

By Senator Lee

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1 A bill to be entitled
2 An act relating to education; amending s. 1002.41,
3 F.S.; prohibiting a district school board from
4 requiring any additional information or verification
5 from a home education program parent under certain
6 circumstances; authorizing a school district to
7 provide home education program students with access to
8 certain courses and programs offered by the school
9 district; requiring reporting by the school district
10 and funding through the Florida Education Finance
11 Program; requiring that home education program
12 students be provided access to certain certifications
13 and assessments offered by the school district;
14 amending s. 1003.21, F.S.; providing an exception for
15 certain children from the age verification
16 requirements for school attendance; amending s.
17 1003.27, F.S.; requiring a school and school district
18 to comply with specified provisions before instituting
19 criminal prosecution against certain parents relating
20 to compulsory school attendance; prohibiting the
21 Department of Highway Safety and Motor Vehicles from
22 issuing a driver license or learner's driver license
23 to minor students who fail to satisfy compulsory
24 school attendance requirements; amending s. 1007.271,
25 F.S.; exempting dual enrollment students from paying
26 technology fees; prohibiting dual enrollment course
27 and program limitations for home education students
28 from exceeding limitations for other students;
29 providing an exemption from the grade point average

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30 requirement for initial enrollment in a dual
31 enrollment program for certain home education
32 students; providing an effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
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36 Section 1. Paragraph (a) of subsection (1) of section
37 1002.41, Florida Statutes, is amended, and subsections (11) and
38 (12) are added to that section, to read:

39 1002.41 Home education programs.—

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

43 (a) The parent shall notify the district school
44 superintendent of the county in which the parent resides of her
45 or his intent to establish and maintain a home education
46 program. The notice must ~~shall~~ be in writing, signed by the
47 parent, and must ~~shall~~ include the full legal names, addresses,
48 and birthdates of all children who shall be enrolled as students
49 in the home education program. The district may not require any
50 additional information or verification from the parent unless
51 the student chooses to participate in a publicly funded program
52 or service. The notice must ~~shall~~ be filed in the district
53 school superintendent's office within 30 days after ~~of~~ the
54 establishment of the home education program. The parent shall
55 file a written notice of termination of the home education
56 program ~~shall be filed~~ in the district school superintendent's
57 office within 30 days after such ~~said~~ termination.

58 (11) A school district may provide access to career and

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59 technical courses and programs for a home education program
60 student who enrolls in a public school solely for the career and
61 technical courses or programs. The school district providing the
62 career and technical courses and programs shall report each
63 student as a full-time equivalent student in the class and in a
64 manner prescribed by the department, and funding shall be
65 provided through the Florida Education Finance Program pursuant
66 to s. 1011.62.

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

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

78 1003.21 School attendance.—

79 (4) Before admitting a child to kindergarten, the principal
80 shall require evidence that the child has attained the age at
81 which he or she should be admitted in accordance with the
82 provisions of subparagraph (1) (a)2. The district school
83 superintendent may require evidence of the age of any child whom
84 he or she believes to be within the limits of compulsory
85 attendance as provided for by law, except those meeting regular
86 attendance as defined by s. 1003.01(13) (b)-(e). If the first
87 prescribed evidence is not available, the next evidence

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88 obtainable in the order set forth below shall be accepted:

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

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

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

97 (d) A bona fide contemporary religious record of the
98 child's birth accompanied by an affidavit sworn to by the
99 parent;

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

102 (f) A transcript of record of age shown in the child's
103 school record of at least 4 years prior to application, stating
104 date of birth; or

105 (g) If none of these evidences can be produced, an
106 affidavit of age sworn to by the parent, accompanied by a
107 certificate of age signed by a public health officer or by a
108 public school physician, or, if these are not available in the
109 county, by a licensed practicing physician designated by the
110 district school board, which states that the health officer or
111 physician has examined the child and believes that the age as
112 stated in the affidavit is substantially correct. Children and
113 youths who are experiencing homelessness and children who are
114 known to the department, as defined in s. 39.0016, shall be
115 given temporary exemption from this section for 30 school days.

116 Section 3. Subsection (2) of section 1003.27, Florida

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117 Statutes, is amended to read:

118 1003.27 Court procedure and penalties.—The court procedure
119 and penalties for the enforcement of the provisions of this
120 part, relating to compulsory school attendance, shall be as
121 follows:

122 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

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

131 (b) Each public school principal or the principal's
132 designee shall notify the district school board of each minor
133 student under its jurisdiction who accumulates 15 unexcused
134 absences in a period of 90 calendar days. ~~Each designee of the~~
135 ~~governing body of each private school, and each parent whose~~
136 ~~child is enrolled in a home education program, may provide the~~
137 ~~Department of Highway Safety and Motor Vehicles with the legal~~
138 ~~name, sex, date of birth, and social security number of each~~
139 ~~minor student under his or her jurisdiction who fails to satisfy~~
140 ~~relevant attendance requirements and who fails to otherwise~~
141 ~~satisfy the requirements of s. 322.091.~~ The district school
142 superintendent must provide the Department of Highway Safety and
143 Motor Vehicles the legal name, sex, date of birth, and social
144 security number of each minor student who has been reported
145 under this paragraph and who fails to otherwise satisfy the

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146 requirements of s. 322.091. The Department of Highway Safety and
147 Motor Vehicles may not issue a driver license or learner's
148 driver license to, and shall suspend any previously issued
149 driver license or learner's driver license of, any such minor
150 student, pursuant to the provisions of s. 322.091.

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

163 Section 4. Subsections (2), (10), and (11), paragraph (b)
164 of subsection (13), and subsection (16) of section 1007.271,
165 Florida Statutes, are amended to read:

166 1007.271 Dual enrollment programs.—

167 (2) For the purpose of this section, an eligible secondary
168 student is a student who is enrolled in any of grades 6 through
169 12 in a Florida public school or in a Florida private school
170 that is in compliance with s. 1002.42(2) and provides a
171 secondary curriculum pursuant to s. 1003.4282. A student
172 ~~Students~~ who is ~~are~~ eligible for dual enrollment pursuant to
173 this section may enroll in dual enrollment courses conducted
174 during school hours, after school hours, and during the summer

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175 term. However, if the student is projected to graduate from high
176 school before the scheduled completion date of a postsecondary
177 course, the student may not register for that course through
178 dual enrollment. The student may apply to the postsecondary
179 institution and pay the required registration, tuition, and fees
180 if the student meets the postsecondary institution's admissions
181 requirements under s. 1007.263. Instructional time for dual
182 enrollment may vary from 900 hours; however, the full-time
183 equivalent student membership value is ~~shall be~~ subject to the
184 ~~provisions in~~ s. 1011.61(4). A student enrolled as a dual
185 enrollment student is exempt from the payment of registration,
186 tuition, technology, and laboratory fees. Applied academics for
187 adult education instruction, developmental education, and other
188 forms of precollegiate instruction, as well as physical
189 education courses that focus on the physical execution of a
190 skill rather than the intellectual attributes of the activity,
191 are ineligible for inclusion in the dual enrollment program.
192 Recreation and leisure studies courses shall be evaluated
193 individually in the same manner as physical education courses
194 for potential inclusion in the program.

195 (10) Early admission is a form of dual enrollment through
196 which an eligible secondary student enrolls ~~students enroll~~ in a
197 postsecondary institution on a full-time basis in courses that
198 are creditable toward the high school diploma and the associate
199 or baccalaureate degree. A student must enroll in a minimum of
200 12 college credit hours per semester or the equivalent to
201 participate in the early admission program; however, a student
202 may not be required to enroll in more than 15 college credit
203 hours per semester or the equivalent. A student ~~Students~~

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204 enrolled pursuant to this subsection is ~~are~~ exempt from the
205 payment of registration, tuition, technology, and laboratory
206 fees.

207 (11) Career early admission is a form of career dual
208 enrollment through which an eligible secondary student enrolls
209 ~~students enroll~~ full time in a career center or a Florida
210 College System institution in postsecondary programs leading to
211 industry certifications, as listed in the CAPE Postsecondary
212 Industry Certification Funding List pursuant to s. 1008.44,
213 which are creditable toward the high school diploma and the
214 certificate or associate degree. Participation in the career
215 early admission program is limited to students who have
216 completed a minimum of 4 semesters of full-time secondary
217 enrollment, including studies undertaken in ~~the ninth~~ grade 9. A
218 student ~~Students~~ enrolled pursuant to this section is ~~are~~ exempt
219 from the payment of registration, tuition, technology, and
220 laboratory fees.

221 (13)

222 (b) Each postsecondary institution eligible to participate
223 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
224 enter into a home education articulation agreement with each
225 home education student seeking enrollment in a dual enrollment
226 course and the student's parent. By August 1 of each year, the
227 eligible postsecondary institution shall complete and submit the
228 home education articulation agreement to the Department of
229 Education. The home education articulation agreement must
230 include, at a minimum:

231 1. A delineation of courses and programs available to
232 dually enrolled home education students. Courses and programs

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233 may be added, revised, or deleted at any time by the
234 postsecondary institution. Any course or program limitations may
235 not exceed the limitations for other dually enrolled students.

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

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

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

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

256 Section 5. This act shall take effect July 1, 2017.