending s. 1003.621, F.S.; revising audit criteria

99 for academically high-performing school districts;

100 repealing s. 1004.02(4), F.S., relating to the

101 definition of the term "adult high school credit

102 program"; amending s. 1004.0961, F.S.; providing for

103 Board of Governors regulations; repealing s.

104 1004.3825, F.S., relating to authorization for a

105 medical degree program; repealing s. 1004.387, F.S.,

106 relating to authorization for a pharmacy degree

107 program; repealing s. 1004.445(2), F.S., relating to

108 the board of directors of the Johnnie B. Byrd, Sr.

109 Alzheimer's Center and Research Institute; repealing

110 s. 1004.75, F.S., relating to training school

111 consolidation pilot projects; amending s. 1004.935,

112 F.S.; conforming cross-references; repealing s.

113 1006.141, F.S., relating to a statewide school safety

114 hotline; amending s. 1006.147, F.S.; deleting obsolete

115 provisions relating to school district bullying and

116 harassment policies; repealing s. 1006.148(2), F.S.,

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117 relating to a department-developed model dating
118 violence and abuse policy; amending s. 1006.15, F.S.;
119 conforming cross-references; amending s. 1006.28,
120 F.S.; conforming provisions relating to instructional
121 materials; amending s. 1006.31, F.S.; conforming
122 provisions relating to duties of an instructional
123 materials reviewer; amending s. 1006.34, F.S.;
124 revising provisions relating to standards used in the
125 selection of instructional materials; amending s.
126 1006.40, F.S.; revising provisions relating to
127 district school board purchase of instructional
128 materials; amending s. 1006.42, F.S.; conforming
129 provisions relating to the responsibility of parents
130 for instructional materials; amending s. 1007.02,
131 F.S.; deleting a popular name and providing
132 applicability for the term "student with a
133 disability"; amending s. 1007.2615, F.S.; deleting
134 obsolete provisions relating to an American Sign
135 Language task force; amending s. 1007.263, F.S.;
136 conforming cross-references; amending ss. 1007.264 and
137 1007.265, F.S.; conforming provisions; amending s.
138 1007.271, F.S.; correcting cross-references; amending
139 s. 1008.22, F.S.; conforming and revising provisions
140 relating to the implementation of statewide,
141 standardized comprehensive assessments, end-of-course
142 assessments, and waivers for students with
143 disabilities; requiring the commissioner to publish an
144 implementation schedule for transition to new
145 assessments; conforming provisions relating to

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146 concordant scores and comparative scores for
147 assessments; amending s. 1008.25, F.S.; conforming
148 assessment provisions for student progression;
149 amending s. 1008.33, F.S.; deleting obsolete
150 provisions relating to implementation of certain
151 school turnaround options; repealing s. 1008.331,
152 F.S., relating to supplemental educational services in
153 Title I schools; amending s. 1008.3415, F.S.;;
154 correcting a cross-reference; repealing s. 1008.35,
155 F.S., relating to best financial management practices
156 for school districts; amending s. 1009.22, F.S.;;
157 deleting obsolete provisions relating to workforce
158 education postsecondary student fees; amending s.
159 1009.40, F.S.; conforming cross-references; amending
160 s. 1009.531, F.S.; conforming cross-references;
161 amending s. 1009.532, F.S.; correcting cross-
162 references; amending s. 1009.536, F.S.; correcting
163 cross-references; repealing s. 1009.56, F.S., relating
164 to the Seminole and Miccosukee Indian Scholarship
165 Program; repealing s. 1009.69, F.S., relating to the
166 Virgil Hawkins Fellows Assistance Program; amending s.
167 1009.91, F.S.; conforming a cross-reference; amending
168 s. 1009.94, F.S.; conforming a cross-reference;
169 repealing part V of chapter 1009, F.S., relating to
170 the Florida Higher Education Loan Authority; repealing
171 s. 1011.71(3)(b) and (c), F.S., relating to expired
172 authorization for certain millage levy; repealing s.
173 1011.76(4), F.S., relating to best financial
174 management practices review under the Small School

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175 District Stabilization Program; amending s. 1011.80,
176 F.S.; correcting a cross-reference; amending s.
177 1012.05, F.S.; deleting department and commissioner
178 duties relating to teacher recruitment and retention;
179 amending s. 1012.22, F.S.; conforming provisions;
180 repealing s. 1012.33(9), F.S., relating to obsolete
181 provisions for payment of professional service
182 contracts; amending s. 1012.34, F.S.; correcting
183 cross-references relating to measuring student
184 performance in personnel evaluations; amending s.
185 1012.44, F.S.; deleting obsolete provisions; amending
186 s. 1012.561, F.S.; deleting an obsolete provision;
187 repealing s. 1012.595, F.S., relating to an obsolete
188 saving clause for educator certificates; amending s.
189 1012.885, F.S.; deleting certain provisions relating
190 to remuneration of Florida College System institution
191 presidents; amending s. 1012.975, F.S.; deleting
192 certain provisions relating to remuneration of state
193 university presidents; amending s. 1012.98, F.S.;
194 requiring continuing education training for
195 kindergarten teachers; amending s. 1013.35, F.S.;
196 revising audit requirements for school district
197 educational planning and construction activities;
198 amending s. 1013.47, F.S.; deleting provisions
199 relating to payment of wages of certain persons
200 employed by contractors; repealing s. 1013.49, F.S.,
201 relating to toxic substances in educational
202 facilities; repealing s. 1013.512, F.S., relating to
203 the Land Acquisition and Facilities Advisory Board;

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204 repealing s. 1013.54, F.S., relating to the
205 cooperative development and use of satellite
206 educational facilities; repealing s. 20 of chapter
207 2010-24, Laws of Florida, relating to Department of
208 Revenue authorization to adopt emergency rules;
209 providing an effective date.

210

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

212

213 Section 1. Paragraph (j) of subsection (7) of section
214 11.45, Florida Statutes, is amended to read:

215 11.45 Definitions; duties; authorities; reports; rules.—

216 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

217 (j) The Auditor General shall notify the Legislative
218 Auditing Committee of any financial or operational audit report
219 prepared pursuant to this section which indicates that a
220 district school board, state university, or Florida College
221 System institution has failed to take full corrective action in
222 response to a recommendation that was included in the two
223 preceding financial or operational audit reports.

224 1. The committee may direct the district school board or
225 the governing body of the state university or Florida College
226 System institution to provide a written statement to the
227 committee explaining why full corrective action has not been
228 taken or, if the governing body intends to take full corrective
229 action, describing the corrective action to be taken and when it
230 will occur.

231 2. If the committee determines that the written statement
232 is not sufficient, the committee may require the chair of the

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233 district school board or the chair of the governing body of the
 234 state university or Florida College System institution, or the
 235 chair's designee, to appear before the committee.

236 3. If the committee determines that the district school
 237 board, state university, or Florida College System institution
 238 has failed to take full corrective action for which there is no
 239 justifiable reason or has failed to comply with committee
 240 requests made pursuant to this section, the committee shall
 241 refer the matter to the State Board of Education or the Board of
 242 Governors, as appropriate, to proceed in accordance with s.
 243 1008.32 or s. 1008.322, respectively.

244 Section 2. Subsection (5) is added to section 120.74,
 245 Florida Statutes, to read:

246 120.74 Agency review, revision, and report.—

247 (5) An educational unit as defined in s. 120.52(6) is
 248 exempt from this section.

249 Section 3. Paragraph (c) of subsection (1) of section
 250 120.81, Florida Statutes, is amended to read:

251 120.81 Exceptions and special requirements; general areas.—

252 (1) EDUCATIONAL UNITS.—

253 (c) Notwithstanding s. 120.52(16), any tests, test scoring
 254 criteria, or testing procedures relating to student assessment
 255 which are developed or administered by the Department of
 256 Education pursuant to s. 1003.4282 ~~1003.428~~, ~~s. 1003.429~~, s.
 257 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
 258 educational tests required by law, are not rules.

259 Section 4. Paragraph (a) of subsection (2) of section
 260 409.1451, Florida Statutes, is amended to read:

261 409.1451 The Road-to-Independence Program.—

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262 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

265 1. Was living in licensed care on his or her 18th birthday
266 or is currently living in licensed care; or was at least 16
267 years of age and was adopted from foster care or placed with a
268 court-approved dependency guardian after spending at least 6
269 months in licensed care within the 12 months immediately
270 preceding such placement or adoption;

271 2. Spent at least 6 months in licensed care before reaching
272 his or her 18th birthday;

273 3. Earned a standard high school diploma pursuant to s.
274 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
275 pursuant to s. 1003.428, s. 1003.4281, s. 1003.429, s. 1003.435,
276 or a special diploma pursuant to s. 1003.438;

277 4. Has been admitted for enrollment as a full-time student
278 or its equivalent in an eligible postsecondary educational
279 institution as provided in s. 1009.533. For purposes of this
280 section, the term "full-time" means 9 credit hours or the
281 vocational school equivalent. A student may enroll part-time if
282 he or she has a recognized disability or is faced with another
283 challenge or circumstance that would prevent full-time
284 attendance. A student needing to enroll part-time for any reason
285 other than having a recognized disability must get approval from
286 his or her academic advisor;

287 5. Has reached 18 years of age but is not yet 23 years of
288 age;

289 6. Has applied, with assistance from the young adult's
290 caregiver and the community-based lead agency, for any other

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291 grants and scholarships for which he or she may qualify;

292 7. Submitted a Free Application for Federal Student Aid
293 which is complete and error free; and

294 8. Signed an agreement to allow the department and the
295 community-based care lead agency access to school records.

296 Section 5. Section 411.226, Florida Statutes, is repealed.

297 Section 6. Section 411.227, Florida Statutes, is repealed.

298 Section 7. Section 411.228, Florida Statutes, is repealed.

299 Section 8. Subsection (8) of section 496.404, Florida
300 Statutes, is amended to read:

301 496.404 Definitions.—As used in ss. 496.401-496.424:

302 (8) "Educational institutions" means those institutions and
303 organizations described in s. 212.08(7)(cc)8.a. The term
304 includes private nonprofit organizations, the purpose of which
305 is to raise funds for schools teaching grades kindergarten
306 through grade 12, colleges, and universities, including a ~~any~~
307 nonprofit newspaper of free or paid circulation primarily on
308 university or college campuses which holds a current exemption
309 from federal income tax under s. 501(c)(3) of the Internal
310 Revenue Code, an ~~any~~ educational television network or system
311 established pursuant to ~~s. 1001.25~~ or s. 1001.26, and a ~~any~~
312 nonprofit television or radio station that is a part of such
313 network or system and that holds a current exemption from
314 federal income tax under s. 501(c)(3) of the Internal Revenue
315 Code. The term also includes a nonprofit educational cable
316 consortium that holds a current exemption from federal income
317 tax under s. 501(c)(3) of the Internal Revenue Code, whose
318 primary purpose is the delivery of educational and instructional
319 cable television programming and whose members are composed

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320 exclusively of educational organizations that hold a valid
321 consumer certificate of exemption and that are either an
322 educational institution as defined in this subsection or
323 qualified as a nonprofit organization pursuant to s. 501(c)(3)
324 of the Internal Revenue Code.

325 Section 9. Paragraph (d) of subsection (1) of section
326 775.215, Florida Statutes, is amended to read:

327 775.215 Residency restriction for persons convicted of
328 certain sex offenses.—

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

330 (d) "School" has the same meaning as provided in s. 1003.01
331 and includes a private school as defined in s. 1002.01, a
332 voluntary prekindergarten education program as described in s.
333 1002.53(3), a public school as described in s. 402.3025(1), the
334 Florida School for the Deaf and the Blind, and the Florida
335 Virtual School ~~as~~ established under s. 1002.37, ~~and a K-8~~
336 ~~Virtual School as established under s. 1002.415,~~ but does not
337 include facilities dedicated exclusively to the education of
338 adults.

339 Section 10. Subsection (1) of section 984.151, Florida
340 Statutes, is amended to read:

341 984.151 Truancy petition; prosecution; disposition.—

342 (1) If the school determines that a student subject to
343 compulsory school attendance has had at least five unexcused
344 absences, or absences for which the reasons are unknown, within
345 a calendar month or 10 unexcused absences, or absences for which
346 the reasons are unknown, within a 90-calendar-day period
347 pursuant to s. 1003.26(1)(b), or has had more than 15 unexcused
348 absences in a 90-calendar-day period, the superintendent of

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349 schools or his or her designee may file a truancy petition.

350 Section 11. Subsection (5) of section 1000.01, Florida
351 Statutes, is repealed.

352 Section 12. Subsection (7) of section 1000.21, Florida
353 Statutes, is amended to read:

354 1000.21 Systemwide definitions.—As used in the Florida K-20
355 Education Code:

356 (7) "Next Generation Sunshine State Standards" means the
357 state's public K-12 curricular standards, ~~including common core~~
358 ~~standards in English Language Arts and mathematics,~~ adopted
359 under s. 1003.41.

360 Section 13. Section 1000.33, Florida Statutes, is repealed.

361 Section 14. Section 1000.37, Florida Statutes, is repealed.

362 Section 15. Paragraphs (h) and (l) of subsection (6) of
363 section 1001.10, Florida Statutes, are amended to read:

364 1001.10 Commissioner of Education; general powers and
365 duties.—

366 (6) Additionally, the commissioner has the following
367 general powers and duties:

368 ~~(h) To develop and implement a plan for cooperating with~~
369 ~~the Federal Government in carrying out any or all phases of the~~
370 ~~educational program and to recommend policies for administering~~
371 ~~funds that are appropriated by Congress and apportioned to the~~
372 ~~state for any or all educational purposes. The Commissioner of~~
373 ~~Education shall submit to the Legislature the proposed state~~
374 ~~plan for the reauthorization of the No Child Left Behind Act~~
375 ~~before the proposed plan is submitted to federal agencies. The~~
376 ~~President of the Senate and the Speaker of the House of~~
377 ~~Representatives shall appoint members of the appropriate~~

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378 ~~education and appropriations committees to serve as a select~~
379 ~~committee to review the proposed plan.~~

380 (k)(1) To prepare, publish, and disseminate ~~maintain a~~
381 ~~Citizen Information Center responsible for the preparation,~~
382 ~~publication, and dissemination of~~ user-friendly materials
383 relating to the state's education system, including the state's
384 K-12 scholarship programs and the Voluntary Prekindergarten
385 Education Program.

386 Section 16. Section 1001.25, Florida Statutes, is repealed.

387 Section 17. Section 1001.26, Florida Statutes, is amended
388 to read:

389 1001.26 Public broadcasting program system.—

390 (1) There is created a public broadcasting program system
391 for the state. The department shall provide funds, as
392 specifically appropriated in the General Appropriations Act, to
393 educational television stations qualified by the Corporation for
394 Public Broadcasting that are part of the public broadcasting
395 program system ~~administer this program system pursuant to rules~~
396 ~~adopted by the State Board of Education. This program system~~
397 ~~must complement and share resources with the instructional~~
398 ~~programming service of the Department of Education and~~
399 ~~educational UHF, VHF, EBS, and FM stations in the state. The~~
400 program system must include:

401 (a) Support for existing Corporation for Public
402 Broadcasting qualified program system educational television
403 stations ~~and new stations meeting Corporation for Public~~
404 ~~Broadcasting qualifications and providing a first service to an~~
405 ~~audience that does not currently receive a broadcast signal or~~
406 ~~providing a significant new program service as defined by rule~~

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407 ~~by the State Board of Education.~~

408 (b) Maintenance of quality broadcast capability for
409 educational stations that are part of the program system.

410 (c) Interconnection of all educational stations that are
411 part of the program system for simultaneous broadcast and of
412 such stations with all universities and other institutions as
413 necessary for sharing of resources and delivery of programming.

414 (d) Establishment and maintenance of a capability for
415 statewide program distribution with facilities and staff,
416 provided such facilities and staff complement and strengthen
417 existing ~~or future~~ educational television stations ~~in accordance~~
418 ~~with paragraph (a) and s. 1001.25(2)(c).~~

419 (e) Provision of both statewide programming funds and
420 station programming support for educational television to meet
421 statewide priorities. Priorities for station programming need
422 not be the same as priorities for programming to be used
423 statewide. Station programming may include, but shall not be
424 limited to, citizens' participation programs, music and fine
425 arts programs, coverage of public hearings and governmental
426 meetings, equal air time for political candidates, and other
427 public interest programming.

428 ~~(2)(a) The Department of Education is responsible for~~
429 ~~implementing the provisions of this section pursuant to s.~~
430 ~~282.702 and may employ personnel, acquire equipment and~~
431 ~~facilities, and perform all duties necessary for carrying out~~
432 ~~the purposes and objectives of this section.~~

433 ~~(b) The department shall provide through educational~~
434 ~~television and other electronic media a means of extending~~
435 ~~educational services to all the state system of public~~

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436 ~~education. The department shall recommend to the State Board of~~
437 ~~Education rules necessary to provide such services.~~

438 ~~(c) The department is authorized to provide equipment,~~
439 ~~funds, and other services to extend and update both the existing~~
440 ~~and the proposed educational television systems of tax-supported~~
441 ~~and nonprofit, corporate-owned facilities. All stations funded~~
442 ~~must be qualified by the Corporation for Public Broadcasting.~~
443 ~~New stations eligible for funding shall provide a first service~~
444 ~~to an audience that is not currently receiving a broadcast~~
445 ~~signal or provide a significant new program service as defined~~
446 ~~by State Board of Education rules. Funds appropriated to the~~
447 ~~department for educational television may be used by the~~
448 ~~department for educational television only.~~

449 (3) (a) The facilities, plant, or personnel of an
450 educational television station that is supported in whole or in
451 part by state funds may not be used directly or indirectly for
452 the promotion, advertisement, or advancement of a political
453 candidate for a municipal, county, legislative, congressional,
454 or state office. However, fair, open, and free discussion
455 between political candidates for municipal, county, legislative,
456 congressional, or state office may be permitted in order to help
457 materially reduce the excessive cost of campaigns and to ensure
458 that the state's citizens are fully informed about issues and
459 candidates in campaigns. This paragraph applies to the advocacy
460 for, or opposition to, a specific existing or proposed program
461 of governmental action, which includes, but is not limited to,
462 constitutional amendments, tax referenda, and bond issues. This
463 paragraph shall be implemented in accordance with rules of the
464 State Board of Education.

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465 (b) A violation of a prohibition contained in this
466 subsection is a misdemeanor of the second degree, punishable as
467 provided in s. 775.082 or s. 775.083.

468 Section 18. Subsection (7) of section 1001.47, Florida
469 Statutes, is repealed.

470 Section 19. Subsection (6) of section 1001.50, Florida
471 Statutes, is repealed.

472 Section 20. Section 1001.62, Florida Statutes, is repealed.

473 Section 21. Subsection (3) of section 1001.73, Florida
474 Statutes, is repealed.

475 Section 22. Subsections (8), (16), and (21) of section
476 1002.20, Florida Statutes, are amended to read:

477 1002.20 K-12 student and parent rights.—Parents of public
478 school students must receive accurate and timely information
479 regarding their child's academic progress and must be informed
480 of ways they can help their child to succeed in school. K-12
481 students and their parents are afforded numerous statutory
482 rights including, but not limited to, the following:

483 (8) STUDENTS WITH DISABILITIES.—Parents of public school
484 students with disabilities and parents of public school students
485 in residential care facilities are entitled to notice and due
486 process in accordance with the provisions of ss. 1003.57 and
487 1003.58. Public school students with disabilities must be
488 provided the opportunity to meet the graduation requirements for
489 a standard high school diploma as set forth in s. 1003.4282 in
490 accordance with the provisions of ss. 1003.57 and 1008.22 ~~s.~~
491 ~~1003.428(3)~~. Pursuant to s. 1003.438, certain public school
492 students with disabilities may be awarded a special diploma upon
493 high school graduation.

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494 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
 495 REPORTS.—Parents of public school students are entitled to an
 496 easy-to-read report card about the school's grade designation
 497 or, if applicable under s. 1008.341, the school's improvement
 498 rating, and the school's ~~school~~ accountability report, including
 499 the school financial report as required under s. 1010.215, ~~and~~
 500 ~~school improvement rating of their child's school in accordance~~
 501 ~~with the provisions of ss. 1008.22, 1003.02(3), and 1010.215(5).~~

502 (21) PARENTAL INPUT AND MEETINGS.—

503 (a) *Meetings with school district personnel.*—Parents of
 504 public school students may be accompanied by another adult of
 505 their choice at a ~~any~~ meeting with school district personnel.
 506 School district personnel may not object to the attendance of
 507 such adult or discourage or attempt to discourage, through an
 508 ~~any~~ action, statement, or other means, the parents of students
 509 with disabilities from inviting another person of their choice
 510 to attend a ~~any~~ meeting. Such prohibited actions include, but
 511 are not limited to, attempted or actual coercion or harassment
 512 of parents or students or retaliation or threats of consequences
 513 to parents or students.

514 1. Such meetings include, but are not limited to, meetings
 515 related to: the eligibility for exceptional student education or
 516 related services; the development of an individual family
 517 support plan (IFSP); the development of an individual education
 518 plan (IEP); the development of a 504 accommodation plan issued
 519 under s. 504 of the Rehabilitation Act of 1973; the transition
 520 of a student from early intervention services to other services;
 521 the development of postsecondary goals for a student with a
 522 disability and the transition services needed to reach those

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523 goals; and other issues that may affect the ~~a student's~~
524 educational environment, discipline, or placement of a student
525 with a disability.

526 2. The parents and school district personnel attending the
527 meeting shall sign a document at the meeting's conclusion which
528 states whether any school district personnel have prohibited,
529 discouraged, or attempted to discourage the parents from
530 inviting a person of their choice to the meeting.

531 ~~(b) School district best financial management practice~~
532 ~~reviews. Public school students and their parents may provide~~
533 ~~input regarding their concerns about the operations and~~
534 ~~management of the school district both during and after the~~
535 ~~conduct of a school district best financial management practices~~
536 ~~review, in accordance with the provisions of s. 1008.35.~~

537 ~~(b)(e) District school board educational facilities~~
538 ~~programs.—Parents of public school students and other members of~~
539 ~~the public have the right to receive proper public notice and~~
540 ~~opportunity for public comment regarding the district school~~
541 ~~board's educational facilities work program, in accordance with~~
542 ~~the provisions of s. 1013.35.~~

543 Section 23. Subsections (2) through (8) of section 1002.31,
544 Florida Statutes, are amended to read:

545 1002.31 Controlled open enrollment; public school parental
546 choice.—

547 (2) Each district school board may offer controlled open
548 enrollment within the public schools which is. ~~The controlled~~
549 ~~open enrollment program shall be offered~~ in addition to the
550 existing choice programs such as virtual instruction programs,
551 magnet schools, alternative schools, special programs, advanced

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552 placement, and dual enrollment.

553 (3) Each district school board offering controlled open
554 enrollment shall adopt by rule and post on its website develop a
555 controlled open enrollment plan which must: ~~describes the~~
556 ~~implementation of subsection (2).~~

557 ~~(a) (4) School districts shall~~ Adhere to federal
558 desegregation requirements. ~~No controlled open enrollment plan~~
559 ~~that conflicts with federal desegregation orders shall be~~
560 ~~implemented.~~

561 ~~(5) Each school district shall develop a system of~~
562 ~~priorities for its plan that includes consideration of the~~
563 ~~following:~~

564 ~~(b) (a)~~ Include an application process required to
565 participate in the controlled open enrollment ~~program.~~

566 ~~(b)~~ A process that allows parents to declare school
567 preferences, including-

568 ~~(c)~~ A process that ~~encourages~~ placement of siblings within
569 the same school.

570 ~~(c) (d)~~ Provide a lottery procedure ~~used by the school~~
571 ~~district~~ to determine student assignment and establish-

572 ~~(e)~~ an appeals process for hardship cases.

573 ~~(d)~~ Afford parents of students in multiple session schools
574 preferred access to controlled open enrollment.

575 ~~(e) (f)~~ ~~The procedures to~~ Maintain socioeconomic,
576 demographic, and racial balance.

577 ~~(f) (g)~~ Address the availability of transportation.

578 ~~(h)~~ A process that promotes strong parental involvement,
579 ~~including the designation of a parent liaison.~~

580 ~~(i)~~ A strategy that establishes a clearinghouse of

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581 ~~information designed to assist parents in making informed~~
582 ~~choices.~~

583 ~~(6) Plans shall be submitted to the Commissioner of~~
584 ~~Education. The Commissioner of Education shall develop an annual~~
585 ~~report on the status of school choice and deliver the report to~~
586 ~~the Governor, the President of the Senate, and the Speaker of~~
587 ~~the House of Representatives at least 90 days prior to the~~
588 ~~convening of the regular session of the Legislature.~~

589 ~~(7) Notwithstanding any provision of this section, a school~~
590 ~~district with schools operating on both multiple session~~
591 ~~schedules and single session schedules shall afford parents of~~
592 ~~students in multiple session schools preferred access to the~~
593 ~~controlled open enrollment program of the school district.~~

594 ~~(4)(8)~~ In accordance with the reporting requirements of s.
595 1011.62, each district school board shall annually report the
596 number of students ~~applying for and~~ attending the various types
597 of public schools of choice in the district, including schools
598 such as virtual instruction programs, magnet schools, and public
599 charter schools, according to rules adopted by the State Board
600 of Education.

601 Section 24. Subsection (5) of section 1002.3105, Florida
602 Statutes, is amended to read:

603 1002.3105 Academically Challenging Curriculum to Enhance
604 Learning (ACCEL) options.—

605 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who
606 meets the applicable grade 9 cohort graduation requirements of
607 s. 1003.4282 (3) (a)–(e) or s. 1003.4282 (10) (a)1.–5., (b)1.–5.,
608 (c)1.–5., or (d)1.–5., earns three credits in electives, and
609 earns a cumulative grade point average (GPA) of 2.0 on a 4.0

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610 scale shall be awarded a standard high school diploma in a form
611 prescribed by the State Board of Education.

612 Section 25. Subsection (3) of section 1002.321, Florida
613 Statutes, is amended to read:

614 1002.321 Digital learning.—

615 (3) DIGITAL PREPARATION.—As required under s. 1003.4282, a
616 Each student entering grade 9 in the 2011-2012 school year and
617 thereafter who seeks a high school diploma must take graduate
618 from high school having taken at least one online course, as
619 provided in s. 1003.428.

620 Section 26. Paragraph (a) of subsection (6), paragraph (a)
621 of subsection (7), paragraphs (b) and (c) of subsection (15),
622 and subsection (25) of section 1002.33, Florida Statutes, are
623 amended to read:

624 1002.33 Charter schools.—

625 (6) APPLICATION PROCESS AND REVIEW.—Charter school
626 applications are subject to the following requirements:

627 (a) A person or entity wishing to open a charter school
628 shall prepare and submit an application on a model application
629 form prepared by the Department of Education which:

630 1. Demonstrates how the school will use the guiding
631 principles and meet the statutorily defined purpose of a charter
632 school.

633 2. Provides a detailed curriculum plan that illustrates how
634 students will be provided services to attain the Sunshine State
635 Standards.

636 3. Contains goals and objectives for improving student
637 learning and measuring that improvement. These goals and
638 objectives must indicate how much academic improvement students

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639 are expected to show each year, how success will be evaluated,
640 and the specific results to be attained through instruction.

641 4. Describes the reading curriculum and differentiated
642 strategies that will be used for students reading at grade level
643 or higher and a separate curriculum and strategies for students
644 who are reading below grade level. A sponsor shall deny a
645 charter if the school does not propose a reading curriculum that
646 is consistent with effective teaching strategies that are
647 grounded in scientifically based reading research.

648 5. Contains an annual financial plan for each year
649 requested by the charter for operation of the school for up to 5
650 years. This plan must contain anticipated fund balances based on
651 revenue projections, a spending plan based on projected revenues
652 and expenses, and a description of controls that will safeguard
653 finances and projected enrollment trends.

654 6. Contains Documents that the applicant has participated
655 in the training required in subparagraph (f)2. A sponsor may
656 require an applicant to provide additional information a sponsor
657 may require, which shall be attached as an addendum to the
658 charter school application described in this paragraph.

659 7. For the establishment of a virtual charter school,
660 documents that the applicant has contracted with a provider of
661 virtual instruction services pursuant to s. 1002.45(1)(d).

662 (7) CHARTER.—The major issues involving the operation of a
663 charter school shall be considered in advance and written into
664 the charter. The charter shall be signed by the governing board
665 of the charter school and the sponsor, following a public
666 hearing to ensure community input.

667 (a) The charter shall address and criteria for approval of

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668 the charter shall be based on:

669 1. The school's mission, the students to be served, and the
670 ages and grades to be included.

671 2. The focus of the curriculum, the instructional methods
672 to be used, any distinctive instructional techniques to be
673 employed, and identification and acquisition of appropriate
674 technologies needed to improve educational and administrative
675 performance which include a means for promoting safe, ethical,
676 and appropriate uses of technology which comply with legal and
677 professional standards.

678 a. The charter shall ensure that reading is a primary focus
679 of the curriculum and that resources are provided to identify
680 and provide specialized instruction for students who are reading
681 below grade level. The curriculum and instructional strategies
682 for reading must be consistent with the Next Generation Sunshine
683 State Standards and grounded in scientifically based reading
684 research.

685 b. In order to provide students with access to diverse
686 instructional delivery models, to facilitate the integration of
687 technology within traditional classroom instruction, and to
688 provide students with the skills they need to compete in the
689 21st century economy, the Legislature encourages instructional
690 methods for blended learning courses consisting of both
691 traditional classroom and online instructional techniques.
692 Charter schools may implement blended learning courses which
693 combine traditional classroom instruction and virtual
694 instruction. Students in a blended learning course must be full-
695 time students of the charter school and receive the online
696 instruction in a classroom setting at the charter school.

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697 Instructional personnel certified pursuant to s. 1012.55 who
698 provide virtual instruction for blended learning courses may be
699 employees of the charter school or may be under contract to
700 provide instructional services to charter school students. At a
701 minimum, such instructional personnel must hold an active state
702 or school district adjunct certification under s. 1012.57 for
703 the subject area of the blended learning course. The funding and
704 performance accountability requirements for blended learning
705 courses are the same as those for traditional courses.

706 3. The current incoming baseline standard of student
707 academic achievement, the outcomes to be achieved, and the
708 method of measurement that will be used. The criteria listed in
709 this subparagraph shall include a detailed description of:

710 a. How the baseline student academic achievement levels and
711 prior rates of academic progress will be established.

712 b. How these baseline rates will be compared to rates of
713 academic progress achieved by these same students while
714 attending the charter school.

715 c. To the extent possible, how these rates of progress will
716 be evaluated and compared with rates of progress of other
717 closely comparable student populations.

718
719 The district school board is required to provide academic
720 student performance data to charter schools for each of their
721 students coming from the district school system, as well as
722 rates of academic progress of comparable student populations in
723 the district school system.

724 4. The methods used to identify the educational strengths
725 and needs of students and how well educational goals and

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726 performance standards are met by students attending the charter
727 school. The methods shall provide a means for the charter school
728 to ensure accountability to its constituents by analyzing
729 student performance data and by evaluating the effectiveness and
730 efficiency of its major educational programs. Students in
731 charter schools shall, at a minimum, participate in the
732 statewide assessment program created under s. 1008.22.

733 5. In secondary charter schools, a method for determining
734 that a student has satisfied the requirements for graduation in
735 s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282.

736 6. A method for resolving conflicts between the governing
737 board of the charter school and the sponsor.

738 7. The admissions procedures and dismissal procedures,
739 including the school's code of student conduct.

740 8. The ways by which the school will achieve a
741 racial/ethnic balance reflective of the community it serves or
742 within the racial/ethnic range of other public schools in the
743 same school district.

744 9. The financial and administrative management of the
745 school, including a reasonable demonstration of the professional
746 experience or competence of those individuals or organizations
747 applying to operate the charter school or those hired or
748 retained to perform such professional services and the
749 description of clearly delineated responsibilities and the
750 policies and practices needed to effectively manage the charter
751 school. A description of internal audit procedures and
752 establishment of controls to ensure that financial resources are
753 properly managed must be included. Both public sector and
754 private sector professional experience shall be equally valid in

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755 such a consideration.

756 10. The asset and liability projections required in the
757 application which are incorporated into the charter and shall be
758 compared with information provided in the annual report of the
759 charter school.

760 11. A description of procedures that identify various risks
761 and provide for a comprehensive approach to reduce the impact of
762 losses; plans to ensure the safety and security of students and
763 staff; plans to identify, minimize, and protect others from
764 violent or disruptive student behavior; and the manner in which
765 the school will be insured, including whether or not the school
766 will be required to have liability insurance, and, if so, the
767 terms and conditions thereof and the amounts of coverage.

768 12. The term of the charter which shall provide for
769 cancellation of the charter if insufficient progress has been
770 made in attaining the student achievement objectives of the
771 charter and if it is not likely that such objectives can be
772 achieved before expiration of the charter. The initial term of a
773 charter shall be for 4 or 5 years. In order to facilitate access
774 to long-term financial resources for charter school
775 construction, charter schools that are operated by a
776 municipality or other public entity as provided by law are
777 eligible for up to a 15-year charter, subject to approval by the
778 district school board. A charter lab school is eligible for a
779 charter for a term of up to 15 years. In addition, to facilitate
780 access to long-term financial resources for charter school
781 construction, charter schools that are operated by a private,
782 not-for-profit, s. 501(c)(3) status corporation are eligible for
783 up to a 15-year charter, subject to approval by the district

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784 school board. Such long-term charters remain subject to annual
785 review and may be terminated during the term of the charter, but
786 only according to the provisions set forth in subsection (8).

787 13. The facilities to be used and their location. The
788 sponsor may not require a charter school to have a certificate
789 of occupancy or a temporary certificate of occupancy for such a
790 facility earlier than 15 calendar days before the first day of
791 school.

792 14. The qualifications to be required of the teachers and
793 the potential strategies used to recruit, hire, train, and
794 retain qualified staff to achieve best value.

795 15. The governance structure of the school, including the
796 status of the charter school as a public or private employer as
797 required in paragraph (12) (i).

798 16. A timetable for implementing the charter which
799 addresses the implementation of each element thereof and the
800 date by which the charter shall be awarded in order to meet this
801 timetable.

802 17. In the case of an existing public school that is being
803 converted to charter status, alternative arrangements for
804 current students who choose not to attend the charter school and
805 for current teachers who choose not to teach in the charter
806 school after conversion in accordance with the existing
807 collective bargaining agreement or district school board rule in
808 the absence of a collective bargaining agreement. However,
809 alternative arrangements shall not be required for current
810 teachers who choose not to teach in a charter lab school, except
811 as authorized by the employment policies of the state university
812 which grants the charter to the lab school.

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813 18. Full disclosure of the identity of all relatives
814 employed by the charter school who are related to the charter
815 school owner, president, chairperson of the governing board of
816 directors, superintendent, governing board member, principal,
817 assistant principal, or any other person employed by the charter
818 school who has equivalent decisionmaking authority. For the
819 purpose of this subparagraph, the term "relative" means father,
820 mother, son, daughter, brother, sister, uncle, aunt, first
821 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
822 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
823 stepfather, stepmother, stepson, stepdaughter, stepbrother,
824 stepsister, half brother, or half sister.

825 19. Implementation of the activities authorized under s.
826 1002.331 by the charter school when it satisfies the eligibility
827 requirements for a high-performing charter school. A high-
828 performing charter school shall notify its sponsor in writing by
829 March 1 if it intends to increase enrollment or expand grade
830 levels the following school year. The written notice shall
831 specify the amount of the enrollment increase and the grade
832 levels that will be added, as applicable.

833 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
834 A-MUNICIPALITY.—

835 (b) A charter school-in-the-workplace may be established
836 when a business partner provides the school facility to be used;
837 enrolls students based upon a random lottery that involves all
838 of the children of employees of that business or corporation who
839 are seeking enrollment, as provided for in subsection (10); and
840 enrolls students according to the racial/ethnic balance
841 provisions described in subparagraph (7) (a) 8. ~~Any portion of a~~

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842 ~~facility used for a public charter school shall be exempt from~~
843 ~~ad valorem taxes, as provided for in s. 1013.54, for the~~
844 ~~duration of its use as a public school.~~

845 (c) A charter school-in-a-municipality designation may be
846 granted to a municipality that possesses a charter; enrolls
847 students based upon a random lottery that involves all of the
848 children of the residents of that municipality who are seeking
849 enrollment, as provided for in subsection (10); and enrolls
850 students according to the racial/ethnic balance provisions
851 described in subparagraph (7)(a)8. When a municipality has
852 submitted charter applications for the establishment of a
853 charter school feeder pattern, consisting of elementary, middle,
854 and senior high schools, and each individual charter application
855 is approved by the district school board, such schools shall
856 then be designated as one charter school for all purposes listed
857 pursuant to this section. ~~Any portion of the land and facility~~
858 ~~used for a public charter school shall be exempt from ad valorem~~
859 ~~taxes, as provided for in s. 1013.54, for the duration of its~~
860 ~~use as a public school.~~

861 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
862 SCHOOL SYSTEMS.—A charter school system's governing board ~~system~~
863 shall be designated a local educational agency for the purpose
864 of receiving federal funds, the same as though the charter
865 school system were a school district, if the governing board of
866 the charter school system has adopted and filed a resolution
867 with its sponsoring district school board and the Department of
868 Education in which the governing board of the charter school
869 system accepts the full responsibility for all local education
870 agency requirements and the charter school system meets all of

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871 the following:

872 (a) Includes both conversion charter schools and
873 nonconversion charter schools;

874 (b) Has all schools located in the same county;

875 (c) Has a total enrollment exceeding the total enrollment
876 of at least one school district in the state;

877 (d) Has the same governing board; and

878 (e) Does not contract with a for-profit service provider
879 for management of school operations.

880

881 Such designation does not apply to other provisions unless
882 specifically provided in law.

883 Section 27. Paragraph (g) of subsection (4) and paragraph
884 (d) of subsection (6) of section 1002.34, Florida Statutes, are
885 amended to read:

886 1002.34 Charter technical career centers.—

887 (4) CHARTER.—A sponsor may designate centers as provided in
888 this section. An application to establish a center may be
889 submitted by a sponsor or another organization that is
890 determined, by rule of the State Board of Education, to be
891 appropriate. However, an independent school is not eligible for
892 status as a center. The charter must be signed by the governing
893 body of the center and the sponsor and must be approved by the
894 district school board and Florida College System institution
895 board of trustees in whose geographic region the facility is
896 located. If a charter technical career center is established by
897 the conversion to charter status of a public technical center
898 formerly governed by a district school board, the charter status
899 of that center takes precedence in any question of governance.

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900 The governance of the center or of any program within the center
901 remains with its board of directors unless the board agrees to a
902 change in governance or its charter is revoked as provided in
903 subsection (15). Such a conversion charter technical career
904 center is not affected by a change in the governance of public
905 technical centers or of programs within other centers that are
906 or have been governed by district school boards. A charter
907 technical career center, or any program within such a center,
908 that was governed by a district school board and transferred to
909 a Florida College System institution prior to the effective date
910 of this act is not affected by this provision. An applicant who
911 wishes to establish a center must submit to the district school
912 board or Florida College System institution board of trustees,
913 or a consortium of one or more of each, an application on a form
914 developed by the Department of Education which includes:

915 (g) A method for determining whether a student has
916 satisfied the requirements for graduation specified in s.
917 1002.3105(5), s. 1003.4281, or s. 1003.4282 ~~1003.428 or s.~~
918 ~~1003.429~~ and for completion of a postsecondary certificate or
919 degree.

920
921 Students at a center must meet the same testing and academic
922 performance standards as those established by law and rule for
923 students at public schools and public technical centers. The
924 students must also meet any additional assessment indicators
925 that are included within the charter approved by the district
926 school board or Florida College System institution board of
927 trustees.

928 (6) SPONSOR.—A district school board or Florida College

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929 System institution board of trustees or a consortium of one or
930 more of each may sponsor a center in the county in which the
931 board has jurisdiction.

932 (d)1. The Department of Education shall offer or arrange
933 for training and technical assistance to centers which must
934 include applicants in developing and amending business plans,
935 and estimating and accounting for costs and income, complying
936 with state and federal grant and student performance
937 accountability reporting requirements, implementing good
938 business practices. ~~This assistance shall address estimating~~
939 ~~startup costs, projecting enrollment, and identifying the types~~
940 ~~and amounts of state and federal financial aid assistance the~~
941 ~~center may be eligible to receive. The training shall include~~
942 ~~instruction in accurate financial planning and good business~~
943 ~~practices.~~

944 2. An applicant must participate in the training provided
945 by the department after approval of its of Education before
946 filing an application but at least 30 days before the first day
947 of classes at the center. The department ~~of Education~~ may
948 provide technical assistance to an applicant upon written
949 request.

950 Section 28. Paragraphs (a) and (b) of subsection (1) and
951 subsection (3) of section 1002.345, Florida Statutes, are
952 amended to read:

953 1002.345 Determination of deteriorating financial
954 conditions and financial emergencies for charter schools and
955 charter technical career centers.—This section applies to
956 charter schools operating pursuant to s. 1002.33 and to charter
957 technical career centers operating pursuant to s. 1002.34.

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958 (1) EXPEDITED REVIEW; REQUIREMENTS.—

959 (a) A charter school or a charter technical career center
960 is subject to an expedited review by the sponsor if one of the
961 following occurs:

962 1. Failure to provide for an audit required by s. 218.39.

963 2. Failure to comply with reporting requirements pursuant
964 to s. 1002.33(9) or s. 1002.34(11)(f) or (14).

965 3. A deteriorating financial condition identified through
966 an annual audit pursuant to s. 218.39(5), or a monthly financial
967 statement pursuant to s. 1002.33(9)(g) or s. 1002.34(11)(f), or
968 a quarterly financial statement pursuant to s. 1002.331(2)(c).

969 "Deteriorating financial condition" means a circumstance that
970 significantly impairs the ability of a charter school or a
971 charter technical career center to generate enough revenues to
972 meet its expenditures without causing the occurrence of a
973 condition described in s. 218.503(1).

974 4. Notification pursuant to s. 218.503(2) that one or more
975 of the conditions specified in s. 218.503(1) have occurred or
976 will occur if action is not taken to assist the charter school
977 or charter technical career center.

978 (b) A sponsor shall notify the governing board and the
979 Commissioner of Education within 7 business days after one or
980 more of the conditions specified in paragraph (a) occur.

981 ~~(3) REPORT. The Commissioner of Education shall annually~~
982 ~~report to the State Board of Education each charter school and~~
983 ~~charter technical career center that is subject to a financial~~
984 ~~recovery plan or a corrective action plan under this section.~~

985 Section 29. Paragraph (a) of subsection (2) of section
986 1002.39, Florida Statutes, is amended to read:

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987 1002.39 The John M. McKay Scholarships for Students with
988 Disabilities Program.—There is established a program that is
989 separate and distinct from the Opportunity Scholarship Program
990 and is named the John M. McKay Scholarships for Students with
991 Disabilities Program.

992 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a
993 student with a disability may request and receive from the state
994 a John M. McKay Scholarship for the child to enroll in and
995 attend a private school in accordance with this section if:

996 (a) The student has:

997 1. Received specialized instructional services under the
998 Voluntary Prekindergarten Education Program pursuant to s.
999 1002.66 during the previous school year and the student has a
1000 current individual educational plan developed by the local
1001 school board in accordance with rules of the State Board of
1002 Education for the John M. McKay Scholarships for Students with
1003 Disabilities Program or a 504 accommodation plan has been issued
1004 under s. 504 of the Rehabilitation Act of 1973; or

1005 2. Spent the prior school year in attendance at a Florida
1006 public school or the Florida School for the Deaf and the Blind.
1007 For purposes of this subparagraph, prior school year in
1008 attendance means that the student was enrolled and reported by:

1009 a. A school district for funding during the preceding
1010 October and February Florida Education Finance Program surveys
1011 in kindergarten through grade 12, which includes time spent in a
1012 Department of Juvenile Justice commitment program if funded
1013 under the Florida Education Finance Program;

1014 b. The Florida School for the Deaf and the Blind during
1015 the preceding October and February student membership surveys in

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1016 kindergarten through grade 12; or

1017 c. A school district for funding during the preceding
1018 October and February Florida Education Finance Program surveys,
1019 was at least 4 years of age when so enrolled and reported, and
1020 was eligible for services under s. 1003.21(1)(e); ~~or~~

1021 ~~3. Been enrolled and reported by a school district for~~
1022 ~~funding, during the October and February Florida Education~~
1023 ~~Finance Program surveys, in any of the 5 years prior to the~~
1024 ~~2010-2011 fiscal year; has a current individualized educational~~
1025 ~~plan developed by the district school board in accordance with~~
1026 ~~rules of the State Board of Education for the John M. McKay~~
1027 ~~Scholarship Program no later than June 30, 2011; and receives a~~
1028 ~~first-time John M. McKay scholarship for the 2011-2012 school~~
1029 ~~year. Upon request of the parent, the local school district~~
1030 ~~shall complete a matrix of services as required in subparagraph~~
1031 ~~(5)(b)1. for a student requesting a current individualized~~
1032 ~~educational plan in accordance with the provisions of this~~
1033 ~~subparagraph.~~

1034
1035 However, a dependent child of a member of the United States
1036 Armed Forces who transfers to a school in this state from out of
1037 state or from a foreign country due to a parent's permanent
1038 change of station orders is exempt from this paragraph but must
1039 meet all other eligibility requirements to participate in the
1040 program.

1041 Section 30. Subsection (5) of section 1002.41, Florida
1042 Statutes, is amended to read:

1043 1002.41 Home education programs.—

1044 (5) Home education students may participate in the Bright

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1045 Futures Scholarship Program in accordance with the provisions of
1046 ss. 1009.53-1009.538 ~~1009.53-1009.539~~.

1047 Section 31. Section 1002.415, Florida Statutes, is
1048 repealed.

1049 Section 32. Paragraph (b) of subsection (4) and subsection
1050 (10) of section 1002.45, Florida Statutes, are amended to read:
1051 1002.45 Virtual instruction programs.—

1052 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
1053 provider must at minimum:

1054 (b) Provide a method for determining that a student has
1055 satisfied the requirements for graduation in s. 1002.3105(5), s.
1056 1003.4281, ~~1003.428~~ or s. 1003.4282 if the contract is for the
1057 provision of a full-time virtual instruction program to students
1058 in grades 9 through 12.

1059 (10) MARKETING.—Each school district shall provide
1060 information to parents and students about the ~~parent's and~~
1061 student's right to participate in a virtual instruction program
1062 under this section and in courses offered by the Florida Virtual
1063 School under s. 1002.37.

1064 Section 33. Paragraph (c) of subsection (2) of section
1065 1002.455, Florida Statutes, is amended to read:
1066 1002.455 Student eligibility for K-12 virtual instruction.—

1067 (2) A student is eligible to participate in virtual
1068 instruction if:

1069 (c) The student was enrolled during the prior school year
1070 in a virtual instruction program under s. 1002.45, ~~the K-8~~
1071 ~~Virtual School Program under s. 1002.415,~~ or a full-time Florida
1072 Virtual School program under s. 1002.37(8)(a);

1073 Section 34. Section 1002.65, Florida Statutes, is repealed.

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1074 Section 35. Subsection (14) of section 1003.01, Florida
1075 Statutes, is amended to read:

1076 1003.01 Definitions.—As used in this chapter, the term:

1077 (14) "Core-curricula courses" means:

1078 (a) Courses in language arts/reading, mathematics, social
1079 studies, and science in prekindergarten through grade 3,
1080 excluding ~~any~~ extracurricular courses pursuant to subsection
1081 (15);

1082 (b) Courses in grades 4 through 8 in subjects that are
1083 measured by state assessment at any grade level and courses
1084 required for middle school promotion, excluding ~~any~~
1085 extracurricular courses pursuant to subsection (15);

1086 (c) Courses in grades 9 through 12 in subjects that are
1087 measured by state assessment at any grade level and courses that
1088 are specifically identified by name in statute as required for
1089 high school graduation and that are not measured by state
1090 assessment, excluding ~~any~~ extracurricular courses pursuant to
1091 subsection (15);

1092 (d) Exceptional student education courses; and

1093 (e) English for Speakers of Other Languages courses.

1094

1095 The term is limited in meaning and used for the sole purpose of
1096 designating classes that are subject to the maximum class size
1097 requirements established in s. 1, Art. IX of the State
1098 Constitution. This term does not include courses offered under
1099 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, ~~1002.415,~~
1100 1002.45, and 1003.499.

1101 Section 36. Paragraph (d) of subsection (1) of section
1102 1003.02, Florida Statutes, is amended to read:

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1103 1003.02 District school board operation and control of
1104 public K-12 education within the school district.—As provided in
1105 part II of chapter 1001, district school boards are
1106 constitutionally and statutorily charged with the operation and
1107 control of public K-12 education within their school district.
1108 The district school boards must establish, organize, and operate
1109 their public K-12 schools and educational programs, employees,
1110 and facilities. Their responsibilities include staff
1111 development, public K-12 school student education including
1112 education for exceptional students and students in juvenile
1113 justice programs, special programs, adult education programs,
1114 and career education programs. Additionally, district school
1115 boards must:

1116 (1) Provide for the proper accounting for all students of
1117 school age, for the attendance and control of students at
1118 school, and for proper attention to health, safety, and other
1119 matters relating to the welfare of students in the following
1120 fields:

1121 (d) *Courses of study and instructional materials.*—

1122 1. Provide adequate instructional materials for all
1123 students as follows and in accordance with the requirements of
1124 chapter 1006, in the core courses of mathematics, language arts,
1125 social studies, science, reading, and literature, except for
1126 instruction for which the school advisory council approves the
1127 use of a program that does not include a textbook as a major
1128 tool of instruction.

1129 2. Adopt courses of study for use in the schools of the
1130 district.

1131 3. Provide for proper requisitioning, distribution,

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1132 accounting, storage, care, and use of all instructional
1133 materials as may be needed, and ensure that instructional
1134 materials used in the district are consistent with the district
1135 goals and objectives and the course descriptions ~~curriculum~~
1136 ~~frameworks~~ approved by the State Board of Education, as well as
1137 with the state and school district performance standards
1138 required by law and state board rule.

1139 Section 37. Paragraph (c) of subsection (3) and subsection
1140 (6) of section 1003.03, Florida Statutes, are amended to read:

1141 1003.03 Maximum class size.—

1142 (3) IMPLEMENTATION OPTIONS.—District school boards must
1143 consider, but are not limited to, implementing the following
1144 items in order to meet the constitutional class size maximums
1145 described in subsection (1):

1146 (c)1. Repeal district school board policies that require
1147 students to earn more than the 24 credits ~~required under s.~~
1148 ~~1003.428~~ to graduate from high school.

1149 2. Implement the early graduation options ~~option~~ provided
1150 in ss. 1002.3105(5) and s. 1003.4281.

1151 (6) COURSES FOR COMPLIANCE.—Consistent with s. ~~the~~
1152 ~~provisions in ss.~~ 1003.01(14) and ~~1003.428~~, the Department of
1153 Education shall identify from the Course Code Directory the
1154 core-curricula courses for the purpose of satisfying the maximum
1155 class size requirement in this section. The department may adopt
1156 rules to implement this subsection, if necessary.

1157 Section 38. Subsection (3) of section 1003.41, Florida
1158 Statutes, is amended to read:

1159 1003.41 Next Generation Sunshine State Standards.—

1160 (3) The Commissioner of Education, as needed, shall develop

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1161 and submit proposed revisions to the standards for review and
1162 comment by Florida educators, school administrators,
1163 representatives of the Florida College System institutions and
1164 state universities who have expertise in the content knowledge
1165 and skills necessary to prepare a student for postsecondary
1166 education and careers, business and industry leaders, and the
1167 public. The commissioner, after considering reviews and
1168 comments, shall submit the proposed revisions to the State Board
1169 of Education for adoption. ~~In addition, the commissioner shall
1170 prepare an analysis of the costs associated with implementing a
1171 separate, one-half credit course in financial literacy,
1172 including estimated costs for instructional personnel, training,
1173 and the development or purchase of instructional materials. The
1174 commissioner shall work with one or more nonprofit organizations
1175 with proven expertise in the area of personal finance, consider
1176 free resources that can be utilized for instructional materials,
1177 and provide data on the implementation of such a course in other
1178 states. The commissioner shall provide the cost analysis to the
1179 President of the Senate and the Speaker of the House of
1180 Representatives by October 1, 2013.~~

1181 Section 39. Paragraphs (b) and (c) of subsection (1) and
1182 subsections (2) and (3) of section 1003.4156, Florida Statutes,
1183 are amended to read:

1184 1003.4156 General requirements for middle grades
1185 promotion.—

1186 (1) In order for a student to be promoted to high school
1187 from a school that includes middle grades 6, 7, and 8, the
1188 student must successfully complete the following courses:

1189 (b) Three middle grades or higher courses in mathematics.

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1190 Each school that includes middle grades must offer at least one
1191 high school level mathematics course for which students may earn
1192 high school credit. Successful completion of a high school level
1193 Algebra I or Geometry course is not contingent upon the
1194 student's performance on the statewide, standardized end-of-
1195 course (EOC) assessment ~~or, upon transition to common core~~
1196 ~~assessments, the common core Algebra I or geometry assessments~~
1197 ~~required under s. 1008.22. However, beginning with the 2011-2012~~
1198 ~~school year,~~ To earn high school credit for Algebra I, a middle
1199 grades student must take the statewide, standardized Algebra I
1200 EOC assessment and pass the course, and in addition, beginning
1201 with the 2013-2014 school year and thereafter, a student's
1202 performance on the Algebra I EOC assessment constitutes 30
1203 percent of the student's final course grade. ~~pass the Algebra I~~
1204 ~~statewide, standardized assessment, and beginning with the 2012-~~
1205 ~~2013 school year,~~ To earn high school credit for a Geometry
1206 course, a middle grades student must take the statewide,
1207 standardized Geometry EOC assessment, which constitutes 30
1208 percent of the student's final course grade, and earn a passing
1209 grade in the course.

1210 (c) Three middle grades or higher courses in social
1211 studies. Beginning with students entering grade 6 in the 2012-
1212 2013 school year, one of these courses must be at least a one-
1213 semester civics education course that includes the roles and
1214 responsibilities of federal, state, and local governments; the
1215 structures and functions of the legislative, executive, and
1216 judicial branches of government; and the meaning and
1217 significance of historic documents, such as the Articles of
1218 Confederation, the Declaration of Independence, and the

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1219 Constitution of the United States. Beginning with the 2013-2014
1220 school year, each student's performance on the statewide,
1221 standardized EOC assessment in civics education required under
1222 s. 1008.22 constitutes 30 percent of the student's final course
1223 grade. A middle grades student who transfers into the state's
1224 public school system from out of country, out of state, a
1225 private school, or a home education program after the beginning
1226 of the second term of grade 8 is not required to meet the civics
1227 education requirement for promotion from the middle grades if
1228 the student's transcript documents passage of three courses in
1229 social studies or two year-long courses in social studies that
1230 include coverage of civics education.

1231
1232 Each school must inform parents about the course curriculum and
1233 activities. Each student shall complete a personal education
1234 plan that must be signed by the student and the student's
1235 parent. The Department of Education shall develop course
1236 frameworks and professional development materials for the career
1237 and education planning course. The course may be implemented as
1238 a stand-alone course or integrated into another course or
1239 courses. The Commissioner of Education shall collect
1240 longitudinal high school course enrollment data by student
1241 ethnicity in order to analyze course-taking patterns.

1242 (2) If a middle grades student scores Level 1 or Level 2 on
1243 the statewide, standardized FCAT Reading assessment or, when
1244 implemented, the state transitions to common core assessments on
1245 the English Language Arts (ELA) assessment ~~assessments required~~
1246 ~~under s. 1008.22~~, the following year the student must enroll in
1247 and complete a remedial course or a content area course in which

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1248 remediation strategies are incorporated into course content
1249 delivery. The department shall provide guidance on appropriate
1250 strategies for diagnosing and meeting the varying instructional
1251 needs of students performing below grade level.

1252 (3) If a middle grades student scores Level 1 or Level 2 on
1253 the statewide, standardized FCAT Mathematics assessment ~~or, when~~
1254 ~~the state transitions to common core assessments, on the~~
1255 ~~mathematics common core assessments required under s. 1008.22,~~
1256 the following year the student must receive remediation, which
1257 may be integrated into the student's required mathematics
1258 courses.

1259 Section 40. Section 1003.428, Florida Statutes, is
1260 repealed.

1261 Section 41. Subsection (1) of section 1003.4281, Florida
1262 Statutes, is amended to read:

1263 1003.4281 Early high school graduation.—

1264 (1) The purpose of this section is to provide a student the
1265 option of early graduation and receipt of a standard high school
1266 diploma if the student earns 24 credits and meets the graduation
1267 requirements set forth in ~~s. 1003.428 or s. 1003.4282, as~~
1268 ~~applicable~~. For purposes of this section, the term "early
1269 graduation" means graduation from high school in less than 8
1270 semesters or the equivalent.

1271 Section 42. Paragraphs (a), (b), (c), and (f) of subsection
1272 (3), subsections (4), (5), (7), and (8), and paragraphs (a) and
1273 (c) of subsection (9) of section 1003.4282, Florida Statutes,
1274 are amended, subsection (10) is renumbered as subsection (11),
1275 and a new subsection (10) is added to that section, to read:

1276 1003.4282 Requirements for a standard high school diploma.—

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1277 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
1278 REQUIREMENTS.—

1279 (a) *Four credits in English Language Arts (ELA).*—The four
1280 credits must be in ELA I, II, III, and IV. A student must pass
1281 the statewide, standardized 10th grade 10 FCAT Reading
1282 assessment or, when implemented, the until the state transitions
1283 to a common core 10th grade 10 ELA assessment, or earn a
1284 concordant score, after which time a student must pass the ELA
1285 assessment in order to earn a standard high school diploma.

1286 (b) *Four credits in mathematics.*—A student must earn one
1287 credit in Algebra I and one credit in Geometry. A student's
1288 performance on the statewide, standardized Algebra I end-of-
1289 course (EOC) assessment ~~or common core assessment, as~~
1290 ~~applicable,~~ constitutes 30 percent of the student's final course
1291 grade. A student must pass the statewide, standardized Algebra I
1292 EOC assessment, or earn a comparative score, ~~until the state~~
1293 ~~transitions to a common core Algebra I assessment after which~~
1294 ~~time a student must pass the common core assessment~~ in order to
1295 earn a standard high school diploma. A student's performance on
1296 the statewide, standardized Geometry EOC assessment ~~or common~~
1297 ~~core assessment, as applicable,~~ constitutes 30 percent of the
1298 student's final course grade. If ~~When~~ the state administers a
1299 statewide, standardized common core Algebra II assessment, a
1300 student selecting Algebra II must take the assessment, and the
1301 student's performance on the assessment constitutes 30 percent
1302 of the student's final course grade. A student who earns an
1303 industry certification for which there is a statewide college
1304 credit articulation agreement approved by the State Board of
1305 Education may substitute the certification for one mathematics

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1306 credit. Substitution may occur for up to two mathematics
1307 credits, except for Algebra I and Geometry. ~~Industry~~
1308 ~~certification courses that lead to college credit may substitute~~
1309 ~~for up to two math credits.~~

1310 (c) *Three credits in science.*—Two of the three required
1311 credits must have a laboratory component. A student must earn
1312 one credit in Biology I and two credits in equally rigorous
1313 courses. The statewide, standardized Biology I EOC assessment
1314 constitutes 30 percent of the student's final course grade. A
1315 student who earns an industry certification for which there is a
1316 statewide college credit articulation agreement approved by the
1317 State Board of Education may substitute the certification for
1318 one science credit, except for Biology I. ~~Industry certification~~
1319 ~~courses that lead to college credit may substitute for up to one~~
1320 ~~science credit.~~

1321 (f) *One credit in physical education.*—Physical education
1322 must include the integration of health. Participation in an
1323 interscholastic sport at the junior varsity or varsity level for
1324 two full seasons shall satisfy the one-credit requirement in
1325 physical education if the student passes a competency test on
1326 personal fitness with a score of "C" or better. The competency
1327 test on personal fitness developed by the Department of
1328 Education must be used. A district school board may not require
1329 that the one credit in physical education be taken during the
1330 9th grade year. Completion of one semester with a grade of "C"
1331 or better in a marching band class, in a physical activity class
1332 that requires participation in marching band activities as an
1333 extracurricular activity, or in a dance class shall satisfy one-
1334 half credit in physical education or one-half credit in

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1335 performing arts. This credit may not be used to satisfy the
1336 personal fitness requirement or the requirement for adaptive
1337 physical education under an individual education plan (IEP) or
1338 504 plan. Completion of 2 years in a Reserve Officer Training
1339 Corps (R.O.T.C.) class, a significant component of which is
1340 drills, shall satisfy the one-credit requirement in physical
1341 education and the one-credit requirement in performing arts.
1342 This credit may not be used to satisfy the personal fitness
1343 requirement or the requirement for adaptive physical education
1344 under an IEP or 504 plan. ~~This requirement is subject to all of~~
1345 ~~the provisions in s. 1003.428(2)(a)6.~~

1346 (4) ONLINE COURSE REQUIREMENT. ~~Excluding a driver education~~
1347 ~~course,~~ At least one course within the 24 credits required under
1348 this section must be completed through online learning.
1349 Beginning with students entering grade 9 in the 2013-2014 school
1350 year, the required online course may not be a driver education
1351 course. A school district may not require a student to take the
1352 online course outside the school day or in addition to a
1353 student's courses for a given semester. An online course taken
1354 in grade 6, grade 7, or grade 8 fulfills this requirement. This
1355 requirement is met through an online course offered by the
1356 Florida Virtual School, a virtual education provider approved by
1357 the State Board of Education, a high school, or an online dual
1358 enrollment course. A student who is enrolled in a full-time or
1359 part-time virtual instruction program under s. 1002.45 meets
1360 this requirement. This requirement does not apply to a student
1361 who has an individual education plan under s. 1003.57 which
1362 indicates that an online course would be inappropriate or to an
1363 out-of-state transfer student who is enrolled in a Florida high

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1364 school and has 1 academic year or less remaining in high school.

1365 (5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—

1366 (a) Each year a student scores Level 1 or Level 2 on the
1367 statewide, standardized 9th grade 9 or 10th grade 10 FCAT
1368 Reading assessment or, when implemented, the 9th grade 9, 10th
1369 grade 10, or 11th grade 11 ELA assessment ~~common core English~~
1370 ~~Language Arts (ELA) assessments~~, the student must be enrolled in
1371 and complete an intensive remedial course the following year or
1372 be placed in a content area course that includes remediation of
1373 skills not acquired by the student.

1374 (b) Each year a student scores Level 1 or Level 2 on the
1375 statewide, standardized Algebra I EOC assessment, ~~or upon~~
1376 ~~transition to the common core Algebra I assessment~~, the student
1377 must be enrolled in and complete an intensive remedial course
1378 the following year or be placed in a content area course that
1379 includes remediation of skills not acquired by the student.

1380 (7) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

1381 (a) A student who earns a cumulative grade point average
1382 (GPA) of 2.0 on a 4.0 scale and meets the requirements of this
1383 section or s. 1002.3105(5) shall be awarded a standard high
1384 school diploma in a form prescribed by the State Board of
1385 Education.

1386 (b) An adult student in an adult general education program
1387 as provided under s. 1004.93 shall be awarded a standard high
1388 school diploma if the student meets the requirements of this
1389 section or s. 1002.3105(5), except that:

1390 1. One elective credit may be substituted for the one-
1391 credit requirement in fine or performing arts, speech and
1392 debate, or practical arts.

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1393 2. The requirement that two of the science credits include
1394 a laboratory component may be waived by the district school
1395 board.

1396 3. The one credit in physical education may be substituted
1397 with an elective credit. ~~Notwithstanding any other law to the~~
1398 ~~contrary, all students enrolled in high school as of the 2012-~~
1399 ~~2013 school year who earned a passing grade in Biology I or~~
1400 ~~geometry before the 2013-2014 school year shall be awarded a~~
1401 ~~credit in that course if the student passed the course. The~~
1402 ~~student's performance on the EOC assessment is not required to~~
1403 ~~constitute 30 percent of the student's final course grade.~~

1404 (c) A student who earns fails to earn the required 24
1405 credits, or the required 18 credits under s. 1002.3105(5), but
1406 fails to pass the assessments required under s. 1008.22(3) or
1407 achieve a 2.0 GPA shall be awarded a certificate of completion
1408 in a form prescribed by the State Board of Education. However, a
1409 student who is otherwise entitled to a certificate of completion
1410 may elect to remain in high school either as a full-time student
1411 or a part-time student for up to 1 additional year and receive
1412 special instruction designed to remedy his or her identified
1413 deficiencies.

1414 (8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning with
1415 the 2012-2013 school year, if a student transfers to a Florida
1416 public high school from out of country, out of state, a private
1417 school, or a home education program and the student's transcript
1418 shows a ~~mathematics~~ credit in Algebra I ~~a course that requires~~
1419 ~~passage of a statewide, standardized assessment in order to earn~~
1420 ~~a standard high school diploma,~~ the student must pass the
1421 statewide, standardized Algebra I EOC assessment in order to

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1422 earn a standard high school diploma unless the student earned a
1423 comparative score ~~pursuant to s. 1008.22~~, passed a statewide
1424 assessment in Algebra I ~~that subject~~ administered by the
1425 transferring entity, or passed the statewide mathematics
1426 assessment the transferring entity uses to satisfy the
1427 requirements of the Elementary and Secondary Education Act, 20
1428 U.S.C. s. 6301. If a student's transcript shows a credit in high
1429 school reading or English Language Arts II or III, in order to
1430 earn a standard high school diploma, the student must take and
1431 pass the statewide, standardized grade 10 FCAT Reading
1432 assessment or, when implemented, the grade 10 ELA assessment, or
1433 earn a concordant score ~~on the SAT or ACT as specified by state~~
1434 ~~board rule or, when the state transitions to common core English~~
1435 ~~Language Arts assessments, earn a passing score on the English~~
1436 ~~Language Arts assessment as required under this section. If a~~
1437 transfer student's transcript shows a final course grade and
1438 course credit in Algebra I, Geometry, Biology I, or United
1439 States History, the transferring course final grade and credit
1440 shall be honored without the student taking the requisite
1441 statewide, standardized EOC assessment and without the
1442 assessment results constituting 30 percent of the student's
1443 final course grade.

1444 (9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
1445 CREDIT REQUIREMENTS.—

1446 (a) Participation in career education courses engages
1447 students in their high school education, increases academic
1448 achievement, enhances employability, and increases postsecondary
1449 success. By July 1, 2014, the department shall develop, for
1450 approval by the State Board of Education, multiple, additional

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1451 career education courses or a series of courses that meet the
1452 requirements set forth in s. 1003.493(2), (4), and (5) and this
1453 subsection and allow students to earn credit in both the career
1454 education course and courses required for high school graduation
1455 under this section and s. ~~ss. 1003.428~~ and 1003.4281.

1456 1. The state board must determine if sufficient academic
1457 standards are covered to warrant the award of academic credit.

1458 2. Career education courses must include workforce and
1459 digital literacy skills and the integration of required course
1460 content with practical applications and designated rigorous
1461 coursework that results in one or more industry certifications
1462 or clearly articulated credit or advanced standing in a 2-year
1463 or 4-year certificate or degree program, which may include high
1464 school junior and senior year work-related internships or
1465 apprenticeships. The department shall negotiate state licenses
1466 for material and testing for industry certifications. The
1467 instructional methodology used in these courses must be
1468 comprised of authentic projects, problems, and activities for
1469 contextually learning the academics.

1470 (c) Regional consortium service organizations established
1471 pursuant to s. 1001.451 shall work with school districts, local
1472 workforce boards, postsecondary institutions, and local business
1473 and industry leaders to create career education courses that
1474 meet the requirements set forth in s. 1003.493(2), (4), and (5)
1475 and this subsection that students can take to earn required high
1476 school course credits. The regional consortium shall submit
1477 course recommendations to the department, on behalf of the
1478 consortium member districts, for state board approval. A strong
1479 emphasis should be placed on online coursework, digital

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1480 literacy, and workforce literacy as defined in s. 1004.02(26)
1481 ~~1004.02(27)~~. For purposes of providing students the opportunity
1482 to earn industry certifications, consortiums must secure the
1483 necessary site licenses and testing contracts for use by member
1484 districts.

1485 (10) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The
1486 requirements of this section, in addition to applying to
1487 students entering grade 9 in the 2013-2014 school year and
1488 thereafter, shall also apply to students entering grade 9 before
1489 the 2013-2014 school year, except as otherwise provided in this
1490 subsection.

1491 (a) A student entering grade 9 before the 2010-2011 school
1492 year must earn:

1493 1. Four credits in English/ELA. A student must pass the
1494 statewide, standardized grade 10 Reading assessment, or earn a
1495 concordant score, in order to graduate with a standard high
1496 school diploma.

1497 2. Four credits in mathematics, which must include Algebra
1498 I. A student must pass grade 10 FCAT Mathematics, or earn a
1499 concordant score, in order to graduate with a standard high
1500 school diploma. A student who takes Algebra I or Geometry after
1501 the 2010-2011 school year must take the statewide, standardized
1502 EOC assessment for the course but is not required to pass the
1503 assessment in order to earn course credit. A student's
1504 performance on the Algebra I or Geometry EOC assessment is not
1505 required to constitute 30 percent of the student's final course
1506 grade. A student who earns an industry certification for which
1507 there is a statewide college credit articulation agreement
1508 approved by the State Board of Education may substitute the

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1509 certification for one mathematics credit. Substitution may occur
1510 for up to two mathematics credits, except for Algebra I.

1511 3. Three credits in science, two of which must have a
1512 laboratory component. A student who takes Biology I after the
1513 2010-2011 school year must take the statewide, standardized
1514 Biology I EOC assessment but is not required to pass the
1515 assessment in order to earn course credit. A student's
1516 performance on the assessment is not required to constitute 30
1517 percent of the student's final course grade. A student who earns
1518 an industry certification for which there is a statewide college
1519 credit articulation agreement approved by the State Board of
1520 Education may substitute the certification for one science
1521 credit.

1522 4. Three credits in social studies of which one credit in
1523 World History, one credit in United States History, one-half
1524 credit in United States Government, and one-half credit in
1525 economics is required. A student who takes United States History
1526 after the 2011-2012 school year must take the statewide,
1527 standardized United States History EOC assessment but the
1528 student's performance on the assessment is not required to
1529 constitute 30 percent of the student's final course grade.

1530 5. One credit in fine or performing arts, speech and
1531 debate, or practical arts as provided in paragraph (3) (e).

1532 6. One credit in physical education as provided in
1533 paragraph (3) (f).

1534 7. Eight credits in electives.

1535 (b) A student entering grade 9 in the 2010-2011 school year
1536 must earn:

1537 1. Four credits in English/ELA. A student must pass the

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1538 statewide, standardized grade 10 Reading assessment, or earn a
1539 concordant score, in order to graduate with a standard high
1540 school diploma.

1541 2. Four credits in mathematics, which must include Algebra
1542 I and Geometry. The statewide, standardized Algebra I EOC
1543 assessment constitutes 30 percent of the student's final course
1544 grade. A student who takes Algebra I or Geometry after the 2010-
1545 2011 school year must take the statewide, standardized EOC
1546 assessment for the course but is not required to pass the
1547 assessment in order to earn course credit. A student's
1548 performance on the Geometry EOC assessment is not required to
1549 constitute 30 percent of the student's final course grade. A
1550 student who earns an industry certification for which there is a
1551 statewide college credit articulation agreement approved by the
1552 State Board of Education may substitute the certification for
1553 one mathematics credit. Substitution may occur for up to two
1554 mathematics credits, except for Algebra I and Geometry.

1555 3. Three credits in science, two of which must have a
1556 laboratory component. A student who takes Biology I after the
1557 2010-2011 school year must take the statewide, standardized
1558 Biology I EOC assessment but is not required to pass the
1559 assessment in order to earn course credit. A student's
1560 performance on the assessment is not required to constitute 30
1561 percent of the student's final course grade. A student who earns
1562 an industry certification for which there is a statewide college
1563 credit articulation agreement approved by the State Board of
1564 Education may substitute the certification for one science
1565 credit, except for Biology I.

1566 4. Three credits in social studies of which one credit in

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1567 World History, one credit in United States History, one-half
1568 credit in United States Government, and one-half credit in
1569 economics is required. A student who takes United States History
1570 after the 2011-2012 school year must take the statewide,
1571 standardized United States History EOC assessment but the
1572 student's performance on the assessment is not required to
1573 constitute 30 percent of the student's final course grade.

1574 5. One credit in fine or performing arts, speech and
1575 debate, or practical arts as provided in paragraph (3)(e).

1576 6. One credit in physical education as provided in
1577 paragraph (3)(f).

1578 7. Eight credits in electives.

1579 (c) A student entering grade 9 in the 2011-2012 school year
1580 must earn:

1581 1. Four credits in English/ELA. A student must pass the
1582 statewide, standardized grade 10 Reading assessment, or earn a
1583 concordant score, in order to graduate with a standard high
1584 school diploma.

1585 2. Four credits in mathematics, which must include Algebra
1586 I and Geometry. A student who takes Algebra I after the 2010-
1587 2011 school year must pass the statewide, standardized Algebra I
1588 EOC assessment, or earn a comparative score, in order to earn a
1589 standard high school diploma. A student who takes Algebra I or
1590 Geometry after the 2010-2011 school year must take the
1591 statewide, standardized EOC assessment but is not required to
1592 pass the Algebra I or Geometry EOC assessment in order to earn
1593 course credit. A student's performance on the Algebra I or
1594 Geometry EOC assessment is not required to constitute 30 percent
1595 of the student's final course grade. A student who earns an

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1596 industry certification for which there is a statewide college
1597 credit articulation agreement approved by the State Board of
1598 Education may substitute the certification for one mathematics
1599 credit. Substitution may occur for up to two mathematics
1600 credits, except for Algebra I and Geometry.

1601 3. Three credits in science, two of which must have a
1602 laboratory component. One of the science credits must be Biology
1603 I. A student who takes Biology I after the 2010-2011 school year
1604 must take the statewide, standardized Biology I EOC assessment
1605 but is not required to pass the assessment in order to earn
1606 course credit. A student's performance on the assessment is not
1607 required to constitute 30 percent of the student's final course
1608 grade. A student who earns an industry certification for which
1609 there is a statewide college credit articulation agreement
1610 approved by the State Board of Education may substitute the
1611 certification for one science credit, except for Biology I.

1612 4. Three credits in social studies of which one credit in
1613 World History, one credit in United States History, one-half
1614 credit in United States Government, and one-half credit in
1615 economics is required. A student who takes United States History
1616 after the 2011-2012 school year student must take the statewide,
1617 standardized United States History EOC assessment but the
1618 student's performance on the assessment is not required to
1619 constitute 30 percent of the student's final course grade.

1620 5. One credit in fine or performing arts, speech and
1621 debate, or practical arts as provided in paragraph (3) (e).

1622 6. One credit in physical education as provided in
1623 paragraph (3) (f).

1624 7. Eight credits in electives.

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1625 8. One online course as provided in subsection (4).

1626 (d) A student entering grade 9 in the 2012-2013 school year
1627 must earn:

1628 1. Four credits in English/ELA. A student must pass the
1629 statewide, standardized grade 10 Reading assessment, or earn a
1630 concordant score, in order to graduate with a standard high
1631 school diploma.

1632 2. Four credits in mathematics, which must include Algebra
1633 I and Geometry. A student who takes Algebra I after the 2010-
1634 2011 school year must pass the statewide, standardized Algebra I
1635 EOC assessment, or earn a comparative score, in order to earn a
1636 standard high school diploma. A student who takes Geometry after
1637 the 2010-2011 school year must take the statewide, standardized
1638 Geometry EOC assessment. A student is not required to pass the
1639 statewide, standardized EOC assessment in Algebra I or Geometry
1640 in order to earn course credit. A student's performance on the
1641 Algebra I or Geometry EOC assessment is not required to
1642 constitute 30 percent of the student's final course grade. A
1643 student who earns an industry certification for which there is a
1644 statewide college credit articulation agreement approved by the
1645 State Board of Education may substitute the certification for
1646 one mathematics credit. Substitution may occur for up to two
1647 mathematics credits, except for Algebra I and Geometry.

1648 3. Three credits in science, two of which must have a
1649 laboratory component. One of the science credits must be Biology
1650 I. A student who takes Biology I after the 2010-2011 school year
1651 must take the statewide, standardized Biology I EOC assessment
1652 but is not required to pass the assessment to earn course
1653 credit. A student's performance on the assessment is not

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1654 required to constitute 30 percent of the student's final course
1655 grade. A student who earns an industry certification for which
1656 there is a statewide college credit articulation agreement
1657 approved by the State Board of Education may substitute the
1658 certification for one science credit, except for Biology I.

1659 4. Three credits in social studies of which one credit in
1660 World History, one credit in United States History, one-half
1661 credit in United States Government, and one-half credit in
1662 economics is required. The statewide, standardized United States
1663 History EOC assessment constitutes 30 percent of the student's
1664 final course grade.

1665 5. One credit in fine or performing arts, speech and
1666 debate, or practical arts as provided in paragraph (3) (e).

1667 6. One credit in physical education as provided in
1668 paragraph (3) (f).

1669 7. Eight credits in electives.

1670 8. One online course as provided in subsection (4).

1671 (e) Policy adopted in rule by the district school board may
1672 require for any cohort of students that performance on a
1673 statewide, standardized EOC assessment constitute 30 percent of
1674 a student's final course grade.

1675 (f) This subsection is repealed July 1, 2020.

1676 Section 43. Subsection (1) of section 1003.4285, Florida
1677 Statutes, is amended to read:

1678 1003.4285 Standard high school diploma designations.—

1679 (1) Each standard high school diploma shall include, as
1680 applicable, the following designations if the student meets the
1681 criteria set forth for the designation:

1682 (a) *Scholar designation.*—In addition to the requirements of

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1683 ~~s. ss. 1003.428 and 1003.4282, as applicable,~~ in order to earn
1684 the Scholar designation, a student must satisfy the following
1685 requirements:

1686 1. English Language Arts (ELA).—When implemented the state
1687 ~~transitions to common core assessments,~~ pass the statewide,
1688 standardized 11th grade 11 ELA common core assessment.

1689 2. Mathematics.—Earn one credit in Algebra II and one
1690 credit in statistics or an equally rigorous course. When
1691 implemented the state transitions to common core assessments,
1692 students must pass the statewide, standardized Algebra II common
1693 ~~core~~ assessment. Beginning with students entering grade 9 in the
1694 2014-2015 school year, a student must also pass the statewide,
1695 standardized Geometry end-of-course (EOC) assessment.

1696 3. Science.—Pass the statewide, standardized Biology I EOC
1697 ~~end-of-course~~ assessment and earn one credit in chemistry or
1698 physics and one credit in a course equally rigorous to chemistry
1699 or physics. However, a student enrolled in an Advanced Placement
1700 (AP), International Baccalaureate (IB), or Advanced
1701 International Certificate of Education (AICE) Biology course who
1702 takes the respective AP, IB, or AICE Biology assessment and
1703 earns the minimum score necessary to earn college credit as
1704 identified pursuant to s. 1007.27(2) meets the requirement of
1705 this subparagraph without having to take the statewide,
1706 standardized Biology I EOC assessment.

1707 4. Social studies.—Pass the statewide, standardized United
1708 States History EOC end-of-course assessment. However, a student
1709 enrolled in an AP, IB, or AICE course that includes United
1710 States History topics who takes the respective AP, IB, or AICE
1711 assessment and earns the minimum score necessary to earn college

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1712 credit as identified pursuant to s. 1007.27(2) meets the
1713 requirement of this subparagraph without having to take the
1714 statewide, standardized United States History EOC assessment.

1715 5. Foreign language.—Earn two credits in the same foreign
1716 language.

1717 6. Electives.—Earn at least one credit in an Advanced
1718 Placement, an International Baccalaureate, an Advanced
1719 International Certificate of Education, or a dual enrollment
1720 course.

1721 (b) *Merit designation*.—In addition to the requirements of
1722 s. ~~ss. 1003.428~~ and 1003.4282, as applicable, in order to earn
1723 the Merit designation, a student must attain one or more
1724 industry certifications from the list established under s.
1725 1003.492.

1726 Section 44. Section 1003.438, Florida Statutes, is amended
1727 to read:

1728 1003.438 Special high school graduation requirements for
1729 certain exceptional students.—A student who has been identified,
1730 in accordance with rules established by the State Board of
1731 Education, as a student with disabilities who has an
1732 intellectual disability; an autism spectrum disorder; a language
1733 impairment; an orthopedic impairment; an other health
1734 impairment; a traumatic brain injury; an emotional or behavioral
1735 disability; a specific learning disability, including, but not
1736 limited to, dyslexia, dyscalculia, or developmental aphasia; or
1737 students who are deaf or hard of hearing or dual sensory
1738 impaired shall not be required to meet all requirements of s.
1739 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 and shall,
1740 upon meeting all applicable requirements prescribed by the

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1741 district school board pursuant to s. 1008.25, be awarded a
 1742 special diploma in a form prescribed by the commissioner;
 1743 however, such special graduation requirements prescribed by the
 1744 district school board must include minimum graduation
 1745 requirements as prescribed by the commissioner. Any such student
 1746 who meets all special requirements of the district school board,
 1747 but is unable to meet the appropriate special state minimum
 1748 requirements, shall be awarded a special certificate of
 1749 completion in a form prescribed by the commissioner. However,
 1750 this section does not limit or restrict the right of an
 1751 exceptional student solely to a special diploma or special
 1752 certificate of completion. Any such student shall, upon proper
 1753 request, be afforded the opportunity to fully meet all
 1754 requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s.
 1755 1003.4282 through the standard procedures established therein
 1756 and thereby to qualify for a standard diploma upon graduation.

1757 Section 45. Subsection (5) of section 1003.451, Florida
 1758 Statutes, is repealed.

1759 Section 46. Subsection (1) of section 1003.49, Florida
 1760 Statutes, is amended to read:

1761 1003.49 Graduation and promotion requirements for publicly
 1762 operated schools.—

1763 (1) Each state or local public agency, including the
 1764 Department of Children and Family Services, the Department of
 1765 Corrections, the boards of trustees of universities and Florida
 1766 College System institutions, and the Board of Trustees of the
 1767 Florida School for the Deaf and the Blind, which agency is
 1768 authorized to operate educational programs for students at any
 1769 level of grades kindergarten through 12, shall be subject to all

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1770 applicable requirements of ss. 1002.3105(5), 1003.4281,
 1771 1003.4282 ~~1003.428~~, ~~1003.429~~, 1008.23, and 1008.25. Within the
 1772 content of these cited statutes each such state or local public
 1773 agency or entity shall be considered a "district school board."

1774 Section 47. Paragraph (e) of subsection (4) of section
 1775 1003.493, Florida Statutes, is amended to read:

1776 1003.493 Career and professional academies and career-
 1777 themed courses.—

1778 (4) Each career and professional academy and secondary
 1779 school providing a career-themed course must:

1780 (e) Deliver academic content through instruction relevant
 1781 to the career, including intensive reading and mathematics
 1782 intervention required by s. 1003.4282 ~~1003.428~~, with an emphasis
 1783 on strengthening reading for information skills.

1784 Section 48. Paragraph (c) of subsection (2) of section
 1785 1003.4935, Florida Statutes, is amended to read:

1786 1003.4935 Middle grades career and professional academy
 1787 courses and career-themed courses.—

1788 (2) Each middle grades career and professional academy or
 1789 career-themed course must be aligned with at least one high
 1790 school career and professional academy or career-themed course
 1791 offered in the district and maintain partnerships with local
 1792 business and industry and economic development boards. Middle
 1793 grades career and professional academies and career-themed
 1794 courses must:

1795 (a) Lead to careers in occupations designated as high-
 1796 skill, high-wage, and high-demand in the Industry Certification
 1797 Funding List approved under rules adopted by the State Board of
 1798 Education;

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- 1799 (b) Integrate content from core subject areas;
- 1800 (c) Integrate career and professional academy or career-
- 1801 themed course content with intensive reading, English Language
- 1802 Arts, and mathematics pursuant to s. ss. 1003.428 and 1003.4282;
- 1803 (d) Coordinate with high schools to maximize opportunities
- 1804 for middle grades students to earn high school credit;
- 1805 (e) Provide access to virtual instruction courses provided
- 1806 by virtual education providers legislatively authorized to
- 1807 provide part-time instruction to middle grades students. The
- 1808 virtual instruction courses must be aligned to state curriculum
- 1809 standards for middle grades career and professional academy
- 1810 courses or career-themed courses, with priority given to
- 1811 students who have required course deficits;
- 1812 (f) Provide instruction from highly skilled professionals
- 1813 who hold industry certificates in the career area in which they
- 1814 teach;
- 1815 (g) Offer externships; and
- 1816 (h) Provide personalized student advisement that includes a
- 1817 parent-participation component.
- 1818 Section 49. Paragraph (a) of subsection (1) of section
- 1819 1003.57, Florida Statutes, is amended to read:
- 1820 1003.57 Exceptional students instruction.—
- 1821 (1) (a) For purposes of providing exceptional student
- 1822 instruction under this section:
- 1823 1. A school district shall use the following terms to
- 1824 describe the instructional setting for a student with a
- 1825 disability, 6 through 21 years of age, who is not educated in a
- 1826 setting accessible to all children who are together at all
- 1827 times:

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1828 a. "Exceptional student education center" or "special day
1829 school" means a separate public school to which nondisabled
1830 peers do not have access.

1831 b. "Other separate environment" means a separate private
1832 school, residential facility, or hospital or homebound program.

1833 c. "Regular class" means a class in which a student spends
1834 80 percent or more of the school week with nondisabled peers.

1835 d. "Resource room" means a classroom in which a student
1836 spends between 40 percent to 80 percent of the school week with
1837 nondisabled peers.

1838 e. "Separate class" means a class in which a student spends
1839 less than 40 percent of the school week with nondisabled peers.

1840 2. A school district shall use the term "inclusion" to mean
1841 that a student is receiving education in a general education
1842 regular class setting, reflecting natural proportions and age-
1843 appropriate heterogeneous groups in core academic and elective
1844 or special areas within the school community; a student with a
1845 disability is a valued member of the classroom and school
1846 community; the teachers and administrators support universal
1847 education and have knowledge and support available to enable
1848 them to effectively teach all children; and a teacher ~~student~~ is
1849 provided access to technical assistance in best practices,
1850 instructional methods, and supports tailored to the student's
1851 needs based on current research.

1852 Section 50. Paragraph (a) of subsection (1) of section
1853 1003.621, Florida Statutes, is amended to read:

1854 1003.621 Academically high-performing school districts.—It
1855 is the intent of the Legislature to recognize and reward school
1856 districts that demonstrate the ability to consistently maintain

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1857 or improve their high-performing status. The purpose of this
1858 section is to provide high-performing school districts with
1859 flexibility in meeting the specific requirements in statute and
1860 rules of the State Board of Education.

1861 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

1862 (a) A school district is an academically high-performing
1863 school district if it meets the following criteria:

1864 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a
1865 grade of "A" under s. 1008.34(7) for 2 consecutive years; and

1866 b. Has no district-operated school that earns a grade of
1867 "F" under s. 1008.34;

1868 2. Complies with all class size requirements in s. 1, Art.
1869 IX of the State Constitution and s. 1003.03; and

1870 3. Has no material weaknesses or instances of material
1871 noncompliance noted in the annual financial audit conducted
1872 pursuant to s. 11.45 or s. 218.39.

1873
1874 However, a district in which a district-operated school earns a
1875 grade of "F" under s. 1008.34 during the 3-year period may not
1876 continue to be designated as an academically high-performing
1877 school district during the remainder of that 3-year period. The
1878 district must meet the criteria in paragraph (a) in order to be
1879 redesignated as an academically high-performing school district.

1880 Section 51. Subsection (4) of section 1004.02, Florida
1881 Statutes, is repealed.

1882 Section 52. Section 1004.0961, Florida Statutes, is amended
1883 to read:

1884 1004.0961 Credit for online courses.—Beginning in the 2015-
1885 2016 school year, the State Board of Education shall adopt rules

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1886 and the Board of Governors shall adopt regulations ~~rules~~ that
1887 enable students to earn academic credit for online courses,
1888 including massive open online courses, before ~~prior to~~ initial
1889 enrollment at a postsecondary institution. The rules of the
1890 State Board of Education and regulations ~~rules~~ of the Board of
1891 Governors must include procedures for credential evaluation and
1892 the award of credit, including, but not limited to,
1893 recommendations for credit by the American Council on Education;
1894 equivalency and alignment of coursework with appropriate
1895 courses; course descriptions; type and amount of credit that may
1896 be awarded; and transfer of credit.

1897 Section 53. Section 1004.3825, Florida Statutes, is
1898 repealed.

1899 Section 54. Section 1004.387, Florida Statutes, is
1900 repealed.

1901 Section 55. Subsection (2) of section 1004.445, Florida
1902 Statutes, is repealed.

1903 Section 56. Section 1004.75, Florida Statutes, is repealed.

1904 Section 57. Paragraph (c) of subsection (1) of section
1905 1004.935, Florida Statutes, is amended to read:

1906 1004.935 Adults with Disabilities Workforce Education Pilot
1907 Program.—

1908 (1) The Adults with Disabilities Workforce Education Pilot
1909 Program is established in the Department of Education for 2
1910 years in Hardee, DeSoto, Manatee, and Sarasota Counties to
1911 provide the option of receiving a scholarship for instruction at
1912 private schools for up to 30 students who:

1913 (c) Are receiving instruction from an instructor in a
1914 private school to meet the high school graduation requirements

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1915 in s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282;

1916

1917 As used in this section, the term "student with a disability"
 1918 includes a student who is documented as having an intellectual
 1919 disability; a speech impairment; a language impairment; a
 1920 hearing impairment, including deafness; a visual impairment,
 1921 including blindness; a dual sensory impairment; an orthopedic
 1922 impairment; another health impairment; an emotional or
 1923 behavioral disability; a specific learning disability,
 1924 including, but not limited to, dyslexia, dyscalculia, or
 1925 developmental aphasia; a traumatic brain injury; a developmental
 1926 delay; or autism spectrum disorder.

1927 Section 58. Section 1006.141, Florida Statutes, is
 1928 repealed.

1929 Section 59. Subsections (4), (5), and (8) of section
 1930 1006.147, Florida Statutes, are amended to read:

1931 1006.147 Bullying and harassment prohibited.—

1932 (4) ~~By December 1, 2008,~~ Each school district shall adopt a
 1933 policy prohibiting bullying and harassment of a ~~any~~ student or
 1934 employee of a public K-12 educational institution. Each school
 1935 district's policy shall be in substantial conformity with the
 1936 Department of Education's model policy ~~mandated in subsection~~
 1937 ~~(5)~~. The school district bullying and harassment policy shall
 1938 afford all students the same protection regardless of their
 1939 status under the law. The school district may establish separate
 1940 discrimination policies that include categories of students. The
 1941 school district shall involve students, parents, teachers,
 1942 administrators, school staff, school volunteers, community
 1943 representatives, and local law enforcement agencies in the

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1944 process of adopting the policy. The school district policy must
1945 be implemented in a manner that is ongoing throughout the school
1946 year and integrated with a school's curriculum, a school's
1947 discipline policies, and other violence prevention efforts. The
1948 school district policy must contain, at a minimum, the following
1949 components:

1950 (a) A statement prohibiting bullying and harassment.

1951 (b) A definition of bullying and a definition of harassment
1952 that include the definitions listed in this section.

1953 (c) A description of the type of behavior expected from
1954 each student and employee of a public K-12 educational
1955 institution.

1956 (d) The consequences for a student or employee of a public
1957 K-12 educational institution who commits an act of bullying or
1958 harassment.

1959 (e) The consequences for a student or employee of a public
1960 K-12 educational institution who is found to have wrongfully and
1961 intentionally accused another of an act of bullying or
1962 harassment.

1963 (f) A procedure for reporting an act of bullying or
1964 harassment, including provisions that permit a person to
1965 anonymously report such an act. However, this paragraph does not
1966 permit formal disciplinary action to be based solely on an
1967 anonymous report.

1968 (g) A procedure for the prompt investigation of a report of
1969 bullying or harassment and the persons responsible for the
1970 investigation. The investigation of a reported act of bullying
1971 or harassment is deemed to be a school-related activity and
1972 begins with a report of such an act. Incidents that require a

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1973 reasonable investigation when reported to appropriate school
1974 authorities shall include alleged incidents of bullying or
1975 harassment allegedly committed against a child while the child
1976 is en route to school aboard a school bus or at a school bus
1977 stop.

1978 (h) A process to investigate whether a reported act of
1979 bullying or harassment is within the scope of the district
1980 school system and, if not, a process for referral of such an act
1981 to the appropriate jurisdiction. Computers without web-filtering
1982 software or computers with web-filtering software that is
1983 disabled shall be used when complaints of cyberbullying are
1984 investigated.

1985 (i) A procedure for providing immediate notification to the
1986 parents of a victim of bullying or harassment and the parents of
1987 the perpetrator of an act of bullying or harassment, as well as
1988 notification to all local agencies where criminal charges may be
1989 pursued against the perpetrator.

1990 (j) A procedure to refer victims and perpetrators of
1991 bullying or harassment for counseling.

1992 (k) A procedure for including incidents of bullying or
1993 harassment in the school's report of data concerning school
1994 safety and discipline required under s. 1006.09(6). The report
1995 must include each incident of bullying or harassment and the
1996 resulting consequences, including discipline and referrals. The
1997 report must include in a separate section each reported incident
1998 of bullying or harassment that does not meet the criteria of a
1999 prohibited act under this section with recommendations regarding
2000 such incidents. The Department of Education shall aggregate
2001 information contained in the reports.

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2002 (1) A procedure for providing instruction to students,
2003 parents, teachers, school administrators, counseling staff, and
2004 school volunteers on identifying, preventing, and responding to
2005 bullying or harassment, including instruction on recognizing
2006 behaviors that lead to bullying and harassment and taking
2007 appropriate preventive action based on those observations.

2008 (m) A procedure for regularly reporting to a victim's
2009 parents the actions taken to protect the victim.

2010 (n) A procedure for publicizing the policy, which must
2011 include its publication in the code of student conduct required
2012 under s. 1006.07(2) and in all employee handbooks.

2013 ~~(5) To assist school districts in developing policies~~
2014 ~~prohibiting bullying and harassment, the Department of Education~~
2015 ~~shall develop a model policy that shall be provided to school~~
2016 ~~districts no later than October 1, 2008.~~

2017 ~~(7)-(8) Distribution of safe schools funds to a school~~
2018 ~~district provided in the 2009-2010 General Appropriations Act is~~
2019 ~~contingent upon and payable to the school district upon the~~
2020 ~~Department of Education's approval of the school district's~~
2021 ~~bullying and harassment policy. The department's approval of~~
2022 ~~each school district's bullying and harassment policy shall be~~
2023 ~~granted upon certification by the department that the school~~
2024 ~~district's policy has been submitted to the department and is in~~
2025 ~~substantial conformity with the department's model bullying and~~
2026 ~~harassment policy as mandated in subsection (5). Distribution of~~
2027 ~~safe schools funds provided to a school district in fiscal year~~
2028 ~~2010-2011 and thereafter shall be contingent upon and payable to~~
2029 ~~the school district upon the school district's compliance with~~
2030 ~~all reporting procedures contained in this section.~~

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2031 Section 60. Subsection (2) of section 1006.148, Florida
2032 Statutes, is repealed.

2033 Section 61. Paragraph (a) of subsection (3) of section
2034 1006.15, Florida Statutes, is amended to read:

2035 1006.15 Student standards for participation in
2036 interscholastic and intrascholastic extracurricular student
2037 activities; regulation.—

2038 (3) (a) To be eligible to participate in interscholastic
2039 extracurricular student activities, a student must:

2040 1. Maintain a grade point average of 2.0 or above on a 4.0
2041 scale, or its equivalent, in the previous semester or a
2042 cumulative grade point average of 2.0 or above on a 4.0 scale,
2043 or its equivalent, in the courses required by s. 1002.3105(5)
2044 ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.

2045 2. Execute and fulfill the requirements of an academic
2046 performance contract between the student, the district school
2047 board, the appropriate governing association, and the student's
2048 parents, if the student's cumulative grade point average falls
2049 below 2.0, or its equivalent, on a 4.0 scale in the courses
2050 required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.
2051 At a minimum, the contract must require that the student attend
2052 summer school, or its graded equivalent, between grades 9 and 10
2053 or grades 10 and 11, as necessary.

2054 3. Have a cumulative grade point average of 2.0 or above on
2055 a 4.0 scale, or its equivalent, in the courses required by s.
2056 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~ during his or her
2057 junior or senior year.

2058 4. Maintain satisfactory conduct, including adherence to
2059 appropriate dress and other codes of student conduct policies

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2060 described in s. 1006.07(2). If a student is convicted of, or is
2061 found to have committed, a felony or a delinquent act that would
2062 have been a felony if committed by an adult, regardless of
2063 whether adjudication is withheld, the student's participation in
2064 interscholastic extracurricular activities is contingent upon
2065 established and published district school board policy.

2066 Section 62. Subsection (1) and paragraph (a) of subsection
2067 (2) of section 1006.28, Florida Statutes, are amended to read:

2068 1006.28 Duties of district school board, district school
2069 superintendent; and school principal regarding K-12
2070 instructional materials.—

2071 (1) DISTRICT SCHOOL BOARD.—The district school board has
2072 the duty to provide adequate instructional materials for all
2073 students in accordance with the requirements of this part. The
2074 term "adequate instructional materials" means a sufficient
2075 number of student or site licenses or sets of materials that are
2076 available in bound, unbound, kit, or package form and may
2077 consist of hardbacked or softbacked textbooks, electronic
2078 content, consumables, learning laboratories, manipulatives,
2079 electronic media, and computer courseware or software that serve
2080 as the basis for instruction for each student in the core
2081 subject areas ~~courses~~ of mathematics, language arts, social
2082 studies, science, reading, and literature. The district school
2083 board has the following specific duties:

2084 (a) *Courses of study; adoption.*—Adopt courses of study for
2085 use in the schools of the district.

2086 (b) *Instructional materials.*—Provide for proper
2087 requisitioning, distribution, accounting, storage, care, and use
2088 of all instructional materials and furnish such other

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2089 instructional materials as may be needed. ~~The district school~~
2090 ~~board shall ensure that~~ Instructional materials used must be in
2091 ~~the district are~~ consistent with the district goals and
2092 objectives and the course descriptions established in rule of
2093 the State Board of Education, as well as with the applicable
2094 Next Generation Sunshine State and district performance
2095 Standards provided for in s. 1003.41 ~~1001.03(1)~~.

2096 (c) *Other instructional materials.*—Provide such other
2097 teaching accessories and aids as are needed for the school
2098 district's educational program.

2099 (d) *School library media services; establishment and*
2100 *maintenance.*—Establish and maintain a program of school library
2101 media services for all public schools in the district, including
2102 school library media centers, or school library media centers
2103 open to the public, and, in addition such traveling or
2104 circulating libraries as may be needed for the proper operation
2105 of the district school system.

2106 (2) DISTRICT SCHOOL SUPERINTENDENT.—

2107 (a) The district school superintendent has the duty to
2108 recommend such plans for improving, providing, distributing,
2109 accounting for, and caring for instructional materials and other
2110 instructional aids as will result in general improvement of the
2111 district school system, as prescribed in this part, in
2112 accordance with adopted district school board rules prescribing
2113 the duties and responsibilities of the district school
2114 superintendent regarding the requisition, purchase, receipt,
2115 storage, distribution, use, conservation, records, and reports
2116 of, and management practices and property accountability
2117 concerning, instructional materials, and providing for an

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2118 evaluation of any instructional materials to be requisitioned
2119 that have not been used previously in the district's schools.
2120 The district school superintendent must keep adequate records
2121 and accounts for all financial transactions for funds collected
2122 pursuant to subsection (3), ~~as a component of the educational~~
2123 ~~service delivery scope in a school district best financial~~
2124 ~~management practices review under s. 1008.35.~~

2125 Section 63. Subsection (2) of section 1006.31, Florida
2126 Statutes, is amended to read:

2127 1006.31 Duties of the Department of Education and school
2128 district instructional materials reviewer.—The duties of the
2129 instructional materials reviewer are:

2130 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use evaluate
2131 ~~carefully all instructional materials submitted, in order to~~
2132 ~~ascertain which instructional materials, if any, submitted for~~
2133 ~~consideration implement~~ the selection criteria listed in s.
2134 1006.34(2)(b) developed by the department and recommend for
2135 adoption only those instructional materials aligned with the
2136 Next Generation Sunshine State those curricular objectives
2137 ~~included within applicable performance Standards provided for in~~
2138 ~~s. 1003.41 1001.03(1).~~

2139 (a) When recommending instructional materials for use in
2140 the schools, each reviewer shall include only instructional
2141 materials that accurately portray the ethnic, socioeconomic,
2142 cultural, and racial diversity of our society, including men and
2143 women in professional, career, and executive roles, and the role
2144 and contributions of the entrepreneur and labor in the total
2145 development of this state and the United States.

2146 (b) When recommending instructional materials for use in

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2147 the schools, each reviewer shall include only materials that
2148 accurately portray, whenever appropriate, humankind's place in
2149 ecological systems, including the necessity for the protection
2150 of our environment and conservation of our natural resources and
2151 the effects on the human system of the use of tobacco, alcohol,
2152 controlled substances, and other dangerous substances.

2153 (c) When recommending instructional materials for use in
2154 the schools, each reviewer shall require such materials as he or
2155 she deems necessary and proper to encourage thrift, fire
2156 prevention, and humane treatment of people and animals.

2157 (d) When recommending instructional materials for use in
2158 the schools, each reviewer shall require, when appropriate to
2159 the comprehension of students, that materials for social
2160 science, history, or civics classes contain the Declaration of
2161 Independence and the Constitution of the United States. A
2162 reviewer may not recommend any instructional materials for use
2163 in the schools which contain any matter reflecting unfairly upon
2164 persons because of their race, color, creed, national origin,
2165 ancestry, gender, or occupation.

2166 (e) Any instructional material recommended by each reviewer
2167 for use in the schools shall be, to the satisfaction of each
2168 reviewer, accurate, objective, and current and suited to the
2169 needs and comprehension of students at their respective grade
2170 levels. Reviewers shall consider for adoption materials
2171 developed for academically talented students such as those
2172 enrolled in advanced placement courses.

2173 Section 64. Paragraph (b) of subsection (2) of section
2174 1006.34, Florida Statutes, is amended to read:

2175 1006.34 Powers and duties of the commissioner and the

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2176 department in selecting and adopting instructional materials.-

2177 (2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.-

2178 (b) In the selection of instructional materials, library
2179 media, and other reading material used in the public school
2180 system, the standards used to determine the propriety of the
2181 material shall include:

2182 1. The age of the students who normally could be expected
2183 to have access to the material.

2184 2. The educational purpose to be served by the material. ~~In~~
2185 ~~considering instructional materials for classroom use,~~ Priority
2186 shall be given to the selection of materials that align with the
2187 Next Generation Sunshine State Standards as provided for in s.
2188 1003.41 ~~which encompass the state and district school board~~
2189 ~~performance standards provided for in s. 1001.03(1) and which~~
2190 include the instructional objectives contained within the
2191 curriculum frameworks for career and technical education and
2192 adult and adult general education adopted ~~approved~~ by rule of
2193 the State Board of Education under s. 1004.92.

2194 3. The degree to which the material would be supplemented
2195 and explained by mature classroom instruction as part of a
2196 normal classroom instructional program.

2197 4. The consideration of the broad racial, ethnic,
2198 socioeconomic, and cultural diversity of the students of this
2199 state.

2200
2201 Any instructional material containing pornography or otherwise
2202 prohibited by s. 847.012 may not be used or made available
2203 within any public school.

2204 Section 65. Subsection (2) and paragraph (a) of subsection

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2205 (3) of section 1006.40, Florida Statutes, are amended, and
2206 subsection (8) is added to that section, to read:

2207 1006.40 Use of instructional materials allocation;
2208 instructional materials, library books, and reference books;
2209 repair of books.—

2210 (2) Each district school board must purchase current
2211 instructional materials to provide each student with a major
2212 tool of instruction in core courses of the subject areas of
2213 mathematics, language arts, science, social studies, reading,
2214 and literature for kindergarten through grade 12. Such purchase
2215 must be made within the first 3 years after the effective date
2216 of the adoption cycle unless a district school board or a
2217 consortium of school districts has implemented an instructional
2218 materials program pursuant to s. 1006.283. For the 2012-2013
2219 mathematics adoption, a district using a comprehensive
2220 mathematics instructional materials program adopted in the 2009-
2221 2010 adoption shall be deemed in compliance with this subsection
2222 if it provides each student with such additional state-adopted
2223 materials as may be necessary to align the previously adopted
2224 comprehensive program to common core standards and the other
2225 criteria of the 2012-2013 mathematics adoption.

2226 (3) (a) Beginning with ~~By~~ the 2015-2016 fiscal year, each
2227 district school board shall use at least 50 percent of the
2228 annual allocation for the purchase of digital or electronic
2229 instructional materials that align with state standards included
2230 on the state-adopted list, except as otherwise authorized in
2231 paragraphs (b) and (c). ~~This section does not apply to a~~
2232 ~~district school board or a consortium of school districts which~~
2233 ~~implements an instructional materials program pursuant to s.~~

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2234 ~~1006.283, except that by the 2015-2016 fiscal year, each~~
2235 ~~district school board shall use at least 50 percent of the~~
2236 ~~annual allocation for the purchase of digital or electronic~~
2237 ~~instructional materials that align with state standards.~~

2238 (8) Subsections (3), (4), and (6) do not apply to a
2239 district school board or a consortium of school districts that
2240 implements an instructional materials program pursuant to s.
2241 1006.283 except that, by the 2015-2016 fiscal year, each
2242 district school board shall use at least 50 percent of the
2243 annual instructional materials allocation for the purchase of
2244 digital or electronic instructional materials that align with
2245 state standards adopted by the State Board of Education pursuant
2246 to s. 1003.41.

2247 Section 66. Section 1006.42, Florida Statutes, is amended
2248 to read:

2249 1006.42 Responsibility of students and parents for
2250 instructional materials.—

2251 ~~(1)~~ All instructional materials purchased under the
2252 provisions of this part are the property of the district school
2253 board. When distributed to the students, these instructional
2254 materials are on loan to the students while they are pursuing
2255 their courses of study and are to be returned at the direction
2256 of the school principal or the teacher in charge. Each parent of
2257 a student to whom or for whom instructional materials have been
2258 issued, is liable for any loss or destruction of, or unnecessary
2259 damage to, the instructional materials or for failure of the
2260 student to return the instructional materials when directed by
2261 the school principal or the teacher in charge, and shall pay for
2262 such loss, destruction, or unnecessary damage as provided under

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2263 s. 1006.28(3) by law.

2264 ~~(2) Nothing in this part shall be construed to prohibit~~
 2265 ~~parents from exercising their right to purchase instructional~~
 2266 ~~materials from the district school board.~~

2267 Section 67. Section 1007.02, Florida Statutes, is amended
 2268 to read:

2269 1007.02 ~~Access to postsecondary education and meaningful~~
 2270 ~~careers for Students with disabilities; popular name;~~
 2271 ~~definition.-~~

2272 ~~(1) This section shall be known by the popular name the~~
 2273 ~~"Enhanced New Needed Opportunity for Better Life and Education~~
 2274 ~~for Students with Disabilities (ENNOBLES) Act."~~

2275 ~~(2) For the purposes of this chapter act, the term "student~~
 2276 ~~with a disability" means a any student who is documented as~~
 2277 ~~having an intellectual disability; a hearing impairment,~~
 2278 ~~including deafness; a speech or language impairment; a visual~~
 2279 ~~impairment, including blindness; an emotional or behavioral~~
 2280 ~~disability; an orthopedic or other health impairment; an autism~~
 2281 ~~spectrum disorder; a traumatic brain injury; or a specific~~
 2282 ~~learning disability, including, but not limited to, dyslexia,~~
 2283 ~~dyscalculia, or developmental aphasia.~~

2284 Section 68. Paragraph (a) of subsection (1) and subsection
 2285 (3) of section 1007.2615, Florida Statutes, are amended to read:

2286 1007.2615 American Sign Language; findings; foreign-
 2287 language credits authorized; teacher licensing.-

2288 (1) LEGISLATIVE FINDINGS; PURPOSE.-

2289 (a) The Legislature finds that:

2290 1. American Sign Language (ASL) is a fully developed
 2291 visual-gestural language with distinct grammar, syntax, and

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2292 symbols and is one of hundreds of signed languages of the world.

2293 2. ASL is recognized as the language of the American deaf
2294 community and is the fourth most commonly used language in the
2295 United States and Canada.

2296 3. The American deaf community is a group of citizens who
2297 are members of a unique culture who share ASL as their common
2298 language.

2299 ~~4. Thirty-three state legislatures have adopted legislation
2300 recognizing ASL as a language that should be taught in schools.~~

2301 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
2302 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
2303 FOR POSTSECONDARY EDUCATION PROVIDERS.—

2304 ~~(a) The Commissioner of Education shall appoint a seven-
2305 member task force that includes representatives from two state
2306 universities and one private college or university located
2307 within this state which currently offer a 4-year deaf education
2308 or sign language interpretation program as a part of their
2309 respective curricula, two representatives from the Florida
2310 American Sign Language Teachers' Association (FASLTA), and two
2311 representatives from Florida College System institutions located
2312 within this state which have established Interpreter Training
2313 Programs (ITPs). This task force shall develop and submit to the
2314 Commissioner of Education a report that contains the most up-to-
2315 date information about American Sign Language (ASL) and
2316 guidelines for developing and maintaining ASL courses as a part
2317 of the curriculum. This information must be made available to
2318 any administrator of a public or an independent school upon
2319 request of the administrator.~~

2320 (a) ~~(b)~~ By January 1, 2005, The State Board of Education

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2321 shall adopt rules establishing licensing/certification standards
 2322 to be applied to teachers who teach American Sign Language (ASL)
 2323 ASL as part of a school curriculum. ~~In developing the rules, the~~
 2324 ~~state board shall consult with the task force established under~~
 2325 ~~paragraph (a).~~

2326 (b) ~~(e)~~ An ASL teacher must be certified by the Department
 2327 of Education ~~by July 1, 2009.~~

2328 (c) ~~(d)~~ The Commissioner of Education shall work with
 2329 providers of postsecondary education, except for state
 2330 universities, to develop and implement a plan to ensure that
 2331 these institutions in this state will accept secondary school
 2332 credits in ASL as credits in a foreign language and to encourage
 2333 postsecondary institutions to offer ASL courses to students as a
 2334 fulfillment of the requirement for studying a foreign language.

2335 Section 69. Subsection (4) of section 1007.263, Florida
 2336 Statutes, is amended to read:

2337 1007.263 Florida College System institutions; admissions of
 2338 students.—Each Florida College System institution board of
 2339 trustees is authorized to adopt rules governing admissions of
 2340 students subject to this section and rules of the State Board of
 2341 Education. These rules shall include the following:

2342 (4) A student who has been awarded a special diploma under
 2343 ~~as defined in s. 1003.438~~ or a certificate of completion under
 2344 ~~as defined in s. 1003.4282~~ ~~1003.428(7)(b)~~ is eligible to enroll
 2345 in certificate career education programs.

2346
 2347 Each board of trustees shall establish policies that notify
 2348 students about developmental education options for improving
 2349 their communication or computation skills that are essential to

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2350 performing college-level work, including tutoring, extended time
2351 in gateway courses, free online courses, adult basic education,
2352 adult secondary education, or private provider instruction.

2353 Section 70. Subsection (1) of section 1007.264, Florida
2354 Statutes, is amended to read:

2355 1007.264 Persons with disabilities; admission to
2356 postsecondary educational institutions; substitute requirements;
2357 rules and regulations.—

2358 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
2359 ~~1007.02(2)~~, who is otherwise eligible shall be eligible for
2360 reasonable substitution for any requirement for admission into a
2361 public postsecondary educational institution where documentation
2362 can be provided that the person's failure to meet the admission
2363 requirement is related to the disability.

2364 Section 71. Subsection (1) of section 1007.265, Florida
2365 Statutes, is amended to read:

2366 1007.265 Persons with disabilities; graduation, study
2367 program admission, and upper-division entry; substitute
2368 requirements; rules and regulations.—

2369 (1) A ~~Any~~ student with a disability, ~~as defined in s.~~
2370 ~~1007.02(2)~~, in a public postsecondary educational institution
2371 shall be eligible for reasonable substitution for any
2372 requirement for graduation, for admission into a program of
2373 study, or for entry into the upper division where documentation
2374 can be provided that the person's failure to meet the
2375 requirement is related to the disability and where failure to
2376 meet the graduation requirement or program admission requirement
2377 does not constitute a fundamental alteration in the nature of
2378 the program.

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2379 Section 72. Subsections (2) and (9) of section 1007.271,
2380 Florida Statutes, are amended to read:
2381 1007.271 Dual enrollment programs.—
2382 (2) For the purpose of this section, an eligible secondary
2383 student is a student who is enrolled in any of grades 6 through
2384 12 in a Florida public ~~secondary~~ school or in a Florida private
2385 ~~secondary~~ school that ~~which~~ is in compliance with s. 1002.42(2)
2386 and provides a secondary curriculum pursuant to ~~s. 1003.428 or~~
2387 s. 1003.4282. Students who are eligible for dual enrollment
2388 pursuant to this section may enroll in dual enrollment courses
2389 conducted during school hours, after school hours, and during
2390 the summer term. However, if the student is projected to
2391 graduate from high school before the scheduled completion date
2392 of a postsecondary course, the student may not register for that
2393 course through dual enrollment. The student may apply to the
2394 postsecondary institution and pay the required registration,
2395 tuition, and fees if the student meets the postsecondary
2396 institution's admissions requirements under s. 1007.263.
2397 Instructional time for dual enrollment may vary from 900 hours;
2398 however, the full-time equivalent student membership value shall
2399 be subject to the provisions in s. 1011.61(4). A ~~Any~~ student
2400 enrolled as a dual enrollment student is exempt from the payment
2401 of registration, tuition, and laboratory fees. Applied academics
2402 for adult education instruction, developmental education, and
2403 other forms of precollegiate instruction, as well as physical
2404 education courses that focus on the physical execution of a
2405 skill rather than the intellectual attributes of the activity,
2406 are ineligible for inclusion in the dual enrollment program.
2407 Recreation and leisure studies courses shall be evaluated

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2408 individually in the same manner as physical education courses
2409 for potential inclusion in the program.

2410 (9) The Commissioner of Education shall appoint faculty
2411 committees representing public school, Florida College System
2412 institution, and university faculties to identify postsecondary
2413 courses that meet the high school graduation requirements of ~~s.~~
2414 ~~1003.428~~ or s. 1003.4282 and to establish the number of
2415 postsecondary semester credit hours of instruction and
2416 equivalent high school credits earned through dual enrollment
2417 pursuant to this section that are necessary to meet high school
2418 graduation requirements. Such equivalencies shall be determined
2419 solely on comparable course content and not on seat time
2420 traditionally allocated to such courses in high school. The
2421 Commissioner of Education shall recommend to the State Board of
2422 Education those postsecondary courses identified to meet high
2423 school graduation requirements, based on mastery of course
2424 outcomes, by their course numbers, and all high schools shall
2425 accept these postsecondary education courses toward meeting the
2426 requirements of ~~s. 1003.428~~ or s. 1003.4282.

2427 Section 73. Subsections (3), (7), and (8) of section
2428 1008.22, Florida Statutes, are amended to read:

2429 1008.22 Student assessment program for public schools.—

2430 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
2431 Commissioner of Education shall design and implement a
2432 statewide, standardized assessment program aligned to the core
2433 curricular content established in the Next Generation Sunshine
2434 State Standards. The commissioner also must develop or select
2435 and implement a common battery of assessment tools that will be
2436 used in all juvenile justice education programs in the state.

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2437 These tools must accurately measure the core curricular content
2438 established in the Next Generation Sunshine State Standards.
2439 Participation in the assessment program is mandatory for all
2440 school districts and all students attending public schools,
2441 including adult students seeking a standard ~~an adult~~ high school
2442 diploma under s. 1003.4282 and students in Department of
2443 Juvenile Justice education programs, except as otherwise
2444 provided by law ~~prescribed by the commissioner~~. If a student
2445 does not participate in the assessment program, the school
2446 district must notify the student's parent and provide the parent
2447 with information regarding the implications of such
2448 nonparticipation. The statewide, standardized assessment program
2449 shall be designed and implemented as follows:

2450 (a) Statewide, standardized comprehensive assessments
2451 ~~Florida Comprehensive Assessment Test (FCAT) until replaced by~~
2452 ~~common core assessments.~~ The statewide, standardized FCAT
2453 Reading assessment shall be administered annually in grades 3
2454 through 10. The statewide, standardized Writing assessment shall
2455 be administered annually at least once at the elementary,
2456 middle, and high school levels. When the Reading and Writing
2457 assessments are replaced by English Language Arts (ELA)
2458 assessments, ELA assessments shall be administered to students
2459 in grades 3 through 11. Retake opportunities for the grade 10
2460 Reading assessment or, upon implementation, the grade 10 ELA
2461 assessment must be provided. Students taking the ELA assessments
2462 shall not take the statewide, standardized assessments in
2463 Reading or Writing. ELA assessments shall be administered
2464 online. The statewide, standardized; FCAT Mathematics
2465 assessments shall be administered annually in grades 3 through

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2466 8. Students taking a revised Mathematics assessment shall not
2467 take the discontinued assessment. The statewide, standardized,
2468 FCAT Writing shall be administered annually at least once at the
2469 elementary, middle, and high school levels; and FCAT Science
2470 assessment shall be administered annually at least once at the
2471 elementary and middle grades levels. In order to earn a standard
2472 high school diploma, a student who has not earned a passing
2473 score on the grade 10 FCAT Reading assessment or, upon
2474 implementation, the grade 10 ELA assessment must earn a passing
2475 score on the assessment retake or earn a concordant score as
2476 authorized under subsection (7) must participate in each retake
2477 of the assessment until the student earns a passing score. The
2478 commissioner shall recommend and the State Board of Education
2479 must adopt a score on both the SAT and ACT that is concordant to
2480 a passing score on grade 10 FCAT Reading that, if achieved by a
2481 student, meets the must-pass requirement for grade 10 FCAT
2482 Reading.

2483 (b) *End-of-course (EOC) assessments.*—EOC assessments must
2484 be statewide, standardized, and developed or approved by the
2485 Department of Education as follows:

2486 1. Statewide, standardized EOC assessments in mathematics
2487 shall be administered according to this subparagraph. Beginning
2488 with the 2010-2011 school year, all students enrolled in Algebra
2489 I must take the Algebra I EOC assessment. Except as otherwise
2490 provided in paragraph (c) this section, beginning with students
2491 entering grade 9 in the 2011-2012 school year, a student who is
2492 enrolled in Algebra I must earn a passing score on the Algebra I
2493 EOC assessment or attain a comparative score as authorized under
2494 subsection (8) in order to earn a standard high school diploma.

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2495 In order to earn a standard high school diploma, a student who
2496 has not earned a passing score on the Algebra I EOC assessment
2497 must earn a passing score on the assessment retake or a
2498 comparative score as authorized under subsection (8) ~~must~~
2499 ~~participate in each retake of the assessment until the student~~
2500 ~~earns a passing score.~~ Beginning with the 2011-2012 school year,
2501 all students enrolled in Geometry must take the Geometry EOC
2502 assessment. Middle grades students enrolled in Algebra I, ~~or~~
2503 Geometry, or Biology I must take the statewide, standardized EOC
2504 assessment for those courses and shall ~~are not required to~~ take
2505 the corresponding subject and grade-level statewide,
2506 standardized assessment FCAT. When a statewide, standardized EOC
2507 assessment in Algebra II is administered, all students enrolled
2508 in Algebra II must take the EOC assessment. Pursuant to the
2509 commissioner's implementation schedule, student performance on
2510 the Algebra II EOC assessment constitutes 30 percent of a
2511 student's final course grade.

2512 2. Statewide, standardized EOC assessments in science shall
2513 be administered according to this subparagraph. Beginning with
2514 the 2011-2012 school year, all students enrolled in Biology I
2515 must take the Biology I EOC assessment. Beginning with students
2516 entering grade 9 in the 2013-2014 school year, performance on
2517 the Biology I EOC assessment constitutes 30 percent of the
2518 student's final course grade.

2519 ~~3. During the 2012-2013 school year, an EOC assessment in~~
2520 ~~civics education shall be administered as a field test at the~~
2521 ~~middle grades level.~~ Beginning with the 2013-2014 school year,
2522 each student's performance on the statewide, standardized middle
2523 grades Civics EOC assessment ~~in civics education~~ constitutes 30

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2524 percent of the student's final course grade in civics education.

2525 4. The commissioner may select one or more nationally
2526 developed comprehensive examinations, which may include
2527 examinations for a College Board Advanced Placement course,
2528 International Baccalaureate course, or Advanced International
2529 Certificate of Education course, or industry-approved
2530 examinations to earn national industry certifications identified
2531 in the Industry Certification Funding List, for use as EOC
2532 assessments under this paragraph if the commissioner determines
2533 that the content knowledge and skills assessed by the
2534 examinations meet or exceed the grade-level expectations for the
2535 core curricular content established for the course in the Next
2536 Generation Sunshine State Standards. Use of any such examination
2537 as an EOC assessment must be approved by the state board in
2538 rule.

2539 5. Contingent upon funding provided in the General
2540 Appropriations Act, including the appropriation of funds
2541 received through federal grants, the commissioner may establish
2542 an implementation schedule for the development and
2543 administration of additional statewide, standardized EOC
2544 assessments that must be approved by the state board, in rule.
2545 If approved by the state board, student performance on such
2546 assessments constitutes 30 percent of a student's final course
2547 grade.

2548 6. All statewide, standardized EOC assessments must be
2549 administered online except as otherwise provided in paragraph
2550 (c).

2551 (c) *Students with disabilities; Florida Alternate*
2552 *Assessment.*—

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2553 1. Each district school board must provide instruction to
2554 prepare students with disabilities in the core content knowledge
2555 and skills necessary for successful grade-to-grade progression
2556 and high school graduation.

2557 2. A student with a disability, as defined in s. 1007.02
2558 ~~1007.02(2)~~, for whom the individual education plan (IEP) team
2559 determines that the statewide, standardized assessments under
2560 this section cannot accurately measure the student's abilities,
2561 taking into consideration all allowable accommodations, shall
2562 have assessment results waived for the purpose of receiving a
2563 course grade and a standard high school diploma. Such waiver
2564 shall be designated on the student's transcript. The statement
2565 of waiver shall be limited to a statement that performance on an
2566 assessment was waived for the purpose of receiving a course
2567 grade or a standard high school diploma, as applicable.

2568 3. The State Board of Education shall adopt rules, based
2569 upon recommendations of the commissioner, for the provision of
2570 assessment accommodations for students with disabilities and for
2571 students who have limited English proficiency.

2572 a. Accommodations that negate the validity of a statewide,
2573 standardized assessment are not allowed during the
2574 administration of the assessment. However, instructional
2575 accommodations are allowed in the classroom if identified in a
2576 student's IEP. Students using instructional accommodations in
2577 the classroom that are not allowed on a statewide, standardized
2578 assessment may have assessment results waived if the IEP team
2579 determines that the assessment cannot accurately measure the
2580 student's abilities.

2581 b. If a student is provided with instructional

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2582 accommodations in the classroom that are not allowed as
2583 accommodations for statewide, standardized assessments, the
2584 district must inform the parent in writing and provide the
2585 parent with information regarding the impact on the student's
2586 ability to meet expected performance levels. A parent must
2587 provide signed consent for a student to receive classroom
2588 instructional accommodations that would not be available or
2589 permitted on a statewide, standardized assessment and
2590 acknowledge in writing that he or she understands the
2591 implications of such instructional accommodations.

2592 c. If a student's IEP states that online administration of
2593 a statewide, standardized assessment will significantly impair
2594 the student's ability to perform, the assessment shall be
2595 administered in hard copy.

2596 4. For students with significant cognitive disabilities,
2597 the Department of Education shall provide for implementation of
2598 the Florida Alternate Assessment to accurately measure the core
2599 curricular content established in the Next Generation Sunshine
2600 State Standards.

2601 (d) Implementation schedule ~~Common core assessments in~~
2602 ~~English Language Arts (ELA) and mathematics.-~~

2603 ~~1. Contingent upon funding, common core assessments in ELA~~
2604 ~~shall be administered to students in grades 3 through 11. Retake~~
2605 ~~opportunities for the grade 10 assessment must be provided.~~
2606 ~~Students taking the ELA assessments are not required to take the~~
2607 ~~assessments in FCAT Reading or FCAT Writing. Common core ELA~~
2608 ~~assessments shall be administered online.~~

2609 ~~2. Contingent upon funding, common core assessments in~~
2610 ~~mathematics shall be administered to all students in grades 3~~

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2611 through 8, and common core assessments in Algebra I, Geometry,
2612 and Algebra II shall be administered to students enrolled in
2613 those courses. Retake opportunities must be provided for the
2614 Algebra I assessment. Students may take the common core
2615 mathematics assessments pursuant to the Credit Acceleration
2616 Program (CAP) under s. 1003.4295(3). Students taking common core
2617 assessments in mathematics are not required to take FCAT
2618 Mathematics or statewide, standardized EOC assessments in
2619 mathematics. Common core mathematics assessments shall be
2620 administered online.

2621 1.3. The Commissioner State Board of Education shall
2622 establish and publish on the department's website adopt rules
2623 establishing an implementation schedule to transition from the
2624 statewide, standardized FCAT Reading and, FCAT Writing
2625 assessments to the ELA assessments and to the revised, FCAT
2626 Mathematics assessments, including the, and Algebra I and
2627 Geometry EOC assessments to common core assessments in English
2628 Language Arts and mathematics. The schedule must take into
2629 consideration funding, sufficient field and baseline data,
2630 access to assessments, instructional alignment, and school
2631 district readiness to administer the ~~common core~~ assessments
2632 online. ~~Until the 10th grade common core ELA and Algebra I~~
2633 ~~assessments become must pass assessments, students must pass~~
2634 ~~10th grade FCAT Reading and the Algebra I EOC assessment, or~~
2635 ~~achieve a concordant or comparative score as authorized under~~
2636 ~~this section, in order to earn a standard high school diploma~~
2637 ~~under s. 1003.4282. Students taking 10th grade FCAT Reading or~~
2638 ~~the Algebra I EOC assessment are not required to take the~~
2639 ~~respective common core assessments.~~

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2640 ~~2.4.~~ The Department of Education shall publish minimum and
2641 recommended technology requirements that include specifications
2642 for hardware, software, networking, security, and broadband
2643 capacity to facilitate school district compliance with the
2644 requirement that ~~common core~~ assessments be administered online.

2645 (e) *Assessment scores and achievement levels.*—

2646 1. All statewide, standardized EOC assessments and ~~FCAT~~
2647 Reading, ~~FCAT~~ Writing, and ~~FCAT~~ Science assessments shall use
2648 scaled scores and achievement levels. Achievement levels shall
2649 range from 1 through 5, with level 1 being the lowest
2650 achievement level, level 5 being the highest achievement level,
2651 and level 3 indicating satisfactory performance on an
2652 assessment. For purposes of the statewide, standardized ~~FCAT~~
2653 Writing assessment, student achievement shall be scored using a
2654 scale of 1 through 6.

2655 2. The state board shall designate by rule a passing score
2656 for each statewide, standardized ~~EOC and FCAT~~ assessment. ~~In~~
2657 ~~addition, the state board shall designate a score for each~~
2658 ~~statewide, standardized EOC assessment that indicates that a~~
2659 ~~student is high achieving and has the potential to meet college-~~
2660 ~~readiness standards by the time the student graduates from high~~
2661 ~~school.~~

2662 3. If the commissioner seeks to revise a statewide,
2663 standardized assessment and the revisions require the state
2664 board to modify performance level scores, including the passing
2665 score, the commissioner shall provide a copy of the proposed
2666 scores and implementation plan to the President of the Senate
2667 and the Speaker of the House of Representatives at least 90 days
2668 before submission to the state board for review. Until the state

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2669 board adopts the modifications by rule, the commissioner shall
2670 use calculations for scoring the assessment that adjust student
2671 scores on the revised assessment for statistical equivalence to
2672 student scores on the former assessment. The state board shall
2673 adopt by rule the passing score for the revised assessment that
2674 is statistically equivalent to the passing score on the
2675 discontinued assessment for a student who is required to attain
2676 a passing score on the discontinued assessment. The commissioner
2677 may, with approval of the state board, discontinue
2678 administration of the former assessment upon the graduation,
2679 based on normal student progression, of students participating
2680 in the final regular administration of the former assessment. If
2681 the commissioner revises a statewide, standardized assessment
2682 and the revisions require the state board to modify the passing
2683 score, only students taking the assessment for the first time
2684 after the rule is adopted are affected.

2685 (f) *Assessment schedules and reporting of results.*—The
2686 Commissioner of Education shall establish schedules for the
2687 administration of assessments and the reporting of student
2688 assessment results. The commissioner shall consider the
2689 observance of religious and school holidays when developing the
2690 schedule. By August 1 of each year, the commissioner shall
2691 notify each school district in writing and publish on the
2692 department's website the assessment and reporting schedules for,
2693 at a minimum, the school year following the upcoming school
2694 year. The assessment and reporting schedules must provide the
2695 earliest possible reporting of student assessment results to the
2696 school districts. Assessment results for the statewide,
2697 standardized ~~FCAT~~ Reading assessments, or upon implementation

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2698 the ELA assessments, and ~~FCAT~~ Mathematics assessments, including
2699 the EOC assessments in Algebra I and Geometry, must be made
2700 available no later than the week of June 8. The administration
2701 of the statewide, standardized ~~FCAT~~ Writing assessment and the
2702 Florida Alternate Assessment may be no earlier than the week of
2703 March 1. School districts shall administer assessments in
2704 accordance with the schedule established by the commissioner.

2705 (g) *Prohibited activities.*—A district school board shall
2706 prohibit each public school from suspending a regular program of
2707 curricula for purposes of administering practice assessments or
2708 engaging in other assessment-preparation activities for a
2709 statewide, standardized assessment. However, a district school
2710 board may authorize a public school to engage in the following
2711 assessment-preparation activities:

2712 1. Distributing to students sample assessment books and
2713 answer keys published by the Department of Education.

2714 2. Providing individualized instruction in assessment-
2715 taking strategies, without suspending the school's regular
2716 program of curricula, for a student who scores Level 1 or Level
2717 2 on a prior administration of an assessment.

2718 3. Providing individualized instruction in the content
2719 knowledge and skills assessed, without suspending the school's
2720 regular program of curricula, for a student who scores Level 1
2721 or Level 2 on a prior administration of an assessment or a
2722 student who, through a diagnostic assessment administered by the
2723 school district, is identified as having a deficiency in the
2724 content knowledge and skills assessed.

2725 4. Administering a practice assessment or engaging in other
2726 assessment-preparation activities that are determined necessary

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2727 to familiarize students with the organization of the assessment,
2728 the format of assessment items, and the assessment directions or
2729 that are otherwise necessary for the valid and reliable
2730 administration of the assessment, as set forth in rules adopted
2731 by the State Board of Education with specific reference to this
2732 paragraph.

2733 (h) *Contracts for assessments.*—The commissioner shall
2734 provide for the assessments to be developed or obtained, as
2735 appropriate, through contracts and project agreements with
2736 private vendors, public vendors, public agencies, postsecondary
2737 educational institutions, or school districts. The commissioner
2738 may enter into contracts for the continued administration of the
2739 assessments authorized and funded by the Legislature. Contracts
2740 may be initiated in 1 fiscal year and continue into the next
2741 fiscal year and may be paid from the appropriations of either or
2742 both fiscal years. The commissioner may negotiate for the sale
2743 or lease of tests, scoring protocols, test scoring services, and
2744 related materials developed pursuant to law.

2745 (7) CONCORDANT SCORES ~~FOR 10TH GRADE FCAT READING.~~ ~~Until~~
2746 ~~the state transitions to common core English Language Arts~~
2747 ~~assessments,~~ The Commissioner of Education must identify scores
2748 on the SAT and ACT that if achieved satisfy the graduation
2749 requirement that a student pass the grade 10 statewide,
2750 standardized 10th grade FCAT Reading assessment or, upon
2751 implementation, the grade 10 ELA assessment. The commissioner
2752 may identify concordant scores on ~~other~~ assessments other than
2753 the SAT and ACT as well. If the content or scoring procedures
2754 change for the grade 10 Reading assessment or, upon
2755 implementation, the grade 10 ELA assessment ~~10th grade FCAT~~

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2756 Reading, new concordant scores must be determined. If new
 2757 concordant scores are not timely adopted, the last-adopted
 2758 concordant scores remain in effect until such time as new scores
 2759 are adopted. The state board shall adopt concordant scores in
 2760 rule.

2761 (8) COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT
 2762 ASSESSMENTS.—The Commissioner of Education must identify one or
 2763 more comparative scores for the Algebra I EOC assessment ~~and may~~
 2764 ~~identify comparative scores for the other EOC assessments~~. If
 2765 the content or scoring procedures change for the EOC assessment
 2766 ~~assessments~~, new comparative scores must be determined. If new
 2767 comparative scores are not timely adopted, the last-adopted
 2768 comparative scores remain in effect until such time as new
 2769 scores are adopted. The state board shall adopt comparative
 2770 scores in rule.

2771 Section 74. Paragraph (h) of subsection (2), paragraph (a)
 2772 of subsection (4), paragraph (b) of subsection (6), and
 2773 paragraph (b) of subsection (7) of section 1008.25, Florida
 2774 Statutes, are amended to read:

2775 1008.25 Public school student progression; remedial
 2776 instruction; reporting requirements.—

2777 (2) COMPREHENSIVE STUDENT PROGRESSION PLAN.—Each district
 2778 school board shall establish a comprehensive plan for student
 2779 progression which must:

2780 (h) Provide instructional sequences by which students in
 2781 kindergarten through high school may attain progressively higher
 2782 levels of skill in the use of digital tools and applications.
 2783 The instructional sequences must include participation in
 2784 curricular and instructional options and the demonstration of

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2785 competence of standards required pursuant to ss. 1003.41 and
2786 1003.4203 through attainment of industry certifications and
2787 other means of demonstrating credit requirements identified
2788 under ss. 1002.3105, 1003.4203, ~~1003.428~~, and 1003.4282.

2789 (4) ASSESSMENT AND REMEDIATION.—

2790 (a) Each student must participate in the statewide,
2791 standardized assessment program required by s. 1008.22. Each
2792 student who does not meet specific levels of performance on the
2793 required assessments as determined by the district school board
2794 or who scores below Level 3 on the statewide, standardized
2795 Reading assessment or, upon implementation, the English Language
2796 Arts assessment or on the statewide, standardized Mathematics
2797 assessments in grades 3 through 8 and the Algebra I EOC
2798 assessment ~~FCAT Reading or FCAT Mathematics or on the common~~
2799 ~~core English Language Arts or mathematics assessments as~~
2800 ~~applicable under s. 1008.22~~ must be provided with additional
2801 diagnostic assessments to determine the nature of the student's
2802 difficulty, the areas of academic need, and strategies for
2803 appropriate intervention and instruction as described in
2804 paragraph (b).

2805 (6) ELIMINATION OF SOCIAL PROMOTION.—

2806 (b) The district school board may only exempt students from
2807 mandatory retention, as provided in paragraph (5) (b), for good
2808 cause. Good cause exemptions shall be limited to the following:

2809 1. Limited English proficient students who have had less
2810 than 2 years of instruction in an English for Speakers of Other
2811 Languages program.

2812 2. Students with disabilities whose individual education
2813 plan indicates that participation in the statewide assessment

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2814 program is not appropriate, consistent with the requirements of
2815 s. 1008.212 State Board of Education rule.

2816 3. Students who demonstrate an acceptable level of
2817 performance on an alternative standardized reading or English
2818 Language Arts assessment approved by the State Board of
2819 Education.

2820 4. A student who demonstrates through a student portfolio
2821 that he or she is performing at least at Level 2 on the
2822 statewide, standardized FCAT Reading assessment or, upon
2823 implementation, the common-core English Language Arts
2824 assessment, as applicable under s. 1008.22.

2825 5. Students with disabilities who take the statewide,
2826 standardized participate in FCAT Reading assessment or, upon
2827 implementation, the common-core English Language Arts
2828 assessment, as applicable under s. 1008.22, and who have an
2829 individual education plan or a Section 504 plan that reflects
2830 that the student has received intensive remediation in reading
2831 or and English Language Arts for more than 2 years but still
2832 demonstrates a deficiency and was previously retained in
2833 kindergarten, grade 1, grade 2, or grade 3.

2834 6. Students who have received intensive remediation in
2835 reading or and English Language Arts, ~~as applicable under s.~~
2836 ~~1008.22,~~ for 2 or more years but still demonstrate a deficiency
2837 and who were previously retained in kindergarten, grade 1, grade
2838 2, or grade 3 for a total of 2 years. Intensive instruction for
2839 students so promoted must include an altered instructional day
2840 that includes specialized diagnostic information and specific
2841 reading strategies for each student. The district school board
2842 shall assist schools and teachers to implement reading

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2843 strategies that research has shown to be successful in improving
2844 reading among low-performing readers.

2845 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
2846 STUDENTS.—

2847 (b) Each school district shall:

2848 1. Provide third grade students who are retained under the
2849 provisions of paragraph (5) (b) with intensive instructional
2850 services and supports to remediate the identified areas of
2851 reading deficiency, including participation in the school
2852 district's summer reading camp as required under paragraph (a)
2853 and a minimum of 90 minutes of daily, uninterrupted,
2854 scientifically research-based reading instruction which includes
2855 phonemic awareness, phonics, fluency, vocabulary, and
2856 comprehension and other strategies prescribed by the school
2857 district, which may include, but are not limited to:

2858 a. Integration of science and social studies content within
2859 the 90-minute block.

2860 b. Small group instruction.

2861 c. Reduced teacher-student ratios.

2862 d. More frequent progress monitoring.

2863 e. Tutoring or mentoring.

2864 f. Transition classes containing 3rd and 4th grade
2865 students.

2866 g. Extended school day, week, or year.

2867 2. Provide written notification to the parent of a ~~any~~
2868 student who is retained under the provisions of paragraph (5) (b)
2869 that his or her child has not met the proficiency level required
2870 for promotion and the reasons the child is not eligible for a
2871 good cause exemption as provided in paragraph (6) (b). The

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2872 notification must comply with the provisions of s. 1002.20(15)
2873 and must include a description of proposed interventions and
2874 supports that will be provided to the child to remediate the
2875 identified areas of reading deficiency.

2876 3. Implement a policy for the midyear promotion of a ~~any~~
2877 student retained under the provisions of paragraph (5)(b) who
2878 can demonstrate that he or she is a successful and independent
2879 reader and performing at or above grade level in reading or,
2880 upon implementation of ~~and~~ English Language Arts assessments,
2881 performing at or above grade level in English Language Arts, ~~as~~
2882 ~~applicable under s. 1008.22.~~ Tools that school districts may use
2883 in reevaluating a ~~any~~ student retained may include subsequent
2884 assessments, alternative assessments, and portfolio reviews, in
2885 accordance with rules of the State Board of Education.

2886 4. Provide students who are retained under the provisions
2887 of paragraph (5)(b) with a highly effective teacher as
2888 determined by the teacher's performance evaluation under s.
2889 1012.34.

2890 5. Establish at each school, when applicable, an Intensive
2891 Acceleration Class for retained grade 3 students who
2892 subsequently score Level 1 on the required statewide,
2893 standardized assessment identified in s. 1008.22. The focus of
2894 the Intensive Acceleration Class shall be to increase a child's
2895 reading and English Language Arts skill level at least two grade
2896 levels in 1 school year. The Intensive Acceleration Class shall:

2897 a. Be provided to a ~~any~~ student in grade 3 who scores Level
2898 1 on the statewide, standardized FCAT Reading assessment or,
2899 upon implementation, the ~~common-core~~ English Language Arts
2900 assessment, ~~as applicable under s. 1008.22,~~ and who was retained

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2901 in grade 3 the prior year because of scoring Level 1.

2902 b. Have a reduced teacher-student ratio.

2903 c. Provide uninterrupted reading instruction for the
2904 majority of student contact time each day and incorporate
2905 opportunities to master the grade 4 Next Generation Sunshine
2906 State Standards in other core subject areas.

2907 d. Use a reading program that is scientifically research-
2908 based and has proven results in accelerating student reading
2909 achievement within the same school year.

2910 e. Provide intensive language and vocabulary instruction
2911 using a scientifically research-based program, including use of
2912 a speech-language therapist.

2913 Section 75. Paragraphs (b) and (c) of subsection (4) and
2914 subsections (5) and (7) of section 1008.33, Florida Statutes,
2915 are amended to read:

2916 1008.33 Authority to enforce public school improvement.—
2917 (4)

2918 (b) ~~Except as provided in subsection (5),~~ The turnaround
2919 options available to a school district to address a school that
2920 earns a grade of "F" are:

2921 1. Convert the school to a district-managed turnaround
2922 school;

2923 2. Reassign students to another school and monitor the
2924 progress of each reassigned student;

2925 3. Close the school and reopen the school as one or more
2926 charter schools, each with a governing board that has a
2927 demonstrated record of effectiveness;

2928 4. Contract with an outside entity that has a demonstrated
2929 record of effectiveness to operate the school; or

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2930 5. Implement a hybrid of turnaround options set forth in
2931 subparagraphs 1.-4. or other turnaround models that have a
2932 demonstrated record of effectiveness.

2933 (c) ~~Except for schools required to implement a turnaround~~
2934 ~~option pursuant to subsection (5),~~ A school earning a grade of
2935 "F" shall have a planning year followed by 2 full school years
2936 to implement the initial turnaround option selected by the
2937 school district and approved by the state board. Implementation
2938 of the turnaround option is no longer required if the school
2939 improves by at least one letter grade.

2940 ~~(5) A school that earns a grade of "F" within 2 years after~~
2941 ~~raising its grade from a grade of "F" or that earns a grade of~~
2942 ~~"F" within 2 years after exiting the lowest-performing category~~
2943 ~~under s. 3, chapter 2009-144, Laws of Florida, must implement~~
2944 ~~one of the turnaround options in subparagraphs (4)(b)2.-5.~~

2945 ~~(7) A school classified in the lowest-performing category~~
2946 ~~under s. 3, chapter 2009-144, Laws of Florida, before July 1,~~
2947 ~~2012, is not required to continue implementing any turnaround~~
2948 ~~option unless the school earns a grade of "F" or a third~~
2949 ~~consecutive "D" for the 2011-2012 school year. A school earning~~
2950 ~~a grade of "F" or a third consecutive "D" for the 2011-2012~~
2951 ~~school year may not restart the number of years it has been low~~
2952 ~~performing by virtue of the 2012 amendments to this section.~~

2953 Section 76. Section 1008.331, Florida Statutes, is
2954 repealed.

2955 Section 77. Subsection (2) of section 1008.3415, Florida
2956 Statutes, is amended to read:

2957 1008.3415 School grade or school improvement rating for
2958 exceptional student education centers.-

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2959 (2) Notwithstanding s. 1008.34(3)(c)3., the achievement
 2960 scores and learning gains of a student with a disability who
 2961 attends an exceptional student education center and has not been
 2962 enrolled in or attended a public school other than an
 2963 exceptional student education center for grades K-12 within the
 2964 school district shall not be included in the calculation of the
 2965 home school's grade if the student is identified as an emergent
 2966 student on the alternate assessment ~~tool~~ described in s.
 2967 1008.22(3)(c) ~~1008.22(3)(e)13~~.

2968 Section 78. Section 1008.35, Florida Statutes, is repealed.

2969 Section 79. Subsection (3) of section 1009.22, Florida
 2970 Statutes, is amended to read:

2971 1009.22 Workforce education postsecondary student fees.—

2972 (3)(a) Except as otherwise provided by law, fees for
 2973 students who are nonresidents for tuition purposes must offset
 2974 the full cost of instruction. Residency of students shall be
 2975 determined as required in s. 1009.21. Fee-nonexempt students
 2976 enrolled in applied academics for adult education instruction
 2977 shall be charged fees equal to the fees charged for adult
 2978 general education programs. Each Florida College System
 2979 institution that conducts developmental education and applied
 2980 academics for adult education instruction in the same class
 2981 section may charge a single fee for both types of instruction.

2982 (b) Fees for continuing workforce education shall be
 2983 locally determined by the district school board or Florida
 2984 College System institution board of trustees. Expenditures for
 2985 the continuing workforce education program provided by the
 2986 Florida College System institution or school district must be
 2987 fully supported by fees. Enrollments in continuing workforce

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2988 education courses may not be counted for purposes of funding
2989 full-time equivalent enrollment.

2990 (c) ~~Effective July 1, 2011,~~ For programs leading to a
2991 career certificate or an applied technology diploma, the
2992 standard tuition shall be \$2.22 per contact hour for residents
2993 and nonresidents and the out-of-state fee shall be \$6.66 per
2994 contact hour. For adult general education programs, a block
2995 tuition of \$45 per half year or \$30 per term shall be assessed
2996 for residents and nonresidents, and the out-of-state fee shall
2997 be \$135 per half year or \$90 per term. Each district school
2998 board and Florida College System institution board of trustees
2999 shall adopt policies and procedures for the collection of and
3000 accounting for the expenditure of the block tuition. All funds
3001 received from the block tuition shall be used only for adult
3002 general education programs. Students enrolled in adult general
3003 education programs may not be assessed the fees authorized in
3004 subsection (5), subsection (6), or subsection (7).

3005 (d) ~~Beginning with the 2008-2009 fiscal year and each year~~
3006 ~~thereafter,~~ The tuition and the out-of-state fee per contact
3007 hour shall increase at the beginning of each fall semester at a
3008 rate equal to inflation, unless otherwise provided in the
3009 General Appropriations Act. The Office of Economic and
3010 Demographic Research shall report the rate of inflation to the
3011 President of the Senate, the Speaker of the House of
3012 Representatives, the Governor, and the State Board of Education
3013 each year prior to March 1. For purposes of this paragraph, the
3014 rate of inflation shall be defined as the rate of the 12-month
3015 percentage change in the Consumer Price Index for All Urban
3016 Consumers, U.S. City Average, All Items, or successor reports as

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3017 reported by the United States Department of Labor, Bureau of
3018 Labor Statistics, or its successor for December of the previous
3019 year. In the event the percentage change is negative, the
3020 tuition and out-of-state fee shall remain at the same level as
3021 the prior fiscal year.

3022 (e) Each district school board and each Florida College
3023 System institution board of trustees may adopt tuition and out-
3024 of-state fees that ~~may~~ vary no more than 5 percent below or ~~and~~
3025 5 percent above the combined total of the standard tuition and
3026 out-of-state fees established in paragraph (c).

3027 ~~(f) The maximum increase in resident tuition for any school~~
3028 ~~district or Florida College System institution during the 2007-~~
3029 ~~2008 fiscal year shall be 5 percent over the tuition charged~~
3030 ~~during the 2006-2007 fiscal year.~~

3031 (f) ~~(g)~~ The State Board of Education may adopt, by rule, the
3032 definitions and procedures that district school boards and
3033 Florida College System institution boards of trustees shall use
3034 in the calculation of cost borne by students.

3035 Section 80. Paragraph (a) of subsection (1) of section
3036 1009.40, Florida Statutes, is amended to read:

3037 1009.40 General requirements for student eligibility for
3038 state financial aid awards and tuition assistance grants.-

3039 (1) (a) The general requirements for eligibility of students
3040 for state financial aid awards and tuition assistance grants
3041 consist of the following:

3042 1. Achievement of the academic requirements of and
3043 acceptance at a state university or Florida College System
3044 institution; a nursing diploma school approved by the Florida
3045 Board of Nursing; a Florida college or university which is

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3046 accredited by an accrediting agency recognized by the State
3047 Board of Education; a ~~any~~ Florida institution the credits of
3048 which are acceptable for transfer to state universities; a ~~any~~
3049 career center; or a ~~any~~ private career institution accredited by
3050 an accrediting agency recognized by the State Board of
3051 Education.

3052 2. Residency in this state for no less than 1 year
3053 preceding the award of aid or a tuition assistance grant for a
3054 program established pursuant to s. 1009.50, s. 1009.505, s.
3055 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.56~~, s. 1009.60, s.
3056 1009.62, s. 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s.
3057 1009.891. Residency in this state must be for purposes other
3058 than to obtain an education. Resident status for purposes of
3059 receiving state financial aid awards shall be determined in the
3060 same manner as resident status for tuition purposes pursuant to
3061 s. 1009.21.

3062 3. Submission of certification attesting to the accuracy,
3063 completeness, and correctness of information provided to
3064 demonstrate a student's eligibility to receive state financial
3065 aid awards or tuition assistance grants. Falsification of such
3066 information shall result in the denial of a ~~any~~ pending
3067 application and revocation of an ~~any~~ award or grant currently
3068 held to the extent that no further payments shall be made.
3069 Additionally, students who knowingly make false statements in
3070 order to receive state financial aid awards or tuition
3071 assistance grants commit a misdemeanor of the second degree
3072 subject to the provisions of s. 837.06 and shall be required to
3073 return all state financial aid awards or tuition assistance
3074 grants wrongfully obtained.

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3075 Section 81. Subsection (1) of section 1009.531, Florida
3076 Statutes, is amended to read:

3077 1009.531 Florida Bright Futures Scholarship Program;
3078 student eligibility requirements for initial awards.-

3079 (1) ~~Effective January 1, 2008,~~ In order to be eligible for
3080 an initial award from any of the three types of scholarships
3081 under the Florida Bright Futures Scholarship Program, a student
3082 must:

3083 (a) Be a Florida resident as defined in s. 1009.40 and
3084 rules of the State Board of Education.

3085 (b) Earn a standard Florida high school diploma pursuant to
3086 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school
3087 equivalency diploma ~~its equivalent~~ pursuant to ~~s. 1003.428, s.~~
3088 ~~1003.4281, s. 1003.4282, or s. 1003.435~~ unless:

3089 1. The student completes a home education program according
3090 to s. 1002.41; or

3091 2. The student earns a high school diploma from a non-
3092 Florida school while living with a parent or guardian who is on
3093 military or public service assignment away from Florida.

3094 (c) Be accepted by and enroll in an eligible Florida public
3095 or independent postsecondary education institution.

3096 (d) Be enrolled for at least 6 semester credit hours or the
3097 equivalent in quarter hours or clock hours.

3098 (e) Not have been found guilty of, or entered a plea of
3099 nolo contendere to, a felony charge, unless the student has been
3100 granted clemency by the Governor and Cabinet sitting as the
3101 Executive Office of Clemency.

3102 (f) Apply for a scholarship from the program by high school
3103 graduation. However, a student who graduates from high school

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3104 midyear must apply no later than August 31 of the student's
3105 graduation year in order to be evaluated for and, if eligible,
3106 receive an award for the current academic year.

3107 Section 82. Paragraph (c) of subsection (3) of section
3108 1009.532, Florida Statutes, is amended to read:

3109 1009.532 Florida Bright Futures Scholarship Program;
3110 student eligibility requirements for renewal awards.-

3111 (3)

3112 (c) A student who is initially eligible in the 2012-2013
3113 academic year and thereafter may receive an award for a maximum
3114 of 100 percent of the number of credit hours required to
3115 complete an associate degree program, a baccalaureate degree
3116 program, or a postsecondary career certificate program or, for a
3117 Florida Gold Seal Vocational Scholars award, may receive an
3118 award for a maximum of 100 percent of the number of credit hours
3119 or equivalent clock hours required to complete one of the
3120 following at a Florida public or nonpublic education institution
3121 that offers these specific programs: for an applied technology
3122 diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60
3123 credit hours or equivalent clock hours; for a technical degree
3124 education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up
3125 to the number of hours required for a specific degree not to
3126 exceed 72 credit hours or equivalent clock hours; or for a
3127 career certificate program as defined in s. 1004.02(20)
3128 ~~1004.02(21)~~, up to the number of hours required for a specific
3129 certificate not to exceed 72 credit hours or equivalent clock
3130 hours. A student who transfers from one of these program levels
3131 to another program level becomes eligible for the higher of the
3132 two credit hour limits.

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3133 Section 83. Paragraph (c) of subsection (4) of section
3134 1009.536, Florida Statutes, is amended to read:

3135 1009.536 Florida Gold Seal Vocational Scholars award.—The
3136 Florida Gold Seal Vocational Scholars award is created within
3137 the Florida Bright Futures Scholarship Program to recognize and
3138 reward academic achievement and career preparation by high
3139 school students who wish to continue their education.

3140 (4)

3141 (c) A student who is initially eligible in the 2012-2013
3142 academic year and thereafter may earn a Florida Gold Seal
3143 Vocational Scholarship for a maximum of 100 percent of the
3144 number of credit hours or equivalent clock hours required to
3145 complete one of the following at a Florida public or nonpublic
3146 education institution that offers these specific programs: for
3147 an applied technology diploma program as defined in s.
3148 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock
3149 hours; for a technical degree education program as defined in s.
3150 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for
3151 a specific degree not to exceed 72 credit hours or equivalent
3152 clock hours; or for a career certificate program as defined in
3153 s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required
3154 for a specific certificate not to exceed 72 credit hours or
3155 equivalent clock hours.

3156 Section 84. Section 1009.56, Florida Statutes, is repealed.

3157 Section 85. Section 1009.69, Florida Statutes, is repealed.

3158 Section 86. Subsection (1) of section 1009.91, Florida
3159 Statutes, is amended to read:

3160 1009.91 Assistance programs and activities of the
3161 department.—

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3162 (1) The department may contract for the administration of
 3163 the student financial assistance programs as specifically
 3164 provided in ss. 295.01, 1009.29, ~~1009.56~~, and 1009.78.

3165 Section 87. Paragraph (c) of subsection (2) of section
 3166 1009.94, Florida Statutes, is amended to read:

3167 1009.94 Student financial assistance database.—

3168 (2) For purposes of this section, financial assistance
 3169 includes:

3170 (c) Any financial assistance provided under s. 1009.50, s.
 3171 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, ~~s.~~
 3172 ~~1009.56~~, s. 1009.60, s. 1009.62, s. 1009.70, s. 1009.701, s.
 3173 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s.
 3174 1009.891.

3175 Section 88. Part V of chapter 1009, Florida Statutes,
 3176 consisting of sections 1009.99, 1009.991, 1009.992, 1009.993,
 3177 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975,
 3178 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981,
 3179 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986,
 3180 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991,
 3181 1009.9992, 1009.9993, and 1009.9994, is repealed.

3182 Section 89. Paragraphs (b) and (c) of subsection (3) of
 3183 section 1011.71, Florida Statutes, are repealed.

3184 Section 90. Subsection (4) of section 1011.76, Florida
 3185 Statutes, is repealed.

3186 Section 91. Paragraph (b) of subsection (1) of section
 3187 1011.80, Florida Statutes, is amended to read:

3188 1011.80 Funds for operation of workforce education
 3189 programs.—

3190 (1) As used in this section, the terms "workforce

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3191 education" and "workforce education program" include:

3192 (b) Career certificate programs, as defined in s.
3193 1004.02(20) ~~1004.02(21)~~.

3194 Section 92. Paragraphs (b), (f), (j), (m), and (p) of
3195 subsection (2) and subsection (6) of section 1012.05, Florida
3196 Statutes, are amended to read:

3197 1012.05 Teacher recruitment and retention.—

3198 (2) The Department of Education shall:

3199 (b) Advertise in major newspapers, national professional
3200 publications, and other professional publications and in public
3201 and nonpublic postsecondary educational institutions, if needed.

3202 (f) Develop and distribute promotional materials related to
3203 teaching as a career, if needed.

3204 ~~(j) Develop, in consultation with school district staff
3205 including, but not limited to, district school superintendents,
3206 district school board members, and district human resources
3207 personnel, a long-range plan for educator recruitment and
3208 retention.~~

3209 ~~(m) Develop and implement a First Response Center to
3210 provide educator candidates one-stop shopping for information on
3211 teaching careers in Florida and establish the Teacher Lifeline
3212 Network to provide online support to beginning teachers and
3213 those needing assistance.~~

3214 ~~(n)~~ (p) Notify each teacher, via e-mail, of each item in the
3215 General Appropriations Act and legislation that affects
3216 teachers, including, but not limited to, ~~the Excellent Teaching
3217 Program~~, the Florida Teachers Classroom Supply Assistance
3218 Program, ~~liability insurance protection for teachers~~, death
3219 benefits for teachers, substantive legislation, rules of the

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3220 State Board of Education, and issues concerning student
3221 achievement.

3222 ~~(6) The Commissioner of Education shall take steps that~~
3223 ~~provide flexibility and consistency in meeting the highly~~
3224 ~~qualified teacher criteria as defined in the No Child Left~~
3225 ~~Behind Act of 2001 through a High, Objective, Uniform State~~
3226 ~~Standard of Evaluation (HOUSSE).~~

3227 Section 93. Paragraph (b) of subsection (1) of section
3228 1012.22, Florida Statutes, is amended to read:

3229 1012.22 Public school personnel; powers and duties of the
3230 district school board.—The district school board shall:

3231 (1) Designate positions to be filled, prescribe
3232 qualifications for those positions, and provide for the
3233 appointment, compensation, promotion, suspension, and dismissal
3234 of employees as follows, subject to the requirements of this
3235 chapter:

3236 (b) *Time to act on nominations.*—The district school board
3237 shall act no ~~not~~ later than 3 weeks following the receipt of
3238 statewide, standardized assessment scores and data under s.
3239 1008.22 and, ~~including~~ school grades, or June 30, whichever is
3240 later, on the district school superintendent's nominations of
3241 supervisors, principals, and members of the instructional staff.

3242 Section 94. Subsection (9) of section 1012.33, Florida
3243 Statutes, is repealed.

3244 Section 95. Paragraph (b) of subsection (1), paragraph (a)
3245 of subsection (3), and subsection (6) of section 1012.34,
3246 Florida Statutes, are amended to read:

3247 1012.34 Personnel evaluation procedures and criteria.—

3248 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

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3249 (b) The department must approve each school district's
3250 instructional personnel and school administrator evaluation
3251 systems. The department shall monitor each district's
3252 implementation of its instructional personnel and school
3253 administrator evaluation systems for compliance with the
3254 requirements of this section and s. 1012.3401.

3255 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
3256 personnel and school administrator performance evaluations must
3257 be based upon the performance of students assigned to their
3258 classrooms or schools, as provided in this section. Pursuant to
3259 this section, a school district's performance evaluation is not
3260 limited to basing unsatisfactory performance of instructional
3261 personnel and school administrators solely upon student
3262 performance, but may include other criteria approved to evaluate
3263 instructional personnel and school administrators' performance,
3264 or any combination of student performance and other approved
3265 criteria. Evaluation procedures and criteria must comply with,
3266 but are not limited to, the following:

3267 (a) A performance evaluation must be conducted for each
3268 employee at least once a year, except that a classroom teacher,
3269 as defined in s. 1012.01(2)(a), excluding substitute teachers,
3270 who is newly hired by the district school board must be observed
3271 and evaluated at least twice in the first year of teaching in
3272 the school district. The performance evaluation must be based
3273 upon sound educational principles and contemporary research in
3274 effective educational practices. The evaluation criteria must
3275 include:

3276 1. Performance of students.—At least 50 percent of a
3277 performance evaluation must be based upon data and indicators of

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3278 student learning growth assessed annually by statewide
3279 assessments or, for subjects and grade levels not measured by
3280 statewide assessments, by school district assessments as
3281 provided in s. 1008.22(6) ~~1008.22(8)~~. Each school district must
3282 use the formula adopted pursuant to paragraph (7)(a) for
3283 measuring student learning growth in all courses associated with
3284 statewide assessments and must select an equally appropriate
3285 formula for measuring student learning growth for all other
3286 grades and subjects, except as otherwise provided in subsection
3287 (7).

3288 a. For classroom teachers, as defined in s. 1012.01(2)(a),
3289 excluding substitute teachers, the student learning growth
3290 portion of the evaluation must include growth data for students
3291 assigned to the teacher over the course of at least 3 years. If
3292 less than 3 years of data are available, the years for which
3293 data are available must be used and the percentage of the
3294 evaluation based upon student learning growth may be reduced to
3295 not less than 40 percent.

3296 b. For instructional personnel who are not classroom
3297 teachers, the student learning growth portion of the evaluation
3298 must include growth data on statewide assessments for students
3299 assigned to the instructional personnel over the course of at
3300 least 3 years, or may include a combination of student learning
3301 growth data and other measurable student outcomes that are
3302 specific to the assigned position, provided that the student
3303 learning growth data accounts for not less than 30 percent of
3304 the evaluation. If less than 3 years of student growth data are
3305 available, the years for which data are available must be used
3306 and the percentage of the evaluation based upon student learning

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3307 growth may be reduced to not less than 20 percent.

3308 c. For school administrators, the student learning growth
3309 portion of the evaluation must include growth data for students
3310 assigned to the school over the course of at least 3 years. If
3311 less than 3 years of data are available, the years for which
3312 data are available must be used and the percentage of the
3313 evaluation based upon student learning growth may be reduced to
3314 not less than 40 percent.

3315 2. Instructional practice.—Evaluation criteria used when
3316 annually observing classroom teachers, as defined in s.
3317 1012.01(2)(a), excluding substitute teachers, must include
3318 indicators based upon each of the Florida Educator Accomplished
3319 Practices adopted by the State Board of Education. For
3320 instructional personnel who are not classroom teachers,
3321 evaluation criteria must be based upon indicators of the Florida
3322 Educator Accomplished Practices and may include specific job
3323 expectations related to student support.

3324 3. Instructional leadership.—For school administrators,
3325 evaluation criteria must include indicators based upon each of
3326 the leadership standards adopted by the State Board of Education
3327 under s. 1012.986, including performance measures related to the
3328 effectiveness of classroom teachers in the school, the
3329 administrator's appropriate use of evaluation criteria and
3330 procedures, recruitment and retention of effective and highly
3331 effective classroom teachers, improvement in the percentage of
3332 instructional personnel evaluated at the highly effective or
3333 effective level, and other leadership practices that result in
3334 student learning growth. The system may include a means to give
3335 parents and instructional personnel an opportunity to provide

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3336 input into the administrator's performance evaluation.

3337 4. Professional and job responsibilities.—For instructional
3338 personnel and school administrators, other professional and job
3339 responsibilities must be included as adopted by the State Board
3340 of Education. The district school board may identify additional
3341 professional and job responsibilities.

3342 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
3343 EVALUATION SYSTEMS.—The district school board shall establish a
3344 procedure for annually reviewing instructional personnel and
3345 school administrator evaluation systems to determine compliance
3346 with this section and s. 1012.3401. All substantial revisions to
3347 an approved system must be reviewed and approved by the district
3348 school board before being used to evaluate instructional
3349 personnel or school administrators. Upon request by a school
3350 district, the department shall provide assistance in developing,
3351 improving, or reviewing an evaluation system.

3352 Section 96. Section 1012.44, Florida Statutes, is amended
3353 to read:

3354 1012.44 Qualifications for certain persons providing
3355 speech-language services.—The State Board of Education shall
3356 adopt rules for speech-language services to school districts
3357 that qualify for the sparsity supplement as described in s.
3358 1011.62(7). These services may be provided by baccalaureate
3359 degree level persons for a period of 3 years. The rules shall
3360 authorize the delivery of speech-language services by
3361 baccalaureate degree level persons under the direction of a
3362 certified speech-language pathologist with a master's degree or
3363 higher. ~~By October 1, 2003, these rules shall be reviewed by the~~
3364 ~~State Board of Education.~~

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3365 Section 97. Section 1012.561, Florida Statutes, is amended
3366 to read:

3367 1012.561 Address of record.—Each certified educator or
3368 applicant for certification is solely responsible for
3369 maintaining his or her current address with the Department of
3370 Education and for notifying the department in writing of a
3371 change of address. ~~By January 1, 2005, each educator and~~
3372 ~~applicant for certification must have on file with the~~
3373 ~~department a current mailing address. Thereafter,~~ A certified
3374 educator or applicant for certification who is employed by a
3375 district school board shall notify his or her employing school
3376 district within 10 days after a change of address. At a minimum,
3377 the employing district school board shall notify the department
3378 monthly of the addresses of the certified educators or
3379 applicants for certification in the manner prescribed by the
3380 department. A certified educator or applicant for certification
3381 who is not employed by a district school board shall personally
3382 notify the department in writing within 30 days after a change
3383 of address. The department shall permit electronic notification;
3384 however, it is the responsibility of the certified educator or
3385 applicant for certification to ensure that the department has
3386 received the electronic notification.

3387 Section 98. Section 1012.595, Florida Statutes, is
3388 repealed.

3389 Section 99. Subsections (2), (3), and (4) of section
3390 1012.885, Florida Statutes, are amended to read:

3391 1012.885 Remuneration of Florida College System institution
3392 presidents; limitations.—

3393 ~~(2) LIMITATION ON COMPENSATION. Notwithstanding any other~~

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3394 ~~law, resolution, or rule to the contrary, a Florida College~~
 3395 ~~System institution president may not receive more than \$225,000~~
 3396 ~~in remuneration annually from appropriated state funds. Only~~
 3397 ~~compensation, as defined in s. 121.021(22), provided to a~~
 3398 ~~Florida College System institution president may be used in~~
 3399 ~~calculating benefits under chapter 121.~~

3400 (2)~~(3)~~ EXCEPTIONS.—This section does not prohibit a ~~any~~
 3401 party from providing cash or cash-equivalent compensation from
 3402 funds that are not appropriated state funds to a Florida College
 3403 System institution president in excess of the limit in
 3404 subsection (3) ~~(2)~~. If a party is unable or unwilling to fulfill
 3405 an obligation to provide cash or cash-equivalent compensation to
 3406 a Florida College System institution president as permitted
 3407 under this subsection, appropriated state funds may not be used
 3408 to fulfill such obligation.

3409 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
 3410 resolution, or rule to the contrary ~~the provisions of this~~
 3411 ~~section~~, a Florida College System institution president may not
 3412 receive more than \$200,000 in remuneration from appropriated
 3413 state funds. Only compensation, as defined in s. 121.021(22),
 3414 provided to a Florida College System institution president may
 3415 be used in calculating benefits under chapter 121.

3416 Section 100. Subsections (2), (3), and (4) of section
 3417 1012.975, Florida Statutes, are amended to read:

3418 1012.975 Remuneration of state university presidents;
 3419 limitations.—

3420 ~~(2) LIMITATION ON COMPENSATION. Notwithstanding any other~~
 3421 ~~law, resolution, or rule to the contrary, a state university~~
 3422 ~~president may not receive more than \$225,000 in remuneration~~

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3423 ~~annually from public funds. Only compensation, as such term is~~
3424 ~~defined in s. 121.021(22), provided to a state university~~
3425 ~~president may be used in calculating benefits under chapter 121.~~

3426 (2)~~(3)~~ EXCEPTIONS.—This section does not prohibit a ~~any~~
3427 party from providing cash or cash-equivalent compensation from
3428 funds that are not public funds to a state university president
3429 in excess of the limit in subsection (3) ~~(2)~~. If a party is
3430 unable or unwilling to fulfill an obligation to provide cash or
3431 cash-equivalent compensation to a state university president as
3432 permitted under this subsection, public funds may not be used to
3433 fulfill such obligation.

3434 (3)~~(4)~~ LIMITATION ON REMUNERATION.—Notwithstanding a law,
3435 resolution, or rule to the contrary ~~the provisions of this~~
3436 ~~section~~, a state university president may not receive more than
3437 \$200,000 in remuneration from public funds. Only compensation,
3438 as defined in s. 121.021(22), provided to a state university
3439 president may be used in calculating benefits under chapter 121.

3440 Section 101. Subsection (12) of section 1012.98, Florida
3441 Statutes, is amended to read:

3442 1012.98 School Community Professional Development Act.—

3443 (12) The department shall require teachers in grades K-12
3444 ~~1-12~~ to participate in continuing education training provided by
3445 the Department of Children and Family Services on identifying
3446 and reporting child abuse and neglect.

3447 Section 102. Paragraph (f) of subsection (2) of section
3448 1013.35, Florida Statutes, is amended to read:

3449 1013.35 School district educational facilities plan;
3450 definitions; preparation, adoption, and amendment; long-term
3451 work programs.—

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3452 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
3453 FACILITIES PLAN.—

3454 (f) Not less than once every 5 years, the district school
3455 board shall have an ~~a financial management and performance~~ audit
3456 conducted of the district's educational planning and
3457 construction activities ~~of the district~~. An operational audit
3458 conducted by ~~the Office of Program Policy Analysis and~~
3459 ~~Government Accountability and~~ the Auditor General pursuant to s.
3460 11.45 ~~1008.35~~ satisfies this requirement.

3461 Section 103. Section 1013.47, Florida Statutes, is amended
3462 to read:

3463 1013.47 Substance of contract; contractors to give bond;
3464 penalties.—Each board shall develop contracts consistent with
3465 this chapter and statutes governing public facilities. Such a
3466 contract must contain the drawings and specifications of the
3467 work to be done and the material to be furnished, the time limit
3468 in which the construction is to be completed, the time and
3469 method by which payments are to be made upon the contract, and
3470 the penalty to be paid by the contractor for a ~~any~~ failure to
3471 comply with the terms of the contract. The board may require the
3472 contractor to pay a penalty for any failure to comply with the
3473 terms of the contract and may provide an incentive for early
3474 completion. Upon accepting a satisfactory bid, the board shall
3475 enter into a contract with the party or parties whose bid has
3476 been accepted. The contractor shall furnish the board with a
3477 performance and payment bond as set forth in s. 255.05. A board
3478 or other public entity may not require a contractor to secure a
3479 surety bond under s. 255.05 from a specific agent or bonding
3480 company. ~~Notwithstanding any other provision of this section, if~~

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3481 ~~25 percent or more of the costs of any construction project is~~
3482 ~~paid out of a trust fund established pursuant to 31 U.S.C. s.~~
3483 ~~1243(a)(1), laborers and mechanics employed by contractors or~~
3484 ~~subcontractors on such construction will be paid wages not less~~
3485 ~~than those prevailing on similar construction projects in the~~
3486 ~~locality, as determined by the Secretary of Labor in accordance~~
3487 ~~with the Davis-Bacon Act, as amended. A person, firm, or~~
3488 corporation that constructs any part of any educational plant,
3489 or addition thereto, on the basis of any unapproved plans or in
3490 violation of any plans approved in accordance with the
3491 provisions of this chapter and rules of the State Board of
3492 Education or regulations of the Board of Governors relating to
3493 building standards or specifications is subject to forfeiture of
3494 the surety bond and unpaid compensation in an amount sufficient
3495 to reimburse the board for any costs that will need to be
3496 incurred in making any changes necessary to assure that all
3497 requirements are met and is also guilty of a misdemeanor of the
3498 second degree, punishable as provided in s. 775.082 or s.
3499 775.083, for each separate violation.

3500 Section 104. Section 1013.49, Florida Statutes, is
3501 repealed.

3502 Section 105. Section 1013.512, Florida Statutes, is
3503 repealed.

3504 Section 106. Section 1013.54, Florida Statutes, is
3505 repealed.

3506 Section 107. Section 20 of chapter 2010-24, Laws of
3507 Florida, is repealed.

3508 Section 108. This act shall take effect upon becoming a
3509 law.