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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, F.S.; conforming cross-  
10          references; amending s. 496.404, F.S.; conforming  
11          cross-references; amending s. 775.215, F.S.;  
12          conforming cross-references; amending s. 984.151,  
13          F.S.; authorizing a district school superintendent's  
14          designee to submit a truancy petition; repealing s.  
15          1000.01(5), F.S., relating to obsolete education  
16          governance transfers; amending s. 1000.21, F.S.;  
17          revising the definition of the term "Next Generation  
18          Sunshine State Standards"; repealing ss. 1000.33 and  
19          1000.37, F.S., relating to the distribution of copies  
20          of educational compacts to other states; amending s.  
21          1001.10, F.S.; deleting and revising certain duties of  
22          the Commissioner of Education relating to educational  
23          plans and programs; repealing s. 1001.25, F.S.,  
24          relating to educational television; amending s.  
25          1001.26, F.S.; revising Department of Education duties  
26          relating to the public broadcasting program system;  
27          prohibiting the use of educational television stations



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28 | for the advancement of political candidates; providing  
29 | penalties; amending s. 1001.34, F.S.; establishing a  
30 | process for modifying the membership of a district  
31 | school board; providing for a referendum; repealing  
32 | ss. 1001.47(7) and 1001.50(6), F.S., relating to  
33 | obsolete district school superintendent salary  
34 | provisions; repealing s. 1001.62, F.S., relating to  
35 | obsolete provisions for the transfer of benefits  
36 | arising under local or special acts; repealing s.  
37 | 1001.73(3), F.S., relating to the abolished Board of  
38 | Regents as trustee; amending s. 1002.20, F.S.;  
39 | correcting cross-references and conforming provisions;  
40 | amending s. 1002.31, F.S.; revising provisions  
41 | relating to school district controlled open enrollment  
42 | plans; amending s. 1002.3105, F.S.; conforming  
43 | provisions; amending s. 1002.321, F.S.; conforming  
44 | provisions; amending s. 1002.33, F.S.; deleting  
45 | required training before charter school application;  
46 | conforming cross-references and provisions; amending  
47 | s. 1002.34, F.S.; conforming cross-references;  
48 | revising provisions relating to department assistance  
49 | to charter technical career centers; amending s.  
50 | 1002.345, F.S.; revising provisions relating to  
51 | expedited review of deteriorating financial conditions  
52 | for a charter school or charter technical career  
53 | center; deleting an annual reporting requirement;  
54 | amending s. 1002.39, F.S.; deleting obsolete



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55 provisions relating to eligibility for a John M. McKay  
56 Scholarship; amending s. 1002.41, F.S.; correcting  
57 cross-references; repealing s. 1002.415, F.S.,  
58 relating to the K-8 Virtual School Program; amending  
59 s. 1002.45, F.S.; conforming cross-references;  
60 amending s. 1002.455, F.S.; conforming provisions;  
61 repealing s. 1002.65, F.S., relating to aspirational  
62 goals for credentials of prekindergarten instructors;  
63 amending s. 1003.01, F.S.; conforming cross-  
64 references; amending s. 1003.02, F.S.; requiring  
65 instructional materials to be consistent with course  
66 descriptions; amending s. 1003.03, F.S.; conforming  
67 cross-references; amending s. 1003.41, F.S.; deleting  
68 an obsolete cost analysis requirement relating to a  
69 separate financial literacy course; amending s.  
70 1003.4156, F.S.; revising course and assessment  
71 requirements for middle grades students for promotion  
72 to high school; providing an exemption for transfer  
73 students from certain course grade and assessment  
74 requirements; repealing s. 1003.428, F.S., relating to  
75 obsolete requirements for high school graduation;  
76 amending s. 1003.4281, F.S.; conforming cross-  
77 references; amending s. 1003.4282, F.S.; revising  
78 course and assessment requirements for the award of a  
79 standard high school diploma; providing requirements  
80 for a student in an adult general education program to  
81 be awarded a standard high school diploma; revising



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82 requirements for award of a certificate of completion;  
83 providing an exemption for transfer students from  
84 certain course grade and assessment requirements;  
85 providing specificity regarding course and assessment  
86 requirements for graduation for certain cohorts of  
87 high school students transitioning to new graduation  
88 requirements; providing for future repeal of  
89 transition requirements; amending s. 1003.4285, F.S.;  
90 revising requirements for standard high school diploma  
91 designations; amending s. 1003.438, F.S.; conforming  
92 cross-references; repealing s. 1003.451(5), F.S.,  
93 relating to State Board of Education rulemaking;  
94 amending s. 1003.49, F.S.; conforming cross-  
95 references; amending s. 1003.493, F.S.; conforming a  
96 cross-reference; amending s. 1003.4935, F.S.;  
97 conforming a cross-reference; amending s. 1003.57,  
98 F.S., relating to exceptional student instruction;  
99 amending s. 1003.621, F.S.; revising audit criteria  
100 for academically high-performing school districts;  
101 repealing s. 1004.02(4), F.S., relating to the  
102 definition of the term "adult high school credit  
103 program"; amending s. 1004.0961, F.S.; providing for  
104 Board of Governors regulations; repealing s.  
105 1004.3825, F.S., relating to authorization for a  
106 medical degree program; repealing s. 1004.387, F.S.,  
107 relating to authorization for a pharmacy degree  
108 program; repealing s. 1004.445(2), F.S., relating to



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109 | the board of directors of the Johnnie B. Byrd, Sr.  
110 | Alzheimer's Center and Research Institute; repealing  
111 | s. 1004.75, F.S., relating to training school  
112 | consolidation pilot projects; amending s. 1004.935,  
113 | F.S.; revising the effective date of the Adults with  
114 | Disabilities Workforce Education Pilot Program;  
115 | increasing the age limitation for a program  
116 | participant; conforming cross-references; repealing s.  
117 | 1006.141, F.S., relating to a statewide school safety  
118 | hotline; amending s. 1006.147, F.S.; deleting obsolete  
119 | provisions relating to school district bullying and  
120 | harassment policies; repealing s. 1006.148(2), F.S.,  
121 | relating to a department-developed model dating  
122 | violence and abuse policy; amending s. 1006.15, F.S.;  
123 | conforming cross-references; amending s. 1006.28,  
124 | F.S.; conforming provisions relating to instructional  
125 | materials; amending s. 1006.31, F.S.; conforming  
126 | provisions relating to duties of an instructional  
127 | materials reviewer; amending s. 1006.34, F.S.;  
128 | revising provisions relating to standards used in the  
129 | selection of instructional materials; amending s.  
130 | 1006.40, F.S.; revising provisions relating to  
131 | district school board purchase of instructional  
132 | materials; amending s. 1006.42, F.S.; conforming  
133 | provisions relating to the responsibility of parents  
134 | for instructional materials; amending s. 1007.02,  
135 | F.S.; deleting a popular name and providing



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136 applicability for the term "student with a  
137 disability"; amending s. 1007.2615, F.S.; deleting  
138 obsolete provisions relating to an American Sign  
139 Language task force; amending s. 1007.263, F.S.;  
140 conforming cross-references; amending ss. 1007.264 and  
141 1007.265, F.S.; conforming provisions; amending s.  
142 1007.271, F.S.; correcting cross-references; amending  
143 s. 1008.22, F.S.; conforming and revising provisions  
144 relating to the implementation of statewide,  
145 standardized comprehensive assessments, end-of-course  
146 assessments, and waivers for students with  
147 disabilities; requiring the commissioner to publish an  
148 implementation schedule for transition to new  
149 assessments; conforming provisions relating to  
150 concordant scores and comparative scores for  
151 assessments; amending s. 1008.25, F.S.; conforming  
152 assessment provisions for student progression;  
153 amending s. 1008.33, F.S.; deleting obsolete  
154 provisions relating to implementation of certain  
155 school turnaround options; repealing s. 1008.331,  
156 F.S., relating to supplemental educational services in  
157 Title I schools; amending s. 1008.3415, F.S.;  
158 correcting a cross-reference; repealing s. 1008.35,  
159 F.S., relating to best financial management practices  
160 for school districts; amending s. 1009.22, F.S.;  
161 deleting obsolete provisions relating to workforce  
162 education postsecondary student fees; amending s.



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163 1009.40, F.S.; conforming cross-references; amending  
164 s. 1009.531, F.S.; conforming cross-references;  
165 amending s. 1009.532, F.S.; correcting cross-  
166 references; amending s. 1009.536, F.S.; correcting  
167 cross-references; repealing s. 1009.56, F.S., relating  
168 to the Seminole and Miccosukee Indian Scholarship  
169 Program; repealing s. 1009.69, F.S., relating to the  
170 Virgil Hawkins Fellows Assistance Program; amending s.  
171 1009.91, F.S.; conforming a cross-reference; amending  
172 s. 1009.94, F.S.; conforming a cross-reference;  
173 repealing part V of chapter 1009, F.S., relating to  
174 the Florida Higher Education Loan Authority; amending  
175 s. 1011.62, F.S.; deleting an obsolete provision;  
176 repealing s. 1011.71(3)(b) and (c), F.S., relating to  
177 expired authorization for certain millage levy;  
178 repealing s. 1011.76(4), F.S., relating to best  
179 financial management practices review under the Small  
180 School District Stabilization Program; amending s.  
181 1011.80, F.S.; correcting a cross-reference; amending  
182 s. 1012.05, F.S.; deleting department and commissioner  
183 duties relating to teacher recruitment and retention;  
184 amending s. 1012.22, F.S.; conforming provisions;  
185 repealing s. 1012.33(9), F.S., relating to obsolete  
186 provisions for payment of professional service  
187 contracts; amending s. 1012.34, F.S.; correcting  
188 cross-references relating to measuring student  
189 performance in personnel evaluations; amending s.



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190 1012.44, F.S.; deleting obsolete provisions; amending  
 191 s. 1012.561, F.S.; deleting an obsolete provision;  
 192 repealing s. 1012.595, F.S., relating to an obsolete  
 193 saving clause for educator certificates; amending s.  
 194 1012.885, F.S.; deleting certain provisions relating  
 195 to remuneration of Florida College System institution  
 196 presidents; amending s. 1012.975, F.S.; deleting  
 197 certain provisions relating to remuneration of state  
 198 university presidents; amending s. 1012.98, F.S.;  
 199 requiring continuing education training for  
 200 kindergarten teachers; amending s. 1013.35, F.S.;  
 201 revising audit requirements for school district  
 202 educational planning and construction activities;  
 203 amending s. 1013.47, F.S.; deleting provisions  
 204 relating to payment of wages of certain persons  
 205 employed by contractors; repealing s. 1013.49, F.S.,  
 206 relating to toxic substances in educational  
 207 facilities; repealing s. 1013.512, F.S., relating to  
 208 the Land Acquisition and Facilities Advisory Board;  
 209 repealing s. 20 of chapter 2010-24, Laws of Florida,  
 210 relating to Department of Revenue authorization to  
 211 adopt emergency rules; providing an effective date.

212

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

214

215 Section 1. Paragraph (j) of subsection (7) of section  
 216 11.45, Florida Statutes, is amended to read:





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217 11.45 Definitions; duties; authorities; reports; rules.—

218 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

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

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

233 2. If the committee determines that the written statement  
234 is not sufficient, the committee may require the chair of the  
235 district school board or the chair of the governing body of the  
236 state university or Florida College System institution, or the  
237 chair's designee, to appear before the committee.

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



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244 Governors, as appropriate, to proceed in accordance with s.  
245 1008.32 or s. 1008.322, respectively.

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

248 120.74 Agency review, revision, and report.—

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

251 Section 3. Paragraph (c) of subsection (1) of section  
252 120.81, Florida Statutes, is amended to read:

253 120.81 Exceptions and special requirements; general  
254 areas.—

255 (1) EDUCATIONAL UNITS.—

256 (c) Notwithstanding s. 120.52(16), any tests, test scoring  
257 criteria, or testing procedures relating to student assessment  
258 which are developed or administered by the Department of  
259 Education pursuant to s. 1003.4282 ~~1003.428~~, ~~s. 1003.429~~, s.  
260 1003.438, s. 1008.22, or s. 1008.25, or any other statewide  
261 educational tests required by law, are not rules.

262 Section 4. Paragraph (a) of subsection (2) of section  
263 409.1451, Florida Statutes, is amended to read:

264 409.1451 The Road-to-Independence Program.—

265 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

268 1. Was living in licensed care on his or her 18th birthday  
269 or is currently living in licensed care; or was at least 16  
270 years of age and was adopted from foster care or placed with a



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271 court-approved dependency guardian after spending at least 6  
272 months in licensed care within the 12 months immediately  
273 preceding such placement or adoption;

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

276 3. Earned a standard high school diploma pursuant to s.  
277 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent  
278 pursuant to ~~s. 1003.428, s. 1003.4281, s. 1003.429,~~ s. 1003.435,  
279 or a special diploma pursuant to s. 1003.438;

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

290 5. Has reached 18 years of age but is not yet 23 years of  
291 age;

292 6. Has applied, with assistance from the young adult's  
293 caregiver and the community-based lead agency, for any other  
294 grants and scholarships for which he or she may qualify;

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

297 8. Signed an agreement to allow the department and the



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298 community-based care lead agency access to school records.

299 Section 5. 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

303 and 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

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.



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325 Section 6. 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.  
 331 1003.01 and includes a private school as defined in s. 1002.01,  
 332 a 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 7. 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  
 349 schools or his or her designee may file a truancy petition.

350 Section 8. Subsection (5) of section 1000.01, Florida  
 351 Statutes, is repealed.



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352 Section 9. Subsection (7) of section 1000.21, Florida  
353 Statutes, is amended to read:

354 1000.21 Systemwide definitions.—As used in the Florida K-  
355 20 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 10. Section 1000.33, Florida Statutes, is  
361 repealed.

362 Section 11. Section 1000.37, Florida Statutes, is  
363 repealed.

364 Section 12. Paragraphs (h) and (l) of subsection (6) of  
365 section 1001.10, Florida Statutes, are amended to read:

366 1001.10 Commissioner of Education; general powers and  
367 duties.—

368 (6) Additionally, the commissioner has the following  
369 general powers and duties:

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



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379 ~~Representatives shall appoint members of the appropriate~~  
 380 ~~education and appropriations committees to serve as a select~~  
 381 ~~committee to review the proposed plan.~~

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

388 Section 13. Section 1001.25, Florida Statutes, is  
 389 repealed.

390 Section 14. Section 1001.26, Florida Statutes, is amended  
 391 to read:

392 1001.26 Public broadcasting program system.—

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

404 (a) Support for existing Corporation for Public  
 405 Broadcasting qualified program system educational television



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406 ~~stations and new stations meeting Corporation for Public~~  
407 ~~Broadcasting qualifications and providing a first service to an~~  
408 ~~audience that does not currently receive a broadcast signal or~~  
409 ~~providing a significant new program service as defined by rule~~  
410 ~~by the State Board of Education.~~

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

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

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

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

431 (2) ~~(a)~~ The Department of Education ~~is responsible for~~  
432 ~~implementing the provisions of this section pursuant to s.~~





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433 ~~282.702~~ and may employ personnel, acquire equipment and  
434 facilities, and perform all duties necessary for carrying out  
435 the purposes and objectives of this section.

436 ~~(b) The department shall provide through educational~~  
437 ~~television and other electronic media a means of extending~~  
438 ~~educational services to all the state system of public~~  
439 ~~education. The department shall recommend to the State Board of~~  
440 ~~Education rules necessary to provide such services.~~

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

452 (3) (a) The facilities, plant, or personnel of an  
453 educational television station that is supported in whole or in  
454 part by state funds may not be used directly or indirectly for  
455 the promotion, advertisement, or advancement of a political  
456 candidate for a municipal, county, legislative, congressional,  
457 or state office. However, fair, open, and free discussion  
458 between political candidates for municipal, county, legislative,  
459 congressional, or state office may be permitted in order to help



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460 materially reduce the excessive cost of campaigns and to ensure  
461 that the state's citizens are fully informed about issues and  
462 candidates in campaigns. This paragraph applies to the advocacy  
463 for, or opposition to, a specific existing or proposed program  
464 of governmental action, which includes, but is not limited to,  
465 constitutional amendments, tax referenda, and bond issues. This  
466 paragraph shall be implemented in accordance with rules of the  
467 State Board of Education.

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

471 Section 15. Section 1001.34, Florida Statutes, is amended  
472 to read:

473 1001.34 Membership of district school board.—

474 (1) Each district school board shall be composed of not  
475 less than five members. Each member of the district school board  
476 shall be a qualified elector of the district in which she or he  
477 serves, shall be a resident of the district school board member  
478 residence area from which she or he is elected, and shall  
479 maintain said residency throughout her or his term of office.

480 (2) A district school board may modify the number of  
481 members on its board by adopting a resolution that establishes  
482 the total number of members on the board, which may not be less  
483 than five, and the number of members who shall be elected by  
484 residence areas or elected at large. The resolution must specify  
485 an orderly method and procedure for modifying the membership of  
486 the board, including staggering terms of additional members as



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487 necessary. If the resolution is adopted, the district school  
488 board shall submit to the electors for approval at a referendum  
489 held at the next primary or general election the question of  
490 whether the number of board members should be modified in  
491 accordance with the resolution adopted by the district school  
492 board. If the referendum is approved, election of additional  
493 school board members may occur at any primary, general, or  
494 otherwise-called special election.

495 Section 16. Subsection (7) of section 1001.47, Florida  
496 Statutes, is repealed.

497 Section 17. Subsection (6) of section 1001.50, Florida  
498 Statutes, is repealed.

499 Section 18. Section 1001.62, Florida Statutes, is  
500 repealed.

501 Section 19. Subsection (3) of section 1001.73, Florida  
502 Statutes, is repealed.

503 Section 20. Subsections (8), (16), and (21) of section  
504 1002.20, Florida Statutes, are amended to read:

505 1002.20 K-12 student and parent rights.—Parents of public  
506 school students must receive accurate and timely information  
507 regarding their child's academic progress and must be informed  
508 of ways they can help their child to succeed in school. K-12  
509 students and their parents are afforded numerous statutory  
510 rights including, but not limited to, the following:

511 (8) STUDENTS WITH DISABILITIES.—Parents of public school  
512 students with disabilities and parents of public school students  
513 in residential care facilities are entitled to notice and due



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514 process in accordance with the provisions of ss. 1003.57 and  
515 1003.58. Public school students with disabilities must be  
516 provided the opportunity to meet the graduation requirements for  
517 a standard high school diploma as set forth in s. 1003.4282 in  
518 accordance with the provisions of ss. 1003.57 and 1008.22 ~~s.~~  
519 ~~1003.428(3)~~. Pursuant to s. 1003.438, certain public school  
520 students with disabilities may be awarded a special diploma upon  
521 high school graduation.

522 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING  
523 REPORTS.—Parents of public school students are entitled to an  
524 easy-to-read report card about the school's grade designation  
525 or, if applicable under s. 1008.341, the school's improvement  
526 rating, and the school's ~~school~~ accountability report, including  
527 the school financial report as required under s. 1010.215, ~~and~~  
528 ~~school improvement rating of their child's school in accordance~~  
529 ~~with the provisions of ss. 1008.22, 1003.02(3), and 1010.215(5)~~.

530 (21) PARENTAL INPUT AND MEETINGS.—

531 (a) *Meetings with school district personnel*.—Parents of  
532 public school students may be accompanied by another adult of  
533 their choice at a ~~any~~ meeting with school district personnel.  
534 School district personnel may not object to the attendance of  
535 such adult or discourage or attempt to discourage, through an  
536 ~~any~~ action, statement, or other means, the parents of students  
537 with disabilities from inviting another person of their choice  
538 to attend a ~~any~~ meeting. Such prohibited actions include, but  
539 are not limited to, attempted or actual coercion or harassment  
540 of parents or students or retaliation or threats of consequences



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541 to parents or students.

542 1. Such meetings include, but are not limited to, meetings  
543 related to: the eligibility for exceptional student education or  
544 related services; the development of an individual family  
545 support plan (IFSP); the development of an individual education  
546 plan (IEP); the development of a 504 accommodation plan issued  
547 under s. 504 of the Rehabilitation Act of 1973; the transition  
548 of a student from early intervention services to other services;  
549 the development of postsecondary goals for a student with a  
550 disability and the transition services needed to reach those  
551 goals; and other issues that may affect the a student's  
552 educational environment, discipline, or placement of a student  
553 with a disability.

554 2. The parents and school district personnel attending the  
555 meeting shall sign a document at the meeting's conclusion which  
556 states whether any school district personnel have prohibited,  
557 discouraged, or attempted to discourage the parents from  
558 inviting a person of their choice to the meeting.

559 ~~(b) School district best financial management practice~~  
560 ~~reviews.—Public school students and their parents may provide~~  
561 ~~input regarding their concerns about the operations and~~  
562 ~~management of the school district both during and after the~~  
563 ~~conduct of a school district best financial management practices~~  
564 ~~review, in accordance with the provisions of s. 1008.35.~~

565 (b)(e) District school board educational facilities  
566 programs.—Parents of public school students and other members of  
567 the public have the right to receive proper public notice and



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568 opportunity for public comment regarding the district school  
 569 board's educational facilities work program, in accordance with  
 570 the provisions of s. 1013.35.

571 Section 21. Subsections (2) through (8) of section  
 572 1002.31, Florida Statutes, are amended to read:

573 1002.31 Controlled open enrollment; public school parental  
 574 choice.—

575 (2) Each district school board may offer controlled open  
 576 enrollment within the public schools which is. ~~The controlled~~  
 577 ~~open enrollment program shall be offered~~ in addition to the  
 578 existing choice programs such as virtual instruction programs,  
 579 magnet schools, alternative schools, special programs, advanced  
 580 placement, and dual enrollment.

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

585 ~~(a)(4) School districts shall~~ Adhere to federal  
 586 desegregation requirements. ~~No controlled open enrollment plan~~  
 587 ~~that conflicts with federal desegregation orders shall be~~  
 588 ~~implemented.~~

589 ~~(5) Each school district shall develop a system of~~  
 590 ~~priorities for its plan that includes consideration of the~~  
 591 ~~following:~~

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

594 ~~(b)~~ A process that allows parents to declare school



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595 preferences, including-

596 ~~(e) A process that encourages placement of siblings within~~  
597 the same school.

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

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

601 (d) Afford parents of students in multiple session schools  
602 preferred access to controlled open enrollment.

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

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

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

608 ~~(i) A strategy that establishes a clearinghouse of~~  
609 ~~information designed to assist parents in making informed~~  
610 ~~choices.~~

611 ~~(6) Plans shall be submitted to the Commissioner of~~  
612 ~~Education. The Commissioner of Education shall develop an annual~~  
613 ~~report on the status of school choice and deliver the report to~~  
614 ~~the Governor, the President of the Senate, and the Speaker of~~  
615 ~~the House of Representatives at least 90 days prior to the~~  
616 ~~convening of the regular session of the Legislature.~~

617 ~~(7) Notwithstanding any provision of this section, a~~  
618 ~~school district with schools operating on both multiple session~~  
619 ~~schedules and single session schedules shall afford parents of~~  
620 ~~students in multiple session schools preferred access to the~~  
621 ~~controlled open enrollment program of the school district.~~



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622           (4)~~(8)~~ In accordance with the reporting requirements of s.  
 623 1011.62, each district school board shall annually report the  
 624 number of students ~~applying for and~~ attending the various types  
 625 of public schools of choice in the district, including schools  
 626 such as virtual instruction programs, magnet schools, and public  
 627 charter schools, according to rules adopted by the State Board  
 628 of Education.

629           Section 22. Subsection (5) of section 1002.3105, Florida  
 630 Statutes, is amended to read:

631           1002.3105 Academically Challenging Curriculum to Enhance  
 632 Learning (ACCEL) options.—

633           (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who  
 634 meets the applicable grade 9 cohort graduation requirements of  
 635 s. 1003.4282(3)(a)-(e) or s. 1003.4282(10)(a)1.-5., (b)1.-5.,  
 636 (c)1.-5., or (d)1.-5., earns three credits in electives, and  
 637 earns a cumulative grade point average (GPA) of 2.0 on a 4.0  
 638 scale shall be awarded a standard high school diploma in a form  
 639 prescribed by the State Board of Education.

640           Section 23. Subsection (3) of section 1002.321, Florida  
 641 Statutes, is amended to read:

642           1002.321 Digital learning.—

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

648           Section 24. Paragraph (a) of subsection (6), paragraph (a)





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649 of subsection (7), and subsection (25) of section 1002.33,  
650 Florida Statutes, are amended to read:

651 1002.33 Charter schools.—

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

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

657 1. Demonstrates how the school will use the guiding  
658 principles and meet the statutorily defined purpose of a charter  
659 school.

660 2. Provides a detailed curriculum plan that illustrates  
661 how students will be provided services to attain the Sunshine  
662 State Standards.

663 3. Contains goals and objectives for improving student  
664 learning and measuring that improvement. These goals and  
665 objectives must indicate how much academic improvement students  
666 are expected to show each year, how success will be evaluated,  
667 and the specific results to be attained through instruction.

668 4. Describes the reading curriculum and differentiated  
669 strategies that will be used for students reading at grade level  
670 or higher and a separate curriculum and strategies for students  
671 who are reading below grade level. A sponsor shall deny a  
672 charter if the school does not propose a reading curriculum that  
673 is consistent with effective teaching strategies that are  
674 grounded in scientifically based reading research.

675 5. Contains an annual financial plan for each year



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676 requested by the charter for operation of the school for up to 5  
677 years. This plan must contain anticipated fund balances based on  
678 revenue projections, a spending plan based on projected revenues  
679 and expenses, and a description of controls that will safeguard  
680 finances and projected enrollment trends.

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

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

689 (7) CHARTER.—The major issues involving the operation of a  
690 charter school shall be considered in advance and written into  
691 the charter. The charter shall be signed by the governing board  
692 of the charter school and the sponsor, following a public  
693 hearing to ensure community input.

694 (a) The charter shall address and criteria for approval of  
695 the charter shall be based on:

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

698 2. The focus of the curriculum, the instructional methods  
699 to be used, any distinctive instructional techniques to be  
700 employed, and identification and acquisition of appropriate  
701 technologies needed to improve educational and administrative  
702 performance which include a means for promoting safe, ethical,



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703 and appropriate uses of technology which comply with legal and  
704 professional standards.

705 a. The charter shall ensure that reading is a primary  
706 focus of the curriculum and that resources are provided to  
707 identify and provide specialized instruction for students who  
708 are reading below grade level. The curriculum and instructional  
709 strategies for reading must be consistent with the Next  
710 Generation Sunshine State Standards and grounded in  
711 scientifically based reading research.

712 b. In order to provide students with access to diverse  
713 instructional delivery models, to facilitate the integration of  
714 technology within traditional classroom instruction, and to  
715 provide students with the skills they need to compete in the  
716 21st century economy, the Legislature encourages instructional  
717 methods for blended learning courses consisting of both  
718 traditional classroom and online instructional techniques.  
719 Charter schools may implement blended learning courses which  
720 combine traditional classroom instruction and virtual  
721 instruction. Students in a blended learning course must be full-  
722 time students of the charter school and receive the online  
723 instruction in a classroom setting at the charter school.  
724 Instructional personnel certified pursuant to s. 1012.55 who  
725 provide virtual instruction for blended learning courses may be  
726 employees of the charter school or may be under contract to  
727 provide instructional services to charter school students. At a  
728 minimum, such instructional personnel must hold an active state  
729 or school district adjunct certification under s. 1012.57 for



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730 the subject area of the blended learning course. The funding and  
731 performance accountability requirements for blended learning  
732 courses are the same as those for traditional courses.

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

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

739 b. How these baseline rates will be compared to rates of  
740 academic progress achieved by these same students while  
741 attending the charter school.

742 c. To the extent possible, how these rates of progress  
743 will be evaluated and compared with rates of progress of other  
744 closely comparable student populations.

745

746 The district school board is required to provide academic  
747 student performance data to charter schools for each of their  
748 students coming from the district school system, as well as  
749 rates of academic progress of comparable student populations in  
750 the district school system.

751 4. The methods used to identify the educational strengths  
752 and needs of students and how well educational goals and  
753 performance standards are met by students attending the charter  
754 school. The methods shall provide a means for the charter school  
755 to ensure accountability to its constituents by analyzing  
756 student performance data and by evaluating the effectiveness and



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757 efficiency of its major educational programs. Students in  
758 charter schools shall, at a minimum, participate in the  
759 statewide assessment program created under s. 1008.22.

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

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

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

767 8. The ways by which the school will achieve a  
768 racial/ethnic balance reflective of the community it serves or  
769 within the racial/ethnic range of other public schools in the  
770 same school district.

771 9. The financial and administrative management of the  
772 school, including a reasonable demonstration of the professional  
773 experience or competence of those individuals or organizations  
774 applying to operate the charter school or those hired or  
775 retained to perform such professional services and the  
776 description of clearly delineated responsibilities and the  
777 policies and practices needed to effectively manage the charter  
778 school. A description of internal audit procedures and  
779 establishment of controls to ensure that financial resources are  
780 properly managed must be included. Both public sector and  
781 private sector professional experience shall be equally valid in  
782 such a consideration.

783 10. The asset and liability projections required in the



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784 application which are incorporated into the charter and shall be  
785 compared with information provided in the annual report of the  
786 charter school.

787 11. A description of procedures that identify various  
788 risks and provide for a comprehensive approach to reduce the  
789 impact of losses; plans to ensure the safety and security of  
790 students and staff; plans to identify, minimize, and protect  
791 others from violent or disruptive student behavior; and the  
792 manner in which the school will be insured, including whether or  
793 not the school will be required to have liability insurance,  
794 and, if so, the terms and conditions thereof and the amounts of  
795 coverage.

796 12. The term of the charter which shall provide for  
797 cancellation of the charter if insufficient progress has been  
798 made in attaining the student achievement objectives of the  
799 charter and if it is not likely that such objectives can be  
800 achieved before expiration of the charter. The initial term of a  
801 charter shall be for 4 or 5 years. In order to facilitate access  
802 to long-term financial resources for charter school  
803 construction, charter schools that are operated by a  
804 municipality or other public entity as provided by law are  
805 eligible for up to a 15-year charter, subject to approval by the  
806 district school board. A charter lab school is eligible for a  
807 charter for a term of up to 15 years. In addition, to facilitate  
808 access to long-term financial resources for charter school  
809 construction, charter schools that are operated by a private,  
810 not-for-profit, s. 501(c)(3) status corporation are eligible for



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811 up to a 15-year charter, subject to approval by the district  
812 school board. Such long-term charters remain subject to annual  
813 review and may be terminated during the term of the charter, but  
814 only according to the provisions set forth in subsection (8).

815 13. The facilities to be used and their location. The  
816 sponsor may not require a charter school to have a certificate  
817 of occupancy or a temporary certificate of occupancy for such a  
818 facility earlier than 15 calendar days before the first day of  
819 school.

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

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

826 16. A timetable for implementing the charter which  
827 addresses the implementation of each element thereof and the  
828 date by which the charter shall be awarded in order to meet this  
829 timetable.

830 17. In the case of an existing public school that is being  
831 converted to charter status, alternative arrangements for  
832 current students who choose not to attend the charter school and  
833 for current teachers who choose not to teach in the charter  
834 school after conversion in accordance with the existing  
835 collective bargaining agreement or district school board rule in  
836 the absence of a collective bargaining agreement. However,  
837 alternative arrangements shall not be required for current



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838 teachers who choose not to teach in a charter lab school, except  
839 as authorized by the employment policies of the state university  
840 which grants the charter to the lab school.

841 18. Full disclosure of the identity of all relatives  
842 employed by the charter school who are related to the charter  
843 school owner, president, chairperson of the governing board of  
844 directors, superintendent, governing board member, principal,  
845 assistant principal, or any other person employed by the charter  
846 school who has equivalent decisionmaking authority. For the  
847 purpose of this subparagraph, the term "relative" means father,  
848 mother, son, daughter, brother, sister, uncle, aunt, first  
849 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
850 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
851 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
852 stepsister, half brother, or half sister.

853 19. Implementation of the activities authorized under s.  
854 1002.331 by the charter school when it satisfies the eligibility  
855 requirements for a high-performing charter school. A high-  
856 performing charter school shall notify its sponsor in writing by  
857 March 1 if it intends to increase enrollment or expand grade  
858 levels the following school year. The written notice shall  
859 specify the amount of the enrollment increase and the grade  
860 levels that will be added, as applicable.

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





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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  
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 25. 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  
888 in 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



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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.  
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



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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  
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~~



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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 26. 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.

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



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

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



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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  
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~~



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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 28. 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  
 1045 Futures Scholarship Program in accordance with the provisions of  
 1046 ss. 1009.53-1009.538 ~~1009.53-1009.539~~.

1047 Section 29. Section 1002.415, Florida Statutes, is  
 1048 repealed.

1049 Section 30. 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:



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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 31. 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  
1067 instruction.—

1068 (2) A student is eligible to participate in virtual  
1069 instruction if:

1070 (c) The student was enrolled during the prior school year  
1071 in a virtual instruction program under s. 1002.45, ~~the K-8~~  
1072 ~~Virtual School Program under s. 1002.415~~, or a full-time Florida  
1073 Virtual School program under s. 1002.37(8)(a);

1074 Section 32. Section 1002.65, Florida Statutes, is  
1075 repealed.

1076 Section 33. Subsection (14) of section 1003.01, Florida  
1077 Statutes, is amended to read:

1078 1003.01 Definitions.—As used in this chapter, the term:

1079 (14) "Core-curricula courses" means:

1080 (a) Courses in language arts/reading, mathematics, social





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1081 studies, and science in prekindergarten through grade 3,  
1082 excluding ~~any~~ extracurricular courses pursuant to subsection  
1083 (15);

1084 (b) Courses in grades 4 through 8 in subjects that are  
1085 measured by state assessment at any grade level and courses  
1086 required for middle school promotion, excluding ~~any~~  
1087 extracurricular courses pursuant to subsection (15);

1088 (c) Courses in grades 9 through 12 in subjects that are  
1089 measured by state assessment at any grade level and courses that  
1090 are specifically identified by name in statute as required for  
1091 high school graduation and that are not measured by state  
1092 assessment, excluding ~~any~~ extracurricular courses pursuant to  
1093 subsection (15);

1094 (d) Exceptional student education courses; and

1095 (e) English for Speakers of Other Languages courses.

1096

1097 The term is limited in meaning and used for the sole purpose of  
1098 designating classes that are subject to the maximum class size  
1099 requirements established in s. 1, Art. IX of the State  
1100 Constitution. This term does not include courses offered under  
1101 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, ~~1002.415,~~  
1102 1002.45, and 1003.499.

1103 Section 34. Paragraph (d) of subsection (1) of section  
1104 1003.02, Florida Statutes, is amended to read:

1105 1003.02 District school board operation and control of  
1106 public K-12 education within the school district.—As provided in  
1107 part II of chapter 1001, district school boards are



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1108 | constitutionally and statutorily charged with the operation and  
1109 | control of public K-12 education within their school district.  
1110 | The district school boards must establish, organize, and operate  
1111 | their public K-12 schools and educational programs, employees,  
1112 | and facilities. Their responsibilities include staff  
1113 | development, public K-12 school student education including  
1114 | education for exceptional students and students in juvenile  
1115 | justice programs, special programs, adult education programs,  
1116 | and career education programs. Additionally, district school  
1117 | boards must:

1118 |       (1) Provide for the proper accounting for all students of  
1119 | school age, for the attendance and control of students at  
1120 | school, and for proper attention to health, safety, and other  
1121 | matters relating to the welfare of students in the following  
1122 | fields:

1123 |       (d) *Courses of study and instructional materials.*—

1124 |       1. Provide adequate instructional materials for all  
1125 | students as follows and in accordance with the requirements of  
1126 | chapter 1006, in the core courses of mathematics, language arts,  
1127 | social studies, science, reading, and literature, except for  
1128 | instruction for which the school advisory council approves the  
1129 | use of a program that does not include a textbook as a major  
1130 | tool of instruction.

1131 |       2. Adopt courses of study for use in the schools of the  
1132 | district.

1133 |       3. Provide for proper requisitioning, distribution,  
1134 | accounting, storage, care, and use of all instructional



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1135 materials as may be needed, and ensure that instructional  
 1136 materials used in the district are consistent with the district  
 1137 goals and objectives and the course descriptions ~~curriculum~~  
 1138 ~~frameworks~~ approved by the State Board of Education, as well as  
 1139 with the state and school district performance standards  
 1140 required by law and state board rule.

1141 Section 35. Paragraph (c) of subsection (3) and subsection  
 1142 (6) of section 1003.03, Florida Statutes, are amended to read:

1143 1003.03 Maximum class size.—

1144 (3) IMPLEMENTATION OPTIONS.—District school boards must  
 1145 consider, but are not limited to, implementing the following  
 1146 items in order to meet the constitutional class size maximums  
 1147 described in subsection (1):

1148 (c)1. Repeal district school board policies that require  
 1149 students to earn more than the 24 credits ~~required under s.~~  
 1150 ~~1003.428~~ to graduate from high school.

1151 2. Implement the early graduation options ~~option~~ provided  
 1152 in ss. 1002.3105(5) and s. 1003.4281.

1153 (6) COURSES FOR COMPLIANCE.—Consistent with s. ~~the~~  
 1154 ~~provisions in ss.~~ 1003.01(14) and ~~1003.428~~, the Department of  
 1155 Education shall identify from the Course Code Directory the  
 1156 core-curricula courses for the purpose of satisfying the maximum  
 1157 class size requirement in this section. The department may adopt  
 1158 rules to implement this subsection, if necessary.

1159 Section 36. Subsection (3) of section 1003.41, Florida  
 1160 Statutes, is amended to read:

1161 1003.41 Next Generation Sunshine State Standards.—



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1162           (3) The Commissioner of Education, as needed, shall  
1163 develop and submit proposed revisions to the standards for  
1164 review and comment by Florida educators, school administrators,  
1165 representatives of the Florida College System institutions and  
1166 state universities who have expertise in the content knowledge  
1167 and skills necessary to prepare a student for postsecondary  
1168 education and careers, business and industry leaders, and the  
1169 public. The commissioner, after considering reviews and  
1170 comments, shall submit the proposed revisions to the State Board  
1171 of Education for adoption. ~~In addition, the commissioner shall  
1172 prepare an analysis of the costs associated with implementing a  
1173 separate, one-half credit course in financial literacy,  
1174 including estimated costs for instructional personnel, training,  
1175 and the development or purchase of instructional materials. The  
1176 commissioner shall work with one or more nonprofit organizations  
1177 with proven expertise in the area of personal finance, consider  
1178 free resources that can be utilized for instructional materials,  
1179 and provide data on the implementation of such a course in other  
1180 states. The commissioner shall provide the cost analysis to the  
1181 President of the Senate and the Speaker of the House of  
1182 Representatives by October 1, 2013.~~

1183           Section 37. Paragraphs (b) and (c) of subsection (1) and  
1184 subsections (2) and (3) of section 1003.4156, Florida Statutes,  
1185 are amended to read:

1186           1003.4156 General requirements for middle grades  
1187 promotion.—

1188           (1) In order for a student to be promoted to high school



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1189 from a school that includes middle grades 6, 7, and 8, the  
1190 student must successfully complete the following courses:

1191 (b) Three middle grades or higher courses in mathematics.  
1192 Each school that includes middle grades must offer at least one  
1193 high school level mathematics course for which students may earn  
1194 high school credit. Successful completion of a high school level  
1195 Algebra I or Geometry course is not contingent upon the  
1196 student's performance on the statewide, standardized end-of-  
1197 course (EOC) assessment ~~or, upon transition to common core~~  
1198 ~~assessments, the common core Algebra I or geometry assessments~~  
1199 ~~required under s. 1008.22. However, beginning with the 2011-2012~~  
1200 ~~school year,~~ To earn high school credit for Algebra I, a middle  
1201 grades student must take the statewide, standardized Algebra I  
1202 EOC assessment and pass the course, and in addition, beginning  
1203 with the 2013-2014 school year and thereafter, a student's  
1204 performance on the Algebra I EOC assessment constitutes 30  
1205 percent of the student's final course grade. ~~pass the Algebra I~~  
1206 ~~statewide, standardized assessment, and beginning with the 2012-~~  
1207 ~~2013 school year,~~ To earn high school credit for a Geometry  
1208 course, a middle grades student must take the statewide,  
1209 standardized Geometry EOC assessment, which constitutes 30  
1210 percent of the student's final course grade, and earn a passing  
1211 grade in the course.

1212 (c) Three middle grades or higher courses in social  
1213 studies. Beginning with students entering grade 6 in the 2012-  
1214 2013 school year, one of these courses must be at least a one-  
1215 semester civics education course that includes the roles and



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1216 responsibilities of federal, state, and local governments; the  
1217 structures and functions of the legislative, executive, and  
1218 judicial branches of government; and the meaning and  
1219 significance of historic documents, such as the Articles of  
1220 Confederation, the Declaration of Independence, and the  
1221 Constitution of the United States. Beginning with the 2013-2014  
1222 school year, each student's performance on the statewide,  
1223 standardized EOC assessment in civics education required under  
1224 s. 1008.22 constitutes 30 percent of the student's final course  
1225 grade. A middle grades student who transfers into the state's  
1226 public school system from out of country, out of state, a  
1227 private school, or a home education program after the beginning  
1228 of the second term of grade 8 is not required to meet the civics  
1229 education requirement for promotion from the middle grades if  
1230 the student's transcript documents passage of three courses in  
1231 social studies or two year-long courses in social studies that  
1232 include coverage of civics education.

1233  
1234 Each school must inform parents about the course curriculum and  
1235 activities. Each student shall complete a personal education  
1236 plan that must be signed by the student and the student's  
1237 parent. The Department of Education shall develop course  
1238 frameworks and professional development materials for the career  
1239 and education planning course. The course may be implemented as  
1240 a stand-alone course or integrated into another course or  
1241 courses. The Commissioner of Education shall collect  
1242 longitudinal high school course enrollment data by student



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1243 ethnicity in order to analyze course-taking patterns.

1244 (2) If a middle grades student scores Level 1 or Level 2  
1245 on the statewide, standardized FCAT Reading assessment or, when  
1246 ~~implemented, the state transitions to common core assessments on~~  
1247 the English Language Arts (ELA) assessment ~~assessments required~~  
1248 ~~under s. 1008.22~~, the following year the student must enroll in  
1249 and complete a remedial course or a content area course in which  
1250 remediation strategies are incorporated into course content  
1251 delivery. The department shall provide guidance on appropriate  
1252 strategies for diagnosing and meeting the varying instructional  
1253 needs of students performing below grade level.

1254 (3) If a middle grades student scores Level 1 or Level 2  
1255 on the statewide, standardized FCAT Mathematics assessment ~~or,~~  
1256 ~~when the state transitions to common core assessments, on the~~  
1257 ~~mathematics common core assessments required under s. 1008.22,~~  
1258 the following year the student must receive remediation, which  
1259 may be integrated into the student's required mathematics  
1260 courses.

1261 Section 38. Section 1003.428, Florida Statutes, is  
1262 repealed.

1263 Section 39. Subsection (1) of section 1003.4281, Florida  
1264 Statutes, is amended to read:

1265 1003.4281 Early high school graduation.—

1266 (1) The purpose of this section is to provide a student  
1267 the option of early graduation and receipt of a standard high  
1268 school diploma if the student earns 24 credits and meets the  
1269 graduation requirements set forth in ~~s. 1003.428~~ or s.



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1270 1003.4282, ~~as applicable~~. For purposes of this section, the term  
 1271 "early graduation" means graduation from high school in less  
 1272 than 8 semesters or the equivalent.

1273 Section 40. Paragraphs (a), (b), (c), and (f) of  
 1274 subsection (3), subsections (4), (5), (7), and (8), and  
 1275 paragraphs (a) and (c) of subsection (9) of section 1003.4282,  
 1276 Florida Statutes, are amended, subsection (10) is renumbered as  
 1277 subsection (11), and a new subsection (10) is added to that  
 1278 section, to read:

1279 1003.4282 Requirements for a standard high school  
 1280 diploma.—

1281 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT  
 1282 REQUIREMENTS.—

1283 (a) *Four credits in English Language Arts (ELA).*—The four  
 1284 credits must be in ELA I, II, III, and IV. A student must pass  
 1285 the statewide, standardized 10<sup>th</sup> grade 10 FCAT Reading  
 1286 assessment or, when implemented, the until the state transitions  
 1287 to a common core 10<sup>th</sup> grade 10 ELA assessment, or earn a  
 1288 concordant score, after which time a student must pass the ELA  
 1289 assessment in order to earn a standard high school diploma.

1290 (b) *Four credits in mathematics.*—A student must earn one  
 1291 credit in Algebra I and one credit in Geometry. A student's  
 1292 performance on the statewide, standardized Algebra I end-of-  
 1293 course (EOC) assessment or common core assessment, as  
 1294 applicable, constitutes 30 percent of the student's final course  
 1295 grade. A student must pass the statewide, standardized Algebra I  
 1296 EOC assessment, or earn a comparative score, until the state





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1297 ~~transitions to a common core Algebra I assessment after which~~  
1298 ~~time a student must pass the common core assessment in order to~~  
1299 ~~earn a standard high school diploma. A student's performance on~~  
1300 ~~the statewide, standardized Geometry EOC assessment ~~or common~~~~  
1301 ~~core assessment, as applicable, constitutes 30 percent of the~~  
1302 ~~student's final course grade. If ~~When~~ the state administers a~~  
1303 ~~statewide, standardized ~~common core~~ Algebra II assessment, a~~  
1304 ~~student selecting Algebra II must take the assessment, and the~~  
1305 ~~student's performance on the assessment constitutes 30 percent~~  
1306 ~~of the student's final course grade. A student who earns an~~  
1307 ~~industry certification for which there is a statewide college~~  
1308 ~~credit articulation agreement approved by the State Board of~~  
1309 ~~Education may substitute the certification for one mathematics~~  
1310 ~~credit. Substitution may occur for up to two mathematics~~  
1311 ~~credits, except for Algebra I and Geometry. Industry~~  
1312 ~~certification courses that lead to college credit may substitute~~  
1313 ~~for up to two math credits.~~

1314 (c) *Three credits in science.*—Two of the three required  
1315 credits must have a laboratory component. A student must earn  
1316 one credit in Biology I and two credits in equally rigorous  
1317 courses. The statewide, standardized Biology I EOC assessment  
1318 constitutes 30 percent of the student's final course grade. A  
1319 student who earns an industry certification for which there is a  
1320 statewide college credit articulation agreement approved by the  
1321 State Board of Education may substitute the certification for  
1322 one science credit, except for Biology I. Industry certification  
1323 ~~courses that lead to college credit may substitute for up to one~~



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1324 ~~science credit.~~

1325 (f) *One credit in physical education.*—Physical education  
1326 must include the integration of health. Participation in an  
1327 interscholastic sport at the junior varsity or varsity level for  
1328 two full seasons shall satisfy the one-credit requirement in  
1329 physical education if the student passes a competency test on  
1330 personal fitness with a score of "C" or better. The competency  
1331 test on personal fitness developed by the Department of  
1332 Education must be used. A district school board may not require  
1333 that the one credit in physical education be taken during the  
1334 9th grade year. Completion of one semester with a grade of "C"  
1335 or better in a marching band class, in a physical activity class  
1336 that requires participation in marching band activities as an  
1337 extracurricular activity, or in a dance class shall satisfy one-  
1338 half credit in physical education or one-half credit in  
1339 performing arts. This credit may not be used to satisfy the  
1340 personal fitness requirement or the requirement for adaptive  
1341 physical education under an individual education plan (IEP) or  
1342 504 plan. Completion of 2 years in a Reserve Officer Training  
1343 Corps (R.O.T.C.) class, a significant component of which is  
1344 drills, shall satisfy the one-credit requirement in physical  
1345 education and the one-credit requirement in performing arts.  
1346 This credit may not be used to satisfy the personal fitness  
1347 requirement or the requirement for adaptive physical education  
1348 under an IEP or 504 plan. This requirement is subject to all of  
1349 the provisions in s. 1003.428(2)(a)6.

1350 (4) ONLINE COURSE REQUIREMENT. ~~Excluding a driver~~



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1351 ~~education course,~~ At least one course within the 24 credits  
 1352 required under this section must be completed through online  
 1353 learning. Beginning with students entering grade 9 in the 2013-  
 1354 2014 school year, the required online course may not be a driver  
 1355 education course. A school district may not require a student to  
 1356 take the online course outside the school day or in addition to  
 1357 a student's courses for a given semester. An online course taken  
 1358 in grade 6, grade 7, or grade 8 fulfills this requirement. This  
 1359 requirement is met through an online course offered by the  
 1360 Florida Virtual School, a virtual education provider approved by  
 1361 the State Board of Education, a high school, or an online dual  
 1362 enrollment course. A student who is enrolled in a full-time or  
 1363 part-time virtual instruction program under s. 1002.45 meets  
 1364 this requirement. This requirement does not apply to a student  
 1365 who has an individual education plan under s. 1003.57 which  
 1366 indicates that an online course would be inappropriate or to an  
 1367 out-of-state transfer student who is enrolled in a Florida high  
 1368 school and has 1 academic year or less remaining in high school.

1369 (5) REMEDIATION FOR HIGH SCHOOL STUDENTS.-

1370 (a) Each year a student scores Level 1 or Level 2 on the  
 1371 statewide, standardized 9<sup>th</sup> grade 9 or 10<sup>th</sup> grade 10 FCAT  
 1372 Reading assessment or, when implemented, the 9<sup>th</sup> grade 9, 10<sup>th</sup>  
 1373 grade 10, or 11<sup>th</sup> grade 11 ELA assessment ~~common core English~~  
 1374 ~~Language Arts (ELA) assessments,~~ the student must be enrolled in  
 1375 and complete an intensive remedial course the following year or  
 1376 be placed in a content area course that includes remediation of  
 1377 skills not acquired by the student.



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1378 (b) Each year a student scores Level 1 or Level 2 on the  
1379 statewide, standardized Algebra I EOC assessment, ~~or upon~~  
1380 ~~transition to the common core Algebra I assessment~~, the student  
1381 must be enrolled in and complete an intensive remedial course  
1382 the following year or be placed in a content area course that  
1383 includes remediation of skills not acquired by the student.

1384 (7) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

1385 (a) A student who earns a cumulative grade point average  
1386 (GPA) of 2.0 on a 4.0 scale and meets the requirements of this  
1387 section or s. 1002.3105(5) shall be awarded a standard high  
1388 school diploma in a form prescribed by the State Board of  
1389 Education.

1390 (b) An adult student in an adult general education program  
1391 as provided under s. 1004.93 shall be awarded a standard high  
1392 school diploma if the student meets the requirements of this  
1393 section or s. 1002.3105(5), except that:

1394 1. One elective credit may be substituted for the one-  
1395 credit requirement in fine or performing arts, speech and  
1396 debate, or practical arts.

1397 2. The requirement that two of the science credits include  
1398 a laboratory component may be waived by the district school  
1399 board.

1400 3. The one credit in physical education may be substituted  
1401 with an elective credit. ~~Notwithstanding any other law to the~~  
1402 ~~contrary, all students enrolled in high school as of the 2012-~~  
1403 ~~2013 school year who earned a passing grade in Biology I or~~  
1404 ~~geometry before the 2013-2014 school year shall be awarded a~~



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1405 ~~credit in that course if the student passed the course. The~~  
1406 ~~student's performance on the EOC assessment is not required to~~  
1407 ~~constitute 30 percent of the student's final course grade.~~

1408 (c) A student who earns fails to earn the required 24  
1409 credits, or the required 18 credits under s. 1002.3105(5), but  
1410 fails to pass the assessments required under s. 1008.22(3) or  
1411 achieve a 2.0 GPA shall be awarded a certificate of completion  
1412 in a form prescribed by the State Board of Education. However, a  
1413 student who is otherwise entitled to a certificate of completion  
1414 may elect to remain in high school either as a full-time student  
1415 or a part-time student for up to 1 additional year and receive  
1416 special instruction designed to remedy his or her identified  
1417 deficiencies.

1418 (8) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—Beginning  
1419 with the 2012-2013 school year, if a student transfers to a  
1420 Florida public high school from out of country, out of state, a  
1421 private school, or a home education program and the student's  
1422 transcript shows a ~~mathematics~~ credit in Algebra I ~~a course that~~  
1423 ~~requires passage of a statewide, standardized assessment in~~  
1424 ~~order to earn a standard high school diploma, the student must~~  
1425 pass the statewide, standardized Algebra I EOC assessment in  
1426 order to earn a standard high school diploma unless the student  
1427 earned a comparative score ~~pursuant to s. 1008.22~~, passed a  
1428 statewide assessment in Algebra I ~~that subject~~ administered by  
1429 the transferring entity, or passed the statewide mathematics  
1430 assessment the transferring entity uses to satisfy the  
1431 requirements of the Elementary and Secondary Education Act, 20



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1432 U.S.C. s. 6301. If a student's transcript shows a credit in high  
1433 school reading or English Language Arts II or III, in order to  
1434 earn a standard high school diploma, the student must take and  
1435 pass the statewide, standardized grade 10 ~~FCAT~~ Reading  
1436 assessment or, when implemented, the grade 10 ELA assessment, or  
1437 earn a concordant score ~~on the SAT or ACT as specified by state~~  
1438 ~~board rule or, when the state transitions to common core English~~  
1439 ~~Language Arts assessments, earn a passing score on the English~~  
1440 ~~Language Arts assessment as required under this section. If a~~  
1441 transfer student's transcript shows a final course grade and  
1442 course credit in Algebra I, Geometry, Biology I, or United  
1443 States History, the transferring course final grade and credit  
1444 shall be honored without the student taking the requisite  
1445 statewide, standardized EOC assessment and without the  
1446 assessment results constituting 30 percent of the student's  
1447 final course grade.

1448 (9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL  
1449 CREDIT REQUIREMENTS.—

1450 (a) Participation in career education courses engages  
1451 students in their high school education, increases academic  
1452 achievement, enhances employability, and increases postsecondary  
1453 success. By July 1, 2014, the department shall develop, for  
1454 approval by the State Board of Education, multiple, additional  
1455 career education courses or a series of courses that meet the  
1456 requirements set forth in s. 1003.493(2), (4), and (5) and this  
1457 subsection and allow students to earn credit in both the career  
1458 education course and courses required for high school graduation



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1459 under this section and s. ~~ss. 1003.428 and~~ 1003.4281.

1460 1. The state board must determine if sufficient academic  
1461 standards are covered to warrant the award of academic credit.

1462 2. Career education courses must include workforce and  
1463 digital literacy skills and the integration of required course  
1464 content with practical applications and designated rigorous  
1465 coursework that results in one or more industry certifications  
1466 or clearly articulated credit or advanced standing in a 2-year  
1467 or 4-year certificate or degree program, which may include high  
1468 school junior and senior year work-related internships or  
1469 apprenticeships. The department shall negotiate state licenses  
1470 for material and testing for industry certifications. The  
1471 instructional methodology used in these courses must be  
1472 comprised of authentic projects, problems, and activities for  
1473 contextually learning the academics.

1474 (c) Regional consortium service organizations established  
1475 pursuant to s. 1001.451 shall work with school districts, local  
1476 workforce boards, postsecondary institutions, and local business  
1477 and industry leaders to create career education courses that  
1478 meet the requirements set forth in s. 1003.493(2), (4), and (5)  
1479 and this subsection that students can take to earn required high  
1480 school course credits. The regional consortium shall submit  
1481 course recommendations to the department, on behalf of the  
1482 consortium member districts, for state board approval. A strong  
1483 emphasis should be placed on online coursework, digital  
1484 literacy, and workforce literacy as defined in s. 1004.02(26)  
1485 ~~1004.02(27)~~. For purposes of providing students the opportunity



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1486 to earn industry certifications, consortiums must secure the  
1487 necessary site licenses and testing contracts for use by member  
1488 districts.

1489 (10) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The  
1490 requirements of this section, in addition to applying to  
1491 students entering grade 9 in the 2013-2014 school year and  
1492 thereafter, shall also apply to students entering grade 9 before  
1493 the 2013-2014 school year, except as otherwise provided in this  
1494 subsection.

1495 (a) A student entering grade 9 before the 2010-2011 school  
1496 year must earn:

1497 1. Four credits in English/ELA. A student must pass the  
1498 statewide, standardized grade 10 Reading assessment, or earn a  
1499 concordant score, in order to graduate with a standard high  
1500 school diploma.

1501 2. Four credits in mathematics, which must include Algebra  
1502 I. A student must pass grade 10 FCAT Mathematics, or earn a  
1503 concordant score, in order to graduate with a standard high  
1504 school diploma. A student who takes Algebra I or Geometry after  
1505 the 2010-2011 school year must take the statewide, standardized  
1506 EOC assessment for the course but is not required to pass the  
1507 assessment in order to earn course credit. A student's  
1508 performance on the Algebra I or Geometry EOC assessment is not  
1509 required to constitute 30 percent of the student's final course  
1510 grade. A student who earns an industry certification for which  
1511 there is a statewide college credit articulation agreement  
1512 approved by the State Board of Education may substitute the





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1513 certification for one mathematics credit. Substitution may occur  
1514 for up to two mathematics credits, except for Algebra I.

1515 3. Three credits in science, two of which must have a  
1516 laboratory component. A student who takes Biology I after the  
1517 2010-2011 school year must take the statewide, standardized  
1518 Biology I EOC assessment but is not required to pass the  
1519 assessment in order to earn course credit. A student's  
1520 performance on the assessment is not required to constitute 30  
1521 percent of the student's final course grade. A student who earns  
1522 an industry certification for which there is a statewide college  
1523 credit articulation agreement approved by the State Board of  
1524 Education may substitute the certification for one science  
1525 credit.

1526 4. Three credits in social studies of which one credit in  
1527 World History, one credit in United States History, one-half  
1528 credit in United States Government, and one-half credit in  
1529 economics is required. A student who takes United States History  
1530 after the 2011-2012 school year must take the statewide,  
1531 standardized United States History EOC assessment but the  
1532 student's performance on the assessment is not required to  
1533 constitute 30 percent of the student's final course grade.

1534 5. One credit in fine or performing arts, speech and  
1535 debate, or practical arts as provided in paragraph (3) (e).

1536 6. One credit in physical education as provided in  
1537 paragraph (3) (f).

1538 7. Eight credits in electives.

1539 (b) A student entering grade 9 in the 2010-2011 school



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1540 year must earn:

1541 1. Four credits in English/ELA. A student must pass the  
1542 statewide, standardized grade 10 Reading assessment, or earn a  
1543 concordant score, in order to graduate with a standard high  
1544 school diploma.

1545 2. Four credits in mathematics, which must include Algebra  
1546 I and Geometry. The statewide, standardized Algebra I EOC  
1547 assessment constitutes 30 percent of the student's final course  
1548 grade. A student who takes Algebra I or Geometry after the 2010-  
1549 2011 school year must take the statewide, standardized EOC  
1550 assessment for the course but is not required to pass the  
1551 assessment in order to earn course credit. A student's  
1552 performance on the Geometry EOC assessment is not required to  
1553 constitute 30 percent of the student's final course grade. A  
1554 student who earns an industry certification for which there is a  
1555 statewide college credit articulation agreement approved by the  
1556 State Board of Education may substitute the certification for  
1557 one mathematics credit. Substitution may occur for up to two  
1558 mathematics credits, except for Algebra I and Geometry.

1559 3. Three credits in science, two of which must have a  
1560 laboratory component. A student who takes Biology I after the  
1561 2010-2011 school year must take the statewide, standardized  
1562 Biology I EOC assessment but is not required to pass the  
1563 assessment in order to earn course credit. A student's  
1564 performance on the assessment is not required to constitute 30  
1565 percent of the student's final course grade. A student who earns  
1566 an industry certification for which there is a statewide college



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1567 credit articulation agreement approved by the State Board of  
1568 Education may substitute the certification for one science  
1569 credit, except for Biology I.

1570 4. Three credits in social studies of which one credit in  
1571 World History, one credit in United States History, one-half  
1572 credit in United States Government, and one-half credit in  
1573 economics is required. A student who takes United States History  
1574 after the 2011-2012 school year must take the statewide,  
1575 standardized United States History EOC assessment but the  
1576 student's performance on the assessment is not required to  
1577 constitute 30 percent of the student's final course grade.

1578 5. One credit in fine or performing arts, speech and  
1579 debate, or practical arts as provided in paragraph (3) (e).

1580 6. One credit in physical education as provided in  
1581 paragraph (3) (f).

1582 7. Eight credits in electives.

1583 (c) A student entering grade 9 in the 2011-2012 school  
1584 year must earn:

1585 1. Four credits in English/ELA. A student must pass the  
1586 statewide, standardized grade 10 Reading assessment, or earn a  
1587 concordant score, in order to graduate with a standard high  
1588 school diploma.

1589 2. Four credits in mathematics, which must include Algebra  
1590 I and Geometry. A student who takes Algebra I after the 2010-  
1591 2011 school year must pass the statewide, standardized Algebra I  
1592 EOC assessment, or earn a comparative score, in order to earn a  
1593 standard high school diploma. A student who takes Algebra I or



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1594 Geometry after the 2010-2011 school year must take the  
1595 statewide, standardized EOC assessment but is not required to  
1596 pass the Algebra I or Geometry EOC assessment in order to earn  
1597 course credit. A student's performance on the Algebra I or  
1598 Geometry EOC assessment is not required to constitute 30 percent  
1599 of the student's final course grade. A student who earns an  
1600 industry certification for which there is a statewide college  
1601 credit articulation agreement approved by the State Board of  
1602 Education may substitute the certification for one mathematics  
1603 credit. Substitution may occur for up to two mathematics  
1604 credits, except for Algebra I and Geometry.

1605 3. Three credits in science, two of which must have a  
1606 laboratory component. One of the science credits must be Biology  
1607 I. A student who takes Biology I after the 2010-2011 school year  
1608 must take the statewide, standardized Biology I EOC assessment  
1609 but is not required to pass the assessment in order to earn  
1610 course credit. A student's performance on the assessment is not  
1611 required to constitute 30 percent of the student's final course  
1612 grade. A student who earns an industry certification for which  
1613 there is a statewide college credit articulation agreement  
1614 approved by the State Board of Education may substitute the  
1615 certification for one science credit, except for Biology I.

1616 4. Three credits in social studies of which one credit in  
1617 World History, one credit in United States History, one-half  
1618 credit in United States Government, and one-half credit in  
1619 economics is required. A student who takes United States History  
1620 after the 2011-2012 school year student must take the statewide,



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1621 standardized United States History EOC assessment but the  
1622 student's performance on the assessment is not required to  
1623 constitute 30 percent of the student's final course grade.

1624 5. One credit in fine or performing arts, speech and  
1625 debate, or practical arts as provided in paragraph (3)(e).

1626 6. One credit in physical education as provided in  
1627 paragraph (3)(f).

1628 7. Eight credits in electives.

1629 8. One online course as provided in subsection (4).

1630 (d) A student entering grade 9 in the 2012-2013 school  
1631 year must earn:

1632 1. Four credits in English/ELA. A student must pass the  
1633 statewide, standardized grade 10 Reading assessment, or earn a  
1634 concordant score, in order to graduate with a standard high  
1635 school diploma.

1636 2. Four credits in mathematics, which must include Algebra  
1637 I and Geometry. A student who takes Algebra I after the 2010-  
1638 2011 school year must pass the statewide, standardized Algebra I  
1639 EOC assessment, or earn a comparative score, in order to earn a  
1640 standard high school diploma. A student who takes Geometry after  
1641 the 2010-2011 school year must take the statewide, standardized  
1642 Geometry EOC assessment. A student is not required to pass the  
1643 statewide, standardized EOC assessment in Algebra I or Geometry  
1644 in order to earn course credit. A student's performance on the  
1645 Algebra I or Geometry EOC assessment is not required to  
1646 constitute 30 percent of the student's final course grade. A  
1647 student who earns an industry certification for which there is a



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1648 statewide college credit articulation agreement approved by the  
1649 State Board of Education may substitute the certification for  
1650 one mathematics credit. Substitution may occur for up to two  
1651 mathematics credits, except for Algebra I and Geometry.

1652 3. Three credits in science, two of which must have a  
1653 laboratory component. One of the science credits must be Biology  
1654 I. A student who takes Biology I after the 2010-2011 school year  
1655 must take the statewide, standardized Biology I EOC assessment  
1656 but is not required to pass the assessment to earn course  
1657 credit. A student's performance on the assessment is not  
1658 required to constitute 30 percent of the student's final course  
1659 grade. A student who earns an industry certification for which  
1660 there is a statewide college credit articulation agreement  
1661 approved by the State Board of Education may substitute the  
1662 certification for one science credit, except for Biology I.

1663 4. Three credits in social studies of which one credit in  
1664 World History, one credit in United States History, one-half  
1665 credit in United States Government, and one-half credit in  
1666 economics is required. The statewide, standardized United States  
1667 History EOC assessment constitutes 30 percent of the student's  
1668 final course grade.

1669 5. One credit in fine or performing arts, speech and  
1670 debate, or practical arts as provided in paragraph (3) (e).

1671 6. One credit in physical education as provided in  
1672 paragraph (3) (f).

1673 7. Eight credits in electives.

1674 8. One online course as provided in subsection (4).



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1675 (e) Policy adopted in rule by the district school board  
 1676 may require for any cohort of students that performance on a  
 1677 statewide, standardized EOC assessment constitute 30 percent of  
 1678 a student's final course grade.

1679 (f) This subsection is repealed July 1, 2020.

1680 Section 41. Subsection (1) of section 1003.4285, Florida  
 1681 Statutes, is amended to read:

1682 1003.4285 Standard high school diploma designations.—

1683 (1) Each standard high school diploma shall include, as  
 1684 applicable, the following designations if the student meets the  
 1685 criteria set forth for the designation:

1686 (a) *Scholar designation.*—In addition to the requirements  
 1687 of ~~s. ss. 1003.428~~ and 1003.4282, ~~as applicable,~~ in order to  
 1688 earn the Scholar designation, a student must satisfy the  
 1689 following requirements:

1690 1. English Language Arts (ELA).—Beginning with students  
 1691 entering grade 9 in the 2014-2015 school year ~~When the state~~  
 1692 ~~transitions to common core assessments,~~ pass the statewide,  
 1693 standardized 11th grade 11 ELA common core assessment.

1694 2. Mathematics.—Earn one credit in Algebra II and one  
 1695 credit in statistics or an equally rigorous course. Beginning  
 1696 with students entering grade 9 in the 2014-2015 school year ~~When~~  
 1697 ~~the state transitions to common core assessments,~~ students must  
 1698 pass the Algebra II and Geometry statewide, standardized  
 1699 assessments common core assessment.

1700 3. Science.—Pass the statewide, standardized Biology I EOC  
 1701 ~~end-of-course~~ assessment and earn one credit in chemistry or



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1702 physics and one credit in a course equally rigorous to chemistry  
1703 or physics. However, a student enrolled in an Advanced Placement  
1704 (AP), International Baccalaureate (IB), or Advanced  
1705 International Certificate of Education (AICE) Biology course who  
1706 takes the respective AP, IB, or AICE Biology assessment and  
1707 earns the minimum score necessary to earn college credit as  
1708 identified pursuant to s. 1007.27(2) meets the requirement of  
1709 this subparagraph without having to take the statewide,  
1710 standardized Biology I EOC assessment.

1711 4. Social studies.—Pass the statewide, standardized United  
1712 States History EOC ~~end-of-course~~ assessment. However, a student  
1713 enrolled in an AP, IB, or AICE course that includes United  
1714 States History topics who takes the respective AP, IB, or AICE  
1715 assessment and earns the minimum score necessary to earn college  
1716 credit as identified pursuant to s. 1007.27(2) meets the  
1717 requirement of this subparagraph without having to take the  
1718 statewide, standardized United States History EOC assessment.

1719 5. Foreign language.—Earn two credits in the same foreign  
1720 language.

1721 6. Electives.—Earn at least one credit in an Advanced  
1722 Placement, an International Baccalaureate, an Advanced  
1723 International Certificate of Education, or a dual enrollment  
1724 course.

1725 (b) *Merit designation*.—In addition to the requirements of  
1726 s. ~~ss. 1003.428 and 1003.4282, as applicable,~~ in order to earn  
1727 the Merit designation, a student must attain one or more  
1728 industry certifications from the list established under s.





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1729 1003.492.

1730 Section 42. Section 1003.438, Florida Statutes, is amended  
1731 to read:

1732 1003.438 Special high school graduation requirements for  
1733 certain exceptional students.—A student who has been identified,  
1734 in accordance with rules established by the State Board of  
1735 Education, as a student with disabilities who has an  
1736 intellectual disability; an autism spectrum disorder; a language  
1737 impairment; an orthopedic impairment; an other health  
1738 impairment; a traumatic brain injury; an emotional or behavioral  
1739 disability; a specific learning disability, including, but not  
1740 limited to, dyslexia, dyscalculia, or developmental aphasia; or  
1741 students who are deaf or hard of hearing or dual sensory  
1742 impaired shall not be required to meet all requirements of s.  
1743 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s. 1003.4282 and shall,  
1744 upon meeting all applicable requirements prescribed by the  
1745 district school board pursuant to s. 1008.25, be awarded a  
1746 special diploma in a form prescribed by the commissioner;  
1747 however, such special graduation requirements prescribed by the  
1748 district school board must include minimum graduation  
1749 requirements as prescribed by the commissioner. Any such student  
1750 who meets all special requirements of the district school board,  
1751 but is unable to meet the appropriate special state minimum  
1752 requirements, shall be awarded a special certificate of  
1753 completion in a form prescribed by the commissioner. However,  
1754 this section does not limit or restrict the right of an  
1755 exceptional student solely to a special diploma or special



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1756 certificate of completion. Any such student shall, upon proper  
 1757 request, be afforded the opportunity to fully meet all  
 1758 requirements of s. 1002.3105(5), s. 1003.4281, ~~1003.428~~ or s.  
 1759 1003.4282 through the standard procedures established therein  
 1760 and thereby to qualify for a standard diploma upon graduation.

1761 Section 43. Subsection (5) of section 1003.451, Florida  
 1762 Statutes, is repealed.

1763 Section 44. Subsection (1) of section 1003.49, Florida  
 1764 Statutes, is amended to read:

1765 1003.49 Graduation and promotion requirements for publicly  
 1766 operated schools.—

1767 (1) Each state or local public agency, including the  
 1768 Department of Children and Family Services, the Department of  
 1769 Corrections, the boards of trustees of universities and Florida  
 1770 College System institutions, and the Board of Trustees of the  
 1771 Florida School for the Deaf and the Blind, which agency is  
 1772 authorized to operate educational programs for students at any  
 1773 level of grades kindergarten through 12, shall be subject to all  
 1774 applicable requirements of ss. 1002.3105(5), 1003.4281,  
 1775 1003.4282 ~~1003.428~~, ~~1003.429~~, 1008.23, and 1008.25. Within the  
 1776 content of these cited statutes each such state or local public  
 1777 agency or entity shall be considered a "district school board."

1778 Section 45. Paragraph (e) of subsection (4) of section  
 1779 1003.493, Florida Statutes, is amended to read:

1780 1003.493 Career and professional academies and career-  
 1781 themed courses.—

1782 (4) Each career and professional academy and secondary



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1783 school providing a career-themed course must:

1784 (e) Deliver academic content through instruction relevant  
 1785 to the career, including intensive reading and mathematics  
 1786 intervention required by s. 1003.4282 ~~1003.428~~, with an emphasis  
 1787 on strengthening reading for information skills.

1788 Section 46. Subsection (2) of section 1003.4935, Florida  
 1789 Statutes, is amended to read:

1790 1003.4935 Middle grades career and professional academy  
 1791 courses and career-themed courses.—

1792 (2) Each middle grades career and professional academy or  
 1793 career-themed course must be aligned with at least one high  
 1794 school career and professional academy or career-themed course  
 1795 offered in the district and maintain partnerships with local  
 1796 business and industry and economic development boards. Middle  
 1797 grades career and professional academies and career-themed  
 1798 courses must:

1799 (a) Lead to careers in occupations designated as high-  
 1800 skill, high-wage, and high-demand in the Industry Certification  
 1801 Funding List approved under rules adopted by the State Board of  
 1802 Education;

1803 (b) Integrate content from core subject areas;

1804 (c) Integrate career and professional academy or career-  
 1805 themed course content with intensive reading, English Language  
 1806 Arts, and mathematics pursuant to s. ~~ss. 1003.428~~ and 1003.4282;

1807 (d) Coordinate with high schools to maximize opportunities  
 1808 for middle grades students to earn high school credit;

1809 (e) Provide access to virtual instruction courses provided



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1810 by virtual education providers legislatively authorized to  
1811 provide part-time instruction to middle grades students. The  
1812 virtual instruction courses must be aligned to state curriculum  
1813 standards for middle grades career and professional academy  
1814 courses or career-themed courses, with priority given to  
1815 students who have required course deficits;

1816 (f) Provide instruction from highly skilled professionals  
1817 who hold industry certificates in the career area in which they  
1818 teach;

1819 (g) Offer externships; and

1820 (h) Provide personalized student advisement that includes  
1821 a parent-participation component.

1822 Section 47. Paragraph (a) of subsection (1) of section  
1823 1003.57, Florida Statutes, is amended to read:

1824 1003.57 Exceptional students instruction.-

1825 (1) (a) For purposes of providing exceptional student  
1826 instruction under this section:

1827 1. A school district shall use the following terms to  
1828 describe the instructional setting for a student with a  
1829 disability, 6 through 21 years of age, who is not educated in a  
1830 setting accessible to all children who are together at all  
1831 times:

1832 a. "Exceptional student education center" or "special day  
1833 school" means a separate public school to which nondisabled  
1834 peers do not have access.

1835 b. "Other separate environment" means a separate private  
1836 school, residential facility, or hospital or homebound program.



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1837 c. "Regular class" means a class in which a student spends  
1838 80 percent or more of the school week with nondisabled peers.

1839 d. "Resource room" means a classroom in which a student  
1840 spends between 40 percent to 80 percent of the school week with  
1841 nondisabled peers.

1842 e. "Separate class" means a class in which a student  
1843 spends less than 40 percent of the school week with nondisabled  
1844 peers.

1845 2. A school district shall use the term "inclusion" to  
1846 mean that a student is receiving education in a general  
1847 education regular class setting, reflecting natural proportions  
1848 and age-appropriate heterogeneous groups in core academic and  
1849 elective or special areas within the school community; a student  
1850 with a disability is a valued member of the classroom and school  
1851 community; the teachers and administrators support universal  
1852 education and have knowledge and support available to enable  
1853 them to effectively teach all children; and a teacher ~~student~~ is  
1854 provided access to technical assistance in best practices,  
1855 instructional methods, and supports tailored to the student's  
1856 needs based on current research.

1857 Section 48. Paragraph (a) of subsection (1) of section  
1858 1003.621, Florida Statutes, is amended to read:

1859 1003.621 Academically high-performing school districts.—It  
1860 is the intent of the Legislature to recognize and reward school  
1861 districts that demonstrate the ability to consistently maintain  
1862 or improve their high-performing status. The purpose of this  
1863 section is to provide high-performing school districts with



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1864 flexibility in meeting the specific requirements in statute and  
1865 rules of the State Board of Education.

1866 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

1867 (a) A school district is an academically high-performing  
1868 school district if it meets the following criteria:

1869 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a  
1870 grade of "A" under s. 1008.34(7) for 2 consecutive years; and

1871 b. Has no district-operated school that earns a grade of  
1872 "F" under s. 1008.34;

1873 2. Complies with all class size requirements in s. 1, Art.  
1874 IX of the State Constitution and s. 1003.03; and

1875 3. Has no material weaknesses or instances of material  
1876 noncompliance noted in the annual financial audit conducted  
1877 pursuant to s. 11.45 or s. 218.39.

1878  
1879 However, a district in which a district-operated school earns a  
1880 grade of "F" under s. 1008.34 during the 3-year period may not  
1881 continue to be designated as an academically high-performing  
1882 school district during the remainder of that 3-year period. The  
1883 district must meet the criteria in paragraph (a) in order to be  
1884 redesignated as an academically high-performing school district.

1885 Section 49. Subsection (4) of section 1004.02, Florida  
1886 Statutes, is repealed.

1887 Section 50. Section 1004.0961, Florida Statutes, is  
1888 amended to read:

1889 1004.0961 Credit for online courses.—Beginning in the  
1890 2015-2016 school year, the State Board of Education shall adopt



1891 rules and the Board of Governors shall adopt regulations ~~rules~~  
 1892 that enable students to earn academic credit for online courses,  
 1893 including massive open online courses, before ~~prior to~~ initial  
 1894 enrollment at a postsecondary institution. The rules of the  
 1895 State Board of Education and regulations ~~rules~~ of the Board of  
 1896 Governors must include procedures for credential evaluation and  
 1897 the award of credit, including, but not limited to,  
 1898 recommendations for credit by the American Council on Education;  
 1899 equivalency and alignment of coursework with appropriate  
 1900 courses; course descriptions; type and amount of credit that may  
 1901 be awarded; and transfer of credit.

1902 Section 51. Section 1004.3825, Florida Statutes, is  
 1903 repealed.

1904 Section 52. Section 1004.387, Florida Statutes, is  
 1905 repealed.

1906 Section 53. Subsection (2) of section 1004.445, Florida  
 1907 Statutes, is repealed.

1908 Section 54. Section 1004.75, Florida Statutes, is  
 1909 repealed.

1910 Section 55. Subsections (1), (2), and (7) of section  
 1911 1004.935, Florida Statutes, are amended to read:

1912 1004.935 Adults with Disabilities Workforce Education  
 1913 Pilot Program.—

1914 (1) The Adults with Disabilities Workforce Education Pilot  
 1915 Program is established in the Department of Education through  
 1916 June 30, 2016, ~~for 2 years~~ in Hardee, DeSoto, Manatee, and  
 1917 Sarasota Counties to provide the option of receiving a



1918 scholarship for instruction at private schools for up to 30  
 1919 students who:

- 1920 (a) Have a disability;
- 1921 (b) Are 22 years of age;
- 1922 (c) Are receiving instruction from an instructor in a  
 1923 private school to meet the high school graduation requirements  
 1924 in s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282;
- 1925 (d) Do not have a standard high school diploma or a  
 1926 special high school diploma; and
- 1927 (e) Receive "supported employment services," which means  
 1928 employment that is located or provided in an integrated work  
 1929 setting with earnings paid on a commensurate wage basis and for  
 1930 which continued support is needed for job maintenance.

1931  
 1932 As used in this section, the term "student with a disability"  
 1933 includes a student who is documented as having an intellectual  
 1934 disability; a speech impairment; a language impairment; a  
 1935 hearing impairment, including deafness; a visual impairment,  
 1936 including blindness; a dual sensory impairment; an orthopedic  
 1937 impairment; another health impairment; an emotional or  
 1938 behavioral disability; a specific learning disability,  
 1939 including, but not limited to, dyslexia, dyscalculia, or  
 1940 developmental aphasia; a traumatic brain injury; a developmental  
 1941 delay; or autism spectrum disorder.

1942 (2) A student participating in the pilot program may  
 1943 continue to participate in the program until the student  
 1944 graduates from high school or reaches the age of 40 ~~30~~ years,





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1945 | whichever occurs first.

1946 |       (7) Funds for the scholarship shall be provided from the  
1947 | appropriation from the school district's Workforce Development  
1948 | Fund in the General Appropriations Act for students who reside  
1949 | in the Hardee County School District, the DeSoto County School  
1950 | District, the Manatee County School District, or the Sarasota  
1951 | County School District. During the ~~2-year~~ pilot program, the  
1952 | scholarship amount granted for an eligible student with a  
1953 | disability shall be equal to the cost per unit of a full-time  
1954 | equivalent adult general education student, multiplied by the  
1955 | adult general education funding factor, and multiplied by the  
1956 | district cost differential pursuant to the formula required by  
1957 | s. 1011.80(6)(a) for the district in which the student resides.

1958 |       Section 56. Section 1006.141, Florida Statutes, is  
1959 | repealed.

1960 |       Section 57. Subsections (4), (5), and (8) of section  
1961 | 1006.147, Florida Statutes, are amended to read:

1962 |       1006.147 Bullying and harassment prohibited.—

1963 |       (4) ~~By December 1, 2008,~~ Each school district shall adopt  
1964 | a policy prohibiting bullying and harassment of a ~~any~~ student or  
1965 | employee of a public K-12 educational institution. Each school  
1966 | district's policy shall be in substantial conformity with the  
1967 | Department of Education's model policy ~~mandated in subsection~~  
1968 | ~~(5)~~. The school district bullying and harassment policy shall  
1969 | afford all students the same protection regardless of their  
1970 | status under the law. The school district may establish separate  
1971 | discrimination policies that include categories of students. The



1972 school district shall involve students, parents, teachers,  
 1973 administrators, school staff, school volunteers, community  
 1974 representatives, and local law enforcement agencies in the  
 1975 process of adopting the policy. The school district policy must  
 1976 be implemented in a manner that is ongoing throughout the school  
 1977 year and integrated with a school's curriculum, a school's  
 1978 discipline policies, and other violence prevention efforts. The  
 1979 school district policy must contain, at a minimum, the following  
 1980 components:

- 1981 (a) A statement prohibiting bullying and harassment.
- 1982 (b) A definition of bullying and a definition of  
 1983 harassment that include the definitions listed in this section.
- 1984 (c) A description of the type of behavior expected from  
 1985 each student and employee of a public K-12 educational  
 1986 institution.
- 1987 (d) The consequences for a student or employee of a public  
 1988 K-12 educational institution who commits an act of bullying or  
 1989 harassment.
- 1990 (e) The consequences for a student or employee of a public  
 1991 K-12 educational institution who is found to have wrongfully and  
 1992 intentionally accused another of an act of bullying or  
 1993 harassment.
- 1994 (f) A procedure for reporting an act of bullying or  
 1995 harassment, including provisions that permit a person to  
 1996 anonymously report such an act. However, this paragraph does not  
 1997 permit formal disciplinary action to be based solely on an  
 1998 anonymous report.



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1999 (g) A procedure for the prompt investigation of a report  
2000 of bullying or harassment and the persons responsible for the  
2001 investigation. The investigation of a reported act of bullying  
2002 or harassment is deemed to be a school-related activity and  
2003 begins with a report of such an act. Incidents that require a  
2004 reasonable investigation when reported to appropriate school  
2005 authorities shall include alleged incidents of bullying or  
2006 harassment allegedly committed against a child while the child  
2007 is en route to school aboard a school bus or at a school bus  
2008 stop.

2009 (h) A process to investigate whether a reported act of  
2010 bullying or harassment is within the scope of the district  
2011 school system and, if not, a process for referral of such an act  
2012 to the appropriate jurisdiction. Computers without web-filtering  
2013 software or computers with web-filtering software that is  
2014 disabled shall be used when complaints of cyberbullying are  
2015 investigated.

2016 (i) A procedure for providing immediate notification to  
2017 the parents of a victim of bullying or harassment and the  
2018 parents of the perpetrator of an act of bullying or harassment,  
2019 as well as notification to all local agencies where criminal  
2020 charges may be pursued against the perpetrator.

2021 (j) A procedure to refer victims and perpetrators of  
2022 bullying or harassment for counseling.

2023 (k) A procedure for including incidents of bullying or  
2024 harassment in the school's report of data concerning school  
2025 safety and discipline required under s. 1006.09(6). The report



2026 must include each incident of bullying or harassment and the  
 2027 resulting consequences, including discipline and referrals. The  
 2028 report must include in a separate section each reported incident  
 2029 of bullying or harassment that does not meet the criteria of a  
 2030 prohibited act under this section with recommendations regarding  
 2031 such incidents. The Department of Education shall aggregate  
 2032 information contained in the reports.

2033 (l) A procedure for providing instruction to students,  
 2034 parents, teachers, school administrators, counseling staff, and  
 2035 school volunteers on identifying, preventing, and responding to  
 2036 bullying or harassment, including instruction on recognizing  
 2037 behaviors that lead to bullying and harassment and taking  
 2038 appropriate preventive action based on those observations.

2039 (m) A procedure for regularly reporting to a victim's  
 2040 parents the actions taken to protect the victim.

2041 (n) A procedure for publicizing the policy, which must  
 2042 include its publication in the code of student conduct required  
 2043 under s. 1006.07(2) and in all employee handbooks.

2044 ~~(5) To assist school districts in developing policies~~  
 2045 ~~prohibiting bullying and harassment, the Department of Education~~  
 2046 ~~shall develop a model policy that shall be provided to school~~  
 2047 ~~districts no later than October 1, 2008.~~

2048 ~~(7)(8) Distribution of safe schools funds to a school~~  
 2049 ~~district provided in the 2009-2010 General Appropriations Act is~~  
 2050 ~~contingent upon and payable to the school district upon the~~  
 2051 ~~Department of Education's approval of the school district's~~  
 2052 ~~bullying and harassment policy. The department's approval of~~



2053 ~~each school district's bullying and harassment policy shall be~~  
 2054 ~~granted upon certification by the department that the school~~  
 2055 ~~district's policy has been submitted to the department and is in~~  
 2056 ~~substantial conformity with the department's model bullying and~~  
 2057 ~~harassment policy as mandated in subsection (5).~~ Distribution of  
 2058 safe schools funds provided to a school district ~~in fiscal year~~  
 2059 ~~2010-2011 and thereafter~~ shall be contingent upon and payable to  
 2060 the school district upon the school district's compliance with  
 2061 all reporting procedures contained in this section.

2062 Section 58. Subsection (2) of section 1006.148, Florida  
 2063 Statutes, is repealed.

2064 Section 59. Paragraph (a) of subsection (3) of section  
 2065 1006.15, Florida Statutes, is amended to read:

2066 1006.15 Student standards for participation in  
 2067 interscholastic and intrascholastic extracurricular student  
 2068 activities; regulation.-

2069 (3) (a) To be eligible to participate in interscholastic  
 2070 extracurricular student activities, a student must:

2071 1. Maintain a grade point average of 2.0 or above on a 4.0  
 2072 scale, or its equivalent, in the previous semester or a  
 2073 cumulative grade point average of 2.0 or above on a 4.0 scale,  
 2074 or its equivalent, in the courses required by s. 1002.3105(5)  
 2075 ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.

2076 2. Execute and fulfill the requirements of an academic  
 2077 performance contract between the student, the district school  
 2078 board, the appropriate governing association, and the student's  
 2079 parents, if the student's cumulative grade point average falls



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2080 below 2.0, or its equivalent, on a 4.0 scale in the courses  
2081 required by s. 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~.  
2082 At a minimum, the contract must require that the student attend  
2083 summer school, or its graded equivalent, between grades 9 and 10  
2084 or grades 10 and 11, as necessary.

2085 3. Have a cumulative grade point average of 2.0 or above  
2086 on a 4.0 scale, or its equivalent, in the courses required by s.  
2087 1002.3105(5) ~~1003.428~~ or s. 1003.4282 ~~1003.429~~ during his or her  
2088 junior or senior year.

2089 4. Maintain satisfactory conduct, including adherence to  
2090 appropriate dress and other codes of student conduct policies  
2091 described in s. 1006.07(2). If a student is convicted of, or is  
2092 found to have committed, a felony or a delinquent act that would  
2093 have been a felony if committed by an adult, regardless of  
2094 whether adjudication is withheld, the student's participation in  
2095 interscholastic extracurricular activities is contingent upon  
2096 established and published district school board policy.

2097 Section 60. Subsection (1) and paragraph (a) of subsection  
2098 (2) of section 1006.28, Florida Statutes, are amended to read:

2099 1006.28 Duties of district school board, district school  
2100 superintendent; and school principal regarding K-12  
2101 instructional materials.—

2102 (1) DISTRICT SCHOOL BOARD.—The district school board has  
2103 the duty to provide adequate instructional materials for all  
2104 students in accordance with the requirements of this part. The  
2105 term "adequate instructional materials" means a sufficient  
2106 number of student or site licenses or sets of materials that are



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2107 available in bound, unbound, kit, or package form and may  
2108 consist of hardbacked or softbacked textbooks, electronic  
2109 content, consumables, learning laboratories, manipulatives,  
2110 electronic media, and computer courseware or software that serve  
2111 as the basis for instruction for each student in the core  
2112 subject areas ~~courses~~ of mathematics, language arts, social  
2113 studies, science, reading, and literature. The district school  
2114 board has the following specific duties:

2115 (a) *Courses of study; adoption.*—Adopt courses of study for  
2116 use in the schools of the district.

2117 (b) *Instructional materials.*—Provide for proper  
2118 requisitioning, distribution, accounting, storage, care, and use  
2119 of all instructional materials and furnish such other  
2120 instructional materials as may be needed. ~~The district school~~  
2121 ~~board shall ensure that~~ Instructional materials used must be in  
2122 ~~the district are~~ consistent with the district goals and  
2123 objectives and the course descriptions established in rule of  
2124 the State Board of Education, as well as with the applicable  
2125 Next Generation Sunshine State and district performance  
2126 Standards provided for in s. 1003.41 ~~1001.03(1)~~.

2127 (c) *Other instructional materials.*—Provide such other  
2128 teaching accessories and aids as are needed for the school  
2129 district's educational program.

2130 (d) *School library media services; establishment and*  
2131 *maintenance.*—Establish and maintain a program of school library  
2132 media services for all public schools in the district, including  
2133 school library media centers, or school library media centers



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2134 open to the public, and, in addition such traveling or  
 2135 circulating libraries as may be needed for the proper operation  
 2136 of the district school system.

2137 (2) DISTRICT SCHOOL SUPERINTENDENT.—

2138 (a) The district school superintendent has the duty to  
 2139 recommend such plans for improving, providing, distributing,  
 2140 accounting for, and caring for instructional materials and other  
 2141 instructional aids as will result in general improvement of the  
 2142 district school system, as prescribed in this part, in  
 2143 accordance with adopted district school board rules prescribing  
 2144 the duties and responsibilities of the district school  
 2145 superintendent regarding the requisition, purchase, receipt,  
 2146 storage, distribution, use, conservation, records, and reports  
 2147 of, and management practices and property accountability  
 2148 concerning, instructional materials, and providing for an  
 2149 evaluation of any instructional materials to be requisitioned  
 2150 that have not been used previously in the district's schools.  
 2151 The district school superintendent must keep adequate records  
 2152 and accounts for all financial transactions for funds collected  
 2153 pursuant to subsection (3), ~~as a component of the educational~~  
 2154 ~~service delivery scope in a school district best financial~~  
 2155 ~~management practices review under s. 1008.35.~~

2156 Section 61. Subsection (2) of section 1006.31, Florida  
 2157 Statutes, is amended to read:

2158 1006.31 Duties of the Department of Education and school  
 2159 district instructional materials reviewer.—The duties of the  
 2160 instructional materials reviewer are:





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2161           (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use ~~evaluate~~  
2162 ~~carefully all instructional materials submitted, in order to~~  
2163 ~~ascertain which instructional materials, if any, submitted for~~  
2164 ~~consideration~~ implement the selection criteria listed in s.  
2165 1006.34(2)(b) ~~developed by the department~~ and recommend for  
2166 adoption only those instructional materials aligned with the  
2167 Next Generation Sunshine State ~~those curricular objectives~~  
2168 ~~included within applicable performance~~ Standards provided for in  
2169 s. 1003.41 ~~1001.03(1)~~.

2170           (a) When recommending instructional materials for use in  
2171 the schools, each reviewer shall include only instructional  
2172 materials that accurately portray the ethnic, socioeconomic,  
2173 cultural, and racial diversity of our society, including men and  
2174 women in professional, career, and executive roles, and the role  
2175 and contributions of the entrepreneur and labor in the total  
2176 development of this state and the United States.

2177           (b) When recommending instructional materials for use in  
2178 the schools, each reviewer shall include only materials that  
2179 accurately portray, whenever appropriate, humankind's place in  
2180 ecological systems, including the necessity for the protection  
2181 of our environment and conservation of our natural resources and  
2182 the effects on the human system of the use of tobacco, alcohol,  
2183 controlled substances, and other dangerous substances.

2184           (c) When recommending instructional materials for use in  
2185 the schools, each reviewer shall require such materials as he or  
2186 she deems necessary and proper to encourage thrift, fire  
2187 prevention, and humane treatment of people and animals.



2188 (d) When recommending instructional materials for use in  
 2189 the schools, each reviewer shall require, when appropriate to  
 2190 the comprehension of students, that materials for social  
 2191 science, history, or civics classes contain the Declaration of  
 2192 Independence and the Constitution of the United States. A  
 2193 reviewer may not recommend any instructional materials for use  
 2194 in the schools which contain any matter reflecting unfairly upon  
 2195 persons because of their race, color, creed, national origin,  
 2196 ancestry, gender, or occupation.

2197 (e) Any instructional material recommended by each  
 2198 reviewer for use in the schools shall be, to the satisfaction of  
 2199 each reviewer, accurate, objective, and current and suited to  
 2200 the needs and comprehension of students at their respective  
 2201 grade levels. Reviewers shall consider for adoption materials  
 2202 developed for academically talented students such as those  
 2203 enrolled in advanced placement courses.

2204 Section 62. Paragraph (b) of subsection (2) of section  
 2205 1006.34, Florida Statutes, is amended to read:

2206 1006.34 Powers and duties of the commissioner and the  
 2207 department in selecting and adopting instructional materials.—

2208 (2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

2209 (b) In the selection of instructional materials, library  
 2210 media, and other reading material used in the public school  
 2211 system, the standards used to determine the propriety of the  
 2212 material shall include:

2213 1. The age of the students who normally could be expected  
 2214 to have access to the material.



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2215           2. The educational purpose to be served by the material.  
 2216 ~~In considering instructional materials for classroom use,~~  
 2217 Priority shall be given to the selection of materials that align  
 2218 with the Next Generation Sunshine State Standards as provided  
 2219 for in s. 1003.41 ~~which encompass the state and district school~~  
 2220 ~~board performance standards provided for in s. 1001.03(1) and~~  
 2221 ~~which~~ include the instructional objectives contained within the  
 2222 curriculum frameworks for career and technical education and  
 2223 adult and adult general education adopted ~~approved~~ by rule of  
 2224 the State Board of Education under s. 1004.92.

2225           3. The degree to which the material would be supplemented  
 2226 and explained by mature classroom instruction as part of a  
 2227 normal classroom instructional program.

2228           4. The consideration of the broad racial, ethnic,  
 2229 socioeconomic, and cultural diversity of the students of this  
 2230 state.

2231  
 2232 Any instructional material containing pornography or otherwise  
 2233 prohibited by s. 847.012 may not be used or made available  
 2234 within any public school.

2235           Section 63. Subsection (2) and paragraph (a) of subsection  
 2236 (3) of section 1006.40, Florida Statutes, are amended, and  
 2237 subsection (8) is added to that section, to read:

2238           1006.40 Use of instructional materials allocation;  
 2239 instructional materials, library books, and reference books;  
 2240 repair of books.-

2241           (2) Each district school board must purchase current



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2242 instructional materials to provide each student with a major  
2243 tool of instruction in core courses of the subject areas of  
2244 mathematics, language arts, science, social studies, reading,  
2245 and literature for kindergarten through grade 12. Such purchase  
2246 must be made within the first 3 years after the effective date  
2247 of the adoption cycle unless a district school board or a  
2248 consortium of school districts has implemented an instructional  
2249 materials program pursuant to s. 1006.283. ~~For the 2012-2013~~  
2250 ~~mathematics adoption, a district using a comprehensive~~  
2251 ~~mathematics instructional materials program adopted in the 2009-~~  
2252 ~~2010 adoption shall be deemed in compliance with this subsection~~  
2253 ~~if it provides each student with such additional state-adopted~~  
2254 ~~materials as may be necessary to align the previously adopted~~  
2255 ~~comprehensive program to common core standards and the other~~  
2256 ~~criteria of the 2012-2013 mathematics adoption.~~

2257 (3) (a) Beginning with ~~By~~ the 2015-2016 fiscal year, each  
2258 district school board shall use at least 50 percent of the  
2259 annual allocation for the purchase of digital or electronic  
2260 instructional materials that align with state standards included  
2261 on the state-adopted list, except as otherwise authorized in  
2262 paragraphs (b) and (c). ~~This section does not apply to a~~  
2263 ~~district school board or a consortium of school districts which~~  
2264 ~~implements an instructional materials program pursuant to s.~~  
2265 ~~1006.283, except that by the 2015-2016 fiscal year, each~~  
2266 ~~district school board shall use at least 50 percent of the~~  
2267 ~~annual allocation for the purchase of digital or electronic~~  
2268 ~~instructional materials that align with state standards.~~



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2269           (8) Subsections (3), (4), and (6) do not apply to a  
2270 district school board or a consortium of school districts that  
2271 implements an instructional materials program pursuant to s.  
2272 1006.283 except that, by the 2015-2016 fiscal year, each  
2273 district school board shall use at least 50 percent of the  
2274 annual instructional materials allocation for the purchase of  
2275 digital or electronic instructional materials that align with  
2276 state standards adopted by the State Board of Education pursuant  
2277 to s. 1003.41.

2278           Section 64. Section 1006.42, Florida Statutes, is amended  
2279 to read:

2280           1006.42 Responsibility of students and parents for  
2281 instructional materials.—

2282           ~~(1)~~ All instructional materials purchased under the  
2283 provisions of this part are the property of the district school  
2284 board. When distributed to the students, these instructional  
2285 materials are on loan to the students while they are pursuing  
2286 their courses of study and are to be returned at the direction  
2287 of the school principal or the teacher in charge. Each parent of  
2288 a student to whom or for whom instructional materials have been  
2289 issued, is liable for any loss or destruction of, or unnecessary  
2290 damage to, the instructional materials or for failure of the  
2291 student to return the instructional materials when directed by  
2292 the school principal or the teacher in charge, and shall pay for  
2293 such loss, destruction, or unnecessary damage as provided under  
2294 s. 1006.28(3) by law.

2295           ~~(2) Nothing in this part shall be construed to prohibit~~



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2296 ~~parents from exercising their right to purchase instructional~~  
 2297 ~~materials from the district school board.~~

2298 Section 65. Section 1007.02, Florida Statutes, is amended  
 2299 to read:

2300 1007.02 ~~Access to postsecondary education and meaningful~~  
 2301 ~~careers for~~ Students with disabilities; ~~popular name;~~  
 2302 definition.—

2303 ~~(1) This section shall be known by the popular name the~~  
 2304 ~~"Enhanced New Needed Opportunity for Better Life and Education~~  
 2305 ~~for Students with Disabilities (ENNOBLES) Act."~~

2306 ~~(2)~~ For the purposes of this chapter ~~act~~, the term  
 2307 "student with a disability" means a ~~any~~ student who is  
 2308 documented as having an intellectual disability; a hearing  
 2309 impairment, including deafness; a speech or language impairment;  
 2310 a visual impairment, including blindness; an emotional or  
 2311 behavioral disability; an orthopedic or other health impairment;  
 2312 an autism spectrum disorder; a traumatic brain injury; or a  
 2313 specific learning disability, including, but not limited to,  
 2314 dyslexia, dyscalculia, or developmental aphasia.

2315 Section 66. Paragraph (a) of subsection (1) and subsection  
 2316 (3) of section 1007.2615, Florida Statutes, are amended to read:

2317 1007.2615 American Sign Language; findings; foreign-  
 2318 language credits authorized; teacher licensing.—

2319 (1) LEGISLATIVE FINDINGS; PURPOSE.—

2320 (a) The Legislature finds that:

2321 1. American Sign Language (ASL) is a fully developed  
 2322 visual-gestural language with distinct grammar, syntax, and



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2323 symbols and is one of hundreds of signed languages of the world.

2324 2. ASL is recognized as the language of the American deaf  
2325 community and is the fourth most commonly used language in the  
2326 United States and Canada.

2327 3. The American deaf community is a group of citizens who  
2328 are members of a unique culture who share ASL as their common  
2329 language.

2330 ~~4. Thirty three state legislatures have adopted~~  
2331 ~~legislation recognizing ASL as a language that should be taught~~  
2332 ~~in schools.~~

2333 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF  
2334 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN  
2335 FOR POSTSECONDARY EDUCATION PROVIDERS.—

2336 ~~(a) The Commissioner of Education shall appoint a seven-~~  
2337 ~~member task force that includes representatives from two state~~  
2338 ~~universities and one private college or university located~~  
2339 ~~within this state which currently offer a 4-year deaf education~~  
2340 ~~or sign language interpretation program as a part of their~~  
2341 ~~respective curricula, two representatives from the Florida~~  
2342 ~~American Sign Language Teachers' Association (FASLTA), and two~~  
2343 ~~representatives from Florida College System institutions located~~  
2344 ~~within this state which have established Interpreter Training~~  
2345 ~~Programs (ITPs). This task force shall develop and submit to the~~  
2346 ~~Commissioner of Education a report that contains the most up-to-~~  
2347 ~~date information about American Sign Language (ASL) and~~  
2348 ~~guidelines for developing and maintaining ASL courses as a part~~  
2349 ~~of the curriculum. This information must be made available to~~



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2350 ~~any administrator of a public or an independent school upon~~  
2351 ~~request of the administrator.~~

2352 ~~(a) (b)~~ By January 1, 2005, The State Board of Education  
2353 shall adopt rules establishing licensing/certification standards  
2354 to be applied to teachers who teach American Sign Language (ASL)  
2355 ~~ASL~~ as part of a school curriculum. ~~In developing the rules, the~~  
2356 ~~state board shall consult with the task force established under~~  
2357 ~~paragraph (a).~~

2358 ~~(b) (e)~~ An ASL teacher must be certified by the Department  
2359 of Education ~~by July 1, 2009.~~

2360 ~~(c) (d)~~ The Commissioner of Education shall work with  
2361 providers of postsecondary education, except for state  
2362 universities, to develop and implement a plan to ensure that  
2363 these institutions in this state will accept secondary school  
2364 credits in ASL as credits in a foreign language and to encourage  
2365 postsecondary institutions to offer ASL courses to students as a  
2366 fulfillment of the requirement for studying a foreign language.

2367 Section 67. Subsection (4) of section 1007.263, Florida  
2368 Statutes, is amended to read:

2369 1007.263 Florida College System institutions; admissions  
2370 of students.—Each Florida College System institution board of  
2371 trustees is authorized to adopt rules governing admissions of  
2372 students subject to this section and rules of the State Board of  
2373 Education. These rules shall include the following:

2374 (4) A student who has been awarded a special diploma under  
2375 ~~as defined in s. 1003.438~~ or a certificate of completion under  
2376 ~~as defined in s. 1003.4282~~ 1003.428(7)(b) is eligible to enroll





2377 | in certificate career education programs.

2378

2379 | Each board of trustees shall establish policies that notify  
 2380 | students about developmental education options for improving  
 2381 | their communication or computation skills that are essential to  
 2382 | performing college-level work, including tutoring, extended time  
 2383 | in gateway courses, free online courses, adult basic education,  
 2384 | adult secondary education, or private provider instruction.

2385 | Section 68. Subsection (1) of section 1007.264, Florida  
 2386 | Statutes, is amended to read:

2387 | 1007.264 Persons with disabilities; admission to  
 2388 | postsecondary educational institutions; substitute requirements;  
 2389 | rules and regulations.—

2390 | (1) A ~~Any~~ student with a disability, ~~as defined in s.~~  
 2391 | ~~1007.02(2)~~, who is otherwise eligible shall be eligible for  
 2392 | reasonable substitution for any requirement for admission into a  
 2393 | public postsecondary educational institution where documentation  
 2394 | can be provided that the person's failure to meet the admission  
 2395 | requirement is related to the disability.

2396 | Section 69. Subsection (1) of section 1007.265, Florida  
 2397 | Statutes, is amended to read:

2398 | 1007.265 Persons with disabilities; graduation, study  
 2399 | program admission, and upper-division entry; substitute  
 2400 | requirements; rules and regulations.—

2401 | (1) A ~~Any~~ student with a disability, ~~as defined in s.~~  
 2402 | ~~1007.02(2)~~, in a public postsecondary educational institution  
 2403 | shall be eligible for reasonable substitution for any



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2404 requirement for graduation, for admission into a program of  
2405 study, or for entry into the upper division where documentation  
2406 can be provided that the person's failure to meet the  
2407 requirement is related to the disability and where failure to  
2408 meet the graduation requirement or program admission requirement  
2409 does not constitute a fundamental alteration in the nature of  
2410 the program.

2411 Section 70. Subsections (2) and (9) of section 1007.271,  
2412 Florida Statutes, are amended to read:

2413 1007.271 Dual enrollment programs.—

2414 (2) For the purpose of this section, an eligible secondary  
2415 student is a student who is enrolled in any of grades 6 through  
2416 12 in a Florida public ~~secondary~~ school or in a Florida private  
2417 ~~secondary~~ school that ~~which~~ is in compliance with s. 1002.42(2)  
2418 and provides a secondary curriculum pursuant to ~~s. 1003.428 or~~  
2419 s. 1003.4282. Students who are eligible for dual enrollment  
2420 pursuant to this section may enroll in dual enrollment courses  
2421 conducted during school hours, after school hours, and during  
2422 the summer term. However, if the student is projected to  
2423 graduate from high school before the scheduled completion date  
2424 of a postsecondary course, the student may not register for that  
2425 course through dual enrollment. The student may apply to the  
2426 postsecondary institution and pay the required registration,  
2427 tuition, and fees if the student meets the postsecondary  
2428 institution's admissions requirements under s. 1007.263.  
2429 Instructional time for dual enrollment may vary from 900 hours;  
2430 however, the full-time equivalent student membership value shall



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2431 be subject to the provisions in s. 1011.61(4). A ~~Any~~ student  
 2432 enrolled as a dual enrollment student is exempt from the payment  
 2433 of registration, tuition, and laboratory fees. Applied academics  
 2434 for adult education instruction, developmental education, and  
 2435 other forms of precollegiate instruction, as well as physical  
 2436 education courses that focus on the physical execution of a  
 2437 skill rather than the intellectual attributes of the activity,  
 2438 are ineligible for inclusion in the dual enrollment program.  
 2439 Recreation and leisure studies courses shall be evaluated  
 2440 individually in the same manner as physical education courses  
 2441 for potential inclusion in the program.

2442 (9) The Commissioner of Education shall appoint faculty  
 2443 committees representing public school, Florida College System  
 2444 institution, and university faculties to identify postsecondary  
 2445 courses that meet the high school graduation requirements of ~~s.~~  
 2446 ~~1003.428~~ ~~or~~ s. 1003.4282 and to establish the number of  
 2447 postsecondary semester credit hours of instruction and  
 2448 equivalent high school credits earned through dual enrollment  
 2449 pursuant to this section that are necessary to meet high school  
 2450 graduation requirements. Such equivalencies shall be determined  
 2451 solely on comparable course content and not on seat time  
 2452 traditionally allocated to such courses in high school. The  
 2453 Commissioner of Education shall recommend to the State Board of  
 2454 Education those postsecondary courses identified to meet high  
 2455 school graduation requirements, based on mastery of course  
 2456 outcomes, by their course numbers, and all high schools shall  
 2457 accept these postsecondary education courses toward meeting the



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2458 requirements of ~~s. 1003.428~~ or s. 1003.4282.

2459 Section 71. Subsections (3), (7), and (8) of section  
2460 1008.22, Florida Statutes, are amended to read:

2461 1008.22 Student assessment program for public schools.—

2462 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
2463 Commissioner of Education shall design and implement a  
2464 statewide, standardized assessment program aligned to the core  
2465 curricular content established in the Next Generation Sunshine  
2466 State Standards. The commissioner also must develop or select  
2467 and implement a common battery of assessment tools that will be  
2468 used in all juvenile justice education programs in the state.  
2469 These tools must accurately measure the core curricular content  
2470 established in the Next Generation Sunshine State Standards.  
2471 Participation in the assessment program is mandatory for all  
2472 school districts and all students attending public schools,  
2473 including adult students seeking a standard ~~an adult~~ high school  
2474 diploma under s. 1003.4282 and students in Department of  
2475 Juvenile Justice education programs, except as otherwise  
2476 provided by law ~~prescribed by the commissioner~~. If a student  
2477 does not participate in the assessment program, the school  
2478 district must notify the student's parent and provide the parent  
2479 with information regarding the implications of such  
2480 nonparticipation. The statewide, standardized assessment program  
2481 shall be designed and implemented as follows:

2482 (a) Statewide, standardized comprehensive assessments  
2483 ~~Florida Comprehensive Assessment Test (FCAT) until replaced by~~  
2484 ~~common core assessments~~. The statewide, standardized FCAT



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2485 Reading assessment shall be administered annually in grades 3  
2486 through 10. The statewide, standardized Writing assessment shall  
2487 be administered annually at least once at the elementary,  
2488 middle, and high school levels. When the Reading and Writing  
2489 assessments are replaced by English Language Arts (ELA)  
2490 assessments, ELA assessments shall be administered to students  
2491 in grades 3 through 11. Retake opportunities for the grade 10  
2492 Reading assessment or, upon implementation, the grade 10 ELA  
2493 assessment must be provided. Students taking the ELA assessments  
2494 shall not take the statewide, standardized assessments in  
2495 Reading or Writing. ELA assessments shall be administered  
2496 online. The statewide, standardized; FCAT Mathematics  
2497 assessments shall be administered annually in grades 3 through  
2498 8. Students taking a revised Mathematics assessment shall not  
2499 take the discontinued assessment. The statewide, standardized;  
2500 FCAT Writing shall be administered annually at least once at the  
2501 elementary, middle, and high school levels; and FCAT Science  
2502 assessment shall be administered annually at least once at the  
2503 elementary and middle grades levels. In order to earn a standard  
2504 high school diploma, a student who has not earned a passing  
2505 score on the grade 10 FCAT Reading assessment or, upon  
2506 implementation, the grade 10 ELA assessment must earn a passing  
2507 score on the assessment retake or earn a concordant score as  
2508 authorized under subsection (7) must participate in each retake  
2509 of the assessment until the student earns a passing score. The  
2510 commissioner shall recommend and the State Board of Education  
2511 must adopt a score on both the SAT and ACT that is concordant to



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2512 ~~a passing score on grade 10 FCAT Reading that, if achieved by a~~  
 2513 ~~student, meets the must-pass requirement for grade 10 FCAT~~  
 2514 ~~Reading.~~

2515 (b) *End-of-course (EOC) assessments.*—EOC assessments must  
 2516 be statewide, standardized, and developed or approved by the  
 2517 Department of Education as follows:

2518 1. Statewide, standardized EOC assessments in mathematics  
 2519 shall be administered according to this subparagraph. Beginning  
 2520 with the 2010-2011 school year, all students enrolled in Algebra  
 2521 I must take the Algebra I EOC assessment. Except as otherwise  
 2522 provided in paragraph (c) this section, beginning with students  
 2523 entering grade 9 in the 2011-2012 school year, a student who is  
 2524 enrolled in Algebra I must earn a passing score on the Algebra I  
 2525 EOC assessment or attain a comparative score as authorized under  
 2526 subsection (8) in order to earn a standard high school diploma.  
 2527 In order to earn a standard high school diploma, a student who  
 2528 has not earned a passing score on the Algebra I EOC assessment  
 2529 must earn a passing score on the assessment retake or a  
 2530 comparative score as authorized under subsection (8) must  
 2531 ~~participate in each retake of the assessment until the student~~  
 2532 ~~earns a passing score.~~ Beginning with the 2011-2012 school year,  
 2533 all students enrolled in Geometry must take the Geometry EOC  
 2534 assessment. Middle grades students enrolled in Algebra I, ~~or~~  
 2535 Geometry, or Biology I must take the statewide, standardized EOC  
 2536 assessment for those courses and shall are not ~~required to~~ take  
 2537 the corresponding subject and grade-level statewide,  
 2538 standardized assessment FCAT. When a statewide, standardized EOC



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2539 assessment in Algebra II is administered, all students enrolled  
2540 in Algebra II must take the EOC assessment. Pursuant to the  
2541 commissioner's implementation schedule, student performance on  
2542 the Algebra II EOC assessment constitutes 30 percent of a  
2543 student's final course grade.

2544 2. Statewide, standardized EOC assessments in science  
2545 shall be administered according to this subparagraph. Beginning  
2546 with the 2011-2012 school year, all students enrolled in Biology  
2547 I must take the Biology I EOC assessment. Beginning with  
2548 students entering grade 9 in the 2013-2014 school year,  
2549 performance on the Biology I EOC assessment constitutes 30  
2550 percent of the student's final course grade.

2551 3. ~~During the 2012-2013 school year, an EOC assessment in~~  
2552 ~~civics education shall be administered as a field test at the~~  
2553 ~~middle grades level.~~ Beginning with the 2013-2014 school year,  
2554 each student's performance on the statewide, standardized middle  
2555 grades Civics EOC assessment ~~in civics education~~ constitutes 30  
2556 percent of the student's final course grade in civics education.

2557 4. The commissioner may select one or more nationally  
2558 developed comprehensive examinations, which may include  
2559 examinations for a College Board Advanced Placement course,  
2560 International Baccalaureate course, or Advanced International  
2561 Certificate of Education course, or industry-approved  
2562 examinations to earn national industry certifications identified  
2563 in the Industry Certification Funding List, for use as EOC  
2564 assessments under this paragraph if the commissioner determines  
2565 that the content knowledge and skills assessed by the



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2566 examinations meet or exceed the grade-level expectations for the  
2567 core curricular content established for the course in the Next  
2568 Generation Sunshine State Standards. Use of any such examination  
2569 as an EOC assessment must be approved by the state board in  
2570 rule.

2571 5. Contingent upon funding provided in the General  
2572 Appropriations Act, including the appropriation of funds  
2573 received through federal grants, the commissioner may establish  
2574 an implementation schedule for the development and  
2575 administration of additional statewide, standardized EOC  
2576 assessments that must be approved by the state board, in rule.  
2577 If approved by the state board, student performance on such  
2578 assessments constitutes 30 percent of a student's final course  
2579 grade.

2580 6. All statewide, standardized EOC assessments must be  
2581 administered online except as otherwise provided in paragraph  
2582 (c).

2583 (c) *Students with disabilities; Florida Alternate*  
2584 *Assessment.*—

2585 1. Each district school board must provide instruction to  
2586 prepare students with disabilities in the core content knowledge  
2587 and skills necessary for successful grade-to-grade progression  
2588 and high school graduation.

2589 2. A student with a disability, as defined in s. 1007.02  
2590 ~~1007.02(2)~~, for whom the individual education plan (IEP) team  
2591 determines that the statewide, standardized assessments under  
2592 this section cannot accurately measure the student's abilities,





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2593 taking into consideration all allowable accommodations, shall  
2594 have assessment results waived for the purpose of receiving a  
2595 course grade and a standard high school diploma. Such waiver  
2596 shall be designated on the student's transcript. The statement  
2597 of waiver shall be limited to a statement that performance on an  
2598 assessment was waived for the purpose of receiving a course  
2599 grade or a standard high school diploma, as applicable.

2600 3. The State Board of Education shall adopt rules, based  
2601 upon recommendations of the commissioner, for the provision of  
2602 assessment accommodations for students with disabilities and for  
2603 students who have limited English proficiency.

2604 a. Accommodations that negate the validity of a statewide,  
2605 standardized assessment are not allowed during the  
2606 administration of the assessment. However, instructional  
2607 accommodations are allowed in the classroom if identified in a  
2608 student's IEP. Students using instructional accommodations in  
2609 the classroom that are not allowed on a statewide, standardized  
2610 assessment may have assessment results waived if the IEP team  
2611 determines that the assessment cannot accurately measure the  
2612 student's abilities.

2613 b. If a student is provided with instructional  
2614 accommodations in the classroom that are not allowed as  
2615 accommodations for statewide, standardized assessments, the  
2616 district must inform the parent in writing and provide the  
2617 parent with information regarding the impact on the student's  
2618 ability to meet expected performance levels. A parent must  
2619 provide signed consent for a student to receive classroom



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2620 instructional accommodations that would not be available or  
2621 permitted on a statewide, standardized assessment and  
2622 acknowledge in writing that he or she understands the  
2623 implications of such instructional accommodations.

2624 c. If a student's IEP states that online administration of  
2625 a statewide, standardized assessment will significantly impair  
2626 the student's ability to perform, the assessment shall be  
2627 administered in hard copy.

2628 4. For students with significant cognitive disabilities,  
2629 the Department of Education shall provide for implementation of  
2630 the Florida Alternate Assessment to accurately measure the core  
2631 curricular content established in the Next Generation Sunshine  
2632 State Standards.

2633 (d) Implementation schedule ~~Common core assessments in~~  
2634 ~~English Language Arts (ELA) and mathematics.~~

2635 ~~1. Contingent upon funding, common core assessments in ELA~~  
2636 ~~shall be administered to students in grades 3 through 11. Retake~~  
2637 ~~opportunities for the grade 10 assessment must be provided.~~  
2638 ~~Students taking the ELA assessments are not required to take the~~  
2639 ~~assessments in FCAT Reading or FCAT Writing. Common core ELA~~  
2640 ~~assessments shall be administered online.~~

2641 ~~2. Contingent upon funding, common core assessments in~~  
2642 ~~mathematics shall be administered to all students in grades 3~~  
2643 ~~through 8, and common core assessments in Algebra I, Geometry,~~  
2644 ~~and Algebra II shall be administered to students enrolled in~~  
2645 ~~those courses. Retake opportunities must be provided for the~~  
2646 ~~Algebra I assessment. Students may take the common core~~



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2647 ~~mathematics assessments pursuant to the Credit Acceleration~~  
2648 ~~Program (CAP) under s. 1003.4295(3). Students taking common core~~  
2649 ~~assessments in mathematics are not required to take FCAT~~  
2650 ~~Mathematics or statewide, standardized EOC assessments in~~  
2651 ~~mathematics. Common core mathematics assessments shall be~~  
2652 ~~administered online.~~

2653 1.3. The Commissioner State Board of Education shall  
2654 establish and publish on the department's website adopt rules  
2655 establishing an implementation schedule to transition from the  
2656 statewide, standardized FCAT Reading and, FCAT Writing  
2657 assessments to the ELA assessments and to the revised, FCAT  
2658 Mathematics assessments, including the, and Algebra I and  
2659 Geometry EOC assessments to common core assessments in English  
2660 Language Arts and mathematics. The schedule must take into  
2661 consideration funding, sufficient field and baseline data,  
2662 access to assessments, instructional alignment, and school  
2663 district readiness to administer the common core assessments  
2664 online. Until the 10th grade common core ELA and Algebra I  
2665 assessments become must pass assessments, students must pass  
2666 10th grade FCAT Reading and the Algebra I EOC assessment, or  
2667 achieve a concordant or comparative score as authorized under  
2668 this section, in order to earn a standard high school diploma  
2669 under s. 1003.4282. Students taking 10th grade FCAT Reading or  
2670 the Algebra I EOC assessment are not required to take the  
2671 respective common core assessments.

2672 2.4. The Department of Education shall publish minimum and  
2673 recommended technology requirements that include specifications



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2674 for hardware, software, networking, security, and broadband  
2675 capacity to facilitate school district compliance with the  
2676 requirement that ~~common-core~~ assessments be administered online.

2677 (e) *Assessment scores and achievement levels.*—

2678 1. All statewide, standardized EOC assessments and ~~FCAT~~  
2679 Reading, ~~FCAT~~ Writing, and ~~FCAT~~ Science assessments shall use  
2680 scaled scores and achievement levels. Achievement levels shall  
2681 range from 1 through 5, with level 1 being the lowest  
2682 achievement level, level 5 being the highest achievement level,  
2683 and level 3 indicating satisfactory performance on an  
2684 assessment. For purposes of the statewide, standardized FCAT  
2685 Writing assessment, student achievement shall be scored using a  
2686 scale of 1 through 6.

2687 2. The state board shall designate by rule a passing score  
2688 for each statewide, standardized ~~EOC and FCAT~~ assessment. ~~In~~  
2689 ~~addition, the state board shall designate a score for each~~  
2690 ~~statewide, standardized EOC assessment that indicates that a~~  
2691 ~~student is high achieving and has the potential to meet college-~~  
2692 ~~readiness standards by the time the student graduates from high~~  
2693 ~~school.~~

2694 3. If the commissioner seeks to revise a statewide,  
2695 standardized assessment and the revisions require the state  
2696 board to modify performance level scores, including the passing  
2697 score, the commissioner shall provide a copy of the proposed  
2698 scores and implementation plan to the President of the Senate  
2699 and the Speaker of the House of Representatives at least 90 days  
2700 before submission to the state board for review. Until the state



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2701 board adopts the modifications by rule, the commissioner shall  
2702 use calculations for scoring the assessment that adjust student  
2703 scores on the revised assessment for statistical equivalence to  
2704 student scores on the former assessment. The state board shall  
2705 adopt by rule the passing score for the revised assessment that  
2706 is statistically equivalent to the passing score on the  
2707 discontinued assessment for a student who is required to attain  
2708 a passing score on the discontinued assessment. The commissioner  
2709 may, with approval of the state board, discontinue  
2710 administration of the former assessment upon the graduation,  
2711 based on normal student progression, of students participating  
2712 in the final regular administration of the former assessment. If  
2713 the commissioner revises a statewide, standardized assessment  
2714 and the revisions require the state board to modify the passing  
2715 score, only students taking the assessment for the first time  
2716 after the rule is adopted are affected.

2717 (f) *Assessment schedules and reporting of results.*—The  
2718 Commissioner of Education shall establish schedules for the  
2719 administration of assessments and the reporting of student  
2720 assessment results. The commissioner shall consider the  
2721 observance of religious and school holidays when developing the  
2722 schedule. By August 1 of each year, the commissioner shall  
2723 notify each school district in writing and publish on the  
2724 department's website the assessment and reporting schedules for,  
2725 at a minimum, the school year following the upcoming school  
2726 year. The assessment and reporting schedules must provide the  
2727 earliest possible reporting of student assessment results to the



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2728 school districts. Assessment results for the statewide,  
2729 standardized ~~FCAT~~ Reading assessments, or upon implementation  
2730 the ELA assessments, and ~~FCAT~~ Mathematics assessments, including  
2731 the EOC assessments in Algebra I and Geometry, must be made  
2732 available no later than the week of June 8. The administration  
2733 of the statewide, standardized ~~FCAT~~ Writing assessment and the  
2734 Florida Alternate Assessment may be no earlier than the week of  
2735 March 1. School districts shall administer assessments in  
2736 accordance with the schedule established by the commissioner.

2737 (g) *Prohibited activities.*—A district school board shall  
2738 prohibit each public school from suspending a regular program of  
2739 curricula for purposes of administering practice assessments or  
2740 engaging in other assessment-preparation activities for a  
2741 statewide, standardized assessment. However, a district school  
2742 board may authorize a public school to engage in the following  
2743 assessment-preparation activities:

2744 1. Distributing to students sample assessment books and  
2745 answer keys published by the Department of Education.

2746 2. Providing individualized instruction in assessment-  
2747 taking strategies, without suspending the school's regular  
2748 program of curricula, for a student who scores Level 1 or Level  
2749 2 on a prior administration of an assessment.

2750 3. Providing individualized instruction in the content  
2751 knowledge and skills assessed, without suspending the school's  
2752 regular program of curricula, for a student who scores Level 1  
2753 or Level 2 on a prior administration of an assessment or a  
2754 student who, through a diagnostic assessment administered by the



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2755 school district, is identified as having a deficiency in the  
2756 content knowledge and skills assessed.

2757 4. Administering a practice assessment or engaging in  
2758 other assessment-preparation activities that are determined  
2759 necessary to familiarize students with the organization of the  
2760 assessment, the format of assessment items, and the assessment  
2761 directions or that are otherwise necessary for the valid and  
2762 reliable administration of the assessment, as set forth in rules  
2763 adopted by the State Board of Education with specific reference  
2764 to this paragraph.

2765 (h) *Contracts for assessments.*—The commissioner shall  
2766 provide for the assessments to be developed or obtained, as  
2767 appropriate, through contracts and project agreements with  
2768 private vendors, public vendors, public agencies, postsecondary  
2769 educational institutions, or school districts. The commissioner  
2770 may enter into contracts for the continued administration of the  
2771 assessments authorized and funded by the Legislature. Contracts  
2772 may be initiated in 1 fiscal year and continue into the next  
2773 fiscal year and may be paid from the appropriations of either or  
2774 both fiscal years. The commissioner may negotiate for the sale  
2775 or lease of tests, scoring protocols, test scoring services, and  
2776 related materials developed pursuant to law.

2777 (7) CONCORDANT SCORES ~~FOR 10TH GRADE FCAT READING.~~ ~~Until~~  
2778 ~~the state transitions to common core English Language Arts~~  
2779 ~~assessments,~~ The Commissioner of Education must identify scores  
2780 on the SAT and ACT that if achieved satisfy the graduation  
2781 requirement that a student pass the grade 10 statewide,



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2782 standardized 10th grade FCAT Reading assessment or, upon  
2783 implementation, the grade 10 ELA assessment. The commissioner  
2784 may identify concordant scores on ~~other~~ assessments other than  
2785 the SAT and ACT as well. If the content or scoring procedures  
2786 change for the grade 10 Reading assessment or, upon  
2787 implementation, the grade 10 ELA assessment ~~10th grade FCAT~~  
2788 ~~Reading,~~ new concordant scores must be determined. If new  
2789 concordant scores are not timely adopted, the last-adopted  
2790 concordant scores remain in effect until such time as new scores  
2791 are adopted. The state board shall adopt concordant scores in  
2792 rule.

2793 (8) COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENT  
2794 ~~ASSESSMENTS.~~—The Commissioner of Education must identify one or  
2795 more comparative scores for the Algebra I EOC assessment ~~and may~~  
2796 ~~identify comparative scores for the other EOC assessments.~~ If  
2797 the content or scoring procedures change for the EOC assessment  
2798 ~~assessments,~~ new comparative scores must be determined. If new  
2799 comparative scores are not timely adopted, the last-adopted  
2800 comparative scores remain in effect until such time as new  
2801 scores are adopted. The state board shall adopt comparative  
2802 scores in rule.

2803 Section 72. Paragraph (h) of subsection (2), paragraph (a)  
2804 of subsection (4), paragraph (b) of subsection (6), and  
2805 paragraph (b) of subsection (7) of section 1008.25, Florida  
2806 Statutes, are amended to read:

2807 1008.25 Public school student progression; remedial  
2808 instruction; reporting requirements.—





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2809 (2) COMPREHENSIVE STUDENT PROGRESSION PLAN.—Each district  
 2810 school board shall establish a comprehensive plan for student  
 2811 progression which must:

2812 (h) Provide instructional sequences by which students in  
 2813 kindergarten through high school may attain progressively higher  
 2814 levels of skill in the use of digital tools and applications.  
 2815 The instructional sequences must include participation in  
 2816 curricular and instructional options and the demonstration of  
 2817 competence of standards required pursuant to ss. 1003.41 and  
 2818 1003.4203 through attainment of industry certifications and  
 2819 other means of demonstrating credit requirements identified  
 2820 under ss. 1002.3105, 1003.4203, ~~1003.428~~, and 1003.4282.

2821 (4) ASSESSMENT AND REMEDIATION.—

2822 (a) Each student must participate in the statewide,  
 2823 standardized assessment program required by s. 1008.22. Each  
 2824 student who does not meet specific levels of performance on the  
 2825 required assessments as determined by the district school board  
 2826 or who scores below Level 3 on the statewide, standardized  
 2827 Reading assessment or, upon implementation, the English Language  
 2828 Arts assessment or on the statewide, standardized Mathematics  
 2829 assessments in grades 3 through 8 and the Algebra I EOC  
 2830 assessment ~~FCAT Reading or FCAT Mathematics or on the common~~  
 2831 ~~core English Language Arts or mathematics assessments as~~  
 2832 ~~applicable under s. 1008.22~~ must be provided with additional  
 2833 diagnostic assessments to determine the nature of the student's  
 2834 difficulty, the areas of academic need, and strategies for  
 2835 appropriate intervention and instruction as described in



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2836 paragraph (b).

2837 (6) ELIMINATION OF SOCIAL PROMOTION.—

2838 (b) The district school board may only exempt students  
2839 from mandatory retention, as provided in paragraph (5)(b), for  
2840 good cause. Good cause exemptions shall be limited to the  
2841 following:

2842 1. Limited English proficient students who have had less  
2843 than 2 years of instruction in an English for Speakers of Other  
2844 Languages program.

2845 2. Students with disabilities whose individual education  
2846 plan indicates that participation in the statewide assessment  
2847 program is not appropriate, consistent with the requirements of  
2848 s. 1008.212 ~~State Board of Education rule.~~

2849 3. Students who demonstrate an acceptable level of  
2850 performance on an alternative standardized reading or English  
2851 Language Arts assessment approved by the State Board of  
2852 Education.

2853 4. A student who demonstrates through a student portfolio  
2854 that he or she is performing at least at Level 2 on the  
2855 statewide, standardized FCAT Reading assessment or, upon  
2856 implementation, the ~~common core~~ English Language Arts  
2857 assessment, ~~as applicable under s. 1008.22.~~

2858 5. Students with disabilities who take the statewide,  
2859 standardized ~~participate in FCAT~~ Reading assessment or, upon  
2860 implementation, the ~~common core~~ English Language Arts  
2861 assessment, ~~as applicable under s. 1008.22,~~ and who have an  
2862 individual education plan or a Section 504 plan that reflects



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2863 that the student has received intensive remediation in reading  
2864 or ~~and~~ English Language Arts for more than 2 years but still  
2865 demonstrates a deficiency and was previously retained in  
2866 kindergarten, grade 1, grade 2, or grade 3.

2867 6. Students who have received intensive remediation in  
2868 reading or ~~and~~ English Language Arts, ~~as applicable under s.~~  
2869 ~~1008.22,~~ for 2 or more years but still demonstrate a deficiency  
2870 and who were previously retained in kindergarten, grade 1, grade  
2871 2, or grade 3 for a total of 2 years. Intensive instruction for  
2872 students so promoted must include an altered instructional day  
2873 that includes specialized diagnostic information and specific  
2874 reading strategies for each student. The district school board  
2875 shall assist schools and teachers to implement reading  
2876 strategies that research has shown to be successful in improving  
2877 reading among low-performing readers.

2878 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE  
2879 STUDENTS.—

2880 (b) Each school district shall:

2881 1. Provide third grade students who are retained under the  
2882 provisions of paragraph (5) (b) with intensive instructional  
2883 services and supports to remediate the identified areas of  
2884 reading deficiency, including participation in the school  
2885 district's summer reading camp as required under paragraph (a)  
2886 and a minimum of 90 minutes of daily, uninterrupted,  
2887 scientifically research-based reading instruction which includes  
2888 phonemic awareness, phonics, fluency, vocabulary, and  
2889 comprehension and other strategies prescribed by the school



2890 district, which may include, but are not limited to:

2891 a. Integration of science and social studies content

2892 within the 90-minute block.

2893 b. Small group instruction.

2894 c. Reduced teacher-student ratios.

2895 d. More frequent progress monitoring.

2896 e. Tutoring or mentoring.

2897 f. Transition classes containing 3rd and 4th grade

2898 students.

2899 g. Extended school day, week, or year.

2900 2. Provide written notification to the parent of a ~~any~~

2901 student who is retained under the provisions of paragraph (5) (b)

2902 that his or her child has not met the proficiency level required

2903 for promotion and the reasons the child is not eligible for a

2904 good cause exemption as provided in paragraph (6) (b). The

2905 notification must comply with the provisions of s. 1002.20(15)

2906 and must include a description of proposed interventions and

2907 supports that will be provided to the child to remediate the

2908 identified areas of reading deficiency.

2909 3. Implement a policy for the midyear promotion of a ~~any~~

2910 student retained under the provisions of paragraph (5) (b) who

2911 can demonstrate that he or she is a successful and independent

2912 reader and performing at or above grade level in reading or,

2913 upon implementation of ~~and~~ English Language Arts assessments,

2914 performing at or above grade level in English Language Arts, ~~as~~

2915 ~~applicable under s. 1008.22.~~ Tools that school districts may use

2916 in reevaluating a ~~any~~ student retained may include subsequent



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2917 assessments, alternative assessments, and portfolio reviews, in  
2918 accordance with rules of the State Board of Education.

2919 4. Provide students who are retained under the provisions  
2920 of paragraph (5)(b) with a highly effective teacher as  
2921 determined by the teacher's performance evaluation under s.  
2922 1012.34.

2923 5. Establish at each school, when applicable, an Intensive  
2924 Acceleration Class for retained grade 3 students who  
2925 subsequently score Level 1 on the required statewide,  
2926 standardized assessment identified in s. 1008.22. The focus of  
2927 the Intensive Acceleration Class shall be to increase a child's  
2928 reading and English Language Arts skill level at least two grade  
2929 levels in 1 school year. The Intensive Acceleration Class shall:

2930 a. Be provided to a ~~any~~ student in grade 3 who scores  
2931 Level 1 on the statewide, standardized FCAT Reading assessment  
2932 or, upon implementation, the common-core English Language Arts  
2933 ~~assessment, as applicable under s. 1008.22,~~ and who was retained  
2934 in grade 3 the prior year because of scoring Level 1.

2935 b. Have a reduced teacher-student ratio.

2936 c. Provide uninterrupted reading instruction for the  
2937 majority of student contact time each day and incorporate  
2938 opportunities to master the grade 4 Next Generation Sunshine  
2939 State Standards in other core subject areas.

2940 d. Use a reading program that is scientifically research-  
2941 based and has proven results in accelerating student reading  
2942 achievement within the same school year.

2943 e. Provide intensive language and vocabulary instruction



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2944 using a scientifically research-based program, including use of  
2945 a speech-language therapist.

2946 Section 73. Paragraphs (b) and (c) of subsection (4) and  
2947 subsections (5) and (7) of section 1008.33, Florida Statutes,  
2948 are amended to read:

2949 1008.33 Authority to enforce public school improvement.-

2950 (4)

2951 (b) ~~Except as provided in subsection (5),~~ The turnaround  
2952 options available to a school district to address a school that  
2953 earns a grade of "F" are:

2954 1. Convert the school to a district-managed turnaround  
2955 school;

2956 2. Reassign students to another school and monitor the  
2957 progress of each reassigned student;

2958 3. Close the school and reopen the school as one or more  
2959 charter schools, each with a governing board that has a  
2960 demonstrated record of effectiveness;

2961 4. Contract with an outside entity that has a demonstrated  
2962 record of effectiveness to operate the school; or

2963 5. Implement a hybrid of turnaround options set forth in  
2964 subparagraphs 1.-4. or other turnaround models that have a  
2965 demonstrated record of effectiveness.

2966 (c) ~~Except for schools required to implement a turnaround~~  
2967 ~~option pursuant to subsection (5),~~ A school earning a grade of  
2968 "F" shall have a planning year followed by 2 full school years  
2969 to implement the initial turnaround option selected by the  
2970 school district and approved by the state board. Implementation



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2971 of the turnaround option is no longer required if the school  
2972 improves by at least one letter grade.

2973 ~~(5) A school that earns a grade of "F" within 2 years~~  
2974 ~~after raising its grade from a grade of "F" or that earns a~~  
2975 ~~grade of "F" within 2 years after exiting the lowest-performing~~  
2976 ~~category under s. 3, chapter 2009-144, Laws of Florida, must~~  
2977 ~~implement one of the turnaround options in subparagraphs~~  
2978 ~~(4)(b)2.-5.~~

2979 ~~(7) A school classified in the lowest-performing category~~  
2980 ~~under s. 3, chapter 2009-144, Laws of Florida, before July 1,~~  
2981 ~~2012, is not required to continue implementing any turnaround~~  
2982 ~~option unless the school earns a grade of "F" or a third~~  
2983 ~~consecutive "D" for the 2011-2012 school year. A school earning~~  
2984 ~~a grade of "F" or a third consecutive "D" for the 2011-2012~~  
2985 ~~school year may not restart the number of years it has been low~~  
2986 ~~performing by virtue of the 2012 amendments to this section.~~

2987 Section 74. Section 1008.331, Florida Statutes, is  
2988 repealed.

2989 Section 75. Subsection (2) of section 1008.3415, Florida  
2990 Statutes, is amended to read:

2991 1008.3415 School grade or school improvement rating for  
2992 exceptional student education centers.—

2993 (2) Notwithstanding s. 1008.34(3)(c)3., the achievement  
2994 scores and learning gains of a student with a disability who  
2995 attends an exceptional student education center and has not been  
2996 enrolled in or attended a public school other than an  
2997 exceptional student education center for grades K-12 within the



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2998 school district shall not be included in the calculation of the  
 2999 home school's grade if the student is identified as an emergent  
 3000 student on the alternate assessment ~~toe~~ described in s.  
 3001 1008.22(3)(c) ~~1008.22(3)(c)~~13.

3002 Section 76. Section 1008.35, Florida Statutes, is  
 3003 repealed.

3004 Section 77. Subsection (3) of section 1009.22, Florida  
 3005 Statutes, is amended to read:

3006 1009.22 Workforce education postsecondary student fees.—

3007 (3) (a) Except as otherwise provided by law, fees for  
 3008 students who are nonresidents for tuition purposes must offset  
 3009 the full cost of instruction. Residency of students shall be  
 3010 determined as required in s. 1009.21. Fee-nonexempt students  
 3011 enrolled in applied academics for adult education instruction  
 3012 shall be charged fees equal to the fees charged for adult  
 3013 general education programs. Each Florida College System  
 3014 institution that conducts developmental education and applied  
 3015 academics for adult education instruction in the same class  
 3016 section may charge a single fee for both types of instruction.

3017 (b) Fees for continuing workforce education shall be  
 3018 locally determined by the district school board or Florida  
 3019 College System institution board of trustees. Expenditures for  
 3020 the continuing workforce education program provided by the  
 3021 Florida College System institution or school district must be  
 3022 fully supported by fees. Enrollments in continuing workforce  
 3023 education courses may not be counted for purposes of funding  
 3024 full-time equivalent enrollment.





3025           (c) ~~Effective July 1, 2011,~~ For programs leading to a  
 3026 career certificate or an applied technology diploma, the  
 3027 standard tuition shall be \$2.22 per contact hour for residents  
 3028 and nonresidents and the out-of-state fee shall be \$6.66 per  
 3029 contact hour. For adult general education programs, a block  
 3030 tuition of \$45 per half year or \$30 per term shall be assessed  
 3031 for residents and nonresidents, and the out-of-state fee shall  
 3032 be \$135 per half year or \$90 per term. Each district school  
 3033 board and Florida College System institution board of trustees  
 3034 shall adopt policies and procedures for the collection of and  
 3035 accounting for the expenditure of the block tuition. All funds  
 3036 received from the block tuition shall be used only for adult  
 3037 general education programs. Students enrolled in adult general  
 3038 education programs may not be assessed the fees authorized in  
 3039 subsection (5), subsection (6), or subsection (7).

3040           (d) ~~Beginning with the 2008-2009 fiscal year and each year~~  
 3041 ~~thereafter,~~ The tuition and the out-of-state fee per contact  
 3042 hour shall increase at the beginning of each fall semester at a  
 3043 rate equal to inflation, unless otherwise provided in the  
 3044 General Appropriations Act. The Office of Economic and  
 3045 Demographic Research shall report the rate of inflation to the  
 3046 President of the Senate, the Speaker of the House of  
 3047 Representatives, the Governor, and the State Board of Education  
 3048 each year prior to March 1. For purposes of this paragraph, the  
 3049 rate of inflation shall be defined as the rate of the 12-month  
 3050 percentage change in the Consumer Price Index for All Urban  
 3051 Consumers, U.S. City Average, All Items, or successor reports as



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3052 reported by the United States Department of Labor, Bureau of  
3053 Labor Statistics, or its successor for December of the previous  
3054 year. In the event the percentage change is negative, the  
3055 tuition and out-of-state fee shall remain at the same level as  
3056 the prior fiscal year.

3057 (e) Each district school board and each Florida College  
3058 System institution board of trustees may adopt tuition and out-  
3059 of-state fees that ~~may~~ vary no more than 5 percent below or ~~and~~  
3060 5 percent above the combined total of the standard tuition and  
3061 out-of-state fees established in paragraph (c).

3062 ~~(f) The maximum increase in resident tuition for any~~  
3063 ~~school district or Florida College System institution during the~~  
3064 ~~2007-2008 fiscal year shall be 5 percent over the tuition~~  
3065 ~~charged during the 2006-2007 fiscal year.~~

3066 (f) ~~(g)~~ The State Board of Education may adopt, by rule,  
3067 the definitions and procedures that district school boards and  
3068 Florida College System institution boards of trustees shall use  
3069 in the calculation of cost borne by students.

3070 Section 78. Paragraph (a) of subsection (1) of section  
3071 1009.40, Florida Statutes, is amended to read:

3072 1009.40 General requirements for student eligibility for  
3073 state financial aid awards and tuition assistance grants.-

3074 (1) (a) The general requirements for eligibility of  
3075 students for state financial aid awards and tuition assistance  
3076 grants consist of the following:

3077 1. Achievement of the academic requirements of and  
3078 acceptance at a state university or Florida College System



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3079 institution; a nursing diploma school approved by the Florida  
3080 Board of Nursing; a Florida college or university which is  
3081 accredited by an accrediting agency recognized by the State  
3082 Board of Education; a ~~any~~ Florida institution the credits of  
3083 which are acceptable for transfer to state universities; a ~~any~~  
3084 career center; or a ~~any~~ private career institution accredited by  
3085 an accrediting agency recognized by the State Board of  
3086 Education.

3087 2. Residency in this state for no less than 1 year  
3088 preceding the award of aid or a tuition assistance grant for a  
3089 program established pursuant to s. 1009.50, s. 1009.505, s.  
3090 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.56~~, s. 1009.60, s.  
3091 1009.62, s. 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s.  
3092 1009.891. Residency in this state must be for purposes other  
3093 than to obtain an education. Resident status for purposes of  
3094 receiving state financial aid awards shall be determined in the  
3095 same manner as resident status for tuition purposes pursuant to  
3096 s. 1009.21.

3097 3. Submission of certification attesting to the accuracy,  
3098 completeness, and correctness of information provided to  
3099 demonstrate a student's eligibility to receive state financial  
3100 aid awards or tuition assistance grants. Falsification of such  
3101 information shall result in the denial of a ~~any~~ pending  
3102 application and revocation of an ~~any~~ award or grant currently  
3103 held to the extent that no further payments shall be made.  
3104 Additionally, students who knowingly make false statements in  
3105 order to receive state financial aid awards or tuition



3106 assistance grants commit a misdemeanor of the second degree  
 3107 subject to the provisions of s. 837.06 and shall be required to  
 3108 return all state financial aid awards or tuition assistance  
 3109 grants wrongfully obtained.

3110 Section 79. Subsection (1) of section 1009.531, Florida  
 3111 Statutes, is amended to read:

3112 1009.531 Florida Bright Futures Scholarship Program;  
 3113 student eligibility requirements for initial awards.-

3114 (1) ~~Effective January 1, 2008,~~ In order to be eligible for  
 3115 an initial award from any of the three types of scholarships  
 3116 under the Florida Bright Futures Scholarship Program, a student  
 3117 must:

3118 (a) Be a Florida resident as defined in s. 1009.40 and  
 3119 rules of the State Board of Education.

3120 (b) Earn a standard Florida high school diploma pursuant  
 3121 to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high  
 3122 school equivalency diploma ~~its equivalent~~ pursuant to ~~s.~~  
 3123 ~~1003.428, s. 1003.4281, s. 1003.4282, or s. 1003.435~~ unless:

3124 1. The student completes a home education program  
 3125 according to s. 1002.41; or

3126 2. The student earns a high school diploma from a non-  
 3127 Florida school while living with a parent or guardian who is on  
 3128 military or public service assignment away from Florida.

3129 (c) Be accepted by and enroll in an eligible Florida  
 3130 public or independent postsecondary education institution.

3131 (d) Be enrolled for at least 6 semester credit hours or  
 3132 the equivalent in quarter hours or clock hours.



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3133 (e) Not have been found guilty of, or entered a plea of  
3134 nolo contendere to, a felony charge, unless the student has been  
3135 granted clemency by the Governor and Cabinet sitting as the  
3136 Executive Office of Clemency.

3137 (f) Apply for a scholarship from the program by high  
3138 school graduation. However, a student who graduates from high  
3139 school midyear must apply no later than August 31 of the  
3140 student's graduation year in order to be evaluated for and, if  
3141 eligible, receive an award for the current academic year.

3142 Section 80. Paragraph (c) of subsection (3) of section  
3143 1009.532, Florida Statutes, is amended to read:

3144 1009.532 Florida Bright Futures Scholarship Program;  
3145 student eligibility requirements for renewal awards.-

3146 (3)

3147 (c) A student who is initially eligible in the 2012-2013  
3148 academic year and thereafter may receive an award for a maximum  
3149 of 100 percent of the number of credit hours required to  
3150 complete an associate degree program, a baccalaureate degree  
3151 program, or a postsecondary career certificate program or, for a  
3152 Florida Gold Seal Vocational Scholars award, may receive an  
3153 award for a maximum of 100 percent of the number of credit hours  
3154 or equivalent clock hours required to complete one of the  
3155 following at a Florida public or nonpublic education institution  
3156 that offers these specific programs: for an applied technology  
3157 diploma program as defined in s. 1004.02(7) ~~1004.02(8)~~, up to 60  
3158 credit hours or equivalent clock hours; for a technical degree  
3159 education program as defined in s. 1004.02(13) ~~1004.02(14)~~, up



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3160 to the number of hours required for a specific degree not to  
3161 exceed 72 credit hours or equivalent clock hours; or for a  
3162 career certificate program as defined in s. 1004.02(20)  
3163 ~~1004.02(21)~~, up to the number of hours required for a specific  
3164 certificate not to exceed 72 credit hours or equivalent clock  
3165 hours. A student who transfers from one of these program levels  
3166 to another program level becomes eligible for the higher of the  
3167 two credit hour limits.

3168 Section 81. Paragraph (c) of subsection (4) of section  
3169 1009.536, Florida Statutes, is amended to read:

3170 1009.536 Florida Gold Seal Vocational Scholars award.—The  
3171 Florida Gold Seal Vocational Scholars award is created within  
3172 the Florida Bright Futures Scholarship Program to recognize and  
3173 reward academic achievement and career preparation by high  
3174 school students who wish to continue their education.

3175 (4)

3176 (c) A student who is initially eligible in the 2012-2013  
3177 academic year and thereafter may earn a Florida Gold Seal  
3178 Vocational Scholarship for a maximum of 100 percent of the  
3179 number of credit hours or equivalent clock hours required to  
3180 complete one of the following at a Florida public or nonpublic  
3181 education institution that offers these specific programs: for  
3182 an applied technology diploma program as defined in s.  
3183 1004.02(7) ~~1004.02(8)~~, up to 60 credit hours or equivalent clock  
3184 hours; for a technical degree education program as defined in s.  
3185 1004.02(13) ~~1004.02(14)~~, up to the number of hours required for  
3186 a specific degree not to exceed 72 credit hours or equivalent



3187 clock hours; or for a career certificate program as defined in  
 3188 s. 1004.02(20) ~~1004.02(21)~~, up to the number of hours required  
 3189 for a specific certificate not to exceed 72 credit hours or  
 3190 equivalent clock hours.

3191 Section 82. Section 1009.56, Florida Statutes, is  
 3192 repealed.

3193 Section 83. Section 1009.69, Florida Statutes, is  
 3194 repealed.

3195 Section 84. Subsection (1) of section 1009.91, Florida  
 3196 Statutes, is amended to read:

3197 1009.91 Assistance programs and activities of the  
 3198 department.—

3199 (1) The department may contract for the administration of  
 3200 the student financial assistance programs as specifically  
 3201 provided in ss. 295.01, 1009.29, ~~1009.56~~, and 1009.78.

3202 Section 85. Paragraph (c) of subsection (2) of section  
 3203 1009.94, Florida Statutes, is amended to read:

3204 1009.94 Student financial assistance database.—

3205 (2) For purposes of this section, financial assistance  
 3206 includes:

3207 (c) Any financial assistance provided under s. 1009.50, s.  
 3208 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, ~~s.~~  
 3209 ~~1009.56~~, s. 1009.60, s. 1009.62, s. 1009.70, s. 1009.701, s.  
 3210 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s.  
 3211 1009.891.

3212 Section 86. Part V of chapter 1009, Florida Statutes,  
 3213 consisting of sections 1009.99, 1009.991, 1009.992, 1009.993,



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3214 1009.994, 1009.995, 1009.996, 1009.9965, 1009.997, 1009.9975,  
 3215 1009.9976, 1009.9977, 1009.9978, 1009.9979, 1009.998, 1009.9981,  
 3216 1009.9982, 1009.9983, 1009.9984, 1009.9985, 1009.9986,  
 3217 1009.9987, 1009.9988, 1009.9989, 1009.9990, 1009.9991,  
 3218 1009.9992, 1009.9993, and 1009.9994, is repealed.

3219 Section 87. Paragraph (b) of subsection (13) of section  
 3220 1011.62, Florida Statutes, is amended to read:

3221 1011.62 Funds for operation of schools.—If the annual  
 3222 allocation from the Florida Education Finance Program to each  
 3223 district for operation of schools is not determined in the  
 3224 annual appropriations act or the substantive bill implementing  
 3225 the annual appropriations act, it shall be determined as  
 3226 follows:

3227 (13) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR  
 3228 CURRENT OPERATION.—The total annual state allocation to each  
 3229 district for current operation for the FEFP shall be distributed  
 3230 periodically in the manner prescribed in the General  
 3231 Appropriations Act.

3232 (b) The amount thus obtained shall be the net annual  
 3233 allocation to each school district. However, if it is determined  
 3234 that any school district received an underallocation or  
 3235 overallocation for any prior year because of an arithmetical  
 3236 error, assessment roll change required by final judicial  
 3237 decision, full-time equivalent student membership error, or any  
 3238 allocation error revealed in an audit report, the allocation to  
 3239 that district shall be appropriately adjusted. ~~Beginning with~~  
 3240 ~~audits for the 2001-2002 fiscal year, if the adjustment is the~~





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3241 ~~result of an audit finding in which group 2 FTE are reclassified~~  
3242 ~~to the basic program and the district weighted FTE are over the~~  
3243 ~~weighted enrollment ceiling for group 2 programs, the adjustment~~  
3244 ~~shall not result in a gain of state funds to the district.~~

3245 Beginning with the 2011-2012 fiscal year, if a special program  
3246 cost factor is less than the basic program cost factor, an audit  
3247 adjustment may not result in the reclassification of the special  
3248 program FTE to the basic program FTE. If the Department of  
3249 Education audit adjustment recommendation is based upon  
3250 controverted findings of fact, the Commissioner of Education is  
3251 authorized to establish the amount of the adjustment based on  
3252 the best interests of the state.

3253 Section 88. Paragraphs (b) and (c) of subsection (3) of  
3254 section 1011.71, Florida Statutes, are repealed.

3255 Section 89. Subsection (4) of section 1011.76, Florida  
3256 Statutes, is repealed.

3257 Section 90. Paragraph (b) of subsection (1) of section  
3258 1011.80, Florida Statutes, is amended to read:

3259 1011.80 Funds for operation of workforce education  
3260 programs.—

3261 (1) As used in this section, the terms "workforce  
3262 education" and "workforce education program" include:

3263 (b) Career certificate programs, as defined in s.  
3264 1004.02(20) ~~1004.02(21)~~.

3265 Section 91. Paragraphs (b), (f), (j), (m), and (p) of  
3266 subsection (2) and subsection (6) of section 1012.05, Florida  
3267 Statutes, are amended to read:



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3268 | 1012.05 Teacher recruitment and retention.—  
 3269 | (2) The Department of Education shall:  
 3270 | (b) Advertise in major newspapers, national professional  
 3271 | publications, and other professional publications and in public  
 3272 | and nonpublic postsecondary educational institutions, if needed.  
 3273 | (f) Develop and distribute promotional materials related  
 3274 | to teaching as a career, if needed.  
 3275 | ~~(j) Develop, in consultation with school district staff~~  
 3276 | ~~including, but not limited to, district school superintendents,~~  
 3277 | ~~district school board members, and district human resources~~  
 3278 | ~~personnel, a long-range plan for educator recruitment and~~  
 3279 | ~~retention.~~  
 3280 | ~~(m) Develop and implement a First Response Center to~~  
 3281 | ~~provide educator candidates one-stop shopping for information on~~  
 3282 | ~~teaching careers in Florida and establish the Teacher Lifeline~~  
 3283 | ~~Network to provide online support to beginning teachers and~~  
 3284 | ~~those needing assistance.~~  
 3285 | (n)~~(p)~~ Notify each teacher, via e-mail, of each item in  
 3286 | the General Appropriations Act and legislation that affects  
 3287 | teachers, including, but not limited to, ~~the Excellent Teaching~~  
 3288 | ~~Program,~~ the Florida Teachers Classroom Supply Assistance  
 3289 | Program, ~~liability insurance protection for teachers,~~ death  
 3290 | benefits for teachers, substantive legislation, rules of the  
 3291 | State Board of Education, and issues concerning student  
 3292 | achievement.  
 3293 | ~~(6) The Commissioner of Education shall take steps that~~  
 3294 | ~~provide flexibility and consistency in meeting the highly~~



3295 ~~qualified teacher criteria as defined in the No Child Left~~  
 3296 ~~Behind Act of 2001 through a High, Objective, Uniform State~~  
 3297 ~~Standard of Evaluation (HOUSSE).~~

3298 Section 92. Paragraph (b) of subsection (1) of section  
 3299 1012.22, Florida Statutes, is amended to read:

3300 1012.22 Public school personnel; powers and duties of the  
 3301 district school board.—The district school board shall:

3302 (1) Designate positions to be filled, prescribe  
 3303 qualifications for those positions, and provide for the  
 3304 appointment, compensation, promotion, suspension, and dismissal  
 3305 of employees as follows, subject to the requirements of this  
 3306 chapter:

3307 (b) *Time to act on nominations.*—The district school board  
 3308 shall act no ~~not~~ later than 3 weeks following the receipt of  
 3309 statewide, standardized assessment scores and data under s.  
 3310 1008.22 and, ~~including~~ school grades, or June 30, whichever is  
 3311 later, on the district school superintendent's nominations of  
 3312 supervisors, principals, and members of the instructional staff.

3313 Section 93. Subsection (9) of section 1012.33, Florida  
 3314 Statutes, is repealed.

3315 Section 94. Paragraph (b) of subsection (1), paragraph (a)  
 3316 of subsection (3), and subsection (6) of section 1012.34,  
 3317 Florida Statutes, are amended to read:

3318 1012.34 Personnel evaluation procedures and criteria.—

3319 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

3320 (b) The department must approve each school district's  
 3321 instructional personnel and school administrator evaluation



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3322 systems. The department shall monitor each district's  
3323 implementation of its instructional personnel and school  
3324 administrator evaluation systems for compliance with the  
3325 requirements of this section and s. 1012.3401.

3326 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional  
3327 personnel and school administrator performance evaluations must  
3328 be based upon the performance of students assigned to their  
3329 classrooms or schools, as provided in this section. Pursuant to  
3330 this section, a school district's performance evaluation is not  
3331 limited to basing unsatisfactory performance of instructional  
3332 personnel and school administrators solely upon student  
3333 performance, but may include other criteria approved to evaluate  
3334 instructional personnel and school administrators' performance,  
3335 or any combination of student performance and other approved  
3336 criteria. Evaluation procedures and criteria must comply with,  
3337 but are not limited to, the following:

3338 (a) A performance evaluation must be conducted for each  
3339 employee at least once a year, except that a classroom teacher,  
3340 as defined in s. 1012.01(2)(a), excluding substitute teachers,  
3341 who is newly hired by the district school board must be observed  
3342 and evaluated at least twice in the first year of teaching in  
3343 the school district. The performance evaluation must be based  
3344 upon sound educational principles and contemporary research in  
3345 effective educational practices. The evaluation criteria must  
3346 include:

3347 1. Performance of students.—At least 50 percent of a  
3348 performance evaluation must be based upon data and indicators of



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3349 student learning growth assessed annually by statewide  
3350 assessments or, for subjects and grade levels not measured by  
3351 statewide assessments, by school district assessments as  
3352 provided in s. 1008.22(6) ~~1008.22(8)~~. Each school district must  
3353 use the formula adopted pursuant to paragraph (7)(a) for  
3354 measuring student learning growth in all courses associated with  
3355 statewide assessments and must select an equally appropriate  
3356 formula for measuring student learning growth for all other  
3357 grades and subjects, except as otherwise provided in subsection  
3358 (7).

3359 a. For classroom teachers, as defined in s. 1012.01(2)(a),  
3360 excluding substitute teachers, the student learning growth  
3361 portion of the evaluation must include growth data for students  
3362 assigned to the teacher over the course of at least 3 years. If  
3363 less than 3 years of data are available, the years for which  
3364 data are available must be used and the percentage of the  
3365 evaluation based upon student learning growth may be reduced to  
3366 not less than 40 percent.

3367 b. For instructional personnel who are not classroom  
3368 teachers, the student learning growth portion of the evaluation  
3369 must include growth data on statewide assessments for students  
3370 assigned to the instructional personnel over the course of at  
3371 least 3 years, or may include a combination of student learning  
3372 growth data and other measurable student outcomes that are  
3373 specific to the assigned position, provided that the student  
3374 learning growth data accounts for not less than 30 percent of  
3375 the evaluation. If less than 3 years of student growth data are



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3376 available, the years for which data are available must be used  
3377 and the percentage of the evaluation based upon student learning  
3378 growth may be reduced to not less than 20 percent.

3379 c. For school administrators, the student learning growth  
3380 portion of the evaluation must include growth data for students  
3381 assigned to the school over the course of at least 3 years. If  
3382 less than 3 years of data are available, the years for which  
3383 data are available must be used and the percentage of the  
3384 evaluation based upon student learning growth may be reduced to  
3385 not less than 40 percent.

3386 2. Instructional practice.—Evaluation criteria used when  
3387 annually observing classroom teachers, as defined in s.  
3388 1012.01(2)(a), excluding substitute teachers, must include  
3389 indicators based upon each of the Florida Educator Accomplished  
3390 Practices adopted by the State Board of Education. For  
3391 instructional personnel who are not classroom teachers,  
3392 evaluation criteria must be based upon indicators of the Florida  
3393 Educator Accomplished Practices and may include specific job  
3394 expectations related to student support.

3395 3. Instructional leadership.—For school administrators,  
3396 evaluation criteria must include indicators based upon each of  
3397 the leadership standards adopted by the State Board of Education  
3398 under s. 1012.986, including performance measures related to the  
3399 effectiveness of classroom teachers in the school, the  
3400 administrator's appropriate use of evaluation criteria and  
3401 procedures, recruitment and retention of effective and highly  
3402 effective classroom teachers, improvement in the percentage of



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3403 instructional personnel evaluated at the highly effective or  
3404 effective level, and other leadership practices that result in  
3405 student learning growth. The system may include a means to give  
3406 parents and instructional personnel an opportunity to provide  
3407 input into the administrator's performance evaluation.

3408 4. Professional and job responsibilities.—For  
3409 instructional personnel and school administrators, other  
3410 professional and job responsibilities must be included as  
3411 adopted by the State Board of Education. The district school  
3412 board may identify additional professional and job  
3413 responsibilities.

3414 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT  
3415 EVALUATION SYSTEMS.—The district school board shall establish a  
3416 procedure for annually reviewing instructional personnel and  
3417 school administrator evaluation systems to determine compliance  
3418 with this section and s. 1012.3401. All substantial revisions to  
3419 an approved system must be reviewed and approved by the district  
3420 school board before being used to evaluate instructional  
3421 personnel or school administrators. Upon request by a school  
3422 district, the department shall provide assistance in developing,  
3423 improving, or reviewing an evaluation system.

3424 Section 95. Section 1012.44, Florida Statutes, is amended  
3425 to read:

3426 1012.44 Qualifications for certain persons providing  
3427 speech-language services.—The State Board of Education shall  
3428 adopt rules for speech-language services to school districts  
3429 that qualify for the sparsity supplement as described in s.



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3430 1011.62(7). These services may be provided by baccalaureate  
3431 degree level persons for a period of 3 years. The rules shall  
3432 authorize the delivery of speech-language services by  
3433 baccalaureate degree level persons under the direction of a  
3434 certified speech-language pathologist with a master's degree or  
3435 higher. ~~By October 1, 2003, these rules shall be reviewed by the~~  
3436 ~~State Board of Education.~~

3437 Section 96. Section 1012.561, Florida Statutes, is amended  
3438 to read:

3439 1012.561 Address of record.—Each certified educator or  
3440 applicant for certification is solely responsible for  
3441 maintaining his or her current address with the Department of  
3442 Education and for notifying the department in writing of a  
3443 change of address. ~~By January 1, 2005, each educator and~~  
3444 ~~applicant for certification must have on file with the~~  
3445 ~~department a current mailing address. Thereafter,~~ A certified  
3446 educator or applicant for certification who is employed by a  
3447 district school board shall notify his or her employing school  
3448 district within 10 days after a change of address. At a minimum,  
3449 the employing district school board shall notify the department  
3450 monthly of the addresses of the certified educators or  
3451 applicants for certification in the manner prescribed by the  
3452 department. A certified educator or applicant for certification  
3453 who is not employed by a district school board shall personally  
3454 notify the department in writing within 30 days after a change  
3455 of address. The department shall permit electronic notification;  
3456 however, it is the responsibility of the certified educator or





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3457 applicant for certification to ensure that the department has  
3458 received the electronic notification.

3459 Section 97. Section 1012.595, Florida Statutes, is  
3460 repealed.

3461 Section 98. Subsections (2), (3), and (4) of section  
3462 1012.885, Florida Statutes, are amended to read:

3463 1012.885 Remuneration of Florida College System  
3464 institution presidents; limitations.—

3465 ~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other~~  
3466 ~~law, resolution, or rule to the contrary, a Florida College~~  
3467 ~~System institution president may not receive more than \$225,000~~  
3468 ~~in remuneration annually from appropriated state funds. Only~~  
3469 ~~compensation, as defined in s. 121.021(22), provided to a~~  
3470 ~~Florida College System institution president may be used in~~  
3471 ~~calculating benefits under chapter 121.~~

3472 (2)(3) EXCEPTIONS.—This section does not prohibit a any  
3473 party from providing cash or cash-equivalent compensation from  
3474 funds that are not appropriated state funds to a Florida College  
3475 System institution president in excess of the limit in  
3476 subsection (3) (2). If a party is unable or unwilling to fulfill  
3477 an obligation to provide cash or cash-equivalent compensation to  
3478 a Florida College System institution president as permitted  
3479 under this subsection, appropriated state funds may not be used  
3480 to fulfill such obligation.

3481 (3)(4) LIMITATION ON REMUNERATION.—Notwithstanding a law,  
3482 resolution, or rule to the contrary ~~the provisions of this~~  
3483 ~~section~~, a Florida College System institution president may not



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3484 receive more than \$200,000 in remuneration from appropriated  
3485 state funds. Only compensation, as defined in s. 121.021(22),  
3486 provided to a Florida College System institution president may  
3487 be used in calculating benefits under chapter 121.

3488 Section 99. Subsections (2), (3), and (4) of section  
3489 1012.975, Florida Statutes, are amended to read:

3490 1012.975 Remuneration of state university presidents;  
3491 limitations.—

3492 ~~(2) LIMITATION ON COMPENSATION.—Notwithstanding any other~~  
3493 ~~law, resolution, or rule to the contrary, a state university~~  
3494 ~~president may not receive more than \$225,000 in remuneration~~  
3495 ~~annually from public funds. Only compensation, as such term is~~  
3496 ~~defined in s. 121.021(22), provided to a state university~~  
3497 ~~president may be used in calculating benefits under chapter 121.~~

3498 (2)(3) EXCEPTIONS.—This section does not prohibit a any  
3499 party from providing cash or cash-equivalent compensation from  
3500 funds that are not public funds to a state university president  
3501 in excess of the limit in subsection (3) ~~(2)~~. If a party is  
3502 unable or unwilling to fulfill an obligation to provide cash or  
3503 cash-equivalent compensation to a state university president as  
3504 permitted under this subsection, public funds may not be used to  
3505 fulfill such obligation.

3506 (3)(4) LIMITATION ON REMUNERATION.—Notwithstanding a law,  
3507 resolution, or rule to the contrary ~~the provisions of this~~  
3508 ~~section~~, a state university president may not receive more than  
3509 \$200,000 in remuneration from public funds. Only compensation,  
3510 as defined in s. 121.021(22), provided to a state university



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3511 president may be used in calculating benefits under chapter 121.

3512 Section 100. Subsection (12) of section 1012.98, Florida  
3513 Statutes, is amended to read:

3514 1012.98 School Community Professional Development Act.—

3515 (12) The department shall require teachers in grades K-12  
3516 ~~1-12~~ to participate in continuing education training provided by  
3517 the Department of Children and Family Services on identifying  
3518 and reporting child abuse and neglect.

3519 Section 101. Paragraph (f) of subsection (2) of section  
3520 1013.35, Florida Statutes, is amended to read:

3521 1013.35 School district educational facilities plan;  
3522 definitions; preparation, adoption, and amendment; long-term  
3523 work programs.—

3524 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL  
3525 FACILITIES PLAN.—

3526 (f) Not less than once every 5 years, the district school  
3527 board shall have an ~~a financial management and performance~~ audit  
3528 conducted of the district's educational planning and  
3529 construction activities ~~of the district~~. An operational audit  
3530 conducted by ~~the Office of Program Policy Analysis and~~  
3531 ~~Government Accountability~~ and the Auditor General pursuant to s.  
3532 11.45 ~~1008.35~~ satisfies this requirement.

3533 Section 102. Section 1013.47, Florida Statutes, is amended  
3534 to read:

3535 1013.47 Substance of contract; contractors to give bond;  
3536 penalties.—Each board shall develop contracts consistent with  
3537 this chapter and statutes governing public facilities. Such a



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3538 contract must contain the drawings and specifications of the  
3539 work to be done and the material to be furnished, the time limit  
3540 in which the construction is to be completed, the time and  
3541 method by which payments are to be made upon the contract, and  
3542 the penalty to be paid by the contractor for a any failure to  
3543 comply with the terms of the contract. The board may require the  
3544 contractor to pay a penalty for any failure to comply with the  
3545 terms of the contract and may provide an incentive for early  
3546 completion. Upon accepting a satisfactory bid, the board shall  
3547 enter into a contract with the party or parties whose bid has  
3548 been accepted. The contractor shall furnish the board with a  
3549 performance and payment bond as set forth in s. 255.05. A board  
3550 or other public entity may not require a contractor to secure a  
3551 surety bond under s. 255.05 from a specific agent or bonding  
3552 company. ~~Notwithstanding any other provision of this section, if~~  
3553 ~~25 percent or more of the costs of any construction project is~~  
3554 ~~paid out of a trust fund established pursuant to 31 U.S.C. s.~~  
3555 ~~1243(a)(1), laborers and mechanics employed by contractors or~~  
3556 ~~subcontractors on such construction will be paid wages not less~~  
3557 ~~than those prevailing on similar construction projects in the~~  
3558 ~~locality, as determined by the Secretary of Labor in accordance~~  
3559 ~~with the Davis-Bacon Act, as amended.~~ A person, firm, or  
3560 corporation that constructs any part of any educational plant,  
3561 or addition thereto, on the basis of any unapproved plans or in  
3562 violation of any plans approved in accordance with the  
3563 provisions of this chapter and rules of the State Board of  
3564 Education or regulations of the Board of Governors relating to



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3565 building standards or specifications is subject to forfeiture of  
3566 the surety bond and unpaid compensation in an amount sufficient  
3567 to reimburse the board for any costs that will need to be  
3568 incurred in making any changes necessary to assure that all  
3569 requirements are met and is also guilty of a misdemeanor of the  
3570 second degree, punishable as provided in s. 775.082 or s.  
3571 775.083, for each separate violation.

3572 Section 103. Section 1013.49, Florida Statutes, is  
3573 repealed.

3574 Section 104. Section 1013.512, Florida Statutes, is  
3575 repealed.

3576 Section 105. Section 20 of chapter 2010-24, Laws of  
3577 Florida, is repealed.

3578 Section 106. This act shall take effect upon becoming a  
3579 law.