

1 A bill to be entitled
2 An act relating to education; amending s. 1002.41,
3 F.S.; revising the content requirements of a notice of
4 enrollment of a student in a home education program;
5 providing that the notice constitutes prima facie
6 evidence of certain information; requiring the
7 district school superintendent to immediately register
8 a home education program upon receipt of the notice;
9 providing that registration of a home education
10 program is a ministerial act by the district school
11 superintendent; prohibiting a school district from
12 requiring additional information or verification of a
13 home education student except in specified
14 circumstances; specifying that a home education
15 program is not a school district program; authorizing
16 a school district to provide home education program
17 students with access to certain courses and programs
18 offered by the school district; requiring reporting
19 and funding through the Florida Education Finance
20 Program; requiring home education program students be
21 provided access to certain certifications and
22 assessments offered by the school district; providing
23 for an instructional materials reimbursement for
24 certain home education program students; prohibiting a
25 school district from taking certain actions against a

26 | home education program student's parent unless such
27 | action is required for a school district program;
28 | amending s. 1003.21, F.S.; prohibiting a district
29 | school superintendent from requiring certain evidence
30 | relating to a child's age from children enrolled in
31 | specified schools and programs; amending s. 1003.27,
32 | F.S.; requiring a school and school district to comply
33 | with specified provisions before instituting criminal
34 | prosecution against certain parents relating to
35 | compulsory school attendance; amending s. 1007.271,
36 | F.S.; exempting dual enrollment students from paying
37 | technology fees; prohibiting dual enrollment course
38 | and program limitations for home education students
39 | from exceeding limitations for other students;
40 | providing an exemption from the grade point average
41 | requirement for initial enrollment in a dual
42 | enrollment program for certain home education
43 | students; providing that articulation agreements for
44 | private schools and home education students may not
45 | contain specified payment provisions; providing an
46 | appropriation; providing an effective date.

47 |
48 | Be It Enacted by the Legislature of the State of Florida:

49 |
50 | Section 1. Paragraph (a) of subsection (1) and subsection

51 (3) of section 1002.41, Florida Statutes, are amended, and
52 subsections (11) through (14) are added to that section, to
53 read:

54 1002.41 Home education programs.—

55 (1) A "home education program" is defined in s. 1002.01.
56 The parent is not required to hold a valid regular Florida
57 teaching certificate.

58 (a)1. The parent shall notify the district school
59 superintendent of the county in which the parent resides of her
60 or his intent to establish and maintain a home education
61 program. The notice shall be in writing, signed by the parent,
62 and shall include the full legal names, addresses, and
63 birthdates of all children who shall be enrolled as students in
64 the home education program. The notice constitutes prima facie
65 evidence of the validity of each student's information provided
66 in the written notice. The notice shall be filed in the district
67 school superintendent's office within 30 days of the
68 establishment of the home education program.

69 2. The district school superintendent shall accept the
70 notice provided in subparagraph 1. and immediately register the
71 home education program upon receipt of the notice. The
72 registration of a home education program is a ministerial act by
73 the school district and may not require the parent to provide
74 additional information or verification unless the student
75 chooses to participate in a school district program or service

76 | or the school district receives evidence rebutting information
77 | provided in the notice.

78 | 3. The parent shall file a written notice of termination
79 | of the home education program ~~shall be filed~~ in the district
80 | school superintendent's office within 30 days after said
81 | termination.

82 | (3) A home education program is not a school district
83 | program and shall be excluded from meeting the requirements of a
84 | school day.

85 | (11) A school district may provide access to career and
86 | technical courses and programs for a home education program
87 | student who enrolls in a public school solely for the career and
88 | technical courses or programs. The school district providing the
89 | career and technical courses and programs shall report each
90 | student as a full-time equivalent student in the class and in a
91 | manner prescribed by the Department of Education, and funding
92 | shall be provided through the Florida Education Finance Program
93 | pursuant to s. 1011.62.

94 | (12) Industry certifications, national assessments, and
95 | statewide, standardized assessments offered by the school
96 | district shall be available to home education program students.
97 | Each school district shall notify home education program
98 | students of the available certifications and assessments; the
99 | date, time, and locations for the administration of each
100 | certification and assessment; and the deadline for notifying the

101 school district of the student's intent to participate and the
102 student's preferred location.

103 (13) Subject to appropriation by the Legislature, home
104 education program students enrolled in a dual enrollment course
105 are eligible to request an annual reimbursement of up to \$80 for
106 instructional materials assigned for use within the course. The
107 reimbursement shall be disbursed by an eligible nonprofit
108 scholarship-funding organization, as defined in s. 1002.395,
109 selected by the Department of Education. A student's enrollment
110 in a dual enrollment course must be verified by the
111 postsecondary institution before the reimbursement may be
112 awarded. If the total amount of the reimbursements for all
113 students exceeds the total appropriation by the Legislature,
114 each student shall receive a prorated amount based on the number
115 of students requesting reimbursement for dual enrollment
116 instructional materials.

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

122 Section 2. Subsection (4) of section 1003.21, Florida
123 Statutes, is amended to read:

124 1003.21 School attendance.—

125 (4) Before admitting a child to kindergarten, the

126 principal shall require evidence that the child has attained the
127 age at which he or she should be admitted in accordance with the
128 provisions of subparagraph (1)(a)2. The district school
129 superintendent may require evidence of the age of any child whom
130 he or she believes to be within the limits of compulsory
131 attendance as provided for by law; however, he or she may not
132 require evidence from children meeting regular attendance
133 requirements by attending a school or program listed in s.
134 1003.01(13)(b)-(e). If the first prescribed evidence is not
135 available, the next evidence obtainable in the order set forth
136 below shall be accepted:

137 (a) A duly attested transcript of the child's birth record
138 filed according to law with a public officer charged with the
139 duty of recording births;

140 (b) A duly attested transcript of a certificate of baptism
141 showing the date of birth and place of baptism of the child,
142 accompanied by an affidavit sworn to by the parent;

143 (c) An insurance policy on the child's life that has been
144 in force for at least 2 years;

145 (d) A bona fide contemporary religious record of the
146 child's birth accompanied by an affidavit sworn to by the
147 parent;

148 (e) A passport or certificate of arrival in the United
149 States showing the age of the child;

150 (f) A transcript of record of age shown in the child's

151 school record of at least 4 years prior to application, stating
 152 date of birth; or

153 (g) If none of these evidences can be produced, an
 154 affidavit of age sworn to by the parent, accompanied by a
 155 certificate of age signed by a public health officer or by a
 156 public school physician, or, if these are not available in the
 157 county, by a licensed practicing physician designated by the
 158 district school board, which states that the health officer or
 159 physician has examined the child and believes that the age as
 160 stated in the affidavit is substantially correct. Children and
 161 youths who are experiencing homelessness and children who are
 162 known to the department, as defined in s. 39.0016, shall be
 163 given temporary exemption from this section for 30 school days.

164 Section 3. Subsection (2) of section 1003.27, Florida
 165 Statutes, is amended to read:

166 1003.27 Court procedure and penalties.—The court procedure
 167 and penalties for the enforcement of the provisions of this
 168 part, relating to compulsory school attendance, shall be as
 169 follows:

170 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

171 (a) In each case of nonenrollment or of nonattendance upon
 172 the part of a student who is required to attend some school,
 173 when no valid reason for such nonenrollment or nonattendance is
 174 found, the district school superintendent shall institute a
 175 criminal prosecution against the student's parent. However,

176 criminal prosecution may not be instituted against the student's
177 parent until the school and school district have complied with
178 s. 1003.26.

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

199 (c) Each designee of the governing body of each private
200 school and each parent whose child is enrolled in a home

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201 education program may provide the Department of Highway Safety
202 and Motor Vehicles with the legal name, sex, date of birth, and
203 social security number of each minor student under his or her
204 jurisdiction who fails to satisfy relevant attendance
205 requirements and who fails to otherwise satisfy the requirements
206 of s. 322.091. The Department of Highway Safety and Motor
207 Vehicles may not issue a driver license or learner's driver
208 license to, and shall suspend any previously issued driver
209 license or learner's driver license of, any such minor student,
210 pursuant to the provisions of s. 322.091.

211 Section 4. Subsections (2), (10), and (11), paragraph (b)
212 of subsection (13), subsection (16), and paragraph (n) of
213 subsection (21) of section 1007.271, Florida Statutes, are
214 amended, to read:

215 1007.271 Dual enrollment programs.—

216 (2) For the purpose of this section, an eligible secondary
217 student is a student who is enrolled in any of grades 6 through
218 12 in a Florida public school or in a Florida private school
219 that is in compliance with s. 1002.42(2) and provides a
220 secondary curriculum pursuant to s. 1003.4282. A student
221 ~~Students~~ who is ~~are~~ eligible for dual enrollment pursuant to
222 this section may enroll in dual enrollment courses conducted
223 during school hours, after school hours, and during the summer
224 term. However, if the student is projected to graduate from high
225 school before the scheduled completion date of a postsecondary

226 course, the student may not register for that course through
227 dual enrollment. The student may apply to the postsecondary
228 institution and pay the required registration, tuition, and fees
229 if the student meets the postsecondary institution's admissions
230 requirements under s. 1007.263. Instructional time for dual
231 enrollment may vary from 900 hours; however, the full-time
232 equivalent student membership value is ~~shall be~~ subject to ~~the~~
233 ~~provisions in~~ s. 1011.61(4). A student enrolled as a dual
234 enrollment student is exempt from the payment of registration,
235 tuition, technology, and laboratory fees. Applied academics for
236 adult education instruction, developmental education, and other
237 forms of precollegiate instruction, as well as physical
238 education courses that focus on the physical execution of a
239 skill rather than the intellectual attributes of the activity,
240 are ineligible for inclusion in the dual enrollment program.
241 Recreation and leisure studies courses shall be evaluated
242 individually in the same manner as physical education courses
243 for potential inclusion in the program.

244 (10) Early admission is a form of dual enrollment through
245 which an eligible secondary student enrolls ~~students enroll~~ in a
246 postsecondary institution on a full-time basis in courses that
247 are creditable toward the high school diploma and the associate
248 or baccalaureate degree. A student must enroll in a minimum of
249 12 college credit hours per semester or the equivalent to
250 participate in the early admission program; however, a student

251 may not be required to enroll in more than 15 college credit
252 hours per semester or the equivalent. A student ~~Students~~
253 enrolled pursuant to this subsection is ~~are~~ exempt from the
254 payment of registration, tuition, technology, and laboratory
255 fees.

256 (11) Career early admission is a form of career dual
257 enrollment through which an eligible secondary student enrolls
258 ~~students enroll~~ full time in a career center or a Florida
259 College System institution in postsecondary programs leading to
260 industry certifications, as listed in the CAPE Postsecondary
261 Industry Certification Funding List pursuant to s. 1008.44,
262 which are creditable toward the high school diploma and the
263 certificate or associate degree. Participation in the career
264 early admission program is limited to students who have
265 completed a minimum of 4 semesters of full-time secondary
266 enrollment, including studies undertaken in ~~the ninth~~ grade 9. A
267 student ~~Students~~ enrolled pursuant to this section is ~~are~~ exempt
268 from the payment of registration, tuition, technology, and
269 laboratory fees.

270 (13)

271 (b) Each postsecondary institution eligible to participate
272 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
273 enter into a home education articulation agreement with each
274 home education student seeking enrollment in a dual enrollment
275 course and the student's parent. By August 1 of each year, the

276 eligible postsecondary institution shall complete and submit the
277 home education articulation agreement to the Department of
278 Education. The home education articulation agreement must
279 include, at a minimum:

280 1. A delineation of courses and programs available to
281 dually enrolled home education students. Courses and programs
282 may be added, revised, or deleted at any time by the
283 postsecondary institution. Any course or program limitations may
284 not exceed the limitations for other dually enrolled students.

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

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

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

300 (16) Public school, private school, or home education

301 program students who meet the eligibility requirements of this
302 section and who choose to participate in dual enrollment
303 programs are exempt from the payment of registration, tuition,
304 technology, and laboratory fees.

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

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

320 1. School districts shall pay public postsecondary
321 institutions the standard tuition rate per credit hour from
322 funds provided in the Florida Education Finance Program when
323 dual enrollment course instruction takes place on the
324 postsecondary institution's campus and the course is taken
325 during the fall or spring term. When dual enrollment is provided

326 on the high school site by postsecondary institution faculty,
327 the school district shall reimburse the costs associated with
328 the postsecondary institution's proportion of salary and
329 benefits to provide the instruction. When dual enrollment course
330 instruction is provided on the high school site by school
331 district faculty, the school district is not responsible for
332 payment to the postsecondary institution. A postsecondary
333 institution may enter into an agreement with the school district
334 to authorize teachers to teach dual enrollment courses at the
335 high school site or the postsecondary institution. A school
336 district may not deny a student access to dual enrollment unless
337 the student is ineligible to participate in the program subject
338 to provisions specifically outlined in this section.

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

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

347 Section 5. For the 2017-2018 fiscal year, the sum of \$1
348 million in recurring funds is appropriated from the General
349 Revenue Fund to the Department of Education for the purpose of
350 implementing s. 1002.41(13), Florida Statutes.

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351 Section 6. This act shall take effect July 1, 2017.