By Senator Stargel

15-01315C-16

A bill to be entitled
An act relating to education; amending s. 1002.41, F.S.; specifying that a home education program is not a school district program; authorizing a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; requiring that home education program students be provided access to certain courses and programs offered by the school district; requiring that home education program students be provided access to certain certifications and assessments offered by the school district; providing for a textbook reimbursement for home education program students; providing for the disbursement of the reimbursement; requiring that a home education student be verified by the school district before award of the reimbursement; prohibiting a school district from taking certain actions against a home education program student’s parent unless such action is required for a school district program; amending s. 1003.27, F.S.; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance; amending s. 1007.271, F.S.; prohibiting a home education articulation agreement from limiting courses or programs beyond the limitations for other students; authorizing the agreement to allow additional courses under certain circumstances; providing an exemption from the grade point average requirement for initial enrollment in a dual
enrollment program for certain home education students; prohibiting articulation agreements for private schools and home education students from containing specified payment provisions; requiring each public postsecondary institution to develop a comprehensive dual enrollment articulation agreement for home education students; requiring a specified committee for each institution to develop the agreement; amending s. 1009.536, F.S.; specifying student eligibility for the Florida Gold Seal Vocational Scholars award; providing an effective date.

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

Section 1. Subsections (3) and (9) of section 1002.41, Florida Statutes, are amended, and subsections (10), (11), (12), (13), and (14) are added to that section, to read:

1002.41 Home education programs.—
(3) A home education program is not a school district program and shall be excluded from meeting the requirements of a school day.

(9) Home education program students may receive Testing and evaluation services at diagnostic and resource centers shall be available to home education program students, in accordance with the provisions of s. 1006.03.

(10) A school district may provide exceptional student education-related services, as defined in State Board of Education rule, to a home education program student with a
disability who is eligible for the services and who enrolls in a public school for the purpose of receiving those related services. The school district providing the services shall report each student as a full-time equivalent student in a manner prescribed by the Department of Education, and funding shall be provided through the Florida Education Finance Program pursuant to s. 1011.62.

(11) Home education program students shall be provided access to career and technical courses and programs offered by the school district.

(12) Industry certifications, national assessments, and statewide, standardized assessments offered by the school district shall be available to home education program students. Each school district shall notify home education program students of the available certifications and assessments; the date, time, and locations for the administration of each certification and assessment; and the deadline for notifying the school district of the student’s intent to participate and the student’s preferred location.

(13) Home education program students shall be provided an annual textbook reimbursement in the amount of $81.42. The reimbursement shall be disbursed by an eligible nonprofit scholarship-funding organization, as defined in s. 1002.395, selected by the Department of Education. A student’s enrollment in a home education program must be verified by the student’s school district before the reimbursement may be awarded.

(14) A school district may not further regulate, exercise control over, or require documentation from parents of home education program students beyond the requirements of this
section unless the regulation, control, or documentation is 
necessary for participation in a school district program.

Section 2. Subsection (2) of section 1003.27, Florida 
Statutes, is amended to read:

1003.27 Court procedure and penalties.—The court procedure 
and penalties for the enforcement of the provisions of this 
part, relating to compulsory school attendance, shall be as 
follows:

(2) NONENROLLMENT AND NONATTENDANCE CASES.—

(a) In each case of nonenrollment or of nonattendance upon 
the part of a student who is required to attend some school, 
when no valid reason for such nonenrollment or nonattendance is 
found, the district school superintendent shall institute a 
criminal prosecution against the student’s parent. However, 
criminal prosecution may not be instituted against the student’s 
parent until the school and school district have complied with 
s. 1003.26.

(b) Each public school principal or the principal’s 
designee shall notify the district school board of each minor 
student under its jurisdiction who accumulates 15 unexcused 
absences in a period of 90 calendar days. Each designee of the 
governing body of each private school, and each parent whose 
child is enrolled in a home education program, may provide the 
Department of Highway Safety and Motor Vehicles with the legal 
name, sex, date of birth, and social security number of each 
minor student under his or her jurisdiction who fails to satisfy 
relevant attendance requirements and who fails to otherwise 
satisfy the requirements of s. 322.091. The district school 
superintendent must provide the Department of Highway Safety and
Motor Vehicles the legal name, sex, date of birth, and social
security number of each minor student who has been reported
under this paragraph and who fails to otherwise satisfy the
requirements of s. 322.091. The Department of Highway Safety and
Motor Vehicles may not issue a driver license or learner’s
driver license to, and shall suspend any previously issued
driver license or learner’s driver license of, any such minor
student, pursuant to the provisions of s. 322.091.

(c) Each designee of the governing body of each private
school and each parent whose child is enrolled in a home
education program may provide the Department of Highway Safety
and Motor Vehicles with the legal name, sex, date of birth, and
social security number of each minor student under his or her
jurisdiction who fails to satisfy relevant attendance
requirements and who fails to otherwise satisfy the requirements
of s. 322.091. The Department of Highway Safety and Motor
Vehicles may not issue a driver license or learner’s driver
license to, and shall suspend any previously issued driver
license or learner’s driver license of, any such minor student,
pursuant to the provisions of s. 322.091.

Section 3. Subsections (22) through (24) are renumbered as
subsections (23) through (25), respectively, paragraph (b) of
subsection (13), subsection (16), and paragraph (n) of
subsection (21) of section 1007.271, Florida Statutes, are
amended, and a new subsection (22) is added to that section, to
read:

1007.271 Dual enrollment programs.—

(13)

(b) Each postsecondary institution shall enter into a home
education articulation agreement with each home education
student seeking enrollment in a dual enrollment course and the
student’s parent. The home education articulation agreement
shall include, at a minimum:

1. A delineation of courses and programs available to
dually enrolled home education students. Courses and programs
may be added, revised, or deleted at any time by the
postsecondary institution. The articulation agreement may not
limit the courses or programs beyond those for other dually
enrolled students, but may allow home education students to take
additional courses on a space available basis.

2. The initial and continued eligibility requirements for
home education student participation, not to exceed those
required of other dually enrolled students. A high school grade
point average may not be required for home education students
who meet the minimum score on a common placement test adopted by
the State Board of Education which indicates that the student is
ready for college-level coursework; however, home education
student eligibility requirements for continued enrollment in
college credit dual enrollment courses must include the
maintenance of the minimum postsecondary grade point average
established by the postsecondary institution.

3. The student’s responsibilities for providing his or her
own instructional materials and transportation.

4. A copy of the statement on transfer guarantees developed
by the Department of Education under subsection (15).

(16) Public school, private school, or home education
program students who meet the eligibility requirements of this
section and who choose to participate in dual enrollment
programs are exempt from the payment of registration, tuition, and laboratory fees.

(21) Each district school superintendent and each public postsecondary institution president shall develop a comprehensive dual enrollment articulation agreement for the respective school district and postsecondary institution. The superintendent and president shall establish an articulation committee for the purpose of developing the agreement. Each state university president may designate a university representative to participate in the development of a dual enrollment articulation agreement. A dual enrollment articulation agreement shall be completed and submitted annually by the postsecondary institution to the Department of Education on or before August 1. The agreement must include, but is not limited to:

(n) A funding provision that delineates costs incurred by each entity.

1. School districts shall pay public postsecondary institutions the standard tuition rate per credit hour from funds provided in the Florida Education Finance Program when dual enrollment course instruction takes place on the postsecondary institution’s campus and the course is taken during the fall or spring term. When dual enrollment is provided on the high school site by postsecondary institution faculty, the school district shall reimburse the costs associated with the postsecondary institution’s proportion of salary and benefits to provide the instruction. When dual enrollment course instruction is provided on the high school site by school district faculty, the school district is not responsible for
payment to the postsecondary institution. A postsecondary institution may enter into an agreement with the school district to authorize teachers to teach dual enrollment courses at the high school site or the postsecondary institution. A school district may not deny a student access to dual enrollment unless the student is ineligible to participate in the program subject to provisions specifically outlined in this section.

2. Subject to annual appropriation in the General Appropriations Act, a public postsecondary institution shall receive an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a student during the summer term.

3. The payment provisions of this paragraph do not apply to an articulation agreement with a private school or home education student.

(22) Each public postsecondary institution shall develop a comprehensive dual enrollment articulation agreement for home education students and the postsecondary institution. The president of the institution shall establish an articulation committee composed of postsecondary education representatives and home education parents or home education association representatives for the purpose of developing the agreement.

Section 4. Subsection (1) of section 1009.536, Florida Statutes, is amended to read:

1009.536 Florida Gold Seal Vocational Scholars award.—The Florida Gold Seal Vocational Scholars award is created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.
(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Completes the secondary school portion of a sequential program of studies that requires at least three secondary school career credits and earns a minimum unweighted grade point average of 3.5 on a 4.0 scale for secondary school career courses comprising the career program. On-the-job training may not be substituted for any of the three required career credits.

(b) Demonstrates readiness for postsecondary education by earning a passing score on the Florida College Entry Level Placement Test or its equivalent as identified by the Department of Education.

(c) Earns a minimum cumulative weighted grade point average of 3.0, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses, or has attended a home education program pursuant to s. 1002.41 during grades 11 and 12.

(d) Earns a minimum unweighted grade point average of 3.5 on a 4.0 scale for secondary career courses comprising the career program.

(e) Beginning with high school students graduating in the 2011-2012 academic year and thereafter, completes a program of community service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which shall include a minimum of 30 hours of service work, and identifies a social problem that interests him or her, develops a plan for
his or her personal involvement in addressing the problem, and, through papers or other presentations, evaluates and reflects upon his or her experience.

Section 5. This act shall take effect July 1, 2016.