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CS/HB 7069, Engrossed 1

2017 Legislature

1
 2 An act relating to education; amending s. 11.45, F.S.;
 3 requiring the Auditor General to conduct annual audits
 4 of the Florida School for the Deaf and the Blind;
 5 amending s. 1002.71, F.S.; revising the deadline for
 6 the amendment of a student enrollment count for
 7 specified purposes; amending s. 1003.52, F.S.;
 8 deleting provisions relating to the Florida School for
 9 Boys in Okeechobee; amending s. 1011.62, F.S.;
 10 revising requirements for the recalculation of
 11 specified funds; requiring that the lowest-performing
 12 elementary schools be determined by specified
 13 assessment results; deleting provisions relating to
 14 caps imposed on the amounts of bonuses awarded to
 15 teachers based on student performance on certain
 16 course examinations and certifications; requiring a
 17 specified amount of funds generated by a certain bonus
 18 be allocated to the school program that generated the
 19 funds; providing for the allocation of supplemental
 20 academic instruction funds; revising the requirements
 21 to be considered a small, isolated school; revising
 22 the requirements for an independent college or
 23 university to participate in specified programs;
 24 providing an alternate district sparsity index
 25 calculation for certain school districts; revising

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26 provisions relating to the research-based reading
27 instruction allocation and the use of such funds;
28 revising provisions relating to the Florida digital
29 classrooms allocation and the use of such funds;
30 deleting provisions relating to a required district
31 digital classrooms plan; revising the federally
32 connected student supplement; revising the calculation
33 of the exempt property allocation; providing for the
34 recalculation of the supplement; creating the safe
35 schools allocation and providing the purpose of the
36 allocation; providing that under allocations of state
37 funds may not be the basis for a positive allocation
38 adjustment in the current year; conforming provisions
39 to changes by the act; amending s. 1013.738, F.S.;;
40 revising the purposes for which the High Growth
41 District Capital Outlay Assistance Grant Program funds
42 may be used; revising the school district
43 qualification criteria for the grant; revising the
44 funding methodology; amending s. 1011.78, F.S.;;
45 revising school district and charter school
46 requirements to qualify for a standard student attire
47 incentive payment; creating s. 1003.631, F.S.;;
48 creating the Schools of Excellence Program; providing
49 for designation as a School of Excellence; providing
50 requirements for a School of Excellence; providing for

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51 redesignation; authorizing Schools of Excellence to
52 have specified administrative flexibilities; amending
53 s. 1012.56, F.S.; requiring the Department of
54 Education to issue a temporary educator certificate
55 within a specified period; requiring the department to
56 provide electronic notice of the issuance of a
57 temporary certificate to specified entities; requiring
58 the department to provide the applicant an official
59 statement of status of eligibility upon issuance of a
60 temporary certificate; providing content requirements
61 for the statement of status of eligibility; revising
62 the criteria instructional personnel must meet to be
63 issued a professional certificate; requiring the
64 department to provide electronic notification of the
65 expiration of a temporary educator certificate;
66 requiring the State Board of Education to adopt rules
67 providing for the extension of a temporary educator
68 certificate for a specified period under certain
69 circumstances; providing that an applicant for
70 professional certification is not required to take or
71 pass a specified examination under certain
72 circumstances; authorizing charter schools and charter
73 management organizations to develop a professional
74 development certification and education competency
75 program; revising program requirements; requiring the

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76 department to adopt standards for the approval of such
77 programs by a specified date; providing requirements
78 for such standards; requiring each school district and
79 charter school to submit its program for approval by a
80 specified date; providing that certification
81 requirements may not be met in a program that is not
82 approved by the department after a specified date;
83 amending s. 1004.04, F.S.; revising core curricula
84 requirements for certain teacher preparation programs
85 to include certain reading instruction and
86 interventions; amending s. 1004.85, F.S.; requiring
87 certain educator preparation institutes to provide
88 evidence of specified reading instruction as a
89 condition of program approval and continued approval;
90 amending s. 1012.585, F.S.; revising requirements for
91 renewal of professional teaching certificates;
92 amending s. 1012.586, F.S.; authorizing the department
93 to recommend consolidation of endorsement areas and
94 requirements for endorsements for teacher
95 certificates; requiring the department to review and
96 make recommendations regarding certain subject
97 coverage or endorsement requirements; providing
98 construction; amending s. 1012.98, F.S.; revising the
99 activities designed to implement the school community
100 professional development act to include specified

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101 training relating to a professional development
102 certification and education competency program;
103 revising requirements for school district professional
104 development systems; requiring the department to
105 disseminate professional development programs that
106 meet specified criteria; creating s. 683.1455, F.S.;
107 designating the month of September annually as
108 "American Founders' Month"; authorizing the Governor
109 to annually issue a proclamation containing specified
110 information; amending s. 1000.03, F.S.; revising the
111 priorities of Florida's K-20 education system to
112 include civic literacy; amending s. 1001.215, F.S.;
113 revising the duties of the Just Read, Florida! Office;
114 amending s. 1003.44, F.S.; encouraging public schools
115 to coordinate certain instruction with American
116 Founders' Month; amending s. 1007.25, F.S.; requiring
117 postsecondary students to demonstrate competency in
118 civic literacy and providing requirements therefor;
119 providing for the appointment of a faculty committee;
120 requiring the committee to develop or revise certain
121 courses and establish specified course competencies;
122 amending ss. 943.22 and 1001.64, F.S.; conforming
123 cross-references; amending s. 1002.33, F.S.;
124 conforming provisions to changes by the act; revising
125 the charter school application process; revising the

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126 | appeals process for a denied charter school
 127 | application; requiring the use of the standard charter
 128 | contract by specified entities; revising eligibility
 129 | requirements for charter school students enrolled in
 130 | blended learning courses; revising the criteria for
 131 | certain charter schools that must follow corrective
 132 | actions; authorizing a charter school to be exempt
 133 | from provisions relating to controlled open enrollment
 134 | under certain circumstances; clarifying provisions
 135 | relating to charter schools and tort liability;
 136 | revising the purpose of charter school cooperatives;
 137 | authorizing the use of unrestricted assets for
 138 | specified charter schools; requiring such funds to be
 139 | used in accordance with specified provisions;
 140 | prohibiting the adoption or imposition of specified
 141 | requirements by specified entities for charter
 142 | schools; revising the public information disclosures
 143 | of charter schools; authorizing certain entities to
 144 | share facilities with charter schools without
 145 | additional approval; providing charter schools are
 146 | eligible for capital outlay funds pursuant to
 147 | specified provisions; revising the administrative fees
 148 | that a district may withhold from charter schools;
 149 | requiring charter schools to complete and submit an
 150 | annual survey; deleting a requirement that the

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151 Department of Education compare certain data; revising
 152 eligibility criteria for designated local educational
 153 agency status; authorizing the governing board of a
 154 charter school system to be designated a local
 155 educational agency for certain schools; revising State
 156 Board of Education duties; amending 1002.3305, F.S.;
 157 revising the definition for the term "eligible
 158 student" for purposes of the College-preparatory
 159 Boarding Academy Pilot Program; amending s. 1002.331,
 160 F.S.; conforming provisions to changes made by the
 161 act; authorizing a high-performing charter school to
 162 establish more than one charter school in any year
 163 under certain circumstances; amending s. 1002.332,
 164 F.S.; authorizing a high-performing charter school
 165 system to replicate its schools in any school district
 166 and providing application requirements therefor;
 167 providing that certain procedures apply in specified
 168 circumstances; conforming cross-references; amending
 169 s. 1003.498, F.S.; revising eligibility requirements
 170 for students enrolled in blended learning courses;
 171 conforming provisions to changes made by the act;
 172 amending s. 1007.35, F.S.; revising the name of an ACT
 173 assessment for specified purposes; amending s.
 174 1008.34, F.S.; revising the student performance data
 175 to be included in school grades; amending s. 1008.341,

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176 F.S.; including concordant scores in the calculation
177 of an alternative school's school improvement rating;
178 amending s. 1011.71, F.S.; providing that charter
179 schools are eligible for school districts
180 discretionary millage for specified purposes; revising
181 the approved uses of the discretionary millage;
182 authorizing the acquisition of enterprise resource
183 software through specified means; amending s. 1013.54,
184 F.S.; conforming a cross-reference; amending s.
185 1013.62, F.S.; providing that charter school capital
186 outlay funds shall consist of specified funds;
187 revising charter school eligibility criteria for
188 capital outlay funds; revising the calculation
189 methodology for state funds appropriated for charter
190 school capital outlay; providing the calculation
191 methodology for the distribution of specified revenue
192 to eligible charter schools; revising the authorized
193 uses of charter school capital outlay funds; amending
194 s. 1013.64, F.S.; revising the calculation of capital
195 outlay membership for allocations to school districts
196 from the Public Education Capital Outlay and Debt
197 Service Trust Fund; authorizing a district school
198 board to use funds from any source for the new
199 construction of educational plant space under certain
200 circumstances; amending s. 1003.4282, F.S.; deleting a

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201 provision requiring certain students to take the
202 Algebra II end-of-course assessment; revising the
203 options that a district school board or charter school
204 governing board may offer for a student to satisfy
205 certain online course requirements; removing a
206 requirement that a student participating in
207 interscholastic sports pass a competency test on
208 personal fitness to satisfy the physical education
209 credit requirement for high school graduation;
210 amending s. 1003.4285, F.S.; deleting a provision
211 requiring students to pass the Algebra II end-of-
212 course assessment in order to earn a Scholar
213 designation; amending s. 1008.22, F.S.; deleting a
214 provision requiring the Algebra II end-of-course
215 assessment to be administered; revising requirements
216 relating to the administration and format of
217 assessments; providing requirements for administration
218 of the statewide, standardized English Language Arts
219 and mathematics assessments in specified grades;
220 revising provisions relating to reporting requirements
221 for school district-required local assessments;
222 providing reporting requirements for certain student
223 assessment results; requiring the Department of
224 Education to publish certain assessments on its
225 website; providing requirements for such publication;

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226 requiring the department to provide materials
 227 regarding assessment information on its website;
 228 conforming cross-references; defining the term
 229 "secondary education"; amending s. 1012.34, F.S.;
 230 revising personnel evaluation procedures and criteria;
 231 requiring independent analysis of student learning
 232 growth data; authorizing, rather than requiring, a
 233 school district to use certain formulas developed by
 234 the commissioner; requiring the Commissioner of
 235 Education to contract for an independent study to
 236 determine whether specified college entrance
 237 examinations may be administered in lieu of certain
 238 state-required assessments; requiring the commissioner
 239 to submit a report on the results of such study to the
 240 Governor, Legislature, and State Board of Education by
 241 a specified date; amending s. 1001.42, F.S.; revising
 242 provisions relating to school improvements plans;
 243 requiring only specified schools to submit a school
 244 improvement plan; deleting a requirement that certain
 245 information be included in the improvement plans of
 246 certain schools; revising the grade levels required to
 247 implement an early warning system; revising the
 248 required content of an early warning system; requiring
 249 a specified team to monitor specified data;
 250 authorizing a psychologist to be a member of the team;

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251 revising what constitutes an educational emergency and
252 establishing duties of district school boards relating
253 to such emergency; prohibiting a district school board
254 from awarding specified contracts based on certain
255 contingency or conditions; providing applicability;
256 providing a directive to the Division of Law Revision
257 and Information; creating s. 1001.4205, F.S.;;
258 authorizing an individual district school board member
259 to visit any district school in his or her school
260 district; authorizing an individual charter school
261 governing board member to visit any charter school
262 governed by the charter school's governing board;
263 providing requirements and restrictions; amending s.
264 1008.33, F.S.; providing requirements the intervention
265 and support strategies must meet; providing for
266 tailored intervention and support services for
267 specified schools; revising the required timeline for
268 the implementation of a district-managed turnaround
269 plan; providing turnaround options available to school
270 districts meeting specified criteria; amending s.
271 1008.345, F.S.; revising reporting requirements of the
272 Commissioner of Education relating to the state system
273 of school improvement and education accountability;
274 revising the criteria a school must meet to have a
275 community assessment team; revising the duties of a

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276 community assessment team; creating s. 1002.333, F.S.,
277 relating to persistently low-performing schools;
278 providing definitions; providing eligibility criteria
279 for hope operators; providing for the designation and
280 redesignation of a hope operator; authorizing hope
281 operators to establish schools of hope in specified
282 areas; providing the process for the establishment of
283 a school of hope; providing the requirements for a
284 performance-based agreement; authorizing a school of
285 hope to be designated as a local education agency;
286 providing that a sponsor is not liable for specified
287 damages; providing that a school of hope may be a
288 private or public employer; authorizing a school of
289 hope to participate in the Florida Retirement System;
290 authorizing a hope operator to employ certain staff;
291 providing specific statutory exemptions for schools of
292 hope; requiring a school of hope to report its
293 students for specified purposes; requiring a school
294 district to include specified students in the
295 district's report of student enrollment; requiring
296 certain schools to comply with specified reporting
297 guidelines; requiring a school of hope to provide the
298 school district with a financial statement summary
299 sheet that meets certain requirements; providing
300 requirements for facilities used by schools of hope;

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301 requiring districts to annually provide a list of
 302 specified property to the department; requiring
 303 certain school districts that do not enter into
 304 specified agreements within a certain timeframe to
 305 reduce specified fees; providing for attorney fees
 306 under certain circumstances; providing that schools of
 307 hope shall be funded through the Florida Education
 308 Finance Program; creating the Schools of Hope Program;
 309 providing that schools of hope are eligible for funds
 310 through the program; providing guidelines for the use
 311 of such funds; providing that certain traditional
 312 public schools are eligible for such funds; providing
 313 duties of the State Board of Education; providing a
 314 mechanism to address school district noncompliance;
 315 providing authority and obligations of the State Board
 316 of Education; providing a mechanism for the resolution
 317 of disputes; providing for rulemaking; creating s.
 318 1001.291, F.S.; establishing the Schools of Hope
 319 Revolving Loan Program; providing criteria for
 320 administration of the program; amending s. 1011.69,
 321 F.S.; requiring school districts to provide specified
 322 funds directly to schools eligible to receive such
 323 funds; providing a definition; authorizing school
 324 districts to withhold certain funds for specified
 325 purposes; authorizing eligible schools to use funds to

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326 | participate in certain services; amending s. 1012.731,
 327 | F.S.; providing the scholarship amount for the Florida
 328 | Best and Brightest Teacher Scholarship Program;
 329 | revising the future eligibility criteria for the
 330 | program; providing additional scholarships to certain
 331 | teachers for specified school years; providing for
 332 | retention of a classroom teacher's scholarship
 333 | eligibility under certain circumstances; requiring
 334 | each school district to annually submit certain
 335 | information to the Department of Education; deleting
 336 | the scheduled expiration of the section; creating s.
 337 | 1012.732, F.S.; creating the Florida Best and
 338 | Brightest Principal Scholarship Program; providing
 339 | legislative intent; providing for funding of the
 340 | program; providing for certain school principals to
 341 | receive a scholarship under the program; providing
 342 | eligibility requirements; providing scholarship
 343 | amounts; requiring the department to annually identify
 344 | eligible school principals and disburse funds to
 345 | school districts by a specified date; requiring each
 346 | eligible school principal to receive a scholarship;
 347 | requiring school districts to annually award
 348 | scholarships to eligible school principals by a
 349 | specified date; requiring school districts to provide
 350 | best and brightest principals with specified

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351 additional authority and responsibilities; defining
 352 the term "school district"; amending s. 1002.385,
 353 F.S.; revising a definition for the Gardiner
 354 Scholarship Program; defining the term "inactive" for
 355 the purposes of the program; authorizing program funds
 356 to be used for specified purposes and by specified
 357 entities; prohibiting billing of certain entities for
 358 services paid for through the program; revising
 359 private school eligibility requirements; providing
 360 that consecutive years of certain material exceptions
 361 constitutes program ineligibility for certain private
 362 schools; prohibiting certain students from receiving
 363 additional scholarship payments until certain
 364 conditions are met; revising funding calculations;
 365 amending s. 1003.455, F.S.; requiring district school
 366 boards to provide a specified amount of recess to
 367 certain students; amending s. 1002.37, F.S.; revising
 368 eligibility requirements for specified students to
 369 receive part-time instruction at the Florida Virtual
 370 School; removing provisions requiring the Auditor
 371 General to conduct an operational audit of the Florida
 372 Virtual School; amending s. 1002.455, F.S.;

373 authorizing all students, including home education and
 374 private school students, to participate in specified
 375 virtual instruction options; deleting the eligibility

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376 criteria for a student to participate in virtual
377 instruction; amending s. 1002.45, F.S.; revising
378 student eligibility and participation requirements for
379 virtual instruction programs; amending s. 1002.20,
380 F.S.; revising requirements for notifying a parent of
381 a student with a substantial reading deficiency;
382 authorizing a parent to request and be granted
383 permission for a student's absence from school for
384 treatment of autism spectrum disorder by a licensed
385 health care practitioner; authorizing a student to
386 possess and use a topical sunscreen while on school
387 property or at a school-sponsored event or activity
388 under certain circumstances; amending s. 1002.69,
389 F.S.; requiring data from the statewide kindergarten
390 screening to be used to identify certain students;
391 amending s. 1008.25, F.S.; requiring district school
392 boards to allocate certain instruction resources to
393 certain students deficient in reading; revising
394 criteria and requiring the State Board of Education to
395 identify guidelines for determining whether certain
396 students have a substantial deficiency in reading;
397 providing that students with a substantial reading
398 deficiency must be covered by certain plans; revising
399 the parental notification requirements for students
400 with a substantial deficiency in reading; requiring

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401 the Department of Education to develop or contract
 402 with another entity to develop a handbook containing
 403 specific information for parents of students with a
 404 substantial reading deficiency; defining the terms
 405 "dyslexia" and "dyscalculia"; requiring schools to
 406 provide certain instruction to students who received a
 407 good cause exemption from retention; revising grounds
 408 for such good cause exemption; revising intervention
 409 requirements for certain retained students; revising
 410 provisions relating to the Intensive Acceleration
 411 Class for retained students in certain grades;
 412 revising student progress evaluation requirements;
 413 amending s. 1011.67, F.S.; revising the contents of a
 414 comprehensive staff development plan required for each
 415 school district to receive instructional materials
 416 funds; amending s. 1002.51, F.S.; defining the term
 417 "public school prekindergarten provider"; amending s.
 418 1003.21, F.S.; requiring each district school board to
 419 adopt an attendance policy authorizing a student's
 420 absence for treatment of autism spectrum disorder;
 421 amending s. 1003.24, F.S.; revising an exemption
 422 relating to parental responsibility for nonattendance
 423 of a student to include treatment for autism spectrum
 424 disorder; amending s. 1003.4156, F.S.; deleting
 425 requirements relating to the career and education

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426 | planning course for middle grades promotion; amending
427 | s. 1003.57, F.S.; prohibiting certain school districts
428 | from declining to provide or contract for certain
429 | students' educational instruction; providing for
430 | funding of such students; amending s. 1006.40, F.S.;
431 | providing an exception from the required uses of a
432 | specified allocation for certain school districts;
433 | amending s. 1009.60, F.S.; revising eligibility
434 | criteria for receipt of a minority teacher education
435 | scholarship; amending s. 1009.605, F.S.; revising the
436 | scholar awards on which the Florida Fund for Minority
437 | Teachers, Inc.'s, budget projection must be based;
438 | creating the Committee on Early Grade Success within
439 | the Department of Education; specifying committee
440 | purpose; requiring the committee to develop a proposal
441 | for specified purposes; providing proposal
442 | requirements; providing for membership of the
443 | committee; providing requirements for electing a
444 | committee chair and vice chair; providing committee
445 | meeting requirements; requiring the University of
446 | Florida Lastinger Center for Learning to provide
447 | necessary staff for the committee; requiring the
448 | committee to submit a report by a specified date;
449 | providing for the expiration of the committee;
450 | authorizing rulemaking; creating s. 1013.101, F.S.;

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451 providing legislative findings and intent; defining
452 terms; requiring the Department of Education to
453 provide specified assistance to school districts;
454 creating the Shared Use Task Force within the
455 department; specifying the purpose and membership of
456 the task force; providing requirements for electing a
457 task force chair and vice chair and conducting its
458 meetings; requiring the department to provide the task
459 force with necessary staff; requiring the task force
460 to submit a report to the Legislature by a specified
461 date; providing for expiration of the task force;
462 amending s. 125.901, F.S.; providing that the
463 membership of the governing body of certain
464 independent special districts in specified counties
465 may include the designee of the superintendent of
466 schools in lieu of the superintendent; creating s.
467 1003.481, F.S.; creating the Early Childhood Music
468 Education Incentive Pilot Program within the
469 Department of Education for a specified period;
470 providing for school district eligibility; providing
471 comprehensive music education program requirements;
472 providing for school district selection, funding, and
473 program payments; requiring selected school districts
474 to annually provide a specified certification to the
475 Commissioner of Education; requiring a selected school

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476 district to return funds under certain circumstances;
 477 requiring the University of Florida's College of
 478 Education to perform an evaluation; authorizing the
 479 State Board of Education to adopt rules; providing for
 480 expiration of the pilot program; providing for
 481 severability; providing appropriations; providing
 482 effective dates.

483

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

485

486 Section 1. Upon the expiration and reversion of the
 487 amendment to section 11.45, Florida Statutes, pursuant to
 488 section 36 of chapter 2016-62, Laws of Florida, paragraph (d) of
 489 subsection (2) of section 11.45, Florida Statutes, is amended to
 490 read:

491 11.45 Definitions; duties; authorities; reports; rules.—

492 (2) DUTIES.—The Auditor General shall:

493 (d) Annually conduct financial audits of the accounts and
 494 records of all district school boards in counties with
 495 populations of fewer than 150,000, according to the most recent
 496 federal decennial statewide census, and the Florida School for
 497 the Deaf and the Blind.

498

499 The Auditor General shall perform his or her duties
 500 independently but under the general policies established by the

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501 Legislative Auditing Committee. This subsection does not limit
 502 the Auditor General's discretionary authority to conduct other
 503 audits or engagements of governmental entities as authorized in
 504 subsection (3).

505 Section 2. Paragraph (c) of subsection (3) of section
 506 1002.71, Florida Statutes, is amended to read:

507 1002.71 Funding; financial and attendance reporting.—

508 (3)

509 (c) The initial allocation shall be based on estimated
 510 student enrollment in each coalition service area. The Office of
 511 Early Learning shall reallocate funds among the coalitions based
 512 on actual full-time equivalent student enrollment in each
 513 coalition service area. Each coalition shall report student
 514 enrollment pursuant to subsection (2) on a monthly basis. A
 515 student enrollment count for the prior fiscal year may not be
 516 amended after September 30 ~~December 31~~ of the subsequent fiscal
 517 year.

518 Section 3. Subsection (21) of section 1003.52, Florida
 519 Statutes, is amended to read:

520 1003.52 Educational services in Department of Juvenile
 521 Justice programs.—

522 ~~(21) The education programs at the Florida School for Boys~~
 523 ~~in Okeechobee shall be operated by the Department of Education,~~
 524 ~~either directly or through grants or contractual agreements with~~
 525 ~~other public or duly accredited education agencies approved by~~

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526 | ~~the Department of Education.~~

527 | Section 4. Upon the expiration and reversion of the
 528 | amendments to section 1011.62, Florida Statutes, pursuant to
 529 | section 23 of chapter 2016-62, Laws of Florida, subsections (15)
 530 | and (16) are renumbered as subsections (16) and (17),
 531 | respectively, paragraphs (e), (f), (h), and (i) and paragraphs
 532 | (1) through (o) of subsection (1), paragraph (a) of subsection
 533 | (4), paragraph (b) of subsection (7), paragraphs (a), (c), and
 534 | (d) of subsection (9), subsections (11), (12), (13), and (14),
 535 | and paragraph (b) of present subsection (15) of section 1011.62,
 536 | Florida Statutes, are amended, and a new subsection (13) is
 537 | added to that section, to read:

538 | 1011.62 Funds for operation of schools.—If the annual
 539 | allocation from the Florida Education Finance Program to each
 540 | district for operation of schools is not determined in the
 541 | annual appropriations act or the substantive bill implementing
 542 | the annual appropriations act, it shall be determined as
 543 | follows:

544 | (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 545 | OPERATION.—The following procedure shall be followed in
 546 | determining the annual allocation to each district for
 547 | operation:

548 | (e) *Funding model for exceptional student education*
 549 | *programs.*—

550 | 1.a. The funding model uses basic, at-risk, support levels

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551 IV and V for exceptional students and career Florida Education
552 Finance Program cost factors, and a guaranteed allocation for
553 exceptional student education programs. Exceptional education
554 cost factors are determined by using a matrix of services to
555 document the services that each exceptional student will
556 receive. The nature and intensity of the services indicated on
557 the matrix shall be consistent with the services described in
558 each exceptional student's individual educational plan. The
559 Department of Education shall review and revise the descriptions
560 of the services and supports included in the matrix of services
561 for exceptional students and shall implement those revisions
562 before the beginning of the 2012-2013 school year.

563 b. In order to generate funds using one of the two
564 weighted cost factors, a matrix of services must be completed at
565 the time of the student's initial placement into an exceptional
566 student education program and at least once every 3 years by
567 personnel who have received approved training. Nothing listed in
568 the matrix shall be construed as limiting the services a school
569 district must provide in order to ensure that exceptional
570 students are provided a free, appropriate public education.

571 c. Students identified as exceptional, in accordance with
572 chapter 6A-6, Florida Administrative Code, who do not have a
573 matrix of services as specified in sub-subparagraph b. shall
574 generate funds on the basis of full-time-equivalent student
575 membership in the Florida Education Finance Program at the same

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576 funding level per student as provided for basic students.
577 Additional funds for these exceptional students will be provided
578 through the guaranteed allocation designated in subparagraph 2.
579 2. For students identified as exceptional who do not have
580 a matrix of services and students who are gifted in grades K
581 through 8, there is created a guaranteed allocation to provide
582 these students with a free appropriate public education, in
583 accordance with s. 1001.42(4)(1) and rules of the State Board of
584 Education, which shall be allocated initially to each school
585 district in the amount provided in the General Appropriations
586 Act. These funds shall be supplemental to the funds appropriated
587 for the basic funding level, and the amount allocated for each
588 school district shall be recalculated ~~once~~ during the year,
589 based on actual student membership from ~~the October~~ FTE surveys
590 survey. Upon recalculation, if the generated allocation is
591 greater than the amount provided in the General Appropriations
592 Act, the total shall be prorated to the level of the
593 appropriation based on each district's share of the total
594 recalculated amount. These funds shall be used to provide
595 special education and related services for exceptional students
596 and students who are gifted in grades K through 8. A district's
597 expenditure of funds from the guaranteed allocation for students
598 in grades 9 through 12 who are gifted may not be greater than
599 the amount expended during the 2006-2007 fiscal year for gifted
600 students in grades 9 through 12.

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601 (f) *Supplemental academic instruction; categorical fund.*—

602 1. There is created a categorical fund to provide
 603 supplemental academic instruction to students in kindergarten
 604 through grade 12. This paragraph may be cited as the
 605 "Supplemental Academic Instruction Categorical Fund."

606 2. The categorical fund is ~~funds for supplemental academic~~
 607 ~~instruction shall be allocated annually to each school district~~
 608 ~~in the amount provided in the General Appropriations Act. These~~
 609 ~~funds shall be~~ in addition to the funds appropriated on the
 610 basis of FTE student membership in the Florida Education Finance
 611 Program and shall be included in the total potential funds of
 612 each district. These funds shall be used to provide supplemental
 613 academic instruction to students enrolled in the K-12 program.
 614 ~~For the 2014-2015 fiscal year,~~ Each school district that has one
 615 or more of the 300 lowest-performing elementary schools based on
 616 the state reading assessment for the prior year shall use these
 617 funds, together with the funds provided in the district's
 618 research-based reading instruction allocation and other
 619 available funds, to provide an additional hour of instruction
 620 beyond the normal school day for each day of the entire school
 621 year for intensive reading instruction for the students in each
 622 of these schools. This additional hour of instruction must be
 623 provided by teachers or reading specialists who have
 624 demonstrated effectiveness ~~are effective~~ in teaching reading or
 625 by a K-5 mentoring reading program that is supervised by a

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626 | teacher who is effective at teaching reading. Students enrolled
627 | in these schools who have level 5 assessment scores may
628 | participate in the additional hour of instruction on an optional
629 | basis. Exceptional student education centers shall not be
630 | included in the 300 schools. The designation of the 300 lowest-
631 | performing elementary schools must be based on the state reading
632 | assessment for the prior year. After this requirement has been
633 | met, supplemental instruction strategies may include, but are
634 | not limited to: use of a modified curriculum, reading
635 | instruction, after-school instruction, tutoring, mentoring, a
636 | reduction in class size ~~reduction~~, extended school year,
637 | intensive skills development in summer school, and other methods
638 | of ~~for~~ improving student achievement. Supplemental instruction
639 | may be provided to a student in any manner and at any time
640 | during or beyond the regular 180-day term identified by the
641 | school as being the most effective and efficient way to best
642 | help that student progress from grade to grade and to graduate.

643 | 3. Categorical funds for supplemental academic instruction
644 | shall be provided annually in the Florida Education Finance
645 | Program as specified in the General Appropriations Act. These
646 | funds shall be provided as a supplement to the funds
647 | appropriated for the basic funding level and shall be included
648 | in the total funds of each district. The allocation shall
649 | consist of a base amount that has a workload adjustment based on
650 | changes in unweighted FTE. In addition, districts that have

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651 elementary schools included in the 300 lowest-performing schools
652 designation shall be allocated additional funds to assist those
653 districts in providing intensive reading instruction to students
654 in those schools. The amount provided shall be based on each
655 district's level of per-student funding in the reading
656 instruction allocation and the supplemental academic instruction
657 categorical fund and on the total FTE for each of the schools.
658 The categorical funding shall be recalculated during the fiscal
659 year following an updated designation of the 300 lowest-
660 performing elementary schools and shall be based on actual
661 student membership from the FTE surveys. Upon recalculation of
662 funding for the supplemental academic instruction categorical
663 fund, if the total allocation is greater than the amount
664 provided in the General Appropriations Act, the allocation shall
665 be prorated to the level provided to support the appropriation,
666 based on each district's share of the total.

667 4.3. Effective with the 1999-2000 fiscal year, funding on
668 the basis of FTE membership beyond the 180-day regular term
669 shall be provided in the FEFP only for students enrolled in
670 juvenile justice education programs or in education programs for
671 juveniles placed in secure facilities or programs under s.
672 985.19. Funding for instruction beyond the regular 180-day
673 school year for all other K-12 students shall be provided
674 through the supplemental academic instruction allocation
675 ~~categorical fund~~ and other state, federal, and local fund

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676 sources with ample flexibility for schools to provide
 677 supplemental instruction to assist students in progressing from
 678 grade to grade and graduating.

679 5.4. The Florida State University School, as a lab school,
 680 is authorized to expend from its FEFP or Lottery Enhancement
 681 Trust Fund allocation the cost to the student of remediation in
 682 reading, writing, or mathematics for any graduate who requires
 683 remediation at a postsecondary educational institution.

684 6.5.— Beginning in the 1999-2000 school year, dropout
 685 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
 686 (b), and (c), and 1003.54 shall be included in group 1 programs
 687 under subparagraph (d)3.

688 (h) *Small, isolated ~~high~~ schools.*—Districts that ~~which~~
 689 levy the maximum nonvoted discretionary millage, exclusive of
 690 millage for capital outlay purposes levied pursuant to s.
 691 1011.71(2), may calculate full-time equivalent students for
 692 small, isolated district-operated ~~high~~ schools by multiplying
 693 the number of unweighted full-time equivalent students times
 694 2.75; ~~provided the school has attained a grade of "C" or better,~~
 695 ~~pursuant to s. 1008.34, for the previous school year.~~ The
 696 following schools may be considered small, isolated schools
 697 under this paragraph:

698 1. A ~~For the purpose of this section, the term "small,~~
 699 ~~isolated high school" means Any high school that which is~~
 700 located at least ~~no less than~~ 28 miles by the shortest route

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701 from another high school; ~~which~~ has been serving students
 702 primarily in basic studies provided by sub-subparagraphs (c)1.b.
 703 and c. and may include subparagraph (c)4.; and ~~which~~ has a
 704 membership of at least 28, but no more than 100, students, ~~but~~
 705 ~~no fewer than 28 students,~~ in grades 9 through 12; or-

706 2. A district elementary school with a grade configuration
 707 of kindergarten through grade 5, but which may also include
 708 prekindergarten, grade 6, grade 7, or grade 8, that is located
 709 at least 35 miles by the shortest route from another elementary
 710 school within the district; has been serving students primarily
 711 in basic studies provided by sub-subparagraphs (c)1.a. and b.
 712 and may include subparagraph (c)4.; has a student population in
 713 which 75 percent or greater of students are eligible for free
 714 and reduced-price school lunch; and has a membership of at least
 715 28, but no more than 100, students.

716 (i) *Calculation of full-time equivalent membership with*
 717 *respect to dual enrollment instruction.*—Students enrolled in
 718 dual enrollment instruction pursuant to s. 1007.271 may be
 719 included in calculations of full-time equivalent student
 720 memberships for basic programs for grades 9 through 12 by a
 721 district school board. Instructional time for dual enrollment
 722 may vary from 900 hours; however, the full-time equivalent
 723 student membership value shall be subject to the provisions in
 724 s. 1011.61(4). Dual enrollment full-time equivalent student
 725 membership shall be calculated in an amount equal to the hours

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726 | of instruction that would be necessary to earn the full-time
727 | equivalent student membership for an equivalent course if it
728 | were taught in the school district. Students in dual enrollment
729 | courses may also be calculated as the proportional shares of
730 | full-time equivalent enrollments they generate for a Florida
731 | College System institution or university conducting the dual
732 | enrollment instruction. Early admission students shall be
733 | considered dual enrollments for funding purposes. Students may
734 | be enrolled in dual enrollment instruction provided by an
735 | eligible independent college or university and may be included
736 | in calculations of full-time equivalent student memberships for
737 | basic programs for grades 9 through 12 by a district school
738 | board. However, those provisions of law which exempt dual
739 | enrolled and early admission students from payment of
740 | instructional materials and tuition and fees, including
741 | laboratory fees, shall not apply to students who select the
742 | option of enrolling in an eligible independent institution. An
743 | independent college or university, which is located and
744 | ~~chartered in Florida,~~ is not for profit, is accredited by a
745 | regional or national accrediting agency recognized by the United
746 | States Department of Education ~~the Commission on Colleges of the~~
747 | ~~Southern Association of Colleges and Schools or the Accrediting~~
748 | ~~Council for Independent Colleges and Schools,~~ and confers
749 | degrees as defined in s. 1005.02 shall be eligible for inclusion
750 | in the dual enrollment or early admission program. Students

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751 enrolled in dual enrollment instruction shall be exempt from the
752 payment of tuition and fees, including laboratory fees. No
753 student enrolled in college credit mathematics or English dual
754 enrollment instruction shall be funded as a dual enrollment
755 unless the student has successfully completed the relevant
756 section of the entry-level examination required pursuant to s.
757 1008.30.

758 (1) *Calculation of additional full-time equivalent*
759 *membership based on International Baccalaureate examination*
760 *scores of students.*—A value of 0.16 full-time equivalent student
761 membership shall be calculated for each student enrolled in an
762 International Baccalaureate course who receives a score of 4 or
763 higher on a subject examination. A value of 0.3 full-time
764 equivalent student membership shall be calculated for each
765 student who receives an International Baccalaureate diploma.
766 Such value shall be added to the total full-time equivalent
767 student membership in basic programs for grades 9 through 12 in
768 the subsequent fiscal year. Each school district shall allocate
769 80 percent of the funds received from International
770 Baccalaureate bonus FTE funding to the school program whose
771 students generate the funds and to school programs that prepare
772 prospective students to enroll in International Baccalaureate
773 courses. Funds shall be expended solely for the payment of
774 allowable costs associated with the International Baccalaureate
775 program. Allowable costs include International Baccalaureate

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776 annual school fees; International Baccalaureate examination
777 fees; salary, benefits, and bonuses for teachers and program
778 coordinators for the International Baccalaureate program and
779 teachers and coordinators who prepare prospective students for
780 the International Baccalaureate program; supplemental books;
781 instructional supplies; instructional equipment or instructional
782 materials for International Baccalaureate courses; other
783 activities that identify prospective International Baccalaureate
784 students or prepare prospective students to enroll in
785 International Baccalaureate courses; and training or
786 professional development for International Baccalaureate
787 teachers. School districts shall allocate the remaining 20
788 percent of the funds received from International Baccalaureate
789 bonus FTE funding for programs that assist academically
790 disadvantaged students to prepare for more rigorous courses. The
791 school district shall distribute to each classroom teacher who
792 provided International Baccalaureate instruction:

793 1. A bonus in the amount of \$50 for each student taught by
794 the International Baccalaureate teacher in each International
795 Baccalaureate course who receives a score of 4 or higher on the
796 International Baccalaureate examination.

797 2. An additional bonus of \$500 to each International
798 Baccalaureate teacher in a school designated with a grade of "D"
799 or "F" who has at least one student scoring 4 or higher on the
800 International Baccalaureate examination, regardless of the

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801 number of classes taught or of the number of students scoring a
 802 4 or higher on the International Baccalaureate examination.

803
 804 ~~Bonuses awarded to a teacher according to this paragraph may not~~
 805 ~~exceed \$2,000 in any given school year. However, the maximum~~
 806 ~~bonus shall be \$3,000 if at least 50 percent of the students~~
 807 ~~enrolled in a teacher's course earn a score of 4 or higher on~~
 808 ~~the examination in a school designated with a grade of "A," "B,"~~
 809 ~~or "C"; or if at least 25 percent of the students enrolled in a~~
 810 ~~teacher's course earn a score of 4 or higher on the examination~~
 811 ~~in a school designated with a grade of "D" or "F."~~ Bonuses
 812 awarded under this paragraph shall be in addition to any regular
 813 wage or other bonus the teacher received or is scheduled to
 814 receive. For such courses, the teacher shall earn an additional
 815 bonus of \$50 for each student who has a qualifying score ~~up to~~
 816 ~~the maximum of \$3,000 in any given school year.~~

817 (m) *Calculation of additional full-time equivalent*
 818 *membership based on Advanced International Certificate of*
 819 *Education examination scores of students.*—A value of 0.16 full-
 820 time equivalent student membership shall be calculated for each
 821 student enrolled in a full-credit Advanced International
 822 Certificate of Education course who receives a score of E or
 823 higher on a subject examination. A value of 0.08 full-time
 824 equivalent student membership shall be calculated for each
 825 student enrolled in a half-credit Advanced International

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826 Certificate of Education course who receives a score of E or
 827 higher on a subject examination. A value of 0.3 full-time
 828 equivalent student membership shall be calculated for each
 829 student who receives an Advanced International Certificate of
 830 Education diploma. Such value shall be added to the total full-
 831 time equivalent student membership in basic programs for grades
 832 9 through 12 in the subsequent fiscal year. Each school district
 833 shall allocate at least 80 percent of the funds received from
 834 the Advanced International Certificate of Education bonus FTE
 835 funding, in accordance with this paragraph, to the school
 836 program that generated the funds. The school district shall
 837 distribute to each classroom teacher who provided Advanced
 838 International Certificate of Education instruction:

839 1. A bonus in the amount of \$50 for each student taught by
 840 the Advanced International Certificate of Education teacher in
 841 each full-credit Advanced International Certificate of Education
 842 course who receives a score of E or higher on the Advanced
 843 International Certificate of Education examination. A bonus in
 844 the amount of \$25 for each student taught by the Advanced
 845 International Certificate of Education teacher in each half-
 846 credit Advanced International Certificate of Education course
 847 who receives a score of E or higher on the Advanced
 848 International Certificate of Education examination.

849 2. An additional bonus of \$500 to each Advanced
 850 International Certificate of Education teacher in a school

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851 designated with a grade of "D" or "F" who has at least one
852 student scoring E or higher on the full-credit Advanced
853 International Certificate of Education examination, regardless
854 of the number of classes taught or of the number of students
855 scoring an E or higher on the full-credit Advanced International
856 Certificate of Education examination.

857 3. Additional bonuses of \$250 each to teachers of half-
858 credit Advanced International Certificate of Education classes
859 in a school designated with a grade of "D" or "F" which has at
860 least one student scoring an E or higher on the half-credit
861 Advanced International Certificate of Education examination in
862 that class. ~~The maximum additional bonus for a teacher awarded~~
863 ~~in accordance with this subparagraph shall not exceed \$500 in~~
864 ~~any given school year.~~ Teachers receiving an award under
865 subparagraph 2. are not eligible for a bonus under this
866 subparagraph.

867
868 Bonuses awarded to a teacher according to this paragraph ~~shall~~
869 ~~not exceed \$2,000 in any given school year and~~ shall be in
870 addition to any regular wage or other bonus the teacher received
871 or is scheduled to receive.

872 (n) *Calculation of additional full-time equivalent*
873 *membership based on college board advanced placement scores of*
874 *students.*—A value of 0.16 full-time equivalent student
875 membership shall be calculated for each student in each advanced

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876 placement course who receives a score of 3 or higher on the
877 College Board Advanced Placement Examination for the prior year
878 and added to the total full-time equivalent student membership
879 in basic programs for grades 9 through 12 in the subsequent
880 fiscal year. Each district must allocate at least 80 percent of
881 the funds provided to the district for advanced placement
882 instruction, in accordance with this paragraph, to the high
883 school that generates the funds. The school district shall
884 distribute to each classroom teacher who provided advanced
885 placement instruction:

886 1. A bonus in the amount of \$50 for each student taught by
887 the Advanced Placement teacher in each advanced placement course
888 who receives a score of 3 or higher on the College Board
889 Advanced Placement Examination.

890 2. An additional bonus of \$500 to each Advanced Placement
891 teacher in a school designated with a grade of "D" or "F" who
892 has at least one student scoring 3 or higher on the College
893 Board Advanced Placement Examination, regardless of the number
894 of classes taught or of the number of students scoring a 3 or
895 higher on the College Board Advanced Placement Examination.

896
897 ~~Bonuses awarded to a teacher according to this paragraph shall~~
898 ~~not exceed \$2,000 in any given school year. However, the maximum~~
899 ~~bonus shall be \$3,000 if at least 50 percent of the students~~
900 ~~enrolled in a teacher's course earn a score of 3 or higher on~~

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901 ~~the examination in a school with a grade of "A," "B," or "C" or~~
 902 ~~if at least 25 percent of the students enrolled in a teacher's~~
 903 ~~course earn a score of 3 or higher on the examination in a~~
 904 ~~school with a grade of "D" or "F."~~ Bonuses awarded under this
 905 paragraph shall be in addition to any regular wage or other
 906 bonus the teacher received or is scheduled to receive. For such
 907 courses, the teacher shall earn an additional bonus of \$50 for
 908 each student who has a qualifying score ~~up to the maximum of~~
 909 ~~\$3,000 in any given school year.~~

910 (o) *Calculation of additional full-time equivalent*
 911 *membership based on successful completion of a career-themed*
 912 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*
 913 *courses with embedded CAPE industry certifications or CAPE*
 914 *Digital Tool certificates, and issuance of industry*
 915 *certification identified on the CAPE Industry Certification*
 916 *Funding List pursuant to rules adopted by the State Board of*
 917 *Education or CAPE Digital Tool certificates pursuant to s.*
 918 *1003.4203.—*

919 1.a. A value of 0.025 full-time equivalent student
 920 membership shall be calculated for CAPE Digital Tool
 921 certificates earned by students in elementary and middle school
 922 grades.

923 b. A value of 0.1 or 0.2 full-time equivalent student
 924 membership shall be calculated for each student who completes a
 925 course as defined in s. 1003.493(1)(b) or courses with embedded

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926 CAPE industry certifications and who is issued an industry
927 certification identified annually on the CAPE Industry
928 Certification Funding List approved under rules adopted by the
929 State Board of Education. A value of 0.2 full-time equivalent
930 membership shall be calculated for each student who is issued a
931 CAPE industry certification that has a statewide articulation
932 agreement for college credit approved by the State Board of
933 Education. For CAPE industry certifications that do not
934 articulate for college credit, the Department of Education shall
935 assign a full-time equivalent value of 0.1 for each
936 certification. Middle grades students who earn additional FTE
937 membership for a CAPE Digital Tool certificate pursuant to sub-
938 subparagraph a. may not use the previously funded examination to
939 satisfy the requirements for earning an industry certification
940 under this sub-subparagraph. Additional FTE membership for an
941 elementary or middle grades student may not exceed 0.1 for
942 certificates or certifications earned within the same fiscal
943 year. The State Board of Education shall include the assigned
944 values on the CAPE Industry Certification Funding List under
945 rules adopted by the state board. Such value shall be added to
946 the total full-time equivalent student membership for grades 6
947 through 12 in the subsequent year. CAPE industry certifications
948 earned through dual enrollment must be reported and funded
949 pursuant to s. 1011.80. However, if a student earns a
950 certification through a dual enrollment course and the

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951 certification is not a fundable certification on the
 952 postsecondary certification funding list, or the dual enrollment
 953 certification is earned as a result of an agreement between a
 954 school district and a nonpublic postsecondary institution, the
 955 bonus value shall be funded in the same manner as other nondual
 956 enrollment course industry certifications. In such cases, the
 957 school district may provide for an agreement between the high
 958 school and the technical center, or the school district and the
 959 postsecondary institution may enter into an agreement for
 960 equitable distribution of the bonus funds.

961 c. A value of 0.3 full-time equivalent student membership
 962 shall be calculated for student completion of the courses and
 963 the embedded certifications identified on the CAPE Industry
 964 Certification Funding List and approved by the commissioner
 965 pursuant to ss. 1003.4203(5) (a) and 1008.44.

966 d. A value of 0.5 full-time equivalent student membership
 967 shall be calculated for CAPE Acceleration Industry
 968 Certifications that articulate for 15 to 29 college credit
 969 hours, and 1.0 full-time equivalent student membership shall be
 970 calculated for CAPE Acceleration Industry Certifications that
 971 articulate for 30 or more college credit hours pursuant to CAPE
 972 Acceleration Industry Certifications approved by the
 973 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

974 2. Each district must allocate at least 80 percent of the
 975 funds provided for CAPE industry certification, in accordance

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976 | with this paragraph, to the program that generated the funds.
 977 | This allocation may not be used to supplant funds provided for
 978 | basic operation of the program.

979 | 3. For CAPE industry certifications earned in the 2013-
 980 | 2014 school year and in subsequent years, the school district
 981 | shall distribute to each classroom teacher who provided direct
 982 | instruction toward the attainment of a CAPE industry
 983 | certification that qualified for additional full-time equivalent
 984 | membership under subparagraph 1.:

985 | a. A bonus of \$25 for each student taught by a teacher who
 986 | provided instruction in a course that led to the attainment of a
 987 | CAPE industry certification on the CAPE Industry Certification
 988 | Funding List with a weight of 0.1.

989 | b. A bonus of \$50 for each student taught by a teacher who
 990 | provided instruction in a course that led to the attainment of a
 991 | CAPE industry certification on the CAPE Industry Certification
 992 | Funding List with a weight of 0.2.

993 | c. A bonus of \$75 for each student taught by a teacher who
 994 | provided instruction in a course that led to the attainment of a
 995 | CAPE industry certification on the CAPE Industry Certification
 996 | Funding List with a weight of 0.3.

997 | d. A bonus of \$100 for each student taught by a teacher
 998 | who provided instruction in a course that led to the attainment
 999 | of a CAPE industry certification on the CAPE Industry
 1000 | Certification Funding List with a weight of 0.5 or 1.0.

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1001
 1002 Bonuses awarded pursuant to this paragraph shall be provided to
 1003 teachers who are employed by the district in the year in which
 1004 the additional FTE membership calculation is included in the
 1005 calculation. Bonuses shall be calculated based upon the
 1006 associated weight of a CAPE industry certification on the CAPE
 1007 Industry Certification Funding List for the year in which the
 1008 certification is earned by the student. Any bonus awarded to a
 1009 teacher under this paragraph ~~may not exceed \$3,000 in any given~~
 1010 ~~school year and~~ is in addition to any regular wage or other
 1011 bonus the teacher received or is scheduled to receive.

1012 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
 1013 Legislature shall prescribe the aggregate required local effort
 1014 for all school districts collectively as an item in the General
 1015 Appropriations Act for each fiscal year. The amount that each
 1016 district shall provide annually toward the cost of the Florida
 1017 Education Finance Program for kindergarten through grade 12
 1018 programs shall be calculated as follows:

1019 (a) *Estimated taxable value calculations.*—

1020 1.a. Not later than 2 working days before July 19, the
 1021 Department of Revenue shall certify to the Commissioner of
 1022 Education its most recent estimate of the taxable value for
 1023 school purposes in each school district and the total for all
 1024 school districts in the state for the current calendar year
 1025 based on the latest available data obtained from the local

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1026 | property appraisers. The value certified shall be the taxable
 1027 | value for school purposes for that year, and no further
 1028 | adjustments shall be made, except those made pursuant to
 1029 | paragraphs (c) and (d), or an assessment roll change required by
 1030 | final judicial decisions as specified in paragraph (16) (b)
 1031 | ~~(15) (b)~~. Not later than July 19, the Commissioner of Education
 1032 | shall compute a millage rate, rounded to the next highest one
 1033 | one-thousandth of a mill, which, when applied to 96 percent of
 1034 | the estimated state total taxable value for school purposes,
 1035 | would generate the prescribed aggregate required local effort
 1036 | for that year for all districts. The Commissioner of Education
 1037 | shall certify to each district school board the millage rate,
 1038 | computed as prescribed in this subparagraph, as the minimum
 1039 | millage rate necessary to provide the district required local
 1040 | effort for that year.

1041 | b. The General Appropriations Act shall direct the
 1042 | computation of the statewide adjusted aggregate amount for
 1043 | required local effort for all school districts collectively from
 1044 | ad valorem taxes to ensure that no school district's revenue
 1045 | from required local effort millage will produce more than 90
 1046 | percent of the district's total Florida Education Finance
 1047 | Program calculation as calculated and adopted by the
 1048 | Legislature, and the adjustment of the required local effort
 1049 | millage rate of each district that produces more than 90 percent
 1050 | of its total Florida Education Finance Program entitlement to a

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1051 level that will produce only 90 percent of its total Florida
 1052 Education Finance Program entitlement in the July calculation.

1053 2. On the same date as the certification in sub-
 1054 subparagraph 1.a., the Department of Revenue shall certify to
 1055 the Commissioner of Education for each district:

1056 a. Each year for which the property appraiser has
 1057 certified the taxable value pursuant to s. 193.122(2) or (3), if
 1058 applicable, since the prior certification under sub-subparagraph
 1059 1.a.

1060 b. For each year identified in sub-subparagraph a., the
 1061 taxable value certified by the appraiser pursuant to s.
 1062 193.122(2) or (3), if applicable, since the prior certification
 1063 under sub-subparagraph 1.a. This is the certification that
 1064 reflects all final administrative actions of the value
 1065 adjustment board.

1066 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

1067 (b) The district sparsity index shall be computed by
 1068 dividing the total number of full-time equivalent students in
 1069 all programs in the district by the number of senior high school
 1070 centers in the district, not in excess of three, which centers
 1071 are approved as permanent centers by a survey made by the
 1072 Department of Education. For districts with a full-time
 1073 equivalent student membership of at least 20,000, but no more
 1074 than 24,000, the index shall be computed by dividing the total
 1075 number of full-time equivalent students in all programs by the

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1076 | number of permanent senior high school centers in the district,
 1077 | not in excess of four.
 1078 | (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—
 1079 | (a) The research-based reading instruction allocation is
 1080 | created to provide comprehensive reading instruction to students
 1081 | in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~
 1082 | ~~in~~ Each school district that has one or more of the 300 lowest-
 1083 | performing elementary schools based on the state reading
 1084 | assessment, ~~priority~~ shall give priority ~~be given~~ to providing
 1085 | an additional hour per day of intensive reading instruction
 1086 | beyond the normal school day for each day of the entire school
 1087 | year for the students in each school. The designation of the 300
 1088 | lowest-performing elementary schools must be based on the state
 1089 | reading assessment for the prior year. Students enrolled in
 1090 | these schools who have level 5 assessment scores may participate
 1091 | in the additional hour of instruction on an optional basis.
 1092 | Exceptional student education centers may ~~shall~~ not be included
 1093 | in the 300 schools. The intensive reading instruction delivered
 1094 | in this additional hour and for other students shall include:
 1095 | research-based reading instruction that has been proven to
 1096 | accelerate progress of students exhibiting a reading deficiency;
 1097 | differentiated instruction based on screening, diagnostic,
 1098 | progress monitoring, or student assessment data to meet
 1099 | students' specific reading needs; explicit and systematic
 1100 | reading strategies to develop ~~development in~~ phonemic awareness,

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1101 | phonics, fluency, vocabulary, and comprehension, with more
1102 | extensive opportunities for guided practice, error correction,
1103 | and feedback; and the integration of social studies, science,
1104 | and mathematics-text reading, text discussion, and writing in
1105 | response to reading. ~~For the 2012-2013 and 2013-2014 fiscal~~
1106 | ~~years, a school district may not hire more reading coaches than~~
1107 | ~~were hired during the 2011-2012 fiscal year unless all students~~
1108 | ~~in kindergarten through grade 5 who demonstrate a reading~~
1109 | ~~deficiency, as determined by district and state assessments,~~
1110 | ~~including students scoring Level 1 or Level 2 on the statewide,~~
1111 | ~~standardized reading assessment or, upon implementation, the~~
1112 | ~~English Language Arts assessment, are provided an additional~~
1113 | ~~hour per day of intensive reading instruction beyond the normal~~
1114 | ~~school day for each day of the entire school year.~~

1115 | (c) Funds allocated under this subsection must be used to
1116 | provide a system of comprehensive reading instruction to
1117 | students enrolled in the K-12 programs, which may include the
1118 | following:

1119 | 1. The provision of an additional hour per day of
1120 | intensive reading instruction to students in the 300 lowest-
1121 | performing elementary schools by teachers and reading
1122 | specialists who have demonstrated effectiveness ~~are effective~~ in
1123 | teaching reading.

1124 | 2. Kindergarten through grade 5 reading intervention
1125 | teachers to provide intensive intervention during the school day

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1126 | and in the required extra hour for students identified as having
1127 | a reading deficiency.

1128 | 3. The provision of highly qualified reading coaches to
1129 | specifically support teachers in making instructional decisions
1130 | based on student data, and improve teacher delivery of effective
1131 | reading instruction, intervention, and reading in the content
1132 | areas based on student need.

1133 | 4. Professional development for school district teachers
1134 | in scientifically based reading instruction, including
1135 | strategies to teach reading in content areas and with an
1136 | emphasis on technical and informational text, to help school
1137 | district teachers earn a certification or an endorsement in
1138 | reading.

1139 | 5. The provision of summer reading camps for all students
1140 | in kindergarten through grade 2 who demonstrate a reading
1141 | deficiency as determined by district and state assessments, and
1142 | students in grades 3 through 5 who score at Level 1 on the
1143 | statewide, standardized reading assessment or, upon
1144 | implementation, the English Language Arts assessment.

1145 | 6. The provision of supplemental instructional materials
1146 | that are grounded in scientifically based reading research.

1147 | 7. The provision of intensive interventions for students
1148 | in kindergarten through grade 12 who have been identified as
1149 | having a reading deficiency or who are reading below grade level
1150 | as determined by the statewide, standardized assessment.

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1151 (d)1. Annually, by a date determined by the Department of
1152 Education but before May 1, school districts shall submit a K-12
1153 comprehensive reading plan for the specific use of the research-
1154 based reading instruction allocation in the format prescribed by
1155 the department for review and approval by the Just Read,
1156 Florida! Office created pursuant to s. 1001.215. The plan
1157 annually submitted by school districts shall be deemed approved
1158 unless the department rejects the plan on or before June 1. If a
1159 school district and the Just Read, Florida! Office cannot reach
1160 agreement on the contents of the plan, the school district may
1161 appeal to the State Board of Education for resolution. School
1162 districts shall be allowed reasonable flexibility in designing
1163 their plans and shall be encouraged to offer reading
1164 intervention through innovative methods, including career
1165 academies. The plan format shall be developed with input from
1166 school district personnel, including teachers and principals,
1167 and shall allow courses in core, career, and alternative
1168 programs that deliver intensive reading remediation through
1169 integrated curricula, provided that the teacher is deemed highly
1170 qualified to teach reading or working toward that status. No
1171 later than July 1 annually, the department shall release the
1172 school district's allocation of appropriated funds to those
1173 districts having approved plans. A school district that spends
1174 100 percent of this allocation on its approved plan shall be
1175 deemed to have been in compliance with the plan. The department

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1176 | may withhold funds upon a determination that reading instruction
 1177 | allocation funds are not being used to implement the approved
 1178 | plan. The department shall monitor and track the implementation
 1179 | of each district plan, including conducting site visits and
 1180 | collecting specific data on expenditures and reading improvement
 1181 | results. By February 1 of each year, the department shall report
 1182 | its findings to the Legislature.

1183 | 2. Each school district that has a school designated as
 1184 | one of the 300 lowest-performing elementary schools as specified
 1185 | in paragraph (a) shall specifically delineate in the
 1186 | comprehensive reading plan, or in an addendum to the
 1187 | comprehensive reading plan, the implementation design and
 1188 | reading intervention strategies that will be used for the
 1189 | required additional hour of reading instruction. The term
 1190 | "reading intervention" includes evidence-based strategies
 1191 | frequently used to remediate reading deficiencies and also
 1192 | includes individual instruction, tutoring, mentoring, or the use
 1193 | of technology that targets specific reading skills and
 1194 | abilities.

1195 | (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 1196 | annually provide in the Florida Education Finance Program a
 1197 | virtual education contribution. The amount of the virtual
 1198 | education contribution shall be the difference between the
 1199 | amount per FTE established in the General Appropriations Act for
 1200 | virtual education and the amount per FTE for each district and

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1201 the Florida Virtual School, which may be calculated by taking
 1202 the sum of the base FEFP allocation, the discretionary local
 1203 effort, the state-funded discretionary contribution, the
 1204 discretionary millage compression supplement, the research-based
 1205 reading instruction allocation, and the instructional materials
 1206 allocation, and then dividing by the total unweighted FTE. This
 1207 difference shall be multiplied by the virtual education
 1208 unweighted FTE for programs and options identified in s.
 1209 1002.455 ~~s. 1002.455(3)~~ and the Florida Virtual School and its
 1210 franchises to equal the virtual education contribution and shall
 1211 be included as a separate allocation in the funding formula.

1212 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

1213 (a) The Florida digital classrooms allocation is created
 1214 to support the efforts of school districts ~~district~~ and schools,
 1215 including charter schools, ~~school efforts and strategies to~~
 1216 integrate ~~improve outcomes related to student performance by~~
 1217 ~~integrating~~ technology in classroom teaching and learning to
 1218 ensure students have access to high-quality electronic and
 1219 digital instructional materials and resources, and empower
 1220 classroom teachers to help their students succeed. Each school
 1221 district shall receive a minimum digital classrooms allocation
 1222 in the amount provided in the General Appropriations Act. The
 1223 remaining balance of the digital classrooms allocation shall be
 1224 allocated based on each school district's proportionate share of
 1225 the state's total unweighted full-time equivalent student

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1226 enrollment.

1227 (b) Funds allocated under this subsection must be used for
 1228 costs associated with:

1229 1. Acquiring and maintaining the items on the eligible
 1230 services list authorized by the Universal Service Administrative
 1231 Company for the Schools and Libraries Program, more commonly
 1232 referred to as the federal E-rate program.

1233 2. Acquiring computer and device hardware and associated
 1234 operating system software that complies with the requirements of
 1235 s. 1001.20(4)(a)1.b.

1236 3. Providing professional development, including in-state
 1237 conference attendance or online coursework, to enhance the use
 1238 of technology for digital instructional strategies ~~The outcomes~~
 1239 ~~must be measurable and may also be unique to the needs of~~
 1240 ~~individual schools and school districts within the general~~
 1241 ~~parameters established by the Department of Education.~~

1242 ~~(b) Each district school board shall adopt a district~~
 1243 ~~digital classrooms plan that meets the unique needs of students,~~
 1244 ~~schools, and personnel and submit the plan for approval to the~~
 1245 ~~Department of Education. In addition, each district school board~~
 1246 ~~must, at a minimum, seek input from the district's~~
 1247 ~~instructional, curriculum, and information technology staff to~~
 1248 ~~develop the district digital classrooms plan. The district's~~
 1249 ~~plan must be within the general parameters established in the~~
 1250 ~~Florida digital classrooms plan pursuant to s. 1001.20. In~~

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1251 ~~addition, if the district participates in federal technology~~
1252 ~~initiatives and grant programs, the district digital classrooms~~
1253 ~~plan must include a plan for meeting requirements of such~~
1254 ~~initiatives and grant programs. Funds allocated under this~~
1255 ~~subsection must be used to support implementation of district~~
1256 ~~digital classrooms plans. By October 1, 2014, and by March 1 of~~
1257 ~~each year thereafter, on a date determined by the department,~~
1258 ~~each district school board shall submit to the department, in a~~
1259 ~~format prescribed by the department, a digital classrooms plan.~~
1260 ~~At a minimum, such plan must include, and be annually updated to~~
1261 ~~reflect, the following:~~

1262 ~~1. Measurable student performance outcomes. Outcomes~~
1263 ~~related to student performance, including outcomes for students~~
1264 ~~with disabilities, must be tied to the efforts and strategies to~~
1265 ~~improve outcomes related to student performance by integrating~~
1266 ~~technology in classroom teaching and learning. Results of the~~
1267 ~~outcomes shall be reported at least annually for the current~~
1268 ~~school year and subsequent 3 years and be accompanied by an~~
1269 ~~independent evaluation and validation of the reported results.~~

1270 ~~2. Digital learning and technology infrastructure~~
1271 ~~purchases and operational activities. Such purchases and~~
1272 ~~activities must be tied to the measurable outcomes under~~
1273 ~~subparagraph 1., including, but not limited to, connectivity,~~
1274 ~~broadband access, wireless capacity, Internet speed, and data~~
1275 ~~security, all of which must meet or exceed minimum requirements~~

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1276 ~~and protocols established by the department. For each year that~~
1277 ~~the district uses funds for infrastructure, a third party,~~
1278 ~~independent evaluation of the district's technology inventory~~
1279 ~~and infrastructure needs must accompany the district's plan.~~

1280 ~~3. Professional development purchases and operational~~
1281 ~~activities. Such purchases and activities must be tied to the~~
1282 ~~measurable outcomes under subparagraph 1., including, but not~~
1283 ~~limited to, using technology in the classroom and improving~~
1284 ~~digital literacy and competency.~~

1285 ~~4. Digital tool purchases and operational activities. Such~~
1286 ~~purchases and activities must be tied to the measurable outcomes~~
1287 ~~under subparagraph 1., including, but not limited to,~~
1288 ~~competency based credentials that measure and demonstrate~~
1289 ~~digital competency and certifications; third party assessments~~
1290 ~~that demonstrate acquired knowledge and use of digital~~
1291 ~~applications; and devices that meet or exceed minimum~~
1292 ~~requirements and protocols established by the department.~~

1293 ~~5. Online assessment related purchases and operational~~
1294 ~~activities. Such purchases and activities must be tied to the~~
1295 ~~measurable outcomes under subparagraph 1., including, but not~~
1296 ~~limited to, expanding the capacity to administer assessments and~~
1297 ~~compatibility with minimum assessment protocols and requirements~~
1298 ~~established by the department.~~

1299 ~~(c) The Legislature shall annually provide in the General~~
1300 ~~Appropriations Act the FEFP allocation for implementation of the~~

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1301 ~~Florida digital classrooms plan to be calculated in an amount up~~
1302 ~~to 1 percent of the base student allocation multiplied by the~~
1303 ~~total K-12 full-time equivalent student enrollment included in~~
1304 ~~the FEFP calculations for the legislative appropriation or as~~
1305 ~~provided in the General Appropriations Act. Each school district~~
1306 ~~shall be provided a minimum of \$250,000, with the remaining~~
1307 ~~balance of the allocation to be distributed based on each~~
1308 ~~district's proportion of the total K-12 full-time equivalent~~
1309 ~~student enrollment. Distribution of funds for the Florida~~
1310 ~~digital classrooms allocation shall begin following submittal of~~
1311 ~~each district's digital classrooms plan, which must include~~
1312 ~~formal verification of the superintendent's approval of the~~
1313 ~~digital classrooms plan of each charter school in the district,~~
1314 ~~and approval of the plan by the department. Prior to the~~
1315 ~~distribution of the Florida digital classrooms allocation funds,~~
1316 ~~each district school superintendent shall certify to the~~
1317 ~~Commissioner of Education that the district school board has~~
1318 ~~approved a comprehensive district digital classrooms plan that~~
1319 ~~supports the fidelity of implementation of the Florida digital~~
1320 ~~classrooms allocation. District allocations shall be~~
1321 ~~recalculated during the fiscal year consistent with the periodic~~
1322 ~~recalculation of the FEFP. School districts shall provide a~~
1323 ~~proportionate share of the digital classrooms allocation to each~~
1324 ~~charter school in the district, as required for categorical~~
1325 ~~programs in s. 1002.33(17) (b). A school district may use a~~

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1326 ~~competitive process to distribute funds for the Florida digital~~
1327 ~~classrooms allocation to the schools within the school district.~~

1328 ~~(d) To facilitate the implementation of the district~~
1329 ~~digital classrooms plans and charter school digital classrooms~~
1330 ~~plans, the commissioner shall support statewide, coordinated~~
1331 ~~partnerships and efforts of this state's education practitioners~~
1332 ~~in the field, including, but not limited to, superintendents,~~
1333 ~~principals, and teachers, to identify and share best practices,~~
1334 ~~corrective actions, and other identified needs.~~

1335 ~~(e) Beginning in the 2015-2016 fiscal year and each year~~
1336 ~~thereafter, each district school board shall report to the~~
1337 ~~department its use of funds provided through the Florida digital~~
1338 ~~classrooms allocation and student performance outcomes in~~
1339 ~~accordance with the district's digital classrooms plan. The~~
1340 ~~department may contract with an independent third party entity~~
1341 ~~to conduct an annual independent verification of the district's~~
1342 ~~use of Florida digital classrooms allocation funds in accordance~~
1343 ~~with the district's digital classrooms plan. In the event an~~
1344 ~~independent third-party verification is not conducted, the~~
1345 ~~Auditor General shall, during scheduled operational audits of~~
1346 ~~the school districts, verify compliance of the use of Florida~~
1347 ~~digital classrooms allocation funds in accordance with the~~
1348 ~~district's digital classrooms plan. No later than October 1 of~~
1349 ~~each year, beginning in the 2015-2016 fiscal year, the~~
1350 ~~commissioner shall provide to the Governor, the President of the~~

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1351 ~~Senate, and the Speaker of the House of Representatives a~~
1352 ~~summary of each district's use of funds, student performance~~
1353 ~~outcomes, and progress toward meeting statutory requirements and~~
1354 ~~timelines.~~

1355 ~~(f) Each school district shall provide teachers,~~
1356 ~~administrators, students, and parents with access to:~~

1357 ~~1. Instructional materials in digital or electronic~~
1358 ~~format, as defined in s. 1006.29.~~

1359 ~~2. Digital materials, including those digital materials~~
1360 ~~that enable students to earn certificates and industry~~
1361 ~~certifications pursuant to ss. 1003.4203 and 1008.44.~~

1362 ~~3. Teaching and learning tools and resources, including~~
1363 ~~the ability for teachers and administrators to manage, assess,~~
1364 ~~and monitor student performance data.~~

1365 ~~(g) For the 2016-2017 fiscal year, notwithstanding~~
1366 ~~paragraph (c), each school district shall be provided a minimum~~
1367 ~~of \$500,000, with the remaining balance of the allocation to be~~
1368 ~~distributed based on each district's proportion of the total K-~~
1369 ~~12 full-time equivalent enrollment. Each district's digital~~
1370 ~~classrooms allocation plan must give preference to funding the~~
1371 ~~number of devices that comply with the requirements of s.~~
1372 ~~1001.20(4)(a)1.b. and that are needed to allow each school to~~
1373 ~~administer the Florida Standards Assessments to an entire grade~~
1374 ~~at the same time. If the district's digital classrooms~~
1375 ~~allocation plan does not include the purchase of devices, the~~

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1376 ~~district must certify in the plan that the district currently~~
1377 ~~has sufficient devices to allow each school to administer the~~
1378 ~~Florida Standards Assessments in the manner described in this~~
1379 ~~paragraph. This paragraph expires July 1, 2017.~~

1380 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
1381 connected student supplement is created to provide supplemental
1382 funding for school districts to support the education of
1383 students connected with federally owned military installations,
1384 National Aeronautics and Space Administration (NASA) real
1385 property, and Indian lands. To be eligible for this supplement,
1386 the district must be eligible for federal Impact Aid Program
1387 funds under s. 8003 of Title VIII of the Elementary and
1388 Secondary Education Act of 1965. The supplement shall be
1389 allocated annually to each eligible school district in the
1390 ~~amount provided in the~~ General Appropriations Act. The
1391 supplement shall be the sum of the student allocation and an
1392 exempt property allocation.

1393 (a) The student allocation shall be calculated based on
1394 the number of students reported for federal Impact Aid Program
1395 funds, including students with disabilities, who meet one of the
1396 following criteria:

1397 1. The student has a parent who is on active duty in the
1398 uniformed services or is an accredited foreign government
1399 official and military officer. Students with disabilities shall
1400 also be reported separately for this category.

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1401 2. The student resides on eligible federally owned Indian
1402 land. Students with disabilities shall also be reported
1403 separately for this category.

1404 3. The student resides with a civilian parent who lives or
1405 works on eligible federal property connected with a military
1406 installation or NASA. The number of these students shall be
1407 multiplied by a factor of 0.5.

1408 (b) The total number of federally connected students
1409 calculated under paragraph (a) shall be multiplied by a
1410 percentage of the base student allocation as provided in the
1411 General Appropriations Act. The total of the number of students
1412 with disabilities as reported separately under subparagraphs
1413 (a)1. and 2. shall be multiplied by an additional percentage of
1414 the base student allocation as provided in the General
1415 Appropriations Act. The base amount and the amount for students
1416 with disabilities shall be summed to provide the student
1417 allocation.

1418 (c) The exempt property allocation shall be equal to the
1419 tax-exempt value of federal impact aid lands reserved as
1420 military installations, real property owned by NASA, or eligible
1421 federally owned Indian lands located in the district, ~~as of~~
1422 ~~January 1 of the previous year,~~ multiplied by the millage
1423 authorized and levied under s. 1011.71(2).

1424 (d) The amount allocated for each eligible school district
1425 shall be recalculated during the year using actual student

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1426 membership, as amended, from the most recent February survey and
1427 the tax-exempt valuation from the most recent assessment roll.
1428 Upon recalculation, if the total allocation is greater than the
1429 amount provided in the General Appropriations Act, it must be
1430 prorated to the level of the appropriation based on each
1431 district's share of the total recalculated amount.

1432 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
1433 annually in the General Appropriations Act determine a
1434 percentage increase in funds per K-12 unweighted FTE as a
1435 minimum guarantee to each school district. The guarantee shall
1436 be calculated from prior year base funding per unweighted FTE
1437 student which shall include the adjusted FTE dollars as provided
1438 in subsection (16) ~~(15)~~, quality guarantee funds, and actual
1439 nonvoted discretionary local effort from taxes. From the base
1440 funding per unweighted FTE, the increase shall be calculated for
1441 the current year. The current year funds from which the
1442 guarantee shall be determined shall include the adjusted FTE
1443 dollars as provided in subsection (16) ~~(15)~~ and potential
1444 nonvoted discretionary local effort from taxes. A comparison of
1445 current year funds per unweighted FTE to prior year funds per
1446 unweighted FTE shall be computed. For those school districts
1447 which have less than the legislatively assigned percentage
1448 increase, funds shall be provided to guarantee the assigned
1449 percentage increase in funds per unweighted FTE student. Should
1450 appropriated funds be less than the sum of this calculated

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1451 amount for all districts, the commissioner shall prorate each
 1452 district's allocation. This provision shall be implemented to
 1453 the extent specifically funded.

1454 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
 1455 created to provide funding to assist school districts in their
 1456 compliance with ss. 1006.07-1006.148, with priority given to
 1457 establishing a school resource officer program pursuant to s.
 1458 1006.12. Each school district shall receive a minimum safe
 1459 schools allocation in an amount provided in the General
 1460 Appropriations Act. Of the remaining balance of the safe schools
 1461 allocation, two-thirds shall be allocated to school districts
 1462 based on the most recent official Florida Crime Index provided
 1463 by the Department of Law Enforcement and one-third shall be
 1464 allocated based on each school district's proportionate share of
 1465 the state's total unweighted full-time equivalent student
 1466 enrollment.

1467 ~~(16)~~ ~~(15)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
 1468 FOR CURRENT OPERATION.—The total annual state allocation to each
 1469 district for current operation for the FEFP shall be distributed
 1470 periodically in the manner prescribed in the General
 1471 Appropriations Act.

1472 (b) The amount thus obtained shall be the net annual
 1473 allocation to each school district. However, if it is determined
 1474 that any school district received an under allocation or over
 1475 allocation ~~underallocation or overallocation~~ for any prior year

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1476 | because of an arithmetical error, assessment roll change
 1477 | required by final judicial decision, full-time equivalent
 1478 | student membership error, or any allocation error revealed in an
 1479 | audit report, the allocation to that district shall be
 1480 | appropriately adjusted. An under allocation in a prior year
 1481 | caused by a school district's error may not be the basis for a
 1482 | positive allocation adjustment for the current year. Beginning
 1483 | with the 2011-2012 fiscal year, if a special program cost factor
 1484 | is less than the basic program cost factor, an audit adjustment
 1485 | may not result in the reclassification of the special program
 1486 | FTE to the basic program FTE. If the Department of Education
 1487 | audit adjustment recommendation is based upon controverted
 1488 | findings of fact, the Commissioner of Education is authorized to
 1489 | establish the amount of the adjustment based on the best
 1490 | interests of the state.

1491 | Section 5. Section 1013.738, Florida Statutes, is amended
 1492 | to read:

1493 | 1013.738 High Growth District Capital Outlay Assistance
 1494 | Grant Program.—

1495 | (1) Subject to funds provided in the General
 1496 | Appropriations Act, the High Growth District Capital Outlay
 1497 | Assistance Grant Program is hereby established. Funds provided
 1498 | pursuant to this section may only be used for the purposes
 1499 | identified in s. 1011.71(2) to construct new student stations.

1500 | (2) In order to qualify for a grant, a school district

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1501 must meet the following criteria:

1502 (a) The district must have levied the maximum ~~full 1.5~~
 1503 mills of nonvoted discretionary capital outlay millage
 1504 authorized in s. 1011.71(2) for each of the prior 5 ~~past 4~~
 1505 fiscal years.

1506 (b) The district must receive revenue from a current voted
 1507 school capital outlay sales surtax or a portion of the local
 1508 government infrastructure surtax as authorized in s. 212.055.

1509 (c) ~~(b)~~ ~~Fifty percent of~~ The revenue derived from the ~~2-~~
 1510 ~~mill~~ nonvoted discretionary capital outlay millage ~~for the past~~
 1511 ~~4 fiscal years~~, when divided by the district's ~~growth in~~ capital
 1512 outlay FTE students ~~over this period~~, produces a value that is
 1513 less than the statewide average maximum potential funds cost ~~cost~~ per
 1514 capital outlay FTE student station ~~calculated pursuant to s.~~
 1515 ~~1013.64(6) (b)1., and weighted by statewide growth in capital~~
 1516 ~~outlay FTE students in elementary, middle, and high schools for~~
 1517 the most recent past 4 fiscal year ~~years~~.

1518 (d) ~~(e)~~ The district must have equaled or exceeded the
 1519 greater of 1 percent average growth or twice the statewide
 1520 average of growth in capital outlay FTE students over the prior
 1521 5-year ~~this same 4-year~~ period.

1522 ~~(d) The Commissioner of Education must have released all~~
 1523 ~~funds allocated to the district from the Classrooms First~~
 1524 ~~Program authorized in s. 1013.68, and these funds were fully~~
 1525 ~~expended by the district as of February 1 of the current fiscal~~

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1526 ~~year.~~

1527 (e) The total capital outlay FTE students of the district
1528 is greater than 24,000 ~~15,000~~ students.

1529 (3) The funds provided in the General Appropriations Act
1530 shall be allocated pursuant to the following methodology:

1531 (a) For each eligible district, the Department of
1532 Education shall sum ~~calculate~~ the calculated ~~value of 50 percent~~
1533 ~~of the~~ revenue ~~derived from the~~ maximum potential 2-mill
1534 nonvoted discretionary capital outlay millage and the revenue
1535 received from the voted sales surtax as provided in paragraph
1536 (2) (b) and divide that sum for the past 4 fiscal years divided
1537 by the number of ~~increase in~~ capital outlay FTE students for the
1538 same period.

1539 (b) The Department of Education shall determine, for each
1540 eligible district, the amount that must be added to the funds
1541 per capital outlay FTE ~~value~~ calculated pursuant to paragraph
1542 (a) to produce the statewide ~~weighted~~ average value per capital
1543 outlay FTE for the revenues identified ~~student station~~
1544 ~~calculated~~ pursuant to paragraph (a) ~~(2) (b)~~.

1545 (c) The value calculated for each eligible district
1546 pursuant to paragraph (b) shall be ~~multiplied by the average~~
1547 ~~increase in capital outlay FTE students for the past 4 fiscal~~
1548 ~~years to determine~~ the maximum amount of a grant that may be
1549 awarded to a district pursuant to this section.

1550 (d) In the event the funds provided ~~in the General~~

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1551 ~~Appropriations Act~~ are insufficient to fully fund the maximum
 1552 grants calculated pursuant to this section ~~paragraph (c)~~, the
 1553 Department of Education shall allocate the funds based on each
 1554 district's prorated share of the total maximum award amount
 1555 calculated for all eligible districts.

1556 Section 6. Paragraph (b) of subsection (3) of section
 1557 1011.78, Florida Statutes, is amended to read:

1558 1011.78 Standard student attire incentive payments.—There
 1559 is created an incentive payment for school districts and charter
 1560 schools that implement a standard student attire policy for all
 1561 students in kindergarten through grade 8 in accordance with this
 1562 section.

1563 (3) QUALIFICATIONS.—To qualify for the incentive payment,
 1564 a school district or charter school must, at a minimum,
 1565 implement a standard attire policy that:

1566 (b) Prohibits certain types or styles of clothing ~~and~~
 1567 ~~requires solid-colored clothing and fabrics for pants, skirts,~~
 1568 ~~shorts, or similar clothing and short- or long-sleeved shirts~~
 1569 ~~with collars.~~

1570 Section 7. Section 1003.631, Florida Statutes, is created
 1571 to read:

1572 1003.631 Schools of Excellence.—The Schools of Excellence
 1573 Program is established to provide administrative flexibility to
 1574 the state's top schools so that the instructional personnel and
 1575 administrative staff at such schools can continue to serve their

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1576 | communities and increase student learning to the best of their
1577 | professional ability.

1578 | (1) DESIGNATION.—

1579 | (a) The State Board of Education shall designate a school
1580 | as a School of Excellence if the school's percentage of possible
1581 | points earned in its school grade calculation is in the 80th
1582 | percentile or higher for schools comprised of the same grade
1583 | groupings, including elementary schools, middle schools, high
1584 | schools, and schools with a combination of grade levels, for at
1585 | least 2 of the last 3 school years. The school must have data
1586 | for each applicable school grade component pursuant to s.
1587 | 1008.34(3) to be eligible for designation as a School of
1588 | Excellence. A qualifying school shall retain the designation as
1589 | a School of Excellence for up to 3 years, at the end of which
1590 | time the school may renew the designation, if:

1591 | 1. The school was in the 80th percentile or higher
1592 | pursuant to this subsection for 2 of the previous 3 years; and

1593 | 2. The school did not receive a school grade lower than
1594 | "B" pursuant to s. 1008.34 during any of the previous 3 years.

1595 | (b) A school that earns a school grade lower than "B"
1596 | pursuant to s. 1008.34 during the 3-year period may not continue
1597 | to be designated as a School of Excellence during the remainder
1598 | of that 3-year period and loses the administrative flexibilities
1599 | provided in subsection (2).

1600 | (2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence

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1601 must be provided the following administrative flexibilities:

1602 (a) Exemption from any provision of law or rule that
 1603 expressly requires a minimum period of daily or weekly
 1604 instruction in reading.

1605 (b) Principal autonomy as provided under s. 1012.28(8).

1606 (c) For instructional personnel, the substitution of 1
 1607 school year of employment at a School of Excellence for 20
 1608 inservice points toward the renewal of a professional
 1609 certificate, up to 60 inservice points in a 5-year cycle,
 1610 pursuant to s. 1012.585(3).

1611 (d) Exemption from compliance with district policies or
 1612 procedures that establish times for the start and completion of
 1613 the school day.

1614 (e) Calculation for compliance with maximum class size
 1615 pursuant to s. 1003.03(4) based on the average number of
 1616 students at the school level.

1617 Section 8. Paragraph (c) of subsection (8) of section
 1618 1012.56, Florida Statutes, is redesignated as paragraph (d),
 1619 subsections (1) and (7), and paragraph (a) of subsection (8) are
 1620 amended, and a new paragraph (c) is added to subsection (8) of
 1621 that section, to read:

1622 1012.56 Educator certification requirements.—

1623 (1) APPLICATION.—Each person seeking certification
 1624 pursuant to this chapter shall submit a completed application
 1625 containing the applicant's social security number to the

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1626 Department of Education and remit the fee required pursuant to
 1627 s. 1012.59 and rules of the State Board of Education. Pursuant
 1628 to the federal Personal Responsibility and Work Opportunity
 1629 Reconciliation Act of 1996, each party is required to provide
 1630 his or her social security number in accordance with this
 1631 section. Disclosure of social security numbers obtained through
 1632 this requirement is limited to the purpose of administration of
 1633 the Title IV-D program of the Social Security Act for child
 1634 support enforcement.

1635 (a) Pursuant to s. 120.60, the department shall issue
 1636 within 90 calendar days after receipt ~~the stamped receipted date~~
 1637 of the completed application.

1638 ~~(a) If the applicant meets the requirements,~~ a professional
 1639 certificate to a qualifying applicant covering the
 1640 classification, level, and area for which the applicant is
 1641 deemed qualified and a document explaining the requirements for
 1642 renewal of the professional certificate.

1643 (b) The department shall issue a temporary certificate to
 1644 a qualifying applicant within 14 calendar days after receipt of
 1645 a request from ~~if the applicant meets the requirements and if~~
 1646 ~~requested by an employer employing school district or an~~
 1647 ~~employing private school~~ with a professional education
 1648 competence demonstration program pursuant to paragraphs (6) (f)
 1649 and (8) (b). ~~The,~~ a temporary certificate must cover ~~covering~~ the
 1650 classification, level, and area for which the applicant is

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1651 deemed qualified. The department shall electronically notify the
 1652 applicant's employer that the temporary certificate has been
 1653 issued and provide the applicant an official statement of status
 1654 of eligibility at the time the certificate is issued. ~~and an~~
 1655 ~~official statement of status of eligibility; or~~

1656 (c) Pursuant to s. 120.60, the department shall issue
 1657 within 90 calendar days after receipt of the completed
 1658 application, if an applicant does not meet the requirements for
 1659 either certificate, an official statement of status of
 1660 eligibility.

1661
 1662 The statement of status of eligibility must be provided
 1663 electronically and must advise the applicant of any
 1664 qualifications that must be completed to qualify for
 1665 certification. Each method by which an applicant can complete
 1666 the qualifications for a professional certificate must be
 1667 included in the statement of status of eligibility. Each
 1668 statement of status of eligibility is valid for 3 years after
 1669 its date of issuance, except as provided in paragraph (2) (d).

1670 (7) TYPES AND TERMS OF CERTIFICATION.—

1671 (a) The Department of Education shall issue a professional
 1672 certificate for a period not to exceed 5 years to any applicant
 1673 who fulfills one of the following:

- 1674 1. Meets all the requirements outlined in subsection (2).
 1675 2. ~~or,~~ For a professional certificate covering grades 6

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1676 through 12, ~~any applicant who:~~

1677 ~~a.1.~~ Meets the requirements of paragraphs (2) (a)-(h).

1678 ~~b.2.~~ Holds a master's or higher degree in the area of

1679 science, technology, engineering, or mathematics.

1680 ~~c.3.~~ Teaches a high school course in the subject of the

1681 advanced degree.

1682 ~~d.4.~~ Is rated highly effective as determined by the

1683 teacher's performance evaluation under s. 1012.34, based in part

1684 on student performance as measured by a statewide, standardized

1685 assessment or an Advanced Placement, Advanced International

1686 Certificate of Education, or International Baccalaureate

1687 examination.

1688 ~~e.5.~~ Achieves a passing score on the Florida professional

1689 education competency examination required by state board rule.

1690 3. Meets the requirements of paragraphs (2) (a)-(h) and

1691 completes a professional preparation and education competence

1692 program approved by the department pursuant to paragraph (8) (c).

1693 An applicant who completes the program and is rated highly

1694 effective as determined by his or her performance evaluation

1695 under s. 1012.34 is not required to take or achieve a passing

1696 score on the professional education competency examination in

1697 order to be awarded a professional certificate.

1698 (b) The department shall issue a temporary certificate to

1699 any applicant who completes the requirements outlined in

1700 paragraphs (2) (a)-(f) and completes the subject area content

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1701 requirements specified in state board rule or demonstrates
1702 mastery of subject area knowledge pursuant to subsection (5) and
1703 holds an accredited degree or a degree approved by the
1704 Department of Education at the level required for the subject
1705 area specialization in state board rule.

1706 (c) The department shall issue one nonrenewable 2-year
1707 temporary certificate and one nonrenewable 5-year professional
1708 certificate to a qualified applicant who holds a bachelor's
1709 degree in the area of speech-language impairment to allow for
1710 completion of a master's degree program in speech-language
1711 impairment.

1712
1713 Each temporary certificate is valid for 3 school fiscal years
1714 and is nonrenewable. However, the requirement in paragraph
1715 (2) (g) must be met within 1 calendar year of the date of
1716 employment under the temporary certificate. Individuals who are
1717 employed under contract at the end of the 1 calendar year time
1718 period may continue to be employed through the end of the school
1719 year in which they have been contracted. A school district shall
1720 not employ, or continue the employment of, an individual in a
1721 position for which a temporary certificate is required beyond
1722 this time period if the individual has not met the requirement
1723 of paragraph (2) (g). At least 1 year before an individual's
1724 temporary certificate is set to expire, the department shall
1725 electronically notify the individual of the date on which his or

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1726 | her certificate will expire and provide a list of each method by
 1727 | which the qualifications for a professional certificate can be
 1728 | completed. The State Board of Education shall adopt rules to
 1729 | allow the department to extend the validity period of a
 1730 | temporary certificate for 2 years when the requirements for the
 1731 | professional certificate, not including the requirement in
 1732 | paragraph (2)(g), were not completed due to the serious illness
 1733 | or injury of the applicant or other extraordinary extenuating
 1734 | circumstances or for 1 year if the temporary certificateholder
 1735 | is rated effective or highly effective based solely on a student
 1736 | learning growth formula approved by the Commissioner of
 1737 | Education pursuant to s. 1012.34(8). The department shall
 1738 | reissue the temporary certificate for 2 additional years upon
 1739 | approval by the Commissioner of Education. A written request for
 1740 | reissuance of the certificate shall be submitted by the district
 1741 | school superintendent, the governing authority of a university
 1742 | lab school, the governing authority of a state-supported school,
 1743 | or the governing authority of a private school.

1744 | (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 1745 | COMPETENCY PROGRAM.—

1746 | (a) The Department of Education shall develop and each
 1747 | school district, charter school, and charter management
 1748 | organization may provide a cohesive competency-based
 1749 | professional development certification and education competency
 1750 | program by which ~~members of a school district's~~ instructional

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1751 staff may satisfy the mastery of professional preparation and
 1752 education competence requirements specified in subsection (6)
 1753 and rules of the State Board of Education. Participants must
 1754 hold a state-issued temporary certificate. A school district,
 1755 charter school, or charter management organization that
 1756 implements the program shall provide a competency-based
 1757 certification program developed by the Department of Education
 1758 or developed by the district, charter school, or charter
 1759 management organization and approved by the Department of
 1760 Education. The program shall include the following:

- 1761 1. A minimum period of initial preparation before assuming
 1762 duties as the teacher of record.
- 1763 2. An option for collaboration with ~~between school~~
 1764 ~~districts and~~ other supporting agencies or educational entities
 1765 for implementation.
- 1766 3. A teacher mentorship and induction ~~An experienced peer-~~
 1767 ~~mentor~~ component.
 - 1768 a. Each individual selected by the district as a ~~peer~~
 1769 mentor:
 - 1770 I. Must hold a valid professional certificate issued
 1771 pursuant to this section;~~;~~
 - 1772 II. Must have earned at least 3 years of teaching
 1773 experience in prekindergarten through grade 12;~~;~~and
 - 1774 III. Must have completed specialized training in clinical
 1775 supervision and participate in ongoing mentor training provided

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1776 through the coordinated system of professional development under
 1777 s. 1012.98(3)(e);

1778 IV. Must have earned an effective or highly effective
 1779 rating on the prior year's performance evaluation under s.
 1780 1012.34; and

1781 V. May ~~or~~ be a peer evaluator under the district's
 1782 evaluation system approved under s. 1012.34.

1783 b. The teacher mentorship and induction component must, at
 1784 a minimum, provide weekly opportunities for mentoring and
 1785 induction activities, including common planning time, ongoing
 1786 professional development targeted to a teacher's needs,
 1787 opportunities for a teacher to observe other teachers, co-
 1788 teaching experiences, and reflection and followup discussions.
 1789 Mentorship and induction activities must be provided for an
 1790 applicant's first year in the program and may be provided until
 1791 the applicant attains his or her professional certificate in
 1792 accordance with this section. A principal who is rated highly
 1793 effective as determined by his or her performance evaluation
 1794 under s. 1012.34 must be provided flexibility in selecting
 1795 professional development activities under this paragraph;
 1796 however, the activities must be approved by the department as
 1797 part of the district's, charter school's, or charter management
 1798 organization's program.

1799 4. An assessment of teaching performance aligned to the
 1800 district's system for personnel evaluation under s. 1012.34

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1801 | which provides for:

1802 | a. An initial evaluation of each educator's competencies
1803 | to determine an appropriate individualized professional
1804 | development plan.

1805 | b. A summative evaluation to assure successful completion
1806 | of the program.

1807 | 5. Professional education preparation content knowledge,
1808 | which must be included in the mentoring and induction activities
1809 | under subparagraph 3., that includes, but is not limited to, the
1810 | following:

1811 | a. The state standards provided under s. 1003.41,
1812 | including scientifically based reading instruction, content
1813 | literacy, and mathematical practices, for each subject
1814 | identified on the temporary certificate.

1815 | b. The educator-accomplished practices approved by the
1816 | state board.

1817 | c. A variety of data indicators for monitoring student
1818 | progress.

1819 | d. Methodologies for teaching students with disabilities.

1820 | e. Methodologies for teaching students of limited English
1821 | proficiency appropriate for each subject area identified on the
1822 | temporary certificate.

1823 | f. Techniques and strategies for operationalizing the role
1824 | of the teacher in assuring a safe learning environment for
1825 | students.

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1826 6. Required achievement of passing scores on the subject
1827 area and professional education competency examination required
1828 by State Board of Education rule. Mastery of general knowledge
1829 must be demonstrated as described in subsection (3).

1830 (c) No later than December 31, 2017, the department shall
1831 adopt standards for the approval of professional development
1832 certification and education competency programs, including
1833 standards for the teacher mentorship and induction component,
1834 under paragraph (a). Standards for the teacher mentorship and
1835 induction component must include program administration and
1836 evaluation; mentor roles, selection, and training; beginning
1837 teacher assessment and professional development; and teacher
1838 content knowledge and practices aligned to the Florida Educator
1839 Accomplished Practices. Each school district or charter school
1840 with a program under this subsection must submit its program,
1841 including the teacher mentorship and induction component, to the
1842 department for approval no later than June 30, 2018. After
1843 December 31, 2018, a teacher may not satisfy requirements for a
1844 professional certificate through a professional development
1845 certification and education competency program under paragraph
1846 (a) unless the program has been approved by the department
1847 pursuant to this paragraph.

1848 Section 9. Paragraph (b) of subsection (2) of section
1849 1004.04, Florida Statutes, is amended to read:

1850 1004.04 Public accountability and state approval for

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1851 teacher preparation programs.—

1852 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

1853 (b) The rules to establish uniform core curricula for each
 1854 state-approved teacher preparation program must include, but are
 1855 not limited to, the following:

1856 1. The Florida Educator Accomplished Practices.

1857 2. The state-adopted content standards.

1858 3. Scientifically researched and evidence-based reading
 1859 instructional strategies that improve reading performance for
 1860 all students, including explicit, systematic, and sequential
 1861 approaches to teaching phonemic awareness, phonics, vocabulary,
 1862 fluency, and text comprehension and multisensory intervention
 1863 strategies ~~instruction~~.

1864 4. Content literacy and mathematics practices.

1865 5. Strategies appropriate for the instruction of English
 1866 language learners.

1867 6. Strategies appropriate for the instruction of students
 1868 with disabilities.

1869 7. School safety.

1870 Section 10. Paragraph (a) of subsection (3) of section
 1871 1004.85, Florida Statutes, is amended to read:

1872 1004.85 Postsecondary educator preparation institutes.—

1873 (3) Educator preparation institutes approved pursuant to
 1874 this section may offer competency-based certification programs
 1875 specifically designed for noneducation major baccalaureate

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1876 degree holders to enable program participants to meet the
 1877 educator certification requirements of s. 1012.56. An educator
 1878 preparation institute choosing to offer a competency-based
 1879 certification program pursuant to the provisions of this section
 1880 must implement a program previously approved by the Department
 1881 of Education for this purpose or a program developed by the
 1882 institute and approved by the department for this purpose.
 1883 Approved programs shall be available for use by other approved
 1884 educator preparation institutes.

1885 (a) Within 90 days after receipt of a request for
 1886 approval, the Department of Education shall approve a
 1887 preparation program pursuant to the requirements of this
 1888 subsection or issue a statement of the deficiencies in the
 1889 request for approval. The department shall approve a
 1890 certification program if the institute provides evidence of the
 1891 institute's capacity to implement a competency-based program
 1892 that includes each of the following:

1893 1.a. Participant instruction and assessment in the Florida
 1894 Educator Accomplished Practices.

1895 b. The state-adopted student content standards.

1896 c. Scientifically researched and evidence-based reading
 1897 instructional strategies that improve reading performance for
 1898 all students, including explicit, systematic, and sequential
 1899 approaches to teaching phonemic awareness, phonics, vocabulary,
 1900 fluency, and text comprehension and multisensory intervention

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1901 | strategies ~~instruction~~.

1902 | d. Content literacy and mathematical practices.

1903 | e. Strategies appropriate for instruction of English

1904 | language learners.

1905 | f. Strategies appropriate for instruction of students with

1906 | disabilities.

1907 | g. School safety.

1908 | 2. An educational plan for each participant to meet

1909 | certification requirements and demonstrate his or her ability to

1910 | teach the subject area for which the participant is seeking

1911 | certification, which is based on an assessment of his or her

1912 | competency in the areas listed in subparagraph 1.

1913 | 3. Field experiences appropriate to the certification

1914 | subject area specified in the educational plan with a diverse

1915 | population of students in a variety of settings under the

1916 | supervision of qualified educators.

1917 | 4. A certification ombudsman to facilitate the process and

1918 | procedures required for participants who complete the program to

1919 | meet any requirements related to the background screening

1920 | pursuant to s. 1012.32 and educator professional or temporary

1921 | certification pursuant to s. 1012.56.

1922 | Section 11. Paragraph (a) of subsection (3) of section

1923 | 1012.585, Florida Statutes, is amended, and paragraph (f) is

1924 | added to that subsection, to read:

1925 | 1012.585 Process for renewal of professional

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1926 certificates.—

1927 (3) For the renewal of a professional certificate, the

1928 following requirements must be met:

1929 (a) The applicant must earn a minimum of 6 college credits

1930 or 120 inservice points or a combination thereof. For each area

1931 of specialization to be retained on a certificate, the applicant

1932 must earn at least 3 of the required credit hours or equivalent

1933 inservice points in the specialization area. Education in

1934 "clinical educator" training pursuant to s. 1004.04(5)(b);

1935 participation in mentorship and induction activities, including

1936 as a mentor, pursuant to s. 1012.56(8)(a); and credits or points

1937 that provide training in the area of scientifically researched,

1938 knowledge-based reading literacy, including explicit,

1939 systematic, and sequential approaches to reading instruction,

1940 developing phonemic awareness, and implementing multisensory

1941 intervention strategies, and computational skills acquisition,

1942 exceptional student education, normal child development, and the

1943 disorders of development may be applied toward any

1944 specialization area. Credits or points that provide training in

1945 the areas of drug abuse, child abuse and neglect, strategies in

1946 teaching students having limited proficiency in English, or

1947 dropout prevention, or training in areas identified in the

1948 educational goals and performance standards adopted pursuant to

1949 ss. 1000.03(5) and 1008.345 may be applied toward any

1950 specialization area, except specialization areas identified by

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1951 State Board of Education rule that include reading instruction
 1952 or intervention for any students in kindergarten through grade
 1953 6. Credits or points earned through approved summer institutes
 1954 may be applied toward the fulfillment of these requirements.
 1955 Inservice points may also be earned by participation in
 1956 professional growth components approved by the State Board of
 1957 Education and specified pursuant to s. 1012.98 in the district's
 1958 approved master plan for inservice educational training;
 1959 however, such points may not be used to satisfy the
 1960 specialization requirements of this paragraph, including, but
 1961 not limited to, serving as a trainer in an approved teacher
 1962 training activity, serving on an instructional materials
 1963 committee or a state board or commission that deals with
 1964 educational issues, or serving on an advisory council created
 1965 pursuant to s. 1001.452.

1966 (f) An applicant for renewal of a professional certificate
 1967 in any area of certification identified by State Board of
 1968 Education rule that includes reading instruction or intervention
 1969 for any students in kindergarten through grade 6, with a
 1970 beginning validity date of July 1, 2020, or thereafter, must
 1971 earn a minimum of 2 college credits or the equivalent inservice
 1972 points in the use of explicit, systematic, and sequential
 1973 approaches to reading instruction, developing phonemic
 1974 awareness, and implementing multisensory intervention
 1975 strategies. Such training must be provided by teacher

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1976 | preparation programs under s. 1004.04 or s. 1004.85 or approved
 1977 | school district professional development systems under s.
 1978 | 1012.98. The requirements in this paragraph may not add to the
 1979 | total hours required by the department for continuing education
 1980 | or inservice training.

1981 | Section 12. Subsection (1) of section 1012.586, Florida
 1982 | Statutes, is amended to read:

1983 | 1012.586 Additions or changes to certificates; duplicate
 1984 | certificates.—A school district may process via a Department of
 1985 | Education website certificates for the following applications of
 1986 | public school employees:

1987 | (1) Addition of a subject coverage or endorsement to a
 1988 | valid Florida certificate on the basis of the completion of the
 1989 | appropriate subject area testing requirements of s.
 1990 | 1012.56(5) (a) or the completion of the requirements of an
 1991 | approved school district program or the inservice components for
 1992 | an endorsement.

1993 | (a) To reduce duplication, the department may recommend
 1994 | the consolidation of endorsement areas and requirements to the
 1995 | State Board of Education.

1996 | (b) By July 1, 2018, and at least once every 5 years
 1997 | thereafter, the department shall conduct a review of existing
 1998 | subject coverage or endorsement requirements in the elementary,
 1999 | reading, and exceptional student educational areas. The review
 2000 | must include reciprocity requirements for out-of-state

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2001 certificates and requirements for demonstrating competency in
 2002 the reading instruction professional development topics listed
 2003 in s. 1012.98(4)(b)11. At the conclusion of each review, the
 2004 department shall recommend to the state board changes to the
 2005 subject coverage or endorsement requirements based upon any
 2006 identified instruction or intervention strategies proven to
 2007 improve student reading performance. This paragraph does not
 2008 authorize the state board to establish any new certification
 2009 subject coverage.

2010
 2011 The employing school district shall charge the employee a fee
 2012 not to exceed the amount charged by the Department of Education
 2013 for such services. Each district school board shall retain a
 2014 portion of the fee as defined in the rules of the State Board of
 2015 Education. The portion sent to the department shall be used for
 2016 maintenance of the technology system, the web application, and
 2017 posting and mailing of the certificate.

2018 Section 13. Paragraph (e) is added to subsection (3) of
 2019 section 1012.98, Florida Statutes, and paragraph (b) of
 2020 subsection (4) and subsections (10) and (11) of that section are
 2021 amended, to read:

2022 1012.98 School Community Professional Development Act.—

2023 (3) The activities designed to implement this section
 2024 must:

2025 (e) Provide training to teacher mentors as part of the

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2026 | professional development certification and education competency
 2027 | program under s. 1012.56(8)(a). The training must include
 2028 | components on teacher development, peer coaching, time
 2029 | management, and other related topics as determined by the
 2030 | Department of Education.

2031 | (4) The Department of Education, school districts,
 2032 | schools, Florida College System institutions, and state
 2033 | universities share the responsibilities described in this
 2034 | section. These responsibilities include the following:

2035 | (b) Each school district shall develop a professional
 2036 | development system as specified in subsection (3). The system
 2037 | shall be developed in consultation with teachers, teacher-
 2038 | educators of Florida College System institutions and state
 2039 | universities, business and community representatives, and local
 2040 | education foundations, consortia, and professional
 2041 | organizations. The professional development system must:

2042 | 1. Be approved by the department. All substantial
 2043 | revisions to the system shall be submitted to the department for
 2044 | review for continued approval.

2045 | 2. Be based on analyses of student achievement data and
 2046 | instructional strategies and methods that support rigorous,
 2047 | relevant, and challenging curricula for all students. Schools
 2048 | and districts, in developing and refining the professional
 2049 | development system, shall also review and monitor school
 2050 | discipline data; school environment surveys; assessments of

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2051 parental satisfaction; performance appraisal data of teachers,
2052 managers, and administrative personnel; and other performance
2053 indicators to identify school and student needs that can be met
2054 by improved professional performance.

2055 3. Provide inservice activities coupled with followup
2056 support appropriate to accomplish district-level and school-
2057 level improvement goals and standards. The inservice activities
2058 for instructional personnel shall focus on analysis of student
2059 achievement data, ongoing formal and informal assessments of
2060 student achievement, identification and use of enhanced and
2061 differentiated instructional strategies that emphasize rigor,
2062 relevance, and reading in the content areas, enhancement of
2063 subject content expertise, integrated use of classroom
2064 technology that enhances teaching and learning, classroom
2065 management, parent involvement, and school safety.

2066 4. Provide inservice activities and support targeted to
2067 the individual needs of new teachers participating in the
2068 professional development certification and education competency
2069 program under s. 1012.56(8) (a).

2070 5.4. Include a master plan for inservice activities,
2071 pursuant to rules of the State Board of Education, for all
2072 district employees from all fund sources. The master plan shall
2073 be updated annually by September 1, must be based on input from
2074 teachers and district and school instructional leaders, and must
2075 use the latest available student achievement data and research

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2076 | to enhance rigor and relevance in the classroom. Each district
2077 | inservice plan must be aligned to and support the school-based
2078 | inservice plans and school improvement plans pursuant to s.
2079 | 1001.42(18). Each district inservice plan must provide a
2080 | description of the training that middle grades instructional
2081 | personnel and school administrators receive on the district's
2082 | code of student conduct adopted pursuant to s. 1006.07;
2083 | integrated digital instruction and competency-based instruction
2084 | and CAPE Digital Tool certificates and CAPE industry
2085 | certifications; classroom management; student behavior and
2086 | interaction; extended learning opportunities for students; and
2087 | instructional leadership. District plans must be approved by the
2088 | district school board annually in order to ensure compliance
2089 | with subsection (1) and to allow for dissemination of research-
2090 | based best practices to other districts. District school boards
2091 | must submit verification of their approval to the Commissioner
2092 | of Education no later than October 1, annually. Each school
2093 | principal may establish and maintain an individual professional
2094 | development plan for each instructional employee assigned to the
2095 | school as a seamless component to the school improvement plans
2096 | developed pursuant to s. 1001.42(18). An individual professional
2097 | development plan must be related to specific performance data
2098 | for the students to whom the teacher is assigned, define the
2099 | inservice objectives and specific measurable improvements
2100 | expected in student performance as a result of the inservice

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2101 activity, and include an evaluation component that determines
 2102 the effectiveness of the professional development plan.

2103 ~~6.5.~~ Include inservice activities for school
 2104 administrative personnel that address updated skills necessary
 2105 for instructional leadership and effective school management
 2106 pursuant to s. 1012.986.

2107 ~~7.6.~~ Provide for systematic consultation with regional and
 2108 state personnel designated to provide technical assistance and
 2109 evaluation of local professional development programs.

2110 ~~8.7.~~ Provide for delivery of professional development by
 2111 distance learning and other technology-based delivery systems to
 2112 reach more educators at lower costs.

2113 ~~9.8.~~ Provide for the continuous evaluation of the quality
 2114 and effectiveness of professional development programs in order
 2115 to eliminate ineffective programs and strategies and to expand
 2116 effective ones. Evaluations must consider the impact of such
 2117 activities on the performance of participating educators and
 2118 their students' achievement and behavior.

2119 ~~10.9.~~ For middle grades, emphasize:

2120 a. Interdisciplinary planning, collaboration, and
 2121 instruction.

2122 b. Alignment of curriculum and instructional materials to
 2123 the state academic standards adopted pursuant to s. 1003.41.

2124 c. Use of small learning communities; problem-solving,
 2125 inquiry-driven research and analytical approaches for students;

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2126 strategies and tools based on student needs; competency-based
 2127 instruction; integrated digital instruction; and project-based
 2128 instruction.

2129
 2130 Each school that includes any of grades 6, 7, or 8 must include
 2131 in its school improvement plan, required under s. 1001.42(18), a
 2132 description of the specific strategies used by the school to
 2133 implement each item listed in this subparagraph.

2134 11. Provide training to reading coaches, classroom
 2135 teachers, and school administrators in effective methods of
 2136 identifying characteristics of conditions such as dyslexia and
 2137 other causes of diminished phonological processing skills;
 2138 incorporating instructional techniques into the general
 2139 education setting which are proven to improve reading
 2140 performance for all students; and using predictive and other
 2141 data to make instructional decisions based on individual student
 2142 needs. The training must help teachers integrate phonemic
 2143 awareness; phonics, word study, and spelling; reading fluency;
 2144 vocabulary, including academic vocabulary; and text
 2145 comprehension strategies into an explicit, systematic, and
 2146 sequential approach to reading instruction, including
 2147 multisensory intervention strategies. Each district must provide
 2148 all elementary grades instructional personnel access to training
 2149 sufficient to meet the requirements of s. 1012.585(3)(f).

2150 (10) For instructional personnel and administrative

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2151 personnel who have been evaluated as less than effective, a
 2152 district school board shall require participation in specific
 2153 professional development programs as provided in subparagraph
 2154 (4) (b) 5. ~~(4) (b) 4.~~ as part of the improvement prescription.

2155 (11) The department shall disseminate to the school
 2156 community proven model professional development programs that
 2157 have demonstrated success in increasing rigorous and relevant
 2158 content, increasing student achievement and engagement, ~~and~~
 2159 meeting identified student needs, and providing effective
 2160 mentorship activities to new teachers and training to teacher
 2161 mentors. The methods of dissemination must include a web-based
 2162 statewide performance-support system including a database of
 2163 exemplary professional development activities, a listing of
 2164 available professional development resources, training programs,
 2165 and available technical assistance.

2166 Section 14. Section 683.1455, Florida Statutes, is created
 2167 to read:

2168 683.1455 American Founders' Month.—

2169 (1) The month of September of each year is designated as
 2170 "American Founders' Month."

2171 (2) The Governor may annually issue a proclamation
 2172 designating the month of September as "American Founders' Month"
 2173 and urging all civic, fraternal, and religious organizations and
 2174 public and private educational institutions to recognize and
 2175 observe this occasion through appropriate programs, meetings,

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2176 services, or celebrations in which state, county, and local
 2177 governmental officials are invited to participate.

2178 Section 15. Paragraphs (c) through (g) of subsection (5)
 2179 of section 1000.03, Florida Statutes, are redesignated as
 2180 paragraphs (d) through (h), respectively, and a new paragraph
 2181 (c) is added to that subsection to read:

2182 1000.03 Function, mission, and goals of the Florida K-20
 2183 education system.—

2184 (5) The priorities of Florida's K-20 education system
 2185 include:

2186 (c) Civic literacy.—Students are prepared to become
 2187 civically engaged and knowledgeable adults who make positive
 2188 contributions to their communities.

2189 Section 16. Section 1001.215, Florida Statutes, is amended
 2190 to read:

2191 1001.215 Just Read, Florida! Office.—There is created in
 2192 the Department of Education the Just Read, Florida! Office. The
 2193 office is ~~shall be~~ fully accountable to the Commissioner of
 2194 Education and shall:

2195 (1) Train ~~highly effective~~ reading coaches.

2196 (2) Create multiple designations of effective reading
 2197 instruction, with accompanying credentials, to enable ~~which~~
 2198 ~~encourage~~ all teachers to integrate reading instruction into
 2199 their content areas.

2200 (3) Work with the Lastinger Center for Learning at the

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2201 University of Florida to develop training for ~~train~~ K-12
 2202 teachers, reading coaches, and school principals on effective
 2203 content-area-specific reading strategies; the integration of
 2204 content-rich curriculum from other core subject areas into
 2205 reading instruction; and evidence-based reading strategies
 2206 identified in subsection (7) to improve student reading
 2207 performance. For secondary teachers, emphasis shall be on
 2208 technical text. These strategies must be developed for all
 2209 content areas in the K-12 curriculum.

2210 (4) Develop and provide access to sequenced, content-rich
 2211 curriculum programming, instructional practices, and resources
 2212 that help elementary schools use state-adopted instructional
 2213 materials to increase students' background knowledge and
 2214 literacy skills, including student attainment of the Next
 2215 Generation Sunshine State Standards for social studies, science,
 2216 and the arts.

2217 (5)~~(4)~~ Provide parents with information and strategies for
 2218 assisting their children in reading, including reading in the
 2219 content areas ~~area~~.

2220 (6)~~(5)~~ Provide technical assistance to school districts in
 2221 the development and implementation of district plans for use of
 2222 the research-based reading instruction allocation provided in s.
 2223 1011.62(9) and annually review and approve such plans.

2224 (7)~~(6)~~ Review, evaluate, and provide technical assistance
 2225 to school districts' implementation of the K-12 comprehensive

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2226 reading plan required in s. 1011.62(9).

2227 (8)~~(7)~~ Work with the Florida Center for Reading Research
 2228 to identify scientifically researched and evidence-based reading
 2229 instructional and intervention programs that incorporate
 2230 explicit, systematic, and sequential approaches to teaching
 2231 phonemic awareness, phonics, vocabulary, fluency, and text
 2232 comprehension and incorporate decodable or phonetic text
 2233 instructional ~~provide information on research-based reading~~
 2234 ~~programs and effective reading in the content area strategies.~~
 2235 Reading intervention includes evidence-based strategies
 2236 frequently used to remediate reading deficiencies and includes,
 2237 but is not limited to, individual instruction, multisensory
 2238 approaches, tutoring, mentoring, or the use of technology that
 2239 targets specific reading skills and abilities.

2240 (9)~~(8)~~ Periodically review the Next Generation Sunshine
 2241 State Standards for English Language Arts to determine their
 2242 appropriateness at each grade level ~~reading at all grade levels.~~

2243 (10)~~(9)~~ Periodically review teacher certification
 2244 requirements and examinations, including alternative
 2245 certification requirements and examinations ~~exams~~, to ascertain
 2246 whether the examinations measure the skills needed for evidence-
 2247 based ~~research-based~~ reading instruction and instructional
 2248 strategies for teaching reading, including reading in ~~the~~
 2249 content areas.

2250 (11)~~(10)~~ Work with teacher preparation programs approved

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2251 pursuant to ss. ~~s.~~ 1004.04 and 1004.85 to integrate effective,
 2252 research-based and evidence-based reading instructional and
 2253 intervention strategies, including explicit, systematic, and
 2254 sequential ~~and~~ reading strategies, multisensory intervention
 2255 strategies, and reading in ~~the~~ content area instructional
 2256 strategies into teacher preparation programs.

2257 (12) ~~(11)~~ Administer grants and perform other functions as
 2258 necessary to help ~~meet the goal that all~~ students read at their
 2259 highest potential ~~grade level.~~

2260 Section 17. Subsection (3) is added to section 1003.44,
 2261 Florida Statutes, to read:

2262 1003.44 Patriotic programs; rules.—

2263 (3) All public schools in the state are encouraged to
 2264 coordinate, at all grade levels, instruction related to our
 2265 nation's founding fathers with "American Founders' Month"
 2266 pursuant to s. 683.1455.

2267 Section 18. Subsections (4) through (11) of section
 2268 1007.25, Florida Statutes, are renumbered as subsections (5)
 2269 through (12), respectively, and a new subsection (4) is added to
 2270 that section to read:

2271 1007.25 General education courses; common prerequisites;
 2272 other degree requirements.—

2273 (4) Beginning with students initially entering a Florida
 2274 College System institution or state university in the 2018-2019
 2275 school year and thereafter, each student must demonstrate

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2276 competency in civic literacy. Students must have the option to
 2277 demonstrate competency through successful completion of a civic
 2278 literacy course or by achieving a passing score on an
 2279 assessment. The State Board of Education must adopt in rule and
 2280 the Board of Governors must adopt in regulation at least one
 2281 existing assessment that measures competencies consistent with
 2282 the required course competencies outlined in paragraph (b). The
 2283 chair of the State Board of Education and the chair of the Board
 2284 of Governors, or their respective designees, shall jointly
 2285 appoint a faculty committee to:

2286 (a) Develop a new course in civic literacy or revise an
 2287 existing general education core course in American History or
 2288 American Government to include civic literacy.

2289 (b) Establish course competencies and identify outcomes
 2290 that include, at a minimum, an understanding of the basic
 2291 principles of American democracy and how they are applied in our
 2292 republican form of government, an understanding of the United
 2293 States Constitution, knowledge of the founding documents and how
 2294 they have shaped the nature and functions of our institutions of
 2295 self-governance, and an understanding of landmark Supreme Court
 2296 cases and their impact on law and society.

2297 Section 19. Paragraph (c) of subsection (1) of section
 2298 943.22, Florida Statutes, is amended to read:

2299 943.22 Salary incentive program for full-time officers.—

2300 (1) For the purpose of this section, the term:

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2301 (c) "Community college degree or equivalent" means
 2302 graduation from an accredited community college or having been
 2303 granted a degree pursuant to s. 1007.25(11) ~~s. 1007.25(10)~~ or
 2304 successful completion of 60 semester hours or 90 quarter hours
 2305 and eligibility to receive an associate degree from an
 2306 accredited college, university, or community college.

2307 Section 20. Subsection (7) and paragraph (d) of subsection
 2308 (8) of section 1001.64, Florida Statutes, are amended to read:

2309 1001.64 Florida College System institution boards of
 2310 trustees; powers and duties.—

2311 (7) Each board of trustees has responsibility for:
 2312 ensuring that students have access to general education courses
 2313 as identified in rule; requiring no more than 60 semester hours
 2314 of degree program coursework, including 36 semester hours of
 2315 general education coursework, for an associate in arts degree;
 2316 notifying students that earned hours in excess of 60 semester
 2317 hours may not be accepted by state universities; notifying
 2318 students of unique program prerequisites; and ensuring that
 2319 degree program coursework beyond general education coursework is
 2320 consistent with degree program prerequisite requirements adopted
 2321 pursuant to s. 1007.25(6) ~~s. 1007.25(5)~~.

2322 (8) Each board of trustees has authority for policies
 2323 related to students, enrollment of students, student records,
 2324 student activities, financial assistance, and other student
 2325 services.

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2326 (d) Boards of trustees shall identify their general
 2327 education curricula pursuant to s. 1007.25(7) ~~s. 1007.25(6)~~.

2328 Section 21. Subsection (1), paragraphs (a), (b), (c), and
 2329 (h) of subsection (6), subsection (7), paragraph (b) of
 2330 subsection (8), paragraph (n) of subsection (9), paragraph (a)
 2331 of subsection (10), paragraph (h) of subsection (12), subsection
 2332 (13), paragraphs (b) and (c) of subsection (17), paragraphs (a)
 2333 and (c) of subsection (18), subsections (19) and (20),
 2334 paragraphs (a) and (b) of subsection (21), and subsections (25)
 2335 and (28) of section 1002.33, Florida Statutes, are amended to
 2336 read:

2337 1002.33 Charter schools.—

2338 (1) AUTHORIZATION. ~~Charter schools shall be part of the~~
 2339 ~~state's program of public education.~~ All charter schools in
 2340 Florida are public schools and shall be part of the state's
 2341 program of public education. A charter school may be formed by
 2342 creating a new school or converting an existing public school to
 2343 charter status. A charter school may operate a virtual charter
 2344 school pursuant to s. 1002.45(1)(d) to provide full-time online
 2345 instruction to ~~eligible~~ students, pursuant to s. 1002.455, in
 2346 kindergarten through grade 12. The school district in which the
 2347 student enrolls in the virtual charter school shall report the
 2348 student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and
 2349 the home school district shall not report the student for
 2350 funding. An existing charter school that is seeking to become a

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2351 virtual charter school must amend its charter or submit a new
 2352 application pursuant to subsection (6) to become a virtual
 2353 charter school. A virtual charter school is subject to the
 2354 requirements of this section; however, a virtual charter school
 2355 is exempt from subsections (18) and (19), ~~subparagraphs~~
 2356 ~~(20) (a) 2., 4., 5., and 7.,~~ paragraph (20) (c), and s. 1003.03. A
 2357 public school may not use the term charter in its name unless it
 2358 has been approved under this section.

2359 (6) APPLICATION PROCESS AND REVIEW.—Charter school
 2360 applications are subject to the following requirements:

2361 (a) A person or entity seeking to open a charter school
 2362 shall prepare and submit an application on the standard ~~a model~~
 2363 application form prepared by the Department of Education which:

2364 1. Demonstrates how the school will use the guiding
 2365 principles and meet the statutorily defined purpose of a charter
 2366 school.

2367 2. Provides a detailed curriculum plan that illustrates
 2368 how students will be provided services to attain the Sunshine
 2369 State Standards.

2370 3. Contains goals and objectives for improving student
 2371 learning and measuring that improvement. These goals and
 2372 objectives must indicate how much academic improvement students
 2373 are expected to show each year, how success will be evaluated,
 2374 and the specific results to be attained through instruction.

2375 4. Describes the reading curriculum and differentiated

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2376 strategies that will be used for students reading at grade level
2377 or higher and a separate curriculum and strategies for students
2378 who are reading below grade level. A sponsor shall deny an
2379 application if the school does not propose a reading curriculum
2380 that is consistent with effective teaching strategies that are
2381 grounded in scientifically based reading research.

2382 5. Contains an annual financial plan for each year
2383 requested by the charter for operation of the school for up to 5
2384 years. This plan must contain anticipated fund balances based on
2385 revenue projections, a spending plan based on projected revenues
2386 and expenses, and a description of controls that will safeguard
2387 finances and projected enrollment trends.

2388 6. Discloses the name of each applicant, governing board
2389 member, and all proposed education services providers; the name
2390 and sponsor of any charter school operated by each applicant,
2391 each governing board member, and each proposed education
2392 services provider that has closed and the reasons for the
2393 closure; and the academic and financial history of such charter
2394 schools, which the sponsor shall consider in deciding whether to
2395 approve or deny the application.

2396 7. Contains additional information a sponsor may require,
2397 which shall be attached as an addendum to the charter school
2398 application described in this paragraph.

2399 8. For the establishment of a virtual charter school,
2400 documents that the applicant has contracted with a provider of

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2401 virtual instruction services pursuant to s. 1002.45(1)(d).

2402 (b) A sponsor shall receive and review all applications

2403 for a charter school using the evaluation instrument developed

2404 by the Department of Education. A sponsor shall receive and

2405 consider charter school applications received on or before

2406 August 1 of each calendar year for charter schools to be opened

2407 at the beginning of the school district's next school year, or

2408 to be opened at a time agreed to by the applicant and the

2409 sponsor. A sponsor may not refuse to receive a charter school

2410 application submitted before August 1 and may receive an

2411 application submitted later than August 1 if it chooses.

2412 Beginning in 2018 and thereafter, a sponsor shall receive and

2413 consider charter school applications received on or before

2414 February 1 of each calendar year for charter schools to be

2415 opened 18 months later at the beginning of the school district's

2416 school year, or to be opened at a time agreed to by the

2417 applicant and the sponsor. A sponsor may not refuse to receive a

2418 charter school application submitted before February 1 and may

2419 receive an application submitted later than February 1 if it

2420 chooses. ~~In order to facilitate greater collaboration in the~~

2421 ~~application process, an applicant may submit a draft charter~~

2422 ~~school application on or before May 1 with an application fee of~~

2423 ~~\$500. If a draft application is timely submitted, the sponsor~~

2424 ~~shall review and provide feedback as to material deficiencies in~~

2425 ~~the application by July 1. The applicant shall then have until~~

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2426 ~~August 1 to resubmit a revised and final application. The~~
 2427 ~~sponsor may approve the draft application. Except as provided~~
 2428 ~~for a draft application,~~ A sponsor may not charge an applicant
 2429 for a charter any fee for the processing or consideration of an
 2430 application, and a sponsor may not base its consideration or
 2431 approval of a final application upon the promise of future
 2432 payment of any kind. Before approving or denying any ~~final~~
 2433 application, the sponsor shall allow the applicant, upon receipt
 2434 of written notification, at least 7 calendar days to make
 2435 technical or nonsubstantive corrections and clarifications,
 2436 including, but not limited to, corrections of grammatical,
 2437 typographical, and like errors or missing signatures, if such
 2438 errors are identified by the sponsor as cause to deny the final
 2439 application.

2440 1. In order to facilitate an accurate budget projection
 2441 process, a sponsor shall be held harmless for FTE students who
 2442 are not included in the FTE projection due to approval of
 2443 charter school applications after the FTE projection deadline.
 2444 In a further effort to facilitate an accurate budget projection,
 2445 within 15 calendar days after receipt of a charter school
 2446 application, a sponsor shall report to the Department of
 2447 Education the name of the applicant entity, the proposed charter
 2448 school location, and its projected FTE.

2449 2. In order to ensure fiscal responsibility, an
 2450 application for a charter school shall include a full accounting

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2451 of expected assets, a projection of expected sources and amounts
2452 of income, including income derived from projected student
2453 enrollments and from community support, and an expense
2454 projection that includes full accounting of the costs of
2455 operation, including start-up costs.

2456 3.a. A sponsor shall by a majority vote approve or deny an
2457 application no later than 90 ~~60~~ calendar days after the
2458 application is received, unless the sponsor and the applicant
2459 mutually agree in writing to temporarily postpone the vote to a
2460 specific date, at which time the sponsor shall by a majority
2461 vote approve or deny the application. If the sponsor fails to
2462 act on the application, an applicant may appeal to the State
2463 Board of Education as provided in paragraph (c). If an
2464 application is denied, the sponsor shall, within 10 calendar
2465 days after such denial, articulate in writing the specific
2466 reasons, based upon good cause, supporting its denial of the
2467 application and shall provide the letter of denial and
2468 supporting documentation to the applicant and to the Department
2469 of Education.

2470 b. An application submitted by a high-performing charter
2471 school identified pursuant to s. 1002.331 or a high-performing
2472 charter school system identified pursuant to s. 1002.332 may be
2473 denied by the sponsor only if the sponsor demonstrates by clear
2474 and convincing evidence that:

2475 (I) The application does not materially comply with the

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2476 requirements in paragraph (a);

2477 (II) The charter school proposed in the application does
 2478 not materially comply with the requirements in paragraphs
 2479 (9) (a) - (f);

2480 (III) The proposed charter school's educational program
 2481 does not substantially replicate that of the applicant or one of
 2482 the applicant's high-performing charter schools;

2483 (IV) The applicant has made a material misrepresentation
 2484 or false statement or concealed an essential or material fact
 2485 during the application process; or

2486 (V) The proposed charter school's educational program and
 2487 financial management practices do not materially comply with the
 2488 requirements of this section.

2489
 2490 Material noncompliance is a failure to follow requirements or a
 2491 violation of prohibitions applicable to charter school
 2492 applications, which failure is quantitatively or qualitatively
 2493 significant either individually or when aggregated with other
 2494 noncompliance. An applicant is considered to be replicating a
 2495 high-performing charter school if the proposed school is
 2496 substantially similar to at least one of the applicant's high-
 2497 performing charter schools and the organization or individuals
 2498 involved in the establishment and operation of the proposed
 2499 school are significantly involved in the operation of replicated
 2500 schools.

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2501 c. If the sponsor denies an application submitted by a
2502 high-performing charter school or a high-performing charter
2503 school system, the sponsor must, within 10 calendar days after
2504 such denial, state in writing the specific reasons, based upon
2505 the criteria in sub-subparagraph b., supporting its denial of
2506 the application and must provide the letter of denial and
2507 supporting documentation to the applicant and to the Department
2508 of Education. The applicant may appeal the sponsor's denial of
2509 the application in accordance with ~~directly to the State Board~~
2510 ~~of Education and, if an appeal is filed, must provide a copy of~~
2511 ~~the appeal to the sponsor pursuant to~~ paragraph (c).

2512 4. For budget projection purposes, the sponsor shall
2513 report to the Department of Education the approval or denial of
2514 an application within 10 calendar days after such approval or
2515 denial. In the event of approval, the report to the Department
2516 of Education shall include the final projected FTE for the
2517 approved charter school.

2518 5. Upon approval of an application, the initial startup
2519 shall commence with the beginning of the public school calendar
2520 for the district in which the charter is granted. A charter
2521 school may defer the opening of the school's operations for up
2522 to 2 years to provide time for adequate facility planning. The
2523 charter school must provide written notice of such intent to the
2524 sponsor and the parents of enrolled students at least 30
2525 calendar days before the first day of school.

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2526 (c)1. An applicant may appeal any denial of that
 2527 applicant's application or failure to act on an application to
 2528 the State Board of Education no later than 30 calendar days
 2529 after receipt of the sponsor's decision or failure to act and
 2530 shall notify the sponsor of its appeal. Any response of the
 2531 sponsor shall be submitted to the State Board of Education
 2532 within 30 calendar days after notification of the appeal. Upon
 2533 receipt of notification from the State Board of Education that a
 2534 charter school applicant is filing an appeal, the Commissioner
 2535 of Education shall convene a meeting of the Charter School
 2536 Appeal Commission to study and make recommendations to the State
 2537 Board of Education regarding its pending decision about the
 2538 appeal. The commission shall forward its recommendation to the
 2539 state board at least 7 calendar days before the date on which
 2540 the appeal is to be heard. ~~An appeal regarding the denial of an~~
 2541 ~~application submitted by a high-performing charter school~~
 2542 ~~pursuant to s. 1002.331 shall be conducted by the State Board of~~
 2543 ~~Education in accordance with this paragraph, except that the~~
 2544 ~~commission shall not convene to make recommendations regarding~~
 2545 ~~the appeal. However, the Commissioner of Education shall review~~
 2546 ~~the appeal and make a recommendation to the state board.~~
 2547 2. The Charter School Appeal Commission ~~or, in the case of~~
 2548 ~~an appeal regarding an application submitted by a high-~~
 2549 ~~performing charter school, the State Board of Education may~~
 2550 reject an appeal submission for failure to comply with

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2551 procedural rules governing the appeals process. The rejection
 2552 shall describe the submission errors. The appellant shall have
 2553 15 calendar days after notice of rejection in which to resubmit
 2554 an appeal that meets the requirements set forth in State Board
 2555 of Education rule. An appeal submitted subsequent to such
 2556 rejection is considered timely if the original appeal was filed
 2557 within 30 calendar days after receipt of notice of the specific
 2558 reasons for the sponsor's denial of the charter application.

2559 3.a. The State Board of Education shall by majority vote
 2560 accept or reject the decision of the sponsor no later than 90
 2561 calendar days after an appeal is filed in accordance with State
 2562 Board of Education rule. The State Board of Education shall
 2563 remand the application to the sponsor with its written decision
 2564 that the sponsor approve or deny the application. The sponsor
 2565 shall implement the decision of the State Board of Education.
 2566 The decision of the State Board of Education is not subject to
 2567 the provisions of the Administrative Procedure Act, chapter 120.

2568 b. If an appeal concerns an application submitted by a
 2569 high-performing charter school identified pursuant to s.
 2570 1002.331 or a high-performing charter school system identified
 2571 pursuant to s. 1002.332, the State Board of Education shall
 2572 determine whether the sponsor's denial was in accordance with
 2573 sub-subparagraph (b)3.b. sponsor has shown, by clear and
 2574 convincing evidence, that:

2575 ~~(I) The application does not materially comply with the~~

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2576 ~~requirements in paragraph (a);~~

2577 ~~(II) The charter school proposed in the application does~~
 2578 ~~not materially comply with the requirements in paragraphs~~
 2579 ~~(9)(a)-(f);~~

2580 ~~(III) The proposed charter school's educational program~~
 2581 ~~does not substantially replicate that of the applicant or one of~~
 2582 ~~the applicant's high-performing charter schools;~~

2583 ~~(IV) The applicant has made a material misrepresentation~~
 2584 ~~or false statement or concealed an essential or material fact~~
 2585 ~~during the application process; or~~

2586 ~~(V) The proposed charter school's educational program and~~
 2587 ~~financial management practices do not materially comply with the~~
 2588 ~~requirements of this section.~~

2589
 2590 ~~The State Board of Education shall approve or reject the~~
 2591 ~~sponsor's denial of an application no later than 90 calendar~~
 2592 ~~days after an appeal is filed in accordance with State Board of~~
 2593 ~~Education rule. The State Board of Education shall remand the~~
 2594 ~~application to the sponsor with its written decision that the~~
 2595 ~~sponsor approve or deny the application. The sponsor shall~~
 2596 ~~implement the decision of the State Board of Education. The~~
 2597 ~~decision of the State Board of Education is not subject to the~~
 2598 ~~Administrative Procedure Act, chapter 120.~~

2599 ~~(h) The terms and conditions for the operation of a~~
 2600 ~~charter school shall be set forth by the sponsor and the~~

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2601 ~~applicant in a written contractual agreement, called a charter.~~
 2602 ~~The sponsor may not impose unreasonable rules or regulations~~
 2603 ~~that violate the intent of giving charter schools greater~~
 2604 ~~flexibility to meet educational goals. The sponsor has 30 days~~
 2605 ~~after approval of the application to provide an initial proposed~~
 2606 ~~charter contract to the charter school. The applicant and the~~
 2607 ~~sponsor have 40 days thereafter to negotiate and notice the~~
 2608 ~~charter contract for final approval by the sponsor unless both~~
 2609 ~~parties agree to an extension. The proposed charter contract~~
 2610 ~~shall be provided to the charter school at least 7 calendar days~~
 2611 ~~prior to the date of the meeting at which the charter is~~
 2612 ~~scheduled to be voted upon by the sponsor. The Department of~~
 2613 ~~Education shall provide mediation services for any dispute~~
 2614 ~~regarding this section subsequent to the approval of a charter~~
 2615 ~~application and for any dispute relating to the approved~~
 2616 ~~charter, except disputes regarding charter school application~~
 2617 ~~denials. If the Commissioner of Education determines that the~~
 2618 ~~dispute cannot be settled through mediation, the dispute may be~~
 2619 ~~appealed to an administrative law judge appointed by the~~
 2620 ~~Division of Administrative Hearings. The administrative law~~
 2621 ~~judge has final order authority to rule on issues of equitable~~
 2622 ~~treatment of the charter school as a public school, whether~~
 2623 ~~proposed provisions of the charter violate the intended~~
 2624 ~~flexibility granted charter schools by statute, or on any other~~
 2625 ~~matter regarding this section except a charter school~~

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2626 ~~application denial, a charter termination, or a charter~~
2627 ~~nonrenewal and shall award the prevailing party reasonable~~
2628 ~~attorney's fees and costs incurred to be paid by the losing~~
2629 ~~party. The costs of the administrative hearing shall be paid by~~
2630 ~~the party whom the administrative law judge rules against.~~

2631 (7) CHARTER.—The terms and conditions for the operation of
2632 a charter school shall be set forth by the sponsor and the
2633 applicant in a written contractual agreement, called a charter.
2634 The sponsor and the governing board of the charter school shall
2635 use the standard charter contract pursuant to subsection (21),
2636 which shall incorporate the approved application and any addenda
2637 approved with the application. Any term or condition of a
2638 proposed charter contract that differs from the standard charter
2639 contract adopted by rule of the State Board of Education shall
2640 be presumed a limitation on charter school flexibility. The
2641 sponsor may not impose unreasonable rules or regulations that
2642 violate the intent of giving charter schools greater flexibility
2643 to meet educational goals ~~The major issues involving the~~
2644 ~~operation of a charter school shall be considered in advance and~~
2645 ~~written into the charter.~~ The charter shall be signed by the
2646 governing board of the charter school and the sponsor, following
2647 a public hearing to ensure community input.

2648 (a) The charter shall address and criteria for approval of
2649 the charter shall be based on:

2650 1. The school's mission, the students to be served, and

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2651 | the ages and grades to be included.

2652 | 2. The focus of the curriculum, the instructional methods
 2653 | to be used, any distinctive instructional techniques to be
 2654 | employed, and identification and acquisition of appropriate
 2655 | technologies needed to improve educational and administrative
 2656 | performance which include a means for promoting safe, ethical,
 2657 | and appropriate uses of technology which comply with legal and
 2658 | professional standards.

2659 | a. The charter shall ensure that reading is a primary
 2660 | focus of the curriculum and that resources are provided to
 2661 | identify and provide specialized instruction for students who
 2662 | are reading below grade level. The curriculum and instructional
 2663 | strategies for reading must be consistent with the Next
 2664 | Generation Sunshine State Standards and grounded in
 2665 | scientifically based reading research.

2666 | b. In order to provide students with access to diverse
 2667 | instructional delivery models, to facilitate the integration of
 2668 | technology within traditional classroom instruction, and to
 2669 | provide students with the skills they need to compete in the
 2670 | 21st century economy, the Legislature encourages instructional
 2671 | methods for blended learning courses consisting of both
 2672 | traditional classroom and online instructional techniques.
 2673 | Charter schools may implement blended learning courses which
 2674 | combine traditional classroom instruction and virtual
 2675 | instruction. Students in a blended learning course must be full-

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2676 | time students of the charter school pursuant to s.
2677 | 1011.61(1)(a)1. ~~and receive the online instruction in a~~
2678 | ~~classroom setting at the charter school.~~ Instructional personnel
2679 | certified pursuant to s. 1012.55 who provide virtual instruction
2680 | for blended learning courses may be employees of the charter
2681 | school or may be under contract to provide instructional
2682 | services to charter school students. At a minimum, such
2683 | instructional personnel must hold an active state or school
2684 | district adjunct certification under s. 1012.57 for the subject
2685 | area of the blended learning course. The funding and performance
2686 | accountability requirements for blended learning courses are the
2687 | same as those for traditional courses.

2688 | 3. The current incoming baseline standard of student
2689 | academic achievement, the outcomes to be achieved, and the
2690 | method of measurement that will be used. The criteria listed in
2691 | this subparagraph shall include a detailed description of:

2692 | a. How the baseline student academic achievement levels
2693 | and prior rates of academic progress will be established.

2694 | b. How these baseline rates will be compared to rates of
2695 | academic progress achieved by these same students while
2696 | attending the charter school.

2697 | c. To the extent possible, how these rates of progress
2698 | will be evaluated and compared with rates of progress of other
2699 | closely comparable student populations.

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2701 The district school board is required to provide academic
 2702 student performance data to charter schools for each of their
 2703 students coming from the district school system, as well as
 2704 rates of academic progress of comparable student populations in
 2705 the district school system.

2706 4. The methods used to identify the educational strengths
 2707 and needs of students and how well educational goals and
 2708 performance standards are met by students attending the charter
 2709 school. The methods shall provide a means for the charter school
 2710 to ensure accountability to its constituents by analyzing
 2711 student performance data and by evaluating the effectiveness and
 2712 efficiency of its major educational programs. Students in
 2713 charter schools shall, at a minimum, participate in the
 2714 statewide assessment program created under s. 1008.22.

2715 5. In secondary charter schools, a method for determining
 2716 that a student has satisfied the requirements for graduation in
 2717 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

2718 6. A method for resolving conflicts between the governing
 2719 board of the charter school and the sponsor.

2720 7. The admissions procedures and dismissal procedures,
 2721 including the school's code of student conduct. Admission or
 2722 dismissal must not be based on a student's academic performance.

2723 8. The ways by which the school will achieve a
 2724 racial/ethnic balance reflective of the community it serves or
 2725 within the racial/ethnic range of other public schools in the

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2726 | same school district.

2727 | 9. The financial and administrative management of the
 2728 | school, including a reasonable demonstration of the professional
 2729 | experience or competence of those individuals or organizations
 2730 | applying to operate the charter school or those hired or
 2731 | retained to perform such professional services and the
 2732 | description of clearly delineated responsibilities and the
 2733 | policies and practices needed to effectively manage the charter
 2734 | school. A description of internal audit procedures and
 2735 | establishment of controls to ensure that financial resources are
 2736 | properly managed must be included. Both public sector and
 2737 | private sector professional experience shall be equally valid in
 2738 | such a consideration.

2739 | 10. The asset and liability projections required in the
 2740 | application which are incorporated into the charter and shall be
 2741 | compared with information provided in the annual report of the
 2742 | charter school.

2743 | 11. A description of procedures that identify various
 2744 | risks and provide for a comprehensive approach to reduce the
 2745 | impact of losses; plans to ensure the safety and security of
 2746 | students and staff; plans to identify, minimize, and protect
 2747 | others from violent or disruptive student behavior; and the
 2748 | manner in which the school will be insured, including whether or
 2749 | not the school will be required to have liability insurance,
 2750 | and, if so, the terms and conditions thereof and the amounts of

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2751 coverage.

2752 12. The term of the charter which shall provide for
2753 cancellation of the charter if insufficient progress has been
2754 made in attaining the student achievement objectives of the
2755 charter and if it is not likely that such objectives can be
2756 achieved before expiration of the charter. The initial term of a
2757 charter shall be for 4 or 5 years. In order to facilitate access
2758 to long-term financial resources for charter school
2759 construction, charter schools that are operated by a
2760 municipality or other public entity as provided by law are
2761 eligible for up to a 15-year charter, subject to approval by the
2762 district school board. A charter lab school is eligible for a
2763 charter for a term of up to 15 years. In addition, to facilitate
2764 access to long-term financial resources for charter school
2765 construction, charter schools that are operated by a private,
2766 not-for-profit, s. 501(c)(3) status corporation are eligible for
2767 up to a 15-year charter, subject to approval by the district
2768 school board. Such long-term charters remain subject to annual
2769 review and may be terminated during the term of the charter, but
2770 only according to the provisions set forth in subsection (8).

2771 13. The facilities to be used and their location. The
2772 sponsor may not require a charter school to have a certificate
2773 of occupancy or a temporary certificate of occupancy for such a
2774 facility earlier than 15 calendar days before the first day of
2775 school.

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2776 14. The qualifications to be required of the teachers and
 2777 the potential strategies used to recruit, hire, train, and
 2778 retain qualified staff to achieve best value.

2779 15. The governance structure of the school, including the
 2780 status of the charter school as a public or private employer as
 2781 required in paragraph (12) (i).

2782 16. A timetable for implementing the charter which
 2783 addresses the implementation of each element thereof and the
 2784 date by which the charter shall be awarded in order to meet this
 2785 timetable.

2786 17. In the case of an existing public school that is being
 2787 converted to charter status, alternative arrangements for
 2788 current students who choose not to attend the charter school and
 2789 for current teachers who choose not to teach in the charter
 2790 school after conversion in accordance with the existing
 2791 collective bargaining agreement or district school board rule in
 2792 the absence of a collective bargaining agreement. However,
 2793 alternative arrangements shall not be required for current
 2794 teachers who choose not to teach in a charter lab school, except
 2795 as authorized by the employment policies of the state university
 2796 which grants the charter to the lab school.

2797 18. Full disclosure of the identity of all relatives
 2798 employed by the charter school who are related to the charter
 2799 school owner, president, chairperson of the governing board of
 2800 directors, superintendent, governing board member, principal,

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2801 assistant principal, or any other person employed by the charter
 2802 school who has equivalent decisionmaking authority. For the
 2803 purpose of this subparagraph, the term "relative" means father,
 2804 mother, son, daughter, brother, sister, uncle, aunt, first
 2805 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 2806 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 2807 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 2808 stepsister, half brother, or half sister.

2809 19. Implementation of the activities authorized under s.
 2810 1002.331 by the charter school when it satisfies the eligibility
 2811 requirements for a high-performing charter school. A high-
 2812 performing charter school shall notify its sponsor in writing by
 2813 March 1 if it intends to increase enrollment or expand grade
 2814 levels the following school year. The written notice shall
 2815 specify the amount of the enrollment increase and the grade
 2816 levels that will be added, as applicable.

2817 (b) The sponsor has 30 days after approval of the
 2818 application to provide an initial proposed charter contract to
 2819 the charter school. The applicant and the sponsor have 40 days
 2820 thereafter to negotiate and notice the charter contract for
 2821 final approval by the sponsor unless both parties agree to an
 2822 extension. The proposed charter contract shall be provided to
 2823 the charter school at least 7 calendar days before the date of
 2824 the meeting at which the charter is scheduled to be voted upon
 2825 by the sponsor. The Department of Education shall provide

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2826 mediation services for any dispute regarding this section
 2827 subsequent to the approval of a charter application and for any
 2828 dispute relating to the approved charter, except a dispute
 2829 regarding a charter school application denial. If the
 2830 Commissioner of Education determines that the dispute cannot be
 2831 settled through mediation, the dispute may be appealed to an
 2832 administrative law judge appointed by the Division of
 2833 Administrative Hearings. The administrative law judge has final
 2834 order authority to rule on issues of equitable treatment of the
 2835 charter school as a public school, whether proposed provisions
 2836 of the charter violate the intended flexibility granted charter
 2837 schools by statute, or any other matter regarding this section,
 2838 except a dispute regarding charter school application denial, a
 2839 charter termination, or a charter nonrenewal. The administrative
 2840 law judge shall award the prevailing party reasonable attorney
 2841 fees and costs incurred during the mediation process,
 2842 administrative proceeding, and any appeals, to be paid by the
 2843 party whom the administrative law judge rules against.

2844 (c) ~~(b)~~1. A charter may be renewed provided that a program
 2845 review demonstrates that the criteria in paragraph (a) have been
 2846 successfully accomplished and that none of the grounds for
 2847 nonrenewal established by paragraph (8) (a) has been documented.
 2848 In order to facilitate long-term financing for charter school
 2849 construction, charter schools operating for a minimum of 3 years
 2850 and demonstrating exemplary academic programming and fiscal

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2851 management are eligible for a 15-year charter renewal. Such
2852 long-term charter is subject to annual review and may be
2853 terminated during the term of the charter.

2854 2. The 15-year charter renewal that may be granted
2855 pursuant to subparagraph 1. shall be granted to a charter school
2856 that has received a school grade of "A" or "B" pursuant to s.
2857 1008.34 in 3 of the past 4 years and is not in a state of
2858 financial emergency or deficit position as defined by this
2859 section. Such long-term charter is subject to annual review and
2860 may be terminated during the term of the charter pursuant to
2861 subsection (8).

2862 (d)~~(e)~~ A charter may be modified during its initial term
2863 or any renewal term upon the recommendation of the sponsor or
2864 the charter school's governing board and the approval of both
2865 parties to the agreement. Modification may include, but is not
2866 limited to, consolidation of multiple charters into a single
2867 charter if the charters are operated under the same governing
2868 board and physically located on the same campus, regardless of
2869 the renewal cycle.

2870 (e)~~(d)~~ A charter may be terminated by a charter school's
2871 governing board through voluntary closure. The decision to cease
2872 operations must be determined at a public meeting. The governing
2873 board shall notify the parents and sponsor of the public meeting
2874 in writing before the public meeting. The governing board must
2875 notify the sponsor, parents of enrolled students, and the

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2876 | department in writing within 24 hours after the public meeting
 2877 | of its determination. The notice shall state the charter
 2878 | school's intent to continue operations or the reason for the
 2879 | closure and acknowledge that the governing board agrees to
 2880 | follow the procedures for dissolution and reversion of public
 2881 | funds pursuant to paragraphs (8) (e)-(g) and (9) (o).

2882 | (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

2883 | (b) At least 90 days before ~~prior to~~ renewing,
 2884 | nonrenewing, or terminating a charter, the sponsor shall notify
 2885 | the governing board of the school of the proposed action in
 2886 | writing. The notice shall state in reasonable detail the grounds
 2887 | for the proposed action and stipulate that the school's
 2888 | governing board may, within 14 calendar days after receiving the
 2889 | notice, request a hearing. The hearing shall be conducted at the
 2890 | sponsor's election in accordance with one of the following
 2891 | procedures:

2892 | 1. A direct hearing conducted by the sponsor within 60
 2893 | days after receipt of the request for a hearing. The hearing
 2894 | shall be conducted in accordance with ss. 120.569 and 120.57.
 2895 | The sponsor shall decide upon nonrenewal or termination by a
 2896 | majority vote. The sponsor's decision shall be a final order; or

2897 | 2. A hearing conducted by an administrative law judge
 2898 | assigned by the Division of Administrative Hearings. The hearing
 2899 | shall be conducted within 60 days after receipt of the request
 2900 | for a hearing and in accordance with chapter 120. The

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2901 administrative law judge's recommended order shall be submitted
2902 to the sponsor. A majority vote by the sponsor shall be required
2903 to adopt or modify the administrative law judge's recommended
2904 order. The sponsor shall issue a final order.

2905 (9) CHARTER SCHOOL REQUIREMENTS.—

2906 (n)1. The director and a representative of the governing
2907 board of a charter school that has earned a grade of "D" or "F"
2908 pursuant to s. 1008.34 shall appear before the sponsor to
2909 present information concerning each contract component having
2910 noted deficiencies. The director and a representative of the
2911 governing board shall submit to the sponsor for approval a
2912 school improvement plan to raise student performance. Upon
2913 approval by the sponsor, the charter school shall begin
2914 implementation of the school improvement plan. The department
2915 shall offer technical assistance and training to the charter
2916 school and its governing board and establish guidelines for
2917 developing, submitting, and approving such plans.

2918 2.a. If a charter school earns three consecutive grades
2919 below a "C" of ~~"D," two consecutive grades of "D" followed by a~~
2920 ~~grade of "F," or two nonconsecutive grades of "F" within a 3-~~
2921 ~~year period,~~ the charter school governing board shall choose one
2922 of the following corrective actions:

2923 (I) Contract for educational services to be provided
2924 directly to students, instructional personnel, and school
2925 administrators, as prescribed in state board rule;

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2926 (II) Contract with an outside entity that has a
 2927 demonstrated record of effectiveness to operate the school;
 2928 (III) Reorganize the school under a new director or
 2929 principal who is authorized to hire new staff; or
 2930 (IV) Voluntarily close the charter school.
 2931 b. The charter school must implement the corrective action
 2932 in the school year following receipt of a third consecutive
 2933 grade below a "C" ~~of "D," a grade of "F" following two~~
 2934 ~~consecutive grades of "D," or a second nonconsecutive grade of~~
 2935 ~~"F" within a 3-year period.~~
 2936 c. The sponsor may annually waive a corrective action if
 2937 it determines that the charter school is likely to improve a
 2938 letter grade if additional time is provided to implement the
 2939 intervention and support strategies prescribed by the school
 2940 improvement plan. Notwithstanding this sub-subparagraph, a
 2941 charter school that earns a second consecutive grade of "F" is
 2942 subject to subparagraph 3. 4.
 2943 d. A charter school is no longer required to implement a
 2944 corrective action if it improves to a "C" or higher ~~by at least~~
 2945 ~~one letter grade~~. However, the charter school must continue to
 2946 implement strategies identified in the school improvement plan.
 2947 The sponsor must annually review implementation of the school
 2948 improvement plan to monitor the school's continued improvement
 2949 pursuant to subparagraph 4. 5.
 2950 e. A charter school implementing a corrective action that

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2951 does not improve to a "C" or higher ~~by at least one letter grade~~
 2952 after 2 full school years of implementing the corrective action
 2953 must select a different corrective action. Implementation of the
 2954 new corrective action must begin in the school year following
 2955 the implementation period of the existing corrective action,
 2956 unless the sponsor determines that the charter school is likely
 2957 to improve to a "C" or higher ~~a letter grade~~ if additional time
 2958 is provided to implement the existing corrective action.
 2959 Notwithstanding this sub-subparagraph, a charter school that
 2960 earns a second consecutive grade of "F" while implementing a
 2961 corrective action is subject to subparagraph 3. 4.

2962 ~~3. A charter school with a grade of "D" or "F" that~~
 2963 ~~improves by at least one letter grade must continue to implement~~
 2964 ~~the strategies identified in the school improvement plan. The~~
 2965 ~~sponsor must annually review implementation of the school~~
 2966 ~~improvement plan to monitor the school's continued improvement~~
 2967 ~~pursuant to subparagraph 5.~~

2968 3.4. A charter school's charter contract is automatically
 2969 terminated if the school earns two consecutive grades of "F"
 2970 after all school grade appeals are final unless:

2971 a. The charter school is established to turn around the
 2972 performance of a district public school pursuant to s.

2973 1008.33(4)(b)2. ~~1008.33(4)(b)3.~~ Such charter schools shall be
 2974 governed by s. 1008.33;

2975 b. The charter school serves a student population the

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2976 majority of which resides in a school zone served by a district
 2977 public school subject to s. 1008.33(4) ~~that earned a grade of~~
 2978 ~~"F" in the year before the charter school opened~~ and the charter
 2979 school earns at least a grade of "D" in its third year of
 2980 operation. The exception provided under this sub-subparagraph
 2981 does not apply to a charter school in its fourth year of
 2982 operation and thereafter; or

2983 c. The state board grants the charter school a waiver of
 2984 termination. The charter school must request the waiver within
 2985 15 days after the department's official release of school
 2986 grades. The state board may waive termination if the charter
 2987 school demonstrates that the Learning Gains of its students on
 2988 statewide assessments are comparable to or better than the
 2989 Learning Gains of similarly situated students enrolled in nearby
 2990 district public schools. The waiver is valid for 1 year and may
 2991 only be granted once. Charter schools that have been in
 2992 operation for more than 5 years are not eligible for a waiver
 2993 under this sub-subparagraph.

2994
 2995 The sponsor shall notify the charter school's governing board,
 2996 the charter school principal, and the department in writing when
 2997 a charter contract is terminated under this subparagraph. The
 2998 letter of termination must meet the requirements of paragraph
 2999 (8) (c). A charter terminated under this subparagraph must follow
 3000 the procedures for dissolution and reversion of public funds

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3001 pursuant to paragraphs (8) (e)-(g) and (9) (o).

3002 ~~4.5.~~ The director and a representative of the governing
 3003 board of a graded charter school that has implemented a school
 3004 improvement plan under this paragraph shall appear before the
 3005 sponsor at least once a year to present information regarding
 3006 the progress of intervention and support strategies implemented
 3007 by the school pursuant to the school improvement plan and
 3008 corrective actions, if applicable. The sponsor shall communicate
 3009 at the meeting, and in writing to the director, the services
 3010 provided to the school to help the school address its
 3011 deficiencies.

3012 ~~5.6.~~ Notwithstanding any provision of this paragraph
 3013 except sub-subparagraphs 3.a.-c. ~~4.a.-e.~~, the sponsor may
 3014 terminate the charter at any time pursuant to subsection (8).

3015 (10) ELIGIBLE STUDENTS.—

3016 (a) A charter school may be exempt from the requirements
 3017 of s. 1002.31 if the school is ~~shall be~~ open to any student
 3018 covered in an interdistrict agreement and any student ~~or~~
 3019 residing in the school district in which the charter school is
 3020 located. ~~+~~ However, in the case of a charter lab school, the
 3021 charter lab school shall be open to any student eligible to
 3022 attend the lab school as provided in s. 1002.32 or who resides
 3023 in the school district in which the charter lab school is
 3024 located. Any eligible student shall be allowed interdistrict
 3025 transfer to attend a charter school when based on good cause.

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3026 Good cause shall include, but is not limited to, geographic
 3027 proximity to a charter school in a neighboring school district.

3028 (12) EMPLOYEES OF CHARTER SCHOOLS.—

3029 (h) For the purposes of tort liability, the charter
 3030 school, including its governing body and employees, ~~of a charter~~
 3031 ~~school~~ shall be governed by s. 768.28. This paragraph does not
 3032 include any for-profit entity contracted by the charter school
 3033 or its governing body.

3034 (13) CHARTER SCHOOL COOPERATIVES.—Charter schools may
 3035 enter into cooperative agreements to form charter school
 3036 cooperative organizations that may provide ~~the following~~
 3037 services to further educational, operational, and administrative
 3038 initiatives in which the participating charter schools share
 3039 common interests: ~~charter school planning and development,~~
 3040 ~~direct instructional services, and contracts with charter school~~
 3041 ~~governing boards to provide personnel administrative services,~~
 3042 ~~payroll services, human resource management, evaluation and~~
 3043 ~~assessment services, teacher preparation, and professional~~
 3044 ~~development.~~

3045 (17) FUNDING.—Students enrolled in a charter school,
 3046 regardless of the sponsorship, shall be funded as if they are in
 3047 a basic program or a special program, the same as students
 3048 enrolled in other public schools in the school district. Funding
 3049 for a charter lab school shall be as provided in s. 1002.32.

3050 (b) The basis for the agreement for funding students

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3051 enrolled in a charter school shall be the sum of the school
3052 district's operating funds from the Florida Education Finance
3053 Program as provided in s. 1011.62 and the General Appropriations
3054 Act, including gross state and local funds, discretionary
3055 lottery funds, and funds from the school district's current
3056 operating discretionary millage levy; divided by total funded
3057 weighted full-time equivalent students in the school district;
3058 multiplied by the weighted full-time equivalent students for the
3059 charter school. Charter schools whose students or programs meet
3060 the eligibility criteria in law are entitled to their
3061 proportionate share of categorical program funds included in the
3062 total funds available in the Florida Education Finance Program
3063 by the Legislature, including transportation, the research-based
3064 reading allocation, and the Florida digital classrooms
3065 allocation. Total funding for each charter school shall be
3066 recalculated during the year to reflect the revised calculations
3067 under the Florida Education Finance Program by the state and the
3068 actual weighted full-time equivalent students reported by the
3069 charter school during the full-time equivalent student survey
3070 periods designated by the Commissioner of Education. For charter
3071 schools operated by a not-for-profit or municipal entity, any
3072 unrestricted current and capital assets identified in the
3073 charter school's annual financial audit may be used for other
3074 charter schools operated by the not-for-profit or municipal
3075 entity within the school district. Unrestricted current assets

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3076 shall be used in accordance with s. 1011.62 and any unrestricted
 3077 capital assets shall be used in accordance with s. 1013.62(2).

3078 ~~(c) If the district school board is providing programs or~~
 3079 ~~services to students funded by federal funds, any eligible~~
 3080 ~~students enrolled in charter schools in the school district~~
 3081 ~~shall be provided federal funds for the same level of service~~
 3082 ~~provided students in the schools operated by the district school~~
 3083 ~~board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all~~
 3084 charter schools shall receive all federal funding for which the
 3085 school is otherwise eligible, including Title I funding, not
 3086 later than 5 months after the charter school first opens and
 3087 within 5 months after any subsequent expansion of enrollment.
 3088 Unless otherwise mutually agreed to by the charter school and
 3089 its sponsor, and consistent with state and federal rules and
 3090 regulations governing the use and disbursement of federal funds,
 3091 the sponsor shall reimburse the charter school on a monthly
 3092 basis for all invoices submitted by the charter school for
 3093 federal funds available to the sponsor for the benefit of the
 3094 charter school, the charter school's students, and the charter
 3095 school's students as public school students in the school
 3096 district. Such federal funds include, but are not limited to,
 3097 Title I, Title II, and Individuals with Disabilities Education
 3098 Act (IDEA) funds. To receive timely reimbursement for an
 3099 invoice, the charter school must submit the invoice to the
 3100 sponsor at least 30 days before the monthly date of

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3101 reimbursement set by the sponsor. In order to be reimbursed, any
 3102 expenditures made by the charter school must comply with all
 3103 applicable state rules and federal regulations, including, but
 3104 not limited to, the applicable federal Office of Management and
 3105 Budget Circulars; the federal Education Department General
 3106 Administrative Regulations; and program-specific statutes,
 3107 rules, and regulations. Such funds may not be made available to
 3108 the charter school until a plan is submitted to the sponsor for
 3109 approval of the use of the funds in accordance with applicable
 3110 federal requirements. The sponsor has 30 days to review and
 3111 approve any plan submitted pursuant to this paragraph.

3112 (18) FACILITIES.—

3113 (a) A startup charter school shall utilize facilities
 3114 which comply with the Florida Building Code pursuant to chapter
 3115 553 except for the State Requirements for Educational
 3116 Facilities. Conversion charter schools shall utilize facilities
 3117 that comply with the State Requirements for Educational
 3118 Facilities provided that the school district and the charter
 3119 school have entered into a mutual management plan for the
 3120 reasonable maintenance of such facilities. The mutual management
 3121 plan shall contain a provision by which the district school
 3122 board agrees to maintain charter school facilities in the same
 3123 manner as its other public schools within the district. Charter
 3124 schools, with the exception of conversion charter schools, are
 3125 not required to comply, but may choose to comply, with the State

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3126 Requirements for Educational Facilities of the Florida Building
 3127 Code adopted pursuant to s. 1013.37. The local governing
 3128 authority shall not adopt or impose any local building
 3129 requirements or site-development restrictions, such as parking
 3130 and site-size criteria, student enrollment, and occupant load,
 3131 that are addressed by and more stringent than those found in the
 3132 State Requirements for Educational Facilities of the Florida
 3133 Building Code. A local governing authority must treat charter
 3134 schools equitably in comparison to similar requirements,
 3135 restrictions, and site planning processes imposed upon public
 3136 schools that are not charter schools. The agency having
 3137 jurisdiction for inspection of a facility and issuance of a
 3138 certificate of occupancy or use shall be the local municipality
 3139 or, if in an unincorporated area, the county governing
 3140 authority. If an official or employee of the local governing
 3141 authority refuses to comply with this paragraph, the aggrieved
 3142 school or entity has an immediate right to bring an action in
 3143 circuit court to enforce its rights by injunction. An aggrieved
 3144 party that receives injunctive relief may be awarded attorney
 3145 fees and court costs.

3146 (c) Any facility, or portion thereof, used to house a
 3147 charter school whose charter has been approved by the sponsor
 3148 and the governing board, pursuant to subsection (7), shall be
 3149 exempt from ad valorem taxes pursuant to s. 196.1983. Library,
 3150 community service, museum, performing arts, theatre, cinema,

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3151 church, Florida College System institution, college, and
 3152 university facilities may provide space to charter schools
 3153 within their facilities under their preexisting zoning and land
 3154 use designations without obtaining a special exception,
 3155 rezoning, or a land use change.

3156 (19) CAPITAL OUTLAY FUNDING.—Charter schools are eligible
 3157 for capital outlay funds pursuant to ss. 1011.71(2) and ~~ss.~~
 3158 1013.62. Capital outlay funds authorized in ss. 1011.71(2) and
 3159 1013.62 which have been shared with a charter school-in-the-
 3160 workplace prior to July 1, 2010, are deemed to have met the
 3161 authorized expenditure requirements for such funds.

3162 (20) SERVICES.—

3163 (a)1. A sponsor shall provide certain administrative and
 3164 educational services to charter schools. These services shall
 3165 include contract management services; full-time equivalent and
 3166 data reporting services; exceptional student education
 3167 administration services; services related to eligibility and
 3168 reporting duties required to ensure that school lunch services
 3169 under the National School ~~federal~~ Lunch Program, consistent with
 3170 the needs of the charter school, are provided by the school
 3171 district at the request of the charter school, that any funds
 3172 due to the charter school under the National School ~~federal~~
 3173 Lunch Program be paid to the charter school as soon as the
 3174 charter school begins serving food under the National School
 3175 ~~federal~~ Lunch Program, and that the charter school is paid at

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3176 | the same time and in the same manner under the National School
 3177 | ~~federal~~ Lunch Program as other public schools serviced by the
 3178 | sponsor or the school district; test administration services,
 3179 | including payment of the costs of state-required or district-
 3180 | required student assessments; processing of teacher certificate
 3181 | data services; and information services, including equal access
 3182 | to student information systems that are used by public schools
 3183 | in the district in which the charter school is located. Student
 3184 | performance data for each student in a charter school,
 3185 | including, but not limited to, FCAT scores, standardized test
 3186 | scores, previous public school student report cards, and student
 3187 | performance measures, shall be provided by the sponsor to a
 3188 | charter school in the same manner provided to other public
 3189 | schools in the district.

3190 | 2. A sponsor may withhold an administrative fee for the
 3191 | provision of such services which shall be a percentage of the
 3192 | available funds defined in paragraph (17) (b) calculated based on
 3193 | weighted full-time equivalent students. If the charter school
 3194 | serves 75 percent or more exceptional education students as
 3195 | defined in s. 1003.01(3), the percentage shall be calculated
 3196 | based on unweighted full-time equivalent students. The
 3197 | administrative fee shall be calculated as follows:

3198 | a. Up to 5 percent for:

3199 | (I) Enrollment of up to and including 250 students in a
 3200 | charter school as defined in this section.

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3201 (II) Enrollment of up to and including 500 students within
 3202 a charter school system which meets all of the following:

3203 (A) Includes conversion charter schools and nonconversion
 3204 charter schools.

3205 (B) Has all of its schools located in the same county.

3206 (C) Has a total enrollment exceeding the total enrollment
 3207 of at least one school district in the state.

3208 (D) Has the same governing board for all of its schools.

3209 (E) Does not contract with a for-profit service provider
 3210 for management of school operations.

3211 (III) Enrollment of up to and including 250 students in a
 3212 virtual charter school.

3213 b. Up to 2 percent for enrollment of up to and including
 3214 250 students in a high-performing charter school as defined in
 3215 s. 1002.331.

3216 3. A sponsor may not charge charter schools any additional
 3217 fees or surcharges for administrative and educational services
 3218 in addition to the maximum percentage of administrative fees
 3219 withheld pursuant to this paragraph ~~A total administrative fee~~
 3220 ~~for the provision of such services shall be calculated based~~
 3221 ~~upon up to 5 percent of the available funds defined in paragraph~~
 3222 ~~(17) (b) for all students, except that when 75 percent or more of~~
 3223 ~~the students enrolled in the charter school are exceptional~~
 3224 ~~students as defined in s. 1003.01(3), the 5 percent of those~~
 3225 ~~available funds shall be calculated based on unweighted full-~~

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3226 ~~time equivalent students. However, a sponsor may only withhold~~
 3227 ~~up to a 5 percent administrative fee for enrollment for up to~~
 3228 ~~and including 250 students. For charter schools with a~~
 3229 ~~population of 251 or more students, the difference between the~~
 3230 ~~total administrative fee calculation and the amount of the~~
 3231 ~~administrative fee withheld may only be used for capital outlay~~
 3232 ~~purposes specified in s. 1013.62(3).~~

3233 ~~3. For high-performing charter schools, as defined in s.~~
 3234 ~~1002.331, a sponsor may withhold a total administrative fee of~~
 3235 ~~up to 2 percent for enrollment up to and including 250 students~~
 3236 ~~per school.~~

3237 ~~4. In addition, a sponsor may withhold only up to a 5-~~
 3238 ~~percent administrative fee for enrollment for up to and~~
 3239 ~~including 500 students within a system of charter schools which~~
 3240 ~~meets all of the following:~~

- 3241 ~~a. Includes both conversion charter schools and~~
- 3242 ~~nonconversion charter schools;~~
- 3243 ~~b. Has all schools located in the same county;~~
- 3244 ~~c. Has a total enrollment exceeding the total enrollment~~
- 3245 ~~of at least one school district in the state;~~
- 3246 ~~d. Has the same governing board; and~~
- 3247 ~~e. Does not contract with a for-profit service provider~~
- 3248 ~~for management of school operations.~~

3249 ~~5. The difference between the total administrative fee~~
 3250 ~~calculation and the amount of the administrative fee withheld~~

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3251 ~~pursuant to subparagraph 4. may be used for instructional and~~
 3252 ~~administrative purposes as well as for capital outlay purposes~~
 3253 ~~specified in s. 1013.62(3).~~

3254 ~~6. For a high-performing charter school system that also~~
 3255 ~~meets the requirements in subparagraph 4., a sponsor may~~
 3256 ~~withhold a 2-percent administrative fee for enrollments up to~~
 3257 ~~and including 500 students per system.~~

3258 ~~7. Sponsors shall not charge charter schools any~~
 3259 ~~additional fees or surcharges for administrative and educational~~
 3260 ~~services in addition to the maximum 5-percent administrative fee~~
 3261 ~~withheld pursuant to this paragraph.~~

3262 ~~8. The sponsor of a virtual charter school may withhold a~~
 3263 ~~fee of up to 5 percent. The funds shall be used to cover the~~
 3264 ~~cost of services provided under subparagraph 1. and~~
 3265 ~~implementation of the school district's digital classrooms plan~~
 3266 ~~pursuant to s. 1011.62.~~

3267 (b) If goods and services are made available to the
 3268 charter school through the contract with the school district,
 3269 they shall be provided to the charter school at a rate no
 3270 greater than the district's actual cost unless mutually agreed
 3271 upon by the charter school and the sponsor in a contract
 3272 negotiated separately from the charter. When mediation has
 3273 failed to resolve disputes over contracted services or
 3274 contractual matters not included in the charter, an appeal may
 3275 be made for a dispute resolution hearing before the Charter

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3276 School Appeal Commission. To maximize the use of state funds,
 3277 school districts shall allow charter schools to participate in
 3278 the sponsor's bulk purchasing program if applicable.

3279 (c) Transportation of charter school students shall be
 3280 provided by the charter school consistent with the requirements
 3281 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
 3282 body of the charter school may provide transportation through an
 3283 agreement or contract with the district school board, a private
 3284 provider, or parents. The charter school and the sponsor shall
 3285 cooperate in making arrangements that ensure that transportation
 3286 is not a barrier to equal access for all students residing
 3287 within a reasonable distance of the charter school as determined
 3288 in its charter.

3289 (d) Each charter school shall annually complete and submit
 3290 a survey, provided in a format specified by the Department of
 3291 Education, to rate the timeliness and quality of services
 3292 provided by the district in accordance with this section. The
 3293 department shall compile the results, by district, and include
 3294 the results in the report required under sub-sub-subparagraph
 3295 (5) (b) 1.k. (III) .

3296 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

3297 (a) The Department of Education shall provide information
 3298 to the public, directly and through sponsors, on how to form and
 3299 operate a charter school and how to enroll in a charter school
 3300 once it is created. This information shall include the standard

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3301 ~~a model~~ application form, standard charter contract, standard
3302 evaluation instrument, and standard charter renewal contract,
3303 which shall include the information specified in subsection (7)
3304 and shall be developed by consulting and negotiating with both
3305 school districts and charter schools before implementation. The
3306 charter and charter renewal contracts shall be used by charter
3307 school sponsors.

3308 (b)1. The Department of Education shall report to each
3309 charter school receiving a school grade pursuant to s. 1008.34
3310 or a school improvement rating pursuant to s. 1008.341 the
3311 school's student assessment data.

3312 2. The charter school shall report the information in
3313 subparagraph 1. to each parent of a student at the charter
3314 school, the parent of a child on a waiting list for the charter
3315 school, the district in which the charter school is located, and
3316 the governing board of the charter school. This paragraph does
3317 not abrogate the provisions of s. 1002.22, relating to student
3318 records, or the requirements of 20 U.S.C. s. 1232g, the Family
3319 Educational Rights and Privacy Act.

3320 ~~3.a. Pursuant to this paragraph, the Department of~~
3321 ~~Education shall compare the charter school student performance~~
3322 ~~data for each charter school in subparagraph 1. with the student~~
3323 ~~performance data in traditional public schools in the district~~
3324 ~~in which the charter school is located and other charter schools~~
3325 ~~in the state. For alternative charter schools, the department~~

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3326 ~~shall compare the student performance data described in this~~
 3327 ~~paragraph with all alternative schools in the state. The~~
 3328 ~~comparative data shall be provided by the following grade~~
 3329 ~~groupings:~~

- 3330 ~~(I) Grades 3 through 5;~~
- 3331 ~~(II) Grades 6 through 8; and~~
- 3332 ~~(III) Grades 9 through 11.~~

3333 ~~b. Each charter school shall provide the information~~
 3334 ~~specified in this paragraph on its Internet website and also~~
 3335 ~~provide notice to the public at large in a manner provided by~~
 3336 ~~the rules of the State Board of Education. The State Board of~~
 3337 ~~Education shall adopt rules to administer the notice~~
 3338 ~~requirements of this subparagraph pursuant to ss. 120.536(1) and~~
 3339 ~~120.54. The website shall include, through links or actual~~
 3340 ~~content, other information related to school performance.~~

3341 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
 3342 SCHOOL SYSTEMS.—

3343 (a) A charter school system's governing board shall be
 3344 designated a local educational agency for the purpose of
 3345 receiving federal funds, the same as though the charter school
 3346 system were a school district, if the governing board of the
 3347 charter school system has adopted and filed a resolution with
 3348 its sponsoring district school board and the Department of
 3349 Education in which the governing board of the charter school
 3350 system accepts the full responsibility for all local education

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3351 agency requirements and the charter school system meets all of
 3352 the following:

3353 ~~(a) Includes both conversion charter schools and~~
 3354 ~~nonconversion charter schools;~~

3355 1.(b) Has all schools located in the same county;

3356 2.(e) Has a total enrollment exceeding the total
 3357 enrollment of at least one school district in the state; and

3358 3.(d) Has the same governing board. ~~;~~ and

3359 (b) A charter school system's governing board may be
 3360 designated a local educational agency for the purpose of
 3361 receiving federal funds for all schools within a school district
 3362 that are established pursuant to s. 1008.33 and are under the
 3363 jurisdiction of the governing board. The governing board must
 3364 adopt and file a resolution with its sponsoring district school
 3365 board and the Department of Education and accept full
 3366 responsibility for all local educational agency requirements.

3367 ~~(c) Does not contract with a for-profit service provider~~
 3368 ~~for management of school operations.~~

3369
 3370 Such designation does not apply to other provisions unless
 3371 specifically provided in law.

3372 (28) RULEMAKING.—The Department of Education, after
 3373 consultation with school districts and charter school directors,
 3374 shall recommend that the State Board of Education adopt rules to
 3375 implement specific subsections of this section. Such rules shall

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3376 require minimum paperwork and shall not limit charter school
 3377 flexibility authorized by statute. The State Board of Education
 3378 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
 3379 implement a standard charter model application form, standard
 3380 application form for the replication of charter schools in a
 3381 high-performing charter school system, standard evaluation
 3382 instrument, and standard charter and charter renewal contracts
 3383 in accordance with this section.

3384 Section 22. Paragraph (b) of subsection (2) of section
 3385 1002.3305, Florida Statutes, is amended to read:

3386 1002.3305 College-preparatory Boarding Academy Pilot
 3387 Program for at-risk students.—

3388 (2) DEFINITIONS.—As used in this section, the term:

3389 (b) "Eligible student" means a student who is a resident
 3390 of the state and entitled to attend school in a participating
 3391 school district, is at risk of academic failure, is currently
 3392 enrolled in grades 5 through 12, if it is determined by the
 3393 operator that a seat is available ~~grade 5 or 6~~, is from a family
 3394 whose gross income is at or below 200 percent of the federal
 3395 poverty guidelines, is eligible for benefits or services funded
 3396 by Temporary Assistance for Needy Families (TANF) or Title IV-E
 3397 of the Social Security Act, and meets at least one of the
 3398 following additional risk factors:

3399 1. The child is in foster care or has been declared an
 3400 adjudicated dependent by a court.

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3401 2. The student's head of household is not the student's
3402 custodial parent.

3403 3. The student resides in a household that receives a
3404 housing voucher or has been determined eligible for public
3405 housing assistance.

3406 4. A member of the student's immediate family has been
3407 incarcerated.

3408 5. The child is covered under the terms of the state's
3409 Child Welfare Waiver Demonstration project with the United
3410 States Department of Health and Human Services.

3411 Section 23. Subsection (3) of section 1002.331, Florida
3412 Statutes, is amended to read:

3413 1002.331 High-performing charter schools.-

3414 (3) (a) 1. A high-performing charter school may submit an
3415 application pursuant to s. 1002.33(6) in any school district in
3416 the state to establish and operate a new charter school that
3417 will substantially replicate its educational program. An
3418 application submitted by a high-performing charter school must
3419 state that the application is being submitted pursuant to this
3420 paragraph and must include the verification letter provided by
3421 the Commissioner of Education pursuant to subsection (4).

3422 2. If the sponsor fails to act on the application within
3423 90 ~~60~~ days after receipt, the application is deemed approved and
3424 the procedure in s. 1002.33(7) ~~1002.33(6)(h)~~ applies. ~~If the~~
3425 ~~sponsor denies the application, the high-performing charter~~

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3426 ~~school may appeal pursuant to s. 1002.33(6).~~

3427 (b) A high-performing charter school may not establish
3428 more than one charter school within the state under paragraph
3429 (a) in any year. A subsequent application to establish a charter
3430 school under paragraph (a) may not be submitted unless each
3431 charter school established in this manner achieves high-
3432 performing charter school status. However, a high-performing
3433 charter school may establish more than one charter school within
3434 the state under paragraph (a) in any year if it operates in the
3435 area of a persistently low-performing school and serves students
3436 from that school.

3437 Section 24. Paragraph (b) of subsection (1) and paragraph
3438 (b) of subsection (2) of section 1002.332, Florida Statutes are
3439 amended, and paragraph (c) is added to subsection (2), to read:

3440 1002.332 High-performing charter school system.—

3441 (1) For purposes of this section, the term:

3442 (b) "High-performing charter school system" means an
3443 entity that:

3444 1. Operated at least three high-performing charter schools
3445 in the state during each of the previous 3 school years;

3446 2. Operated a system of charter schools in which at least
3447 50 percent of the charter schools were high-performing charter
3448 schools pursuant to s. 1002.331 and no charter school earned a
3449 school grade of "D" or "F" pursuant to s. 1008.34 in any of the
3450 previous 3 school years regardless of whether the entity

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3451 | currently operates the charter school, except that:

3452 | a. If the entity assumed operation of a public school
 3453 | pursuant to s. 1008.33(4)(b)2. ~~1008.33(4)(b)3.~~ with a school
 3454 | grade of "F," that school's grade may not be considered in
 3455 | determining high-performing charter school system status for a
 3456 | period of 3 years.

3457 | b. If the entity established a new charter school that
 3458 | served a student population the majority of which resided in a
 3459 | school zone served by a public school that earned a grade of "F"
 3460 | or three consecutive grades of "D" pursuant to s. 1008.34, that
 3461 | charter school's grade may not be considered in determining
 3462 | high-performing charter school system status if it attained and
 3463 | maintained a school grade that was higher than that of the
 3464 | public school serving that school zone within 3 years after
 3465 | establishment; and

3466 | 3. Did not receive a financial audit that revealed one or
 3467 | more of the financial emergency conditions set forth in s.
 3468 | 218.503(1) for any charter school assumed or established by the
 3469 | entity in the most recent 3 fiscal years for which such audits
 3470 | are available.

3471 | (2)

3472 | (b) A high-performing charter school system may replicate
 3473 | its high-performing charter schools in any school district in
 3474 | the state. The applicant must submit an application using the
 3475 | standard application form prepared by the Department of

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3476 Education which:

3477 1. Contains goals and objectives for improving student
 3478 learning and a process for measuring student improvement. These
 3479 goals and objectives must indicate how much academic improvement
 3480 students are expected to demonstrate each year, how success will
 3481 be evaluated, and the specific results to be attained through
 3482 instruction.

3483 2. Contains an annual financial plan for each year
 3484 requested by the charter for operation of the school for up to 5
 3485 years. This plan must contain anticipated fund balances based on
 3486 revenue projections, a spending plan based on projected revenue
 3487 and expenses, and a description of controls that will safeguard
 3488 finances and projected enrollment trends.

3489 3. Discloses the name of each applicant, governing board
 3490 member, and all proposed education services providers; the name
 3491 and sponsor of any charter school operated by each applicant,
 3492 each governing board member, and each proposed education
 3493 services provider that has closed and the reasons for the
 3494 closure; and the academic and financial history of such charter
 3495 schools, which the sponsor shall consider when deciding whether
 3496 to approve or deny the application.

3497 (c) An application submitted by a high-performing charter
 3498 school system must state that the application is being submitted
 3499 pursuant to this section and must include the verification
 3500 letter provided by the Commissioner of Education pursuant to

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3501 this subsection. If the sponsor fails to act on the application
 3502 within 90 days after receipt, the application is deemed approved
 3503 and the procedure in s. 1002.33(7) applies pursuant to s.
 3504 1002.331(3).

3505 Section 25. Subsections (1) and (2) of section 1003.498,
 3506 Florida Statutes, are amended to read:

3507 1003.498 School district virtual course offerings.—

3508 (1) School districts may deliver courses in the
 3509 traditional school setting by personnel certified pursuant to s.
 3510 1012.55 who provide direct instruction through virtual
 3511 instruction or through blended learning courses consisting of
 3512 both traditional classroom and online instructional techniques.
 3513 Students in a blended learning course must be full-time students
 3514 of the school pursuant to s. 1011.61(1)(a)1. ~~and receive the~~
 3515 ~~online instruction in a classroom setting at the school.~~ The
 3516 funding, performance, and accountability requirements for
 3517 blended learning courses are the same as those for traditional
 3518 courses. To facilitate the delivery and coding of blended
 3519 learning courses, the department shall provide identifiers for
 3520 existing courses to designate that they are being used for
 3521 blended learning courses for the purpose of ensuring the
 3522 efficient reporting of such courses. A district may report full-
 3523 time equivalent student membership for credit earned by a
 3524 student who is enrolled in a virtual education course provided
 3525 by the district which is completed after the end of the regular

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3526 school year if the FTE is reported no later than the deadline
 3527 for amending the final student membership report for that year.

3528 (2) School districts may offer virtual courses for
 3529 students enrolled in the school district. These courses must be
 3530 identified in the course code directory. Students ~~who meet the~~
 3531 ~~eligibility requirements of s. 1002.455~~ may participate in these
 3532 virtual course offerings pursuant to s. 1002.455.

3533 (a) Any ~~eligible~~ student who is enrolled in a school
 3534 district may register and enroll in an online course offered by
 3535 his or her school district.

3536 (b)1. Any ~~eligible~~ student who is enrolled in a school
 3537 district may register and enroll in an online course offered by
 3538 any other school district in the state. The school district in
 3539 which the student completes the course shall report the
 3540 student's completion of that course for funding pursuant to s.
 3541 1011.61(1)(c)1.b.(VI), and the home school district shall not
 3542 report the student for funding for that course.

3543 2. The full-time equivalent student membership calculated
 3544 under this subsection is subject to the requirements in s.
 3545 1011.61(4). The Department of Education shall establish
 3546 procedures to enable interdistrict coordination for the delivery
 3547 and funding of this online option.

3548 Section 26. Subsection (5), paragraph (j) of subsection
 3549 (6), and paragraph (a) of subsection (8) of section 1007.35,
 3550 Florida Statutes, are amended to read:

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3551 1007.35 Florida Partnership for Minority and
 3552 Underrepresented Student Achievement.—

3553 (5) Each public high school, including, but not limited
 3554 to, schools and alternative sites and centers of the Department
 3555 of Juvenile Justice, shall provide for the administration of the
 3556 Preliminary SAT/National Merit Scholarship Qualifying Test
 3557 (PSAT/NMSQT), or the preliminary ACT ~~Aspire~~ to all enrolled 10th
 3558 grade students. However, a written notice shall be provided to
 3559 each parent which must ~~that shall~~ include the opportunity to
 3560 exempt his or her child from taking the PSAT/NMSQT or the
 3561 preliminary ACT ~~Aspire~~.

3562 (a) Test results will provide each high school with a
 3563 database of student assessment data which certified school
 3564 counselors will use to identify students who are prepared or who
 3565 need additional work to be prepared to enroll and be successful
 3566 in AP courses or other advanced high school courses.

3567 (b) Funding for the PSAT/NMSQT or the preliminary ACT
 3568 ~~Aspire~~ for all 10th grade students shall be contingent upon
 3569 annual funding in the General Appropriations Act.

3570 (c) Public school districts must choose either the
 3571 PSAT/NMSQT or the preliminary ACT ~~Aspire~~ for districtwide
 3572 administration.

3573 (6) The partnership shall:

3574 (j) Provide information to students, parents, teachers,
 3575 counselors, administrators, districts, Florida College System

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3576 institutions, and state universities regarding PSAT/NMSQT or the
 3577 preliminary ACT ~~Aspire~~ administration, including, but not
 3578 limited to:

- 3579 1. Test administration dates and times.
- 3580 2. That participation in the PSAT/NMSQT or the preliminary
 3581 ACT ~~Aspire~~ is open to all 10th grade students.
- 3582 3. The value of such tests in providing diagnostic
 3583 feedback on student skills.
- 3584 4. The value of student scores in predicting the
 3585 probability of success on AP or other advanced course
 3586 examinations.

3587 (8) (a) By September 30 of each year, the partnership shall
 3588 submit to the department a report that contains an evaluation of
 3589 the effectiveness of the delivered services and activities.
 3590 Activities and services must be evaluated on their effectiveness
 3591 at raising student achievement and increasing the number of AP
 3592 or other advanced course examinations in low-performing middle
 3593 and high schools. Other indicators that must be addressed in the
 3594 evaluation report include the number of middle and high school
 3595 teachers trained; the effectiveness of the training; measures of
 3596 postsecondary readiness of the students affected by the program;
 3597 levels of participation in 10th grade PSAT/NMSQT or the
 3598 preliminary ACT ~~Aspire~~ testing; and measures of student, parent,
 3599 and teacher awareness of and satisfaction with the services of
 3600 the partnership.

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3601 Section 27. Paragraph (d) of subsection (3) of section
 3602 1008.34, Florida Statutes, is amended to read:

3603 1008.34 School grading system; school report cards;
 3604 district grade.—

3605 (3) DESIGNATION OF SCHOOL GRADES.—

3606 (d) The data performance of students attending alternative
 3607 schools, ~~and~~ students designated as hospital or homebound, and
 3608 students who transfer to a private school shall be factored into
 3609 a school grade as follows:

3610 1. The student performance data for eligible students
 3611 attending alternative schools that provide dropout prevention
 3612 and academic intervention services pursuant to s. 1003.53 shall
 3613 be included in the calculation of the home school's grade. The
 3614 term "eligible students" in this subparagraph does not include
 3615 students attending an alternative school who are subject to
 3616 district school board policies for expulsion for repeated or
 3617 serious offenses, who are in dropout retrieval programs serving
 3618 students who have officially been designated as dropouts, or who
 3619 are in programs operated or contracted by the Department of
 3620 Juvenile Justice. As used in this subparagraph, the term "home
 3621 school" means the school to which the student would be assigned
 3622 if the student were not assigned to an alternative school. If an
 3623 alternative school chooses to be graded under this section,
 3624 student performance data for eligible students identified in
 3625 this subparagraph shall not be included in the home school's

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3626 grade but shall be included only in the calculation of the
3627 alternative school's grade. A school district that fails to
3628 assign statewide, standardized end-of-course assessment scores
3629 of each of its students to his or her home school or to the
3630 alternative school that receives a grade shall forfeit Florida
3631 School Recognition Program funds for one fiscal year. School
3632 districts must require collaboration between the home school and
3633 the alternative school in order to promote student success. This
3634 collaboration must include an annual discussion between the
3635 principal of the alternative school and the principal of each
3636 student's home school concerning the most appropriate school
3637 assignment of the student.

3638 2. Student performance data for students designated as
3639 hospital or homebound shall be assigned to their home school for
3640 the purposes of school grades. As used in this subparagraph, the
3641 term "home school" means the school to which a student would be
3642 assigned if the student were not assigned to a hospital or
3643 homebound program.

3644 3. A high school must include a student in its graduation
3645 rate if the student transfers from the high school to a private
3646 school with which the school district has a contractual
3647 relationship.

3648 Section 28. Subsection (3) of section 1008.341, Florida
3649 Statutes, is amended to read:

3650 1008.341 School improvement rating for alternative

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3651 schools.—

3652 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student
 3653 Learning Gains based on statewide, standardized assessments,
 3654 including retakes, administered under s. 1008.22 for all
 3655 eligible students who were assigned to and enrolled in the
 3656 school during the October or February FTE count and who have
 3657 assessment scores, concordant scores, or comparable scores for
 3658 the preceding school year shall be used in determining an
 3659 alternative school's school improvement rating. An alternative
 3660 school's rating shall be based on the following components:

3661 (a) The percentage of eligible students who make Learning
 3662 Gains in English Language Arts as measured by statewide,
 3663 standardized assessments under s. 1008.22(3).

3664 (b) The percentage of eligible students who make Learning
 3665 Gains in mathematics as measured by statewide, standardized
 3666 assessments under s. 1008.22(3).

3667
 3668 Student performance results of students who are subject to
 3669 district school board policies for expulsion for repeated or
 3670 serious offenses, who are in dropout retrieval programs serving
 3671 students who have officially been designated as dropouts, or who
 3672 are in programs operated or contracted by the Department of
 3673 Juvenile Justice may not be included in an alternative school's
 3674 school improvement rating.

3675 Section 29. Subsection (2) of section 1011.71, Florida

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3676 Statutes, is amended to read:

3677 1011.71 District school tax.—

3678 (2) In addition to the maximum millage levy as provided in
 3679 subsection (1), each school board may levy not more than 1.5
 3680 mills against the taxable value for school purposes for ~~district~~
 3681 ~~schools, including~~ charter schools pursuant to s. 1013.62(3) and
 3682 for district schools at the discretion of the school board, to
 3683 fund:

3684 (a) New construction and remodeling projects, as set forth
 3685 in s. 1013.64(3)(d) and (6)(b) ~~s. 1013.64(3)(b) and (6)(b)~~ and
 3686 included in the district's educational plant survey pursuant to
 3687 s. 1013.31, without regard to prioritization, sites and site
 3688 improvement or expansion to new sites, existing sites, auxiliary
 3689 facilities, athletic facilities, or ancillary facilities.

3690 (b) Maintenance, renovation, and repair of existing school
 3691 plants or of leased facilities to correct deficiencies pursuant
 3692 to s. 1013.15(2).

3693 (c) The purchase, lease-purchase, or lease of school
 3694 buses.

3695 (d) The purchase, lease-purchase, or lease of new and
 3696 replacement equipment; computer and device hardware and
 3697 operating system software, ~~including electronic hardware and~~
 3698 ~~other hardware devices~~ necessary for gaining access to or
 3699 enhancing the use of electronic and digital instructional
 3700 content and resources ~~or to facilitate the access to and the use~~

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3701 ~~of a school district's digital classrooms plan pursuant to s.~~
 3702 ~~1011.62, excluding software other than the operating system~~
 3703 ~~necessary to operate the hardware or device;~~ and enterprise
 3704 resource software applications that are classified as capital
 3705 assets in accordance with definitions of the Governmental
 3706 Accounting Standards Board, have a useful life of at least 5
 3707 years, and are used to support districtwide administration or
 3708 state-mandated reporting requirements. Enterprise resource
 3709 software may be acquired by annual license fees, maintenance
 3710 fees, or lease agreements.

3711 (e) Payments for educational facilities and sites due
 3712 under a lease-purchase agreement entered into by a district
 3713 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
 3714 exceeding, in the aggregate, an amount equal to three-fourths of
 3715 the proceeds from the millage levied by a district school board
 3716 pursuant to this subsection. The three-fourths limit is waived
 3717 for lease-purchase agreements entered into before June 30, 2009,
 3718 by a district school board pursuant to this paragraph.

3719 (f) Payment of loans approved pursuant to ss. 1011.14 and
 3720 1011.15.

3721 (g) Payment of costs directly related to complying with
 3722 state and federal environmental statutes, rules, and regulations
 3723 governing school facilities.

3724 (h) Payment of costs of leasing relocatable educational
 3725 facilities, of renting or leasing educational facilities and

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3726 sites pursuant to s. 1013.15(2), or of renting or leasing
 3727 buildings or space within existing buildings pursuant to s.
 3728 1013.15(4).

3729 (i) Payment of the cost of school buses when a school
 3730 district contracts with a private entity to provide student
 3731 transportation services if the district meets the requirements
 3732 of this paragraph.

3733 1. The district's contract must require that the private
 3734 entity purchase, lease-purchase, or lease, and operate and
 3735 maintain, one or more school buses of a specific type and size
 3736 that meet the requirements of s. 1006.25.

3737 2. Each such school bus must be used for the daily
 3738 transportation of public school students in the manner required
 3739 by the school district.

3740 3. Annual payment for each such school bus may not exceed
 3741 10 percent of the purchase price of the state pool bid.

3742 4. The proposed expenditure of the funds for this purpose
 3743 must have been included in the district school board's notice of
 3744 proposed tax for school capital outlay as provided in s.
 3745 200.065(10).

3746 (j) Payment of the cost of the opening day collection for
 3747 the library media center of a new school.

3748 (k) Payout of sick leave and annual leave accrued as of
 3749 June 30, 2017, by individuals who are no longer employed by a
 3750 school district that transfers to a charter school operator all

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3751 day-to-day classroom instruction responsibility for all full-
 3752 time equivalent students funded under s. 1011.62. This paragraph
 3753 expires July 1, 2018.

3754 Section 30. Subsection (2) of section 1013.54, Florida
 3755 Statutes, is amended to read:

3756 1013.54 Cooperative development and use of satellite
 3757 facilities by private industry and district school boards.—

3758 (2) The commissioner shall appoint a review committee to
 3759 make recommendations and prioritize requests. If the project is
 3760 approved by the commissioner, the commissioner shall include up
 3761 to one-fourth of the cost of the project in the legislative
 3762 capital outlay budget request, as provided in s. 1013.60, for
 3763 the funding of capital outlay projects involving both
 3764 educational and private industry. The commissioner shall
 3765 prioritize any such projects for each fiscal year and,
 3766 notwithstanding the provisions of s. 1013.64(3)(e) ~~s.~~
 3767 ~~1013.64(3)(e)~~, limit the recommended state funding amount not to
 3768 exceed 5 percent off the top of the total funds recommended
 3769 pursuant to s. 1013.64(2) and (3).

3770 Section 31. Section 1013.62, Florida Statutes, is amended
 3771 to read:

3772 1013.62 Charter schools capital outlay funding.—

3773 (1) Charter school capital outlay funding shall consist of
 3774 revenue resulting from the discretionary millage authorized in
 3775 s. 1011.71(2) and state funds when such funds are appropriated

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3776 | in the General Appropriations Act.

3777 | ~~(1) In each year in which funds are appropriated for~~
 3778 | ~~charter school capital outlay purposes, the Commissioner of~~
 3779 | ~~Education shall allocate the funds among eligible charter~~
 3780 | ~~schools as specified in this section.~~

3781 | (a) To be eligible to receive capital outlay funds ~~for a~~
 3782 | ~~funding allocation~~, a charter school must:

3783 | 1.a. Have been in operation for 2 or more years;

3784 | b. Be governed by a governing board established in the
 3785 | state for 2 ~~3~~ or more years which operates both charter schools
 3786 | and conversion charter schools within the state;

3787 | c. Be an expanded feeder chain of a charter school within
 3788 | the same school district that is currently receiving charter
 3789 | school capital outlay funds;

3790 | d. Have been accredited by a regional accrediting
 3791 | association as defined by State Board of Education rule ~~the~~
 3792 | ~~Commission on Schools of the Southern Association of Colleges~~
 3793 | ~~and Schools; or~~

3794 | e. Serve students in facilities that are provided by a
 3795 | business partner for a charter school-in-the-workplace pursuant
 3796 | to s. 1002.33(15) (b) .

3797 | 2. Have an annual audit that does not reveal any of the
 3798 | financial emergency conditions provided in s. 218.503(1) for the
 3799 | most recent fiscal year for which such audit results are
 3800 | available.

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3801 3. Have satisfactory student achievement based on state
3802 accountability standards applicable to the charter school.

3803 4. Have received final approval from its sponsor pursuant
3804 to s. 1002.33 for operation during that fiscal year.

3805 5. Serve students in facilities that are not provided by
3806 the charter school's sponsor.

3807 (b) A charter school is not eligible to receive capital
3808 outlay funds ~~for a funding allocation~~ if it was created by the
3809 conversion of a public school and operates in facilities
3810 provided by the charter school's sponsor for a nominal fee, or
3811 at no charge, or if it is directly or indirectly operated by the
3812 school district.

3813 ~~(2)(e)~~ The department shall use the following calculation
3814 methodology to allocate state funds appropriated in the General
3815 Appropriations Act to eligible charter schools ~~The funding~~
3816 ~~allocation for eligible charter schools shall be calculated as~~
3817 ~~follows:~~

3818 ~~(a)1.~~ Eligible charter schools shall be grouped into
3819 categories based on their student populations according to the
3820 following criteria:

3821 ~~1.a.~~ Seventy-five percent or greater who are eligible for
3822 free or reduced-price school meals under the National School
3823 Lunch Program or, for schools operating programs under the
3824 Community Eligibility Provision of the Healthy, Hunger-Free Kids
3825 Act of 2010, an equivalent percentage of the student population

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3826 eligible for free and reduced-price meals as determined by
3827 applying the multiplier authorized under the National School
3828 Lunch Act, 42 U.S.C. s. 1759a(a)(1)(F)(vii), to the number of
3829 students reported for direct certification ~~lunch.~~

3830 2.b. Twenty-five percent or greater with disabilities as
3831 defined in state board rule and consistent with the requirements
3832 of the Individuals with Disabilities Education Act.

3833 (b)2. If an eligible charter school does not meet the
3834 criteria for either category under paragraph (a) subparagraph
3835 1., its FTE shall be provided as the base amount of funding and
3836 shall be assigned a weight of 1.0. An eligible charter school
3837 that meets the criteria under subparagraph (a)1. or subparagraph
3838 (a)2. sub-subparagraph 1.a. or sub-subparagraph 1.b. shall be
3839 provided an additional 25 percent above the base funding amount,
3840 and the total FTE shall be multiplied by a weight of 1.25. An
3841 eligible charter school that meets the criteria under both
3842 subparagraphs (a)1. and (a)2. sub-subparagraphs 1.a. and b.
3843 shall be provided an additional 50 percent above the base
3844 funding amount, and the FTE for that school shall be multiplied
3845 by a weight of 1.5.

3846 (c)3. The state appropriation for charter school capital
3847 outlay shall be divided by the total weighted FTE for all
3848 eligible charter schools to determine the base charter school
3849 per weighted FTE allocation amount. The per weighted FTE
3850 allocation amount shall be multiplied by the weighted FTE to

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3851 determine each charter school's capital outlay allocation.

3852 ~~(d)(2)(a)~~ The department shall calculate the eligible
 3853 charter school funding allocations. Funds shall be allocated
 3854 using full-time equivalent membership from the second and third
 3855 enrollment surveys and free and reduced-price school lunch data.
 3856 The department shall recalculate the allocations periodically
 3857 based on the receipt of revised information, on a schedule
 3858 established by the Commissioner of Education.

3859 ~~(e)(b)~~ The department shall distribute capital outlay
 3860 funds monthly, beginning in the first quarter of the fiscal
 3861 year, based on one-twelfth of the amount the department
 3862 reasonably expects the charter school to receive during that
 3863 fiscal year. The commissioner shall adjust subsequent
 3864 distributions as necessary to reflect each charter school's
 3865 recalculated allocation.

3866 (3) If the school board levies the discretionary millage
 3867 authorized in s. 1011.71(2), the department shall use the
 3868 following calculation methodology to determine the amount of
 3869 revenue that a school district must distribute to each eligible
 3870 charter school:

3871 (a) Reduce the total discretionary millage revenue by the
 3872 school district's annual debt service obligation incurred as of
 3873 March 1, 2017, and any amount of participation requirement
 3874 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
 3875 revenues raised by the discretionary millage.

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3876 (b) Divide the school district's adjusted discretionary
 3877 millage revenue by the district's total capital outlay full-time
 3878 equivalent membership and the total number of unweighted full-
 3879 time equivalent students of each eligible charter school to
 3880 determine a capital outlay allocation per full-time equivalent
 3881 student.

3882 (c) Multiply the capital outlay allocation per full-time
 3883 equivalent student by the total number of full-time equivalent
 3884 students of each eligible charter school to determine the
 3885 capital outlay allocation for each charter school.

3886 (d) If applicable, reduce the capital outlay allocation
 3887 identified in paragraph (c) by the total amount of state funds
 3888 allocated to each eligible charter school in subsection (2) to
 3889 determine the maximum calculated capital outlay allocation.

3890 (e) School districts shall distribute capital outlay funds
 3891 to charter schools no later than February 1 of each year,
 3892 beginning on February 1, 2018, for the 2017-2018 fiscal year.

3893 (4)(3) A charter school's governing body may use charter
 3894 school capital outlay funds for the following purposes:

3895 (a) Purchase of real property.

3896 (b) Construction of school facilities.

3897 (c) Purchase, lease-purchase, or lease of permanent or
 3898 relocatable school facilities.

3899 (d) Purchase of vehicles to transport students to and from
 3900 the charter school.

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3901 (e) Renovation, repair, and maintenance of school
 3902 facilities that the charter school owns or is purchasing through
 3903 a lease-purchase or long-term lease of 5 years or longer.

3904 ~~(f) Effective July 1, 2008, purchase, lease-purchase, or~~
 3905 ~~lease of new and replacement equipment, and enterprise resource~~
 3906 ~~software applications that are classified as capital assets in~~
 3907 ~~accordance with definitions of the Governmental Accounting~~
 3908 ~~Standards Board, have a useful life of at least 5 years, and are~~
 3909 ~~used to support schoolwide administration or state-mandated~~
 3910 ~~reporting requirements.~~

3911 (f)(g) Payment of the cost of premiums for property and
 3912 casualty insurance necessary to insure the school facilities.

3913 (g)(h) Purchase, lease-purchase, or lease of driver's
 3914 education vehicles; motor vehicles used for the maintenance or
 3915 operation of plants and equipment; security vehicles; or
 3916 vehicles used in storing or distributing materials and
 3917 equipment.

3918 (h) Purchase, lease-purchase, or lease of computer and
 3919 device hardware and operating system software necessary for
 3920 gaining access to or enhancing the use of electronic and digital
 3921 instructional content and resources; and enterprise resource
 3922 software applications that are classified as capital assets in
 3923 accordance with definitions of the Governmental Accounting
 3924 Standards Board, have a useful life of at least 5 years, and are
 3925 used to support schoolwide administration or state-mandated

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3926 | reporting requirements. Enterprise resource software may be
 3927 | acquired by annual license fees, maintenance fees, or lease
 3928 | agreement.

3929 | (i) Payment of the cost of the opening day collection for
 3930 | the library media center of a new school.

3931 |
 3932 | Conversion charter schools may use capital outlay funds received
 3933 | through the reduction in the administrative fee provided in s.
 3934 | 1002.33(20) for renovation, repair, and maintenance of school
 3935 | facilities that are owned by the sponsor.

3936 | (5)~~(4)~~ If a charter school is nonrenewed or terminated,
 3937 | any unencumbered funds and all equipment and property purchased
 3938 | with district public funds shall revert to the ownership of the
 3939 | district school board, as provided for in s. 1002.33(8)(e) and
 3940 | (f). In the case of a charter lab school, any unencumbered funds
 3941 | and all equipment and property purchased with university public
 3942 | funds shall revert to the ownership of the state university that
 3943 | issued the charter. The reversion of such equipment, property,
 3944 | and furnishings shall focus on recoverable assets, but not on
 3945 | intangible or irrecoverable costs such as rental or leasing
 3946 | fees, normal maintenance, and limited renovations. The reversion
 3947 | of all property secured with public funds is subject to the
 3948 | complete satisfaction of all lawful liens or encumbrances. If
 3949 | there are additional local issues such as the shared use of
 3950 | facilities or partial ownership of facilities or property, these

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3951 issues shall be agreed to in the charter contract prior to the
 3952 expenditure of funds.

3953 (6)~~(5)~~ The Commissioner of Education shall specify
 3954 procedures for submitting and approving requests for funding
 3955 under this section and procedures for documenting expenditures.

3956 (7)~~(6)~~ The annual legislative budget request of the
 3957 Department of Education shall include a request for capital
 3958 outlay funding for charter schools. The request shall be based
 3959 on the projected number of students to be served in charter
 3960 schools who meet the eligibility requirements of this section.

3961 Section 32. Effective upon this act becoming a law,
 3962 paragraphs (a), (b), and (c) of subsection (3) and paragraphs
 3963 (b) and (c) of subsection (6) of section 1013.64, Florida
 3964 Statutes, are amended to read:

3965 1013.64 Funds for comprehensive educational plant needs;
 3966 construction cost maximums for school district capital
 3967 projects.—Allocations from the Public Education Capital Outlay
 3968 and Debt Service Trust Fund to the various boards for capital
 3969 outlay projects shall be determined as follows:

3970 (3) (a) Each district school board shall receive an amount
 3971 from the Public Education Capital Outlay and Debt Service Trust
 3972 Fund to be calculated by computing the capital outlay membership
 3973 as determined by the department. Such membership must include,
 3974 but is not limited to, prekindergarten through grade 12÷

3975 1. K-12 students whose instruction is funded by the

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3976 Florida Education Finance Program and ~~prekindergarten~~
 3977 ~~exceptional students~~ for whom the school district provides the
 3978 educational facility, ~~except hospital- and homebound part-time~~
 3979 ~~students; and~~

3980 ~~2. Students who are career education students, and adult~~
 3981 ~~disabled students and who are enrolled in school district career~~
 3982 ~~centers.~~

3983 (b) The capital outlay full-time equivalent membership
 3984 shall be determined ~~for prekindergarten exceptional education~~
 3985 ~~students, kindergarten through the 12th grade, and for career~~
 3986 ~~centers~~ by counting the reported unweighted full-time equivalent
 3987 student membership for the second and third surveys with each
 3988 survey limited to 0.5 full-time equivalent student membership
 3989 per student and comparing the results on a school-by-school
 3990 basis with the Florida Inventory of School Houses. ~~If the prior~~
 3991 ~~academic year's third survey count is higher than the current~~
 3992 ~~year's second survey count when comparing the results on a~~
 3993 ~~school-by-school basis with the Florida Inventory of School~~
 3994 ~~Houses, the prior year's third survey count shall be used on a~~
 3995 ~~school-by-school basis for determining the current capital~~
 3996 ~~outlay membership. The Florida Inventory of School Houses shall~~
 3997 ~~be updated with the current capital outlay membership count as~~
 3998 ~~soon as practicable after verification of the capital outlay~~
 3999 ~~membership.~~

4000 (c) The capital outlay full-time equivalent membership by

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4001 grade level organization shall be used in making calculations.
4002 The capital outlay membership by grade level organization for
4003 the 4th prior year must be used to compute the base-year
4004 allocation. The capital outlay full-time equivalent membership
4005 by grade-level organization for the prior year must be used to
4006 compute the growth over the highest of the 3 years preceding the
4007 prior year. From the total amount appropriated by the
4008 Legislature pursuant to this subsection, 40 percent shall be
4009 allocated among the base capital outlay full-time equivalent
4010 membership and 60 percent among the growth capital outlay full-
4011 time equivalent membership. The allocation within each of these
4012 groups shall be prorated to the districts based upon each
4013 district's percentage of base and growth capital outlay full-
4014 time equivalent membership. The most recent 4-year capital
4015 outlay full-time equivalent membership data shall be used in
4016 each subsequent year's calculation for the allocation of funds
4017 pursuant to this subsection. If a change, correction, or
4018 recomputation of data during any year results in a reduction or
4019 increase of the calculated amount previously allocated to a
4020 district, the allocation to that district shall be adjusted
4021 accordingly. If such recomputation results in an increase or
4022 decrease of the calculated amount, such additional or reduced
4023 amounts shall be added to or reduced from the district's future
4024 appropriations. However, no change, correction, or recomputation
4025 of data shall be made subsequent to 2 years following the

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4026 | initial annual allocation.
 4027 | (6)
 4028 | (b)1. A district school board may not use funds from the
 4029 | following sources: Public Education Capital Outlay and Debt
 4030 | Service Trust Fund; School District and Community College
 4031 | District Capital Outlay and Debt Service Trust Fund; Classrooms
 4032 | First Program funds provided in s. 1013.68; nonvoted 1.5-mill
 4033 | levy of ad valorem property taxes provided in s. 1011.71(2);
 4034 | Classrooms for Kids Program funds provided in s. 1013.735;
 4035 | District Effort Recognition Program funds provided in s.
 4036 | 1013.736; or High Growth District Capital Outlay Assistance
 4037 | Grant Program funds provided in s. 1013.738 for any new
 4038 | construction of educational plant space with a total cost per
 4039 | student station, including change orders, that equals more than:
 4040 | a. \$17,952 for an elementary school,
 4041 | b. \$19,386 for a middle school, or
 4042 | c. \$25,181 for a high school,
 4043 |
 4044 | (January 2006) as adjusted annually to reflect increases or
 4045 | decreases in the Consumer Price Index.
 4046 | 2. School districts shall maintain accurate documentation
 4047 | related to the costs of all new construction of educational
 4048 | plant space reported to the Department of Education pursuant to
 4049 | paragraph (d). The Auditor General shall review the
 4050 | documentation maintained by the school districts and verify

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4051 compliance with the limits under this paragraph during its
 4052 scheduled operational audits of the school district. The
 4053 department shall make the final determination on district
 4054 compliance based on the recommendation of the Auditor General.

4055 3. The Office of Economic and Demographic Research, in
 4056 consultation with the department, shall conduct a study of the
 4057 cost per student station amounts using the most recent available
 4058 information on construction costs. In this study, the costs per
 4059 student station should represent the costs of classroom
 4060 construction and administrative offices as well as the
 4061 supplemental costs of core facilities, including required media
 4062 centers, gymnasiums, music rooms, cafeterias and their
 4063 associated kitchens and food service areas, vocational areas,
 4064 and other defined specialty areas, including exceptional student
 4065 education areas. The study must take into account appropriate
 4066 cost-effectiveness factors in school construction and should
 4067 include input from industry experts. The Office of Economic and
 4068 Demographic Research must provide the results of the study and
 4069 recommendations on the cost per student station to the Governor,
 4070 the President of the Senate, and the Speaker of the House of
 4071 Representatives no later than January 31, 2017.

4072 4. The Office of Program Policy Analysis and Government
 4073 Accountability (OPPAGA) shall conduct a study of the State
 4074 Requirements for Education Facilities (SREF) to identify current
 4075 requirements that can be eliminated or modified in order to

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4076 decrease the cost of construction of educational facilities
 4077 while ensuring student safety. OPPAGA must provide the results
 4078 of the study, and an overall recommendation as to whether SREF
 4079 should be retained, to the Governor, the President of the
 4080 Senate, and the Speaker of the House of Representatives no later
 4081 than January 31, 2017.

4082 5. Effective July 1, 2017, in addition to the funding
 4083 sources listed in subparagraph 1., a district school board may
 4084 not use funds from any sources for new construction of
 4085 educational plant space with a total cost per student station,
 4086 including change orders, which equals more than the current
 4087 adjusted amounts provided in sub-subparagraphs 1.a.-c. which
 4088 shall subsequently be adjusted annually to reflect increases or
 4089 decreases in the Consumer Price Index. However, if a contract
 4090 has been executed for architectural and design services or for
 4091 construction management services before July 1, 2017, a district
 4092 school board may use funds from any source for the new
 4093 construction of educational plant space and such funds are
 4094 exempt from the total cost per student station requirements.

4095 6. A district school board must not use funds from the
 4096 Public Education Capital Outlay and Debt Service Trust Fund or
 4097 the School District and Community College District Capital
 4098 Outlay and Debt Service Trust Fund for any new construction of
 4099 an ancillary plant that exceeds 70 percent of the average cost
 4100 per square foot of new construction for all schools.

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4101 (c) Except as otherwise provided, new construction for
 4102 which a contract has been executed for architectural and design
 4103 services or for construction management services ~~initiated~~ by a
 4104 district school board on or after July 1, 2017, may not exceed
 4105 the cost per student station as provided in paragraph (b). A
 4106 school district that exceeds the cost per student station
 4107 provided in paragraph (b), as determined by the Auditor General,
 4108 shall be subject to sanctions. If the Auditor General determines
 4109 that the cost per student station overage is de minimus or due
 4110 to extraordinary circumstances outside the control of the
 4111 district, the sanctions shall not apply. The sanctions are as
 4112 follows:

4113 1. The school district shall be ineligible for allocations
 4114 from the Public Education Capital Outlay and Debt Service Trust
 4115 Fund for the next 3 years in which the school district would
 4116 have received allocations had the violation not occurred.

4117 2. The school district shall be subject to the supervision
 4118 of a district capital outlay oversight committee. The oversight
 4119 committee is authorized to approve all capital outlay
 4120 expenditures of the school district, including new construction,
 4121 renovations, and remodeling, for 3 fiscal years following the
 4122 violation.

4123 a. Each oversight committee shall be composed of the
 4124 following:

4125 (I) One appointee of the Commissioner of Education who has

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4126 | significant financial management, school facilities
 4127 | construction, or related experience.

4128 | (II) One appointee of the office of the state attorney
 4129 | with jurisdiction over the district.

4130 | (III) One appointee of the Chief Financial Officer who is
 4131 | a licensed certified public accountant.

4132 | b. An appointee to the oversight committee may not be
 4133 | employed by the school district; be a relative, as defined in s.
 4134 | 1002.33(24)(a)2., of any school district employee; or be an
 4135 | elected official. Each appointee must sign an affidavit
 4136 | attesting to these conditions and affirming that no conflict of
 4137 | interest exists in his or her oversight role.

4138 | Section 33. Paragraphs (b) and (f) of subsection (3) and
 4139 | subsection (4) of section 1003.4282, Florida Statutes, are
 4140 | amended to read:

4141 | 1003.4282 Requirements for a standard high school
 4142 | diploma.—

4143 | (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 4144 | REQUIREMENTS.—

4145 | (b) *Four credits in mathematics.*—A student must earn one
 4146 | credit in Algebra I and one credit in Geometry. A student's
 4147 | performance on the statewide, standardized Algebra I end-of-
 4148 | course (EOC) assessment constitutes 30 percent of the student's
 4149 | final course grade. A student must pass the statewide,
 4150 | standardized Algebra I EOC assessment, or earn a comparative

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4151 score, in order to earn a standard high school diploma. A
 4152 student's performance on the statewide, standardized Geometry
 4153 EOC assessment constitutes 30 percent of the student's final
 4154 course grade. ~~If the state administers a statewide, standardized~~
 4155 ~~Algebra II assessment, a student selecting Algebra II must take~~
 4156 ~~the assessment, and the student's performance on the assessment~~
 4157 ~~constitutes 30 percent of the student's final course grade. A~~
 4158 student who earns an industry certification for which there is a
 4159 statewide college credit articulation agreement approved by the
 4160 State Board of Education may substitute the certification for
 4161 one mathematics credit. Substitution may occur for up to two
 4162 mathematics credits, except for Algebra I and Geometry.

4163 (f) *One credit in physical education.*—Physical education
 4164 must include the integration of health. Participation in an
 4165 interscholastic sport at the junior varsity or varsity level for
 4166 two full seasons shall satisfy the one-credit requirement in
 4167 physical education ~~if the student passes a competency test on~~
 4168 ~~personal fitness with a score of "C" or better. The competency~~
 4169 ~~test on personal fitness developed by the Department of~~
 4170 ~~Education must be used.~~ A district school board may not require
 4171 that the one credit in physical education be taken during the
 4172 9th grade year. Completion of one semester with a grade of "C"
 4173 or better in a marching band class, in a physical activity class
 4174 that requires participation in marching band activities as an
 4175 extracurricular activity, or in a dance class shall satisfy one-

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4176 half credit in physical education or one-half credit in
 4177 performing arts. This credit may not be used to satisfy the
 4178 personal fitness requirement or the requirement for adaptive
 4179 physical education under an individual education plan (IEP) or
 4180 504 plan. Completion of 2 years in a Reserve Officer Training
 4181 Corps (R.O.T.C.) class, a significant component of which is
 4182 drills, shall satisfy the one-credit requirement in physical
 4183 education and the one-credit requirement in performing arts.
 4184 This credit may not be used to satisfy the personal fitness
 4185 requirement or the requirement for adaptive physical education
 4186 under an IEP or 504 plan.

4187 (4) ONLINE COURSE REQUIREMENT.—At least one course within
 4188 the 24 credits required under this section must be completed
 4189 through online learning.

4190 (a) An online course taken in grade 6, grade 7, or grade 8
 4191 fulfills the requirements of this subsection. The requirement is
 4192 met through an online course offered by the Florida Virtual
 4193 School, a virtual education provider approved by the State Board
 4194 of Education, a high school, or an online dual enrollment
 4195 course. A student who is enrolled in a full-time or part-time
 4196 virtual instruction program under s. 1002.45 meets the
 4197 requirement.

4198 (b) A district school board or a charter school governing
 4199 board, as applicable, may allow a student ~~offer students the~~
 4200 ~~following options~~ to satisfy the online course requirements of

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4201 this subsection by completing a blended learning course or
 4202 ~~1. Completion of a course in which the a student earns a~~
 4203 nationally recognized industry certification in information
 4204 technology that is identified on the CAPE Industry Certification
 4205 Funding List pursuant to s. 1008.44 or passing ~~passage of the~~
 4206 information technology certification examination without
 4207 enrolling enrollment in or completing completion of the
 4208 corresponding course or courses, as applicable.

4209 ~~2. Passage of an online content assessment, without~~
 4210 ~~enrollment in or completion of the corresponding course or~~
 4211 ~~courses, as applicable, by which the student demonstrates skills~~
 4212 ~~and competency in locating information and applying technology~~
 4213 ~~for instructional purposes.~~

4214
 4215 For purposes of this subsection, a school district may not
 4216 require a student to take the online or blended learning course
 4217 outside the school day or in addition to a student's courses for
 4218 a given semester. This subsection does not apply to a student
 4219 who has an individual education plan under s. 1003.57 which
 4220 indicates that an online or blended learning course would be
 4221 inappropriate or to an out-of-state transfer student who is
 4222 enrolled in a Florida high school and has 1 academic year or
 4223 less remaining in high school.

4224 Section 34. Paragraph (a) of subsection (1) of section
 4225 1003.4285, Florida Statutes, is amended to read:

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4226 | 1003.4285 Standard high school diploma designations.—
 4227 | (1) Each standard high school diploma shall include, as
 4228 | applicable, the following designations if the student meets the
 4229 | criteria set forth for the designation:
 4230 | (a) *Scholar designation*.—In addition to the requirements
 4231 | of s. 1003.4282, in order to earn the Scholar designation, a
 4232 | student must satisfy the following requirements:
 4233 | 1. Mathematics.—Earn one credit in Algebra II and one
 4234 | credit in statistics or an equally rigorous course. Beginning
 4235 | with students entering grade 9 in the 2014-2015 school year,
 4236 | pass the ~~Algebra II and~~ Geometry statewide, standardized
 4237 | assessment ~~assessments~~.
 4238 | 2. Science.—Pass the statewide, standardized Biology I EOC
 4239 | assessment and earn one credit in chemistry or physics and one
 4240 | credit in a course equally rigorous to chemistry or physics.
 4241 | However, a student enrolled in an Advanced Placement (AP),
 4242 | International Baccalaureate (IB), or Advanced International
 4243 | Certificate of Education (AICE) Biology course who takes the
 4244 | respective AP, IB, or AICE Biology assessment and earns the
 4245 | minimum score necessary to earn college credit as identified
 4246 | pursuant to s. 1007.27(2) meets the requirement of this
 4247 | subparagraph without having to take the statewide, standardized
 4248 | Biology I EOC assessment.
 4249 | 3. Social studies.—Pass the statewide, standardized United
 4250 | States History EOC assessment. However, a student enrolled in an

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4251 AP, IB, or AICE course that includes United States History
 4252 topics who takes the respective AP, IB, or AICE assessment and
 4253 earns the minimum score necessary to earn college credit as
 4254 identified pursuant to s. 1007.27(2) meets the requirement of
 4255 this subparagraph without having to take the statewide,
 4256 standardized United States History EOC assessment.

4257 4. Foreign language.—Earn two credits in the same foreign
 4258 language.

4259 5. Electives.—Earn at least one credit in an Advanced
 4260 Placement, an International Baccalaureate, an Advanced
 4261 International Certificate of Education, or a dual enrollment
 4262 course.

4263 Section 35. Paragraphs (c) through (f) and paragraph (g)
 4264 of subsection (7) of section 1008.22, Florida Statutes, are
 4265 redesignated as paragraphs (d) through (g) and paragraph (i),
 4266 respectively, subsections (8) through (12) are renumbered as
 4267 subsections (9) through (13), respectively, paragraphs (a), (b),
 4268 and (d) of subsection (3), paragraphs (a) and (b) and present
 4269 paragraph (f) of subsection (7), and paragraph (e) of present
 4270 subsection (11) are amended, new paragraphs (c) and (i) are
 4271 added to subsection (7), and a new subsection (8) is added to
 4272 that section, to read:

4273 1008.22 Student assessment program for public schools.—

4274 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 4275 Commissioner of Education shall design and implement a

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4276 statewide, standardized assessment program aligned to the core
4277 curricular content established in the Next Generation Sunshine
4278 State Standards. The commissioner also must develop or select
4279 and implement a common battery of assessment tools that will be
4280 used in all juvenile justice education programs in the state.
4281 These tools must accurately measure the core curricular content
4282 established in the Next Generation Sunshine State Standards.
4283 Participation in the assessment program is mandatory for all
4284 school districts and all students attending public schools,
4285 including adult students seeking a standard high school diploma
4286 under s. 1003.4282 and students in Department of Juvenile
4287 Justice education programs, except as otherwise provided by law.
4288 If a student does not participate in the assessment program, the
4289 school district must notify the student's parent and provide the
4290 parent with information regarding the implications of such
4291 nonparticipation. The statewide, standardized assessment program
4292 shall be designed and implemented as follows:

4293 (a) *Statewide, standardized comprehensive assessments.*—The
4294 statewide, standardized Reading assessment shall be administered
4295 annually in grades 3 through 10. The statewide, standardized
4296 Writing assessment shall be administered annually at least once
4297 at the elementary, middle, and high school levels. When the
4298 Reading and Writing assessments are replaced by English Language
4299 Arts (ELA) assessments, ELA assessments shall be administered to
4300 students in grades 3 through 10. Retake opportunities for the

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4301 grade 10 Reading assessment or, upon implementation, the grade
 4302 10 ELA assessment must be provided. Students taking the ELA
 4303 assessments shall not take the statewide, standardized
 4304 assessments in Reading or Writing. ELA assessments shall be
 4305 administered online. The statewide, standardized Mathematics
 4306 assessments shall be administered annually in grades 3 through
 4307 8. Students taking a revised Mathematics assessment shall not
 4308 take the discontinued assessment. The statewide, standardized
 4309 Science assessment shall be administered annually at least once
 4310 at the elementary and middle grades levels. In order to earn a
 4311 standard high school diploma, a student who has not earned a
 4312 passing score on the grade 10 Reading assessment or, upon
 4313 implementation, the grade 10 ELA assessment must earn a passing
 4314 score on the assessment retake or earn a concordant score as
 4315 authorized under subsection (9) ~~(8)~~.

4316 (b) *End-of-course (EOC) assessments.*—EOC assessments must
 4317 be statewide, standardized, and developed or approved by the
 4318 Department of Education as follows:

4319 1. EOC assessments for Algebra I, Geometry, ~~Algebra II,~~
 4320 Biology I, United States History, and Civics shall be
 4321 administered to students enrolled in such courses as specified
 4322 in the course code directory.

4323 2. Students enrolled in a course, as specified in the
 4324 course code directory, with an associated statewide,
 4325 standardized EOC assessment must take the EOC assessment for

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4326 | such course and may not take the corresponding subject or grade-
4327 | level statewide, standardized assessment pursuant to paragraph
4328 | (a). Sections 1003.4156 and 1003.4282 govern the use of
4329 | statewide, standardized EOC assessment results for students.

4330 | 3. The commissioner may select one or more nationally
4331 | developed comprehensive examinations, which may include
4332 | examinations for a College Board Advanced Placement course,
4333 | International Baccalaureate course, or Advanced International
4334 | Certificate of Education course, or industry-approved
4335 | examinations to earn national industry certifications identified
4336 | in the CAPE Industry Certification Funding List, for use as EOC
4337 | assessments under this paragraph if the commissioner determines
4338 | that the content knowledge and skills assessed by the
4339 | examinations meet or exceed the grade-level expectations for the
4340 | core curricular content established for the course in the Next
4341 | Generation Sunshine State Standards. Use of any such examination
4342 | as an EOC assessment must be approved by the state board in
4343 | rule.

4344 | 4. Contingent upon funding provided in the General
4345 | Appropriations Act, including the appropriation of funds
4346 | received through federal grants, the commissioner may establish
4347 | an implementation schedule for the development and
4348 | administration of additional statewide, standardized EOC
4349 | assessments that must be approved by the state board in rule. If
4350 | approved by the state board, student performance on such

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4351 assessments constitutes 30 percent of a student's final course
 4352 grade.

4353 5. All statewide, standardized EOC assessments must be
 4354 administered online except as otherwise provided in paragraph
 4355 (c).

4356 (d) *Implementation schedule.*—

4357 1. The Commissioner of Education shall establish and
 4358 publish on the department's website an implementation schedule
 4359 to transition from the statewide, standardized Reading and
 4360 Writing assessments to the ELA assessments and to the revised
 4361 Mathematics assessments, including the Algebra I and Geometry
 4362 EOC assessments. The schedule must take into consideration
 4363 funding, sufficient field and baseline data, access to
 4364 assessments, instructional alignment, and school district
 4365 readiness to administer the assessments online. All such
 4366 assessments must be delivered through computer-based testing,
 4367 however, the following assessments must be delivered in a
 4368 computer-based format, as follows: ~~the grade 3 ELA assessment,~~
 4369 ~~beginning in the 2017-2018 school year;~~ the grade 3 Mathematics
 4370 assessment beginning in the 2016-2017 school year; the grade 4
 4371 ELA assessment, beginning in the 2015-2016 school year; and the
 4372 grade 4 Mathematics assessment, beginning in the 2016-2017
 4373 school year. Notwithstanding the requirements of this
 4374 subparagraph, statewide, standardized ELA and mathematics
 4375 assessments in grades 3 through 6 must be delivered only in a

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4376 | paper-based format, beginning with the 2017-2018 school year,
 4377 | and all such assessments must be paper-based no later than the
 4378 | 2018-2019 school year.

4379 | 2. The Department of Education shall publish minimum and
 4380 | recommended technology requirements that include specifications
 4381 | for hardware, software, networking, security, and broadband
 4382 | capacity to facilitate school district compliance with the
 4383 | requirements of this section ~~requirement that assessments be~~
 4384 | ~~administered online.~~

4385 | (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

4386 | (a) The Commissioner of Education shall establish
 4387 | schedules for the administration of statewide, standardized
 4388 | assessments and the reporting of student assessment results. The
 4389 | commissioner shall consider the observance of religious and
 4390 | school holidays when developing the schedules. The assessment
 4391 | and reporting schedules must provide the earliest possible
 4392 | reporting of student assessment results to the school districts,
 4393 | consistent with the requirements of paragraph (3)(g). Assessment
 4394 | results for the statewide, standardized ELA and mathematics
 4395 | assessments and all statewide, standardized EOC assessments must
 4396 | be made available no later than ~~the week of~~ June 30 ~~&~~, except
 4397 | for results for the grade 3 statewide, standardized ELA
 4398 | assessment, which must be made available no later than May 31 ~~of~~
 4399 | ~~assessments administered in the 2014-2015 school year.~~ School
 4400 | districts shall administer statewide, standardized assessments

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4401 in accordance with the schedule established by the commissioner.

4402 (b) By January ~~August~~ of each year, beginning in 2018
 4403 ~~2016~~, the commissioner shall publish on the department's website
 4404 a uniform calendar that includes the assessment and reporting
 4405 schedules for, at a minimum, the next 2 school years. The
 4406 uniform calendar must be provided to school districts in an
 4407 electronic format that allows each school district and public
 4408 school to populate the calendar with, at minimum, the following
 4409 information for reporting the district assessment schedules
 4410 under paragraph (d) ~~(e)~~:

4411 1. Whether the assessment is a district-required
 4412 assessment or a state-required assessment.

4413 2. The specific date or dates that each assessment will be
 4414 administered.

4415 3. The time allotted to administer each assessment.

4416 4. Whether the assessment is a computer-based assessment
 4417 or a paper-based assessment.

4418 5. The grade level or subject area associated with the
 4419 assessment.

4420 6. The date that the assessment results are expected to be
 4421 available to teachers and parents.

4422 7. The type of assessment, the purpose of the assessment,
 4423 and the use of the assessment results.

4424 8. A glossary of assessment terminology.

4425 9. Estimates of average time for administering state-

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4426 required and district-required assessments, by grade level.

4427 (c) Beginning with the 2018-2019 school year, the spring
 4428 administration of the statewide, standardized assessments in
 4429 paragraphs (3)(a) and (b), excluding assessment retakes, must be
 4430 in accordance with the following schedule:

4431 1. The grade 3 statewide, standardized ELA assessment and
 4432 the writing portion of the statewide, standardized ELA
 4433 assessment for grades 4 through 10 must be administered no
 4434 earlier than April 1 each year within an assessment window not
 4435 to exceed 2 weeks.

4436 2. With the exception of assessments identified in
 4437 subparagraph 1., any statewide, standardized assessment that is
 4438 delivered in a paper-based format must be administered no
 4439 earlier than May 1 each year within an assessment window not to
 4440 exceed 2 weeks.

4441 3. With the exception of assessments identified in
 4442 subparagraphs 1. and 2., any statewide, standardized assessment
 4443 must be administered within a 4-week assessment window that
 4444 opens no earlier than May 1 each year.

4445
 4446 Each school district shall administer the assessments identified
 4447 under subparagraphs 2. and 3. no earlier than 4 weeks before the
 4448 last day of school for the district.

4449 (g)~~(f)~~ A school district must provide a student's
 4450 performance results on district-required local assessments to

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4451 the student's teachers within 1 week and to the student's
4452 parents no later than 30 days after administering such
4453 assessments, unless the superintendent determines in writing
4454 that extenuating circumstances exist and reports the extenuating
4455 circumstances to the district school board.

4456 (h) The results of statewide, standardized ELA and
4457 mathematics assessments, including assessment retakes, shall be
4458 reported in an easy-to-read and understandable format and
4459 delivered in time to provide useful, actionable information to
4460 students, parents, and each student's current teacher of record
4461 and teacher of record for the subsequent school year; however,
4462 in any case, the district shall provide the results pursuant to
4463 this paragraph within 1 week after receiving the results from
4464 the department. A report of student assessment results must, at
4465 a minimum, contain:

4466 1. A clear explanation of the student's performance on the
4467 applicable statewide, standardized assessments.

4468 2. Information identifying the student's areas of strength
4469 and areas in need of improvement.

4470 3. Specific actions that may be taken, and the available
4471 resources that may be used, by the student's parent to assist
4472 his or her child based on the student's areas of strength and
4473 areas in need of improvement.

4474 4. Longitudinal information, if available, on the
4475 student's progress in each subject area based on previous

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4476 statewide, standardized assessment data.

4477 5. Comparative information showing the student's score
 4478 compared to other students in the school district, in the state,
 4479 or, if available, in other states.

4480 6. Predictive information, if available, showing the
 4481 linkage between the scores attained by the student on the
 4482 statewide, standardized assessments and the scores he or she may
 4483 potentially attain on nationally recognized college entrance
 4484 examinations.

4485 (8) PUBLICATION OF ASSESSMENTS.— To promote transparency
 4486 in the statewide assessment program, in any procurement for the
 4487 ELA assessment in grades 3 through 10 and the mathematics
 4488 assessment in grades 3 through 8, the Department of Education
 4489 shall solicit cost proposals for publication of the state
 4490 assessments on its website in accordance with this subsection.

4491 (a) The department shall publish each assessment
 4492 administered under paragraph (3) (a) and subparagraph (3) (b)1.,
 4493 excluding assessment retakes, at least once on a triennial basis
 4494 pursuant to a schedule determined by the Commissioner of
 4495 Education. Each assessment, when published, must have been
 4496 administered during the most recent school year.

4497 (b) The initial publication of assessments must occur no
 4498 later than June 30, 2021, subject to appropriation, and must
 4499 include, at a minimum, the grade 3 ELA and mathematics
 4500 assessments, the grade 10 ELA assessment, and the Algebra I EOC

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4501 assessment.

4502 (c) The department must provide materials on its website
 4503 to help the public interpret assessment information published
 4504 pursuant to this subsection.

4505 (12)~~(11)~~ REPORTS.—The Department of Education shall
 4506 annually provide a report to the Governor, the President of the
 4507 Senate, and the Speaker of the House of Representatives which
 4508 shall include the following:

4509 (e) The number of students who after 8th grade enroll in
 4510 adult education rather than other secondary education, which is
 4511 defined as grades 9 through 12.

4512 Section 36. Paragraph (c) of subsection (1), paragraph (a)
 4513 of subsection (3), and subsections (7), (8), and (9) of section
 4514 1012.34, Florida Statutes, are amended to read:

4515 1012.34 Personnel evaluation procedures and criteria.—

4516 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

4517 (c) Annually, by February 1, the Commissioner of Education
 4518 shall publish on the department's website the status of each
 4519 school district's instructional personnel and school
 4520 administrator evaluation systems. This information must include:

4521 ~~1.~~ performance evaluation results for the prior school
 4522 year for instructional personnel and school administrators using
 4523 the four levels of performance specified in paragraph (2) (e).

4524 The performance evaluation results for instructional personnel
 4525 shall be disaggregated by classroom teachers, as defined in s.

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4526 | 1012.01(2)(a), excluding substitute teachers, and all other
 4527 | instructional personnel, as defined in s. 1012.01(2)(b)-(d).

4528 | ~~2. An analysis that compares performance evaluation~~
 4529 | ~~results calculated by each school district to indicators of~~
 4530 | ~~performance calculated by the department using the standards for~~
 4531 | ~~performance levels adopted by the state board under subsection~~
 4532 | ~~(8).~~

4533 | ~~3. Data reported under s. 1012.341.~~

4534 | (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
 4535 | personnel and school administrator performance evaluations must
 4536 | be based upon the performance of students assigned to their
 4537 | classrooms or schools, as provided in this section. Pursuant to
 4538 | this section, a school district's performance evaluation system
 4539 | is not limited to basing unsatisfactory performance of
 4540 | instructional personnel and school administrators solely upon
 4541 | student performance, but may include other criteria to evaluate
 4542 | instructional personnel and school administrators' performance,
 4543 | or any combination of student performance and other criteria.
 4544 | Evaluation procedures and criteria must comply with, but are not
 4545 | limited to, the following:

4546 | (a) A performance evaluation must be conducted for each
 4547 | employee at least once a year, except that a classroom teacher,
 4548 | as defined in s. 1012.01(2)(a), excluding substitute teachers,
 4549 | who is newly hired by the district school board must be observed
 4550 | and evaluated at least twice in the first year of teaching in

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4551 the school district. The performance evaluation must be based
4552 upon sound educational principles and contemporary research in
4553 effective educational practices. The evaluation criteria must
4554 include:

4555 1. Performance of students.—At least one-third of a
4556 performance evaluation must be based upon data and indicators of
4557 student performance, as determined by each school district ~~in~~
4558 ~~accordance with subsection (7)~~. This portion of the evaluation
4559 must include growth or achievement data of the teacher's
4560 students or, for a school administrator, the students attending
4561 the school over the course of at least 3 years. If less than 3
4562 years of data are available, the years for which data are
4563 available must be used. The proportion of growth or achievement
4564 data may be determined by instructional assignment.

4565 2. Instructional practice.—For instructional personnel, at
4566 least one-third of the performance evaluation must be based upon
4567 instructional practice. Evaluation criteria used when annually
4568 observing classroom teachers, as defined in s. 1012.01(2)(a),
4569 excluding substitute teachers, must include indicators based
4570 upon each of the Florida Educator Accomplished Practices adopted
4571 by the State Board of Education. For instructional personnel who
4572 are not classroom teachers, evaluation criteria must be based
4573 upon indicators of the Florida Educator Accomplished Practices
4574 and may include specific job expectations related to student
4575 support.

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4576 3. Instructional leadership.—For school administrators, at
4577 least one-third of the performance evaluation must be based on
4578 instructional leadership. Evaluation criteria for instructional
4579 leadership must include indicators based upon each of the
4580 leadership standards adopted by the State Board of Education
4581 under s. 1012.986, including performance measures related to the
4582 effectiveness of classroom teachers in the school, the
4583 administrator's appropriate use of evaluation criteria and
4584 procedures, recruitment and retention of effective and highly
4585 effective classroom teachers, improvement in the percentage of
4586 instructional personnel evaluated at the highly effective or
4587 effective level, and other leadership practices that result in
4588 student learning growth. The system may include a means to give
4589 parents and instructional personnel an opportunity to provide
4590 input into the administrator's performance evaluation.

4591 4. Other indicators of performance.—For instructional
4592 personnel and school administrators, the remainder of a
4593 performance evaluation may include, but is not limited to,
4594 professional and job responsibilities as recommended by the
4595 State Board of Education or identified by the district school
4596 board and, for instructional personnel, peer reviews,
4597 objectively reliable survey information from students and
4598 parents based on teaching practices that are consistently
4599 associated with higher student achievement, and other valid and
4600 reliable measures of instructional practice.

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4601 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

4602 (a) The Commissioner of Education shall approve a formula
4603 to measure individual student learning growth on the statewide,
4604 standardized assessments in English Language Arts and
4605 mathematics administered under s. 1008.22. A third party,
4606 independent of the assessment developer, must analyze student
4607 learning growth data calculated using the formula and provide
4608 access to a data visualization tool that enables teachers to
4609 understand and evaluate the data and school administrators to
4610 improve instruction, evaluate programs, allocate resources, plan
4611 professional development, and communicate with stakeholders. The
4612 formula must take into consideration each student's prior
4613 academic performance. The formula must not set different
4614 expectations for student learning growth based upon a student's
4615 gender, race, ethnicity, or socioeconomic status. In the
4616 development of the formula, the commissioner shall consider
4617 other factors such as a student's attendance record, disability
4618 status, or status as an English language learner. The
4619 commissioner may select additional formulas to measure student
4620 performance as appropriate for the remainder of the statewide,
4621 standardized assessments included under s. 1008.22 and continue
4622 to select formulas as new assessments are implemented in the
4623 state system. ~~After the commissioner approves the formula to~~
4624 ~~measure individual student learning growth, the State Board of~~
4625 ~~Education shall adopt these formulas in rule.~~

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4626 (b) Each school district may, but is not required to,
4627 ~~shall~~ measure student learning growth using the formulas
4628 approved by the commissioner under paragraph (a) ~~and the~~
4629 ~~standards for performance levels adopted by the state board~~
4630 ~~under subsection (8) for courses associated with the statewide,~~
4631 ~~standardized assessments administered under s. 1008.22 no later~~
4632 ~~than the school year immediately following the year the formula~~
4633 ~~is approved by the commissioner. For grades and subjects not~~
4634 ~~assessed by statewide, standardized assessments, each school~~
4635 ~~district shall measure student performance using a methodology~~
4636 ~~determined by the district.~~

4637 (8) RULEMAKING. ~~No later than August 1, 2015,~~ The State
4638 Board of Education shall adopt rules pursuant to ss. 120.536(1)
4639 and 120.54 which establish uniform procedures and format for the
4640 submission, review, and approval of district evaluation systems
4641 and reporting requirements for the annual evaluation of
4642 instructional personnel and school administrators; ~~specific,~~
4643 ~~discrete standards for each performance level required under~~
4644 ~~subsection (2), based on student learning growth models approved~~
4645 ~~by the commissioner, to ensure clear and sufficient~~
4646 ~~differentiation in the performance levels and to provide~~
4647 ~~consistency in meaning across school districts; the measurement~~
4648 ~~of student learning growth and associated implementation~~
4649 ~~procedures required under subsection (7); and a process for~~
4650 ~~monitoring school district implementation of evaluation systems~~

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4651 ~~in accordance with this section.~~

4652 ~~(9) TRANSITION TO NEW STATEWIDE, STANDARDIZED~~
4653 ~~ASSESSMENTS. Standards for each performance level required under~~
4654 ~~subsection (2) shall be established by the State Board of~~
4655 ~~Education beginning with the 2015-2016 school year.~~

4656 Section 37. The Commissioner of Education shall contract
4657 for an independent study to determine whether the SAT and ACT
4658 may be administered in lieu of the grade 10 statewide,
4659 standardized ELA assessment and the Algebra I end-of-course
4660 assessment for high school students consistent with federal
4661 requirements under 20 U.S.C. s. 6311(b)(2)(H). The commissioner
4662 shall submit a report containing the results of such review and
4663 any recommendations to the Governor, the President of the
4664 Senate, the Speaker of the House of Representatives, and the
4665 State Board of Education by January 1, 2018.

4666 Section 38. Effective upon this act becoming a law,
4667 subsections (18), (21), and (24) of section 1001.42, Florida
4668 Statutes, are amended to read:

4669 1001.42 Powers and duties of district school board.—The
4670 district school board, acting as a board, shall exercise all
4671 powers and perform all duties listed below:

4672 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
4673 Maintain a system of school improvement and education
4674 accountability as provided by statute and State Board of
4675 Education rule. This system of school improvement and education

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4676 | accountability shall be consistent with, and implemented
 4677 | through, the district's continuing system of planning and
 4678 | budgeting required by this section and ss. 1008.385, 1010.01,
 4679 | and 1011.01. This system of school improvement and education
 4680 | accountability shall comply with the provisions of ss. 1008.33,
 4681 | 1008.34, 1008.345, and 1008.385 and include the following:
 4682 | (a) *School improvement plans.*—
 4683 | ~~1.~~ The district school board shall annually approve and
 4684 | require implementation of a new, amended, or continuation school
 4685 | improvement plan for each school in the district which has a
 4686 | school grade of "D" or "F"; ~~-. If a school~~ has a significant gap
 4687 | in achievement on statewide, standardized assessments
 4688 | administered pursuant to s. 1008.22 by one or more student
 4689 | subgroups, as defined in the federal Elementary and Secondary
 4690 | Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not
 4691 | significantly increased the percentage of students passing
 4692 | statewide, standardized assessments; has not significantly
 4693 | increased the percentage of students demonstrating Learning
 4694 | Gains, as defined in s. 1008.34 and as calculated under s.
 4695 | 1008.34(3)(b), who passed statewide, standardized assessments;
 4696 | or has significantly lower graduation rates for a subgroup when
 4697 | compared to the state's graduation rate. ~~The, that school's~~
 4698 | improvement plan of a school that meets the requirements of this
 4699 | paragraph shall include strategies for improving these results.
 4700 | The state board shall adopt rules establishing thresholds and

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4701 for determining compliance with this subparagraph.

4702 ~~2. A school that includes any of grades 6, 7, or 8 shall~~
4703 ~~include annually in its school improvement plan information and~~
4704 ~~data on the school's early warning system required under~~
4705 ~~paragraph (b), including a list of the early warning indicators~~
4706 ~~used in the system, the number of students identified by the~~
4707 ~~system as exhibiting two or more early warning indicators, the~~
4708 ~~number of students by grade level that exhibit each early~~
4709 ~~warning indicator, and a description of all intervention~~
4710 ~~strategies employed by the school to improve the academic~~
4711 ~~performance of students identified by the early warning system.~~
4712 ~~In addition, a school that includes any of grades 6, 7, or 8~~
4713 ~~shall describe in its school improvement plan the strategies~~
4714 ~~used by the school to implement the instructional practices for~~
4715 ~~middle grades emphasized by the district's professional~~
4716 ~~development system pursuant to s. 1012.98(4)(b)9.~~

4717 (b) *Early warning system.*—

4718 1. A school that serves any students in kindergarten
4719 through grade ~~includes any of grades 6, 7, or 8~~ shall implement
4720 an early warning system to identify students in such grades ~~6,~~
4721 ~~7, and 8~~ who need additional support to improve academic
4722 performance and stay engaged in school. The early warning system
4723 must include the following early warning indicators:

4724 a. Attendance below 90 percent, regardless of whether
4725 absence is excused or a result of out-of-school suspension.

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4726 b. One or more suspensions, whether in school or out of
4727 school.

4728 c. Course failure in English Language Arts or mathematics
4729 during any grading period.

4730 d. A Level 1 score on the statewide, standardized
4731 assessments in English Language Arts or mathematics or, for
4732 students in kindergarten through grade 3, a substantial reading
4733 deficiency under s. 1008.25(5)(a).

4734
4735 A school district may identify additional early warning
4736 indicators for use in a school's early warning system. The
4737 system must include data on the number of students identified by
4738 the system as exhibiting two or more early warning indicators,
4739 the number of students by grade level who exhibit each early
4740 warning indicator, and a description of all intervention
4741 strategies employed by the school to improve the academic
4742 performance of students identified by the early warning system.

4743 2. A school-based team responsible for implementing the
4744 requirements of this paragraph shall monitor the data from the
4745 early warning system. The team may include a school
4746 psychologist. When a student exhibits two or more early warning
4747 indicators, the team, in consultation with the student's parent,
4748 shall school's child study team under s. 1003.02 or a school-
4749 based team formed for the purpose of implementing the
4750 requirements of this paragraph shall convene to determine

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4751 appropriate intervention strategies for the student unless the
 4752 student is already being served by an intervention program at
 4753 the direction of a school-based, multidisciplinary team. Data
 4754 and information relating to a student's early warning indicators
 4755 must be used to inform any intervention strategies provided to
 4756 the student ~~The school shall provide at least 10 days' written~~
 4757 ~~notice of the meeting to the student's parent, indicating the~~
 4758 ~~meeting's purpose, time, and location, and provide the parent~~
 4759 ~~the opportunity to participate.~~

4760 (21) EDUCATIONAL AUTHORITY TO DECLARE AN EMERGENCY. ~~May~~
 4761 ~~declare an emergency in cases in which one or more schools in~~
 4762 ~~the district are failing or are in danger of failing and~~
 4763 Negotiate special provisions of its contract with the
 4764 appropriate bargaining units to free ~~these~~ schools with a school
 4765 grade of "D" or "F" from contract restrictions that limit the
 4766 school's ability to implement programs and strategies needed to
 4767 improve student performance. The negotiations shall result in a
 4768 memorandum of understanding that addresses the selection,
 4769 placement, and expectations of instructional personnel and
 4770 provides principals with the autonomy described in s.
 4771 1012.28(8). For purposes of this subsection, an educational
 4772 emergency exists in a school district if one or more schools in
 4773 the district have a school grade of "D" or "F."

4774 (24) EMPLOYMENT CONTRACTS.—

4775 (a) If a school district enters into a contract or

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4776 employment agreement, or renewal or renegotiation of an existing
 4777 contract or employment agreement, with an officer, agent,
 4778 employee, or contractor which contains a provision for severance
 4779 pay, the contract or employment agreement must include the
 4780 provisions of s. 215.425.

4781 (b) A district school board may not award an annual
 4782 contract on the basis of any contingency or condition not
 4783 expressly authorized in law by the Legislature or alter or limit
 4784 its authority to award or not award an annual contract as
 4785 provided in s. 1012.335. This paragraph applies only to a
 4786 collective bargaining agreement entered into or renewed by a
 4787 district school board on or after the effective date of this
 4788 act.

4789 Section 39. Section 1001.4205, Florida Statutes, is
 4790 created to read:

4791 1001.4205 Visitation of schools by an individual school
 4792 board or charter school governing board member.—An individual
 4793 member of a district school board may, on any day and at any
 4794 time at his or her pleasure, visit any district school in his or
 4795 her school district. An individual charter school governing
 4796 board member may, on any day and at any time at his or her
 4797 pleasure, visit any charter school governed by the charter
 4798 school's governing board. The board member must sign in and sign
 4799 out at the school's main office and wear his or her board
 4800 identification badge at all times while present on school

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4801 premises. The board, the school, or any other person or entity,
 4802 including, but not limited to, the principal of the school, the
 4803 school superintendent, or any other board member, may not
 4804 require the visiting board member to provide notice before
 4805 visiting the school. The school may offer, but may not require,
 4806 an escort to accompany a visiting board member during the visit.
 4807 Another board member or a district employee, including, but not
 4808 limited to, the superintendent, the school principal, or his or
 4809 her designee, may not limit the duration or scope of the visit
 4810 or direct a visiting board member to leave the premises. A
 4811 board, district, or school administrative policy or practice may
 4812 not prohibit or limit the authority granted to a board member
 4813 under this section.

4814 Section 40. The Division of Law Revision and Information
 4815 is directed to replace the phrase "the effective date of this
 4816 act" wherever it occurs in this act with the date the act
 4817 becomes a law.

4818 Section 41. Subsections (3), (4), and (5) of section
 4819 1008.33, Florida Statutes, are amended to read:

4820 1008.33 Authority to enforce public school improvement.—

4821 (3) (a) The academic performance of all students has a
 4822 significant effect on the state school system. Pursuant to Art.
 4823 IX of the State Constitution, which prescribes the duty of the
 4824 State Board of Education to supervise Florida's public school
 4825 system, the state board shall equitably enforce the

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4826 | accountability requirements of the state school system and may
 4827 | impose state requirements on school districts in order to
 4828 | improve the academic performance of all districts, schools, and
 4829 | students based upon the provisions of the Florida K-20 Education
 4830 | Code, chapters 1000-1013; the federal ESEA and its implementing
 4831 | regulations; and the ESEA flexibility waiver approved for
 4832 | Florida by the United States Secretary of Education.

4833 | (b) ~~Beginning with the 2011-2012 school year,~~ The
 4834 | Department of Education shall annually identify each public
 4835 | school in need of intervention and support to improve student
 4836 | academic performance. All schools earning a grade of "D" or "F"
 4837 | pursuant to s. 1008.34 are schools in need of intervention and
 4838 | support.

4839 | (c) The state board shall adopt by rule a differentiated
 4840 | matrix of intervention and support strategies for assisting
 4841 | traditional public schools identified under this section and
 4842 | rules for implementing s. 1002.33(9)(n), relating to charter
 4843 | schools. The intervention and support strategies must address
 4844 | student performance and may include improvement planning;i;~~r~~
 4845 | leadership quality improvement;i;~~r~~ educator quality improvement;i;~~r~~
 4846 | professional development;i;~~r~~ curriculum review, alignment and
 4847 | pacing, and alignment across grade levels to improve background
 4848 | knowledge in social studies, science, and the arts; and the use
 4849 | of continuous improvement and monitoring plans and processes. In
 4850 | addition, the state board may prescribe reporting requirements

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4851 to review and monitor the progress of the schools. The rule must
4852 define the intervention and support strategies for school
4853 improvement for schools earning a grade of "D" or "F" and the
4854 roles for the district and department. ~~The rule shall~~
4855 ~~differentiate among schools earning consecutive grades of "D" or~~
4856 ~~"F," or a combination thereof, and provide for more intense~~
4857 ~~monitoring, intervention, and support strategies for these~~
4858 ~~schools.~~

4859 (4) (a) The state board shall apply intensive ~~the most~~
4860 ~~intense~~ intervention and support strategies tailored to the
4861 needs of ~~to~~ schools earning two consecutive grades of "D" or a
4862 grade of "F." In the first full school year after a school
4863 initially earns two consecutive grades of "D" or a grade of "F,"
4864 the school district must immediately implement intervention and
4865 support strategies prescribed in rule under paragraph (3) (c)
4866 and, by September 1, provide, ~~select a turnaround option from~~
4867 ~~those provided in subparagraphs (b)1.-5., and submit a plan for~~
4868 ~~implementing the turnaround option to the department~~ with the
4869 memorandum of understanding negotiated pursuant to s.
4870 1001.42(21) and, by October 1, a district-managed turnaround
4871 plan for approval by the state board. Upon approval by the state
4872 board, the school district must implement the plan for the
4873 remainder of the school year and continue the plan for 1 full
4874 school year. The state board may allow a school an additional
4875 year of implementation before the school must implement a

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4876 turnaround option required under paragraph (b) if it determines
 4877 that the school is likely to improve to a grade of "C" or higher
 4878 after the first full school year of implementation ~~for approval~~
 4879 ~~by the state board. Upon approval by the state board, the~~
 4880 ~~turnaround option must be implemented in the following school~~
 4881 ~~year.~~

4882 (b) Unless an additional year of implementation is
 4883 provided pursuant to paragraph (a), ~~The turnaround options~~
 4884 ~~available to a school district to address a school that earns~~
 4885 three consecutive grades below a "C" must implement one of the
 4886 following a grade of "F" are:

4887 ~~1. Convert the school to a district-managed turnaround~~
 4888 ~~school;~~

4889 ~~1.2.~~ Reassign students to another school and monitor the
 4890 progress of each reassigned student;

4891 ~~2.3.~~ Close the school and reopen the school as one or more
 4892 charter schools, each with a governing board that has a
 4893 demonstrated record of effectiveness; or

4894 ~~3.4.~~ Contract with an outside entity that has a
 4895 demonstrated record of effectiveness to operate the school. An
 4896 outside entity may include a district-managed charter school in
 4897 which all instructional personnel are not employees of the
 4898 school district, but are employees of an independent governing
 4899 board composed of members who did not participate in the review
 4900 or approval of the charter; ~~or~~

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4901 ~~5. Implement a hybrid of turnaround options set forth in~~
 4902 ~~subparagraphs 1. 4. or other turnaround models that have a~~
 4903 ~~demonstrated record of effectiveness.~~

4904 (c) ~~A school earning a grade of "F" shall have a planning~~
 4905 ~~year followed by 2 full school years to implement the initial~~
 4906 ~~turnaround option selected by the school district and approved~~
 4907 ~~by the state board. Implementation of the turnaround option is~~
 4908 ~~no longer required if the school improves to a grade of "C" or~~
 4909 ~~higher by at least one letter grade.~~

4910 (d) ~~A school earning a grade of "F" that improves its~~
 4911 ~~letter grade must continue to implement strategies identified in~~
 4912 ~~its school improvement plan pursuant to s. 1001.42(18)(a). The~~
 4913 ~~department must annually review implementation of the school~~
 4914 ~~improvement plan for 3 years to monitor the school's continued~~
 4915 ~~improvement.~~

4916 (d)(e) ~~If a school earning two consecutive grades of "D"~~
 4917 ~~or a grade of "F" does not improve to a grade of "C" or higher~~
 4918 ~~by at least one letter grade after 2 full school years of~~
 4919 ~~implementing the turnaround option selected by the school~~
 4920 ~~district under paragraph (b), the school district must implement~~
 4921 ~~select a different option and submit another turnaround option~~
 4922 ~~implementation plan to the department for approval by the state~~
 4923 ~~board. Implementation of the turnaround option ~~approved plan~~~~
 4924 ~~must begin the school year following the implementation period~~
 4925 ~~of the existing turnaround option, unless the state board~~

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4926 | determines that the school is likely to improve to a grade of
 4927 | "C" or higher ~~a letter grade~~ if additional time is provided to
 4928 | implement the existing turnaround option.

4929 | ~~(5) A school that earns a grade of "D" for 3 consecutive~~
 4930 | ~~years must implement the district-managed turnaround option~~
 4931 | ~~pursuant to subparagraph (4)(b)1. The school district must~~
 4932 | ~~submit an implementation plan to the department for approval by~~
 4933 | ~~the state board.~~

4934 | Section 42. Subsection (5) and paragraph (d) of subsection
 4935 | (6) of section 1008.345, Florida Statutes, are amended to read:

4936 | 1008.345 Implementation of state system of school
 4937 | improvement and education accountability.—

4938 | (5) The commissioner shall annually report to the State
 4939 | Board of Education and the Legislature and recommend changes in
 4940 | state policy necessary to foster school improvement and
 4941 | education accountability. The report shall include:

4942 | (a) For each school district:

4943 | 1. The percentage of students, by school and grade level,
 4944 | demonstrating learning growth in English Language Arts and
 4945 | mathematics.

4946 | 2. The percentage of students, by school and grade level,
 4947 | in both the highest and lowest quartiles demonstrating learning
 4948 | growth in English Language Arts and mathematics.

4949 | 3. The information contained in the school district's
 4950 | annual report required pursuant to s. 1008.25(8).

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4951 (b) Intervention and support strategies used by school
 4952 districts ~~boards~~ whose students in both the highest and lowest
 4953 quartiles exceed the statewide average learning growth for
 4954 students in those quartiles.

4955 (c) Intervention and support strategies used by school
 4956 districts ~~boards~~ whose schools provide educational services to
 4957 youth in Department of Juvenile Justice programs that
 4958 demonstrate learning growth in English Language Arts and
 4959 mathematics that exceeds the statewide average learning growth
 4960 for students in those subjects.

4961 (d) Based upon a review of each school district's reading
 4962 plan submitted pursuant to s. 1011.62(9), intervention and
 4963 support strategies used by school districts that were effective
 4964 in improving the reading performance of students, as indicated
 4965 by student performance data, who are identified as having a
 4966 substantial reading deficiency pursuant to s. 1008.25(5)(a).

4967
 4968 School reports shall be distributed pursuant to this subsection
 4969 and s. 1001.42(18)(c) and according to rules adopted by the
 4970 State Board of Education.

4971 (6)

4972 (d) The commissioner shall assign a community assessment
 4973 team to each school district or governing board with a school
 4974 that earned a grade of "D" or "F" ~~or three consecutive grades of~~
 4975 "D" pursuant to s. 1008.34 to review the school performance data

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4976 and determine causes for the low performance, including the role
 4977 of school, area, and district administrative personnel. The
 4978 community assessment team shall review a high school's
 4979 graduation rate calculated without high school equivalency
 4980 diploma recipients for the past 3 years, disaggregated by
 4981 student ethnicity. The team shall make recommendations to the
 4982 school board or the governing board and to the State Board of
 4983 Education based on the interventions and support strategies
 4984 identified pursuant to subsection (5) to ~~which~~ address the
 4985 causes of the school's low performance and to incorporate the
 4986 strategies ~~and may be incorporated~~ into the school improvement
 4987 plan. The assessment team shall include, but not be limited to,
 4988 a department representative, parents, business representatives,
 4989 educators, representatives of local governments, and community
 4990 activists, and shall represent the demographics of the community
 4991 from which they are appointed.

4992 Section 43. Effective upon this act becoming a law,
 4993 section 1002.333, Florida Statutes, is created to read:

4994 1002.333 Persistently low-performing schools.-

4995 (1) DEFINITIONS.-As used in this section, the term:

4996 (a) "Hope operator" means an entity identified by the
 4997 department pursuant to subsection (2).

4998 (b) "Persistently low-performing school" means a school
 4999 that has earned three consecutive grades lower than a "C,"
 5000 pursuant to s. 1008.34, and a school that was closed pursuant to

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5001 s. 1008.33(4) within 2 years after the submission of a notice of
 5002 intent.

5003 (c) "School of hope" means:

5004 1. A charter school operated by a hope operator which
 5005 serves students from one or more persistently low-performing
 5006 schools; is located in the attendance zone of a persistently
 5007 low-performing school or within a 5-mile radius of such school,
 5008 whichever is greater; and is a Title I eligible school; or

5009 2. A school operated by a hope operator pursuant to s.
 5010 1008.33(4)(b)3.

5011 (2) HOPE OPERATOR.—A hope operator is a nonprofit
 5012 organization with tax exempt status under s. 501(c)(3) of the
 5013 Internal Revenue Code that operates three or more charter
 5014 schools that serve students in grades K-12 in Florida or other
 5015 states with a record of serving students from low-income
 5016 families and is designated by the State Board of Education as a
 5017 hope operator based on a determination that:

5018 (a) The past performance of the hope operator meets or
 5019 exceeds the following criteria:

5020 1. The achievement of enrolled students exceeds the
 5021 district and state averages of the states in which the
 5022 operator's schools operate;

5023 2. The average college attendance rate at all schools
 5024 currently operated by the operator exceeds 80 percent, if such
 5025 data is available;

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5026 3. The percentage of students eligible for a free or
 5027 reduced price lunch under the National School Lunch Act enrolled
 5028 at all schools currently operated by the operator exceeds 70
 5029 percent;

5030 4. The operator is in good standing with the authorizer in
 5031 each state in which it operates;

5032 5. The audited financial statements of the operator are
 5033 free of material misstatements and going concern issues; and

5034 6. Other outcome measures as determined by the State Board
 5035 of Education;

5036 (b) The operator was awarded a United States Department of
 5037 Education Charter School Program grant for Replication and
 5038 Expansion of High-Quality Charter Schools within the preceding 3
 5039 years before applying to be a hope operator;

5040 (c) The operator receives funding through the National
 5041 Fund of the Charter School Growth Fund to accelerate the growth
 5042 of the nation's best charter schools; or

5043 (d) The operator is selected by a district school board in
 5044 accordance with s. 1008.33.

5045
 5046 An entity that meets the requirements of paragraph (b),
 5047 paragraph (c), or paragraph (d) before the adoption by the state
 5048 board of measurable criteria pursuant to paragraph (a) shall be
 5049 designated as a hope operator. After the adoption of the
 5050 measurable criteria, an entity, including a governing board that

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5051 operates a school established pursuant to s. 1008.33(4)(b)3.,
5052 shall be designated as a hope operator if it meets the criteria
5053 of paragraph (a).

5054 (3) DESIGNATION OF HOPE OPERATOR.—Initial status as a hope
5055 operator is valid for 5 years from the opening of a school of
5056 hope. If a hope operator seeks the renewal of its status, such
5057 renewal shall solely be based upon the academic and financial
5058 performance of all schools established by the operator in the
5059 state since its initial designation.

5060 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
5061 seeking to open a school of hope must submit a notice of intent
5062 to the school district in which a persistently low-performing
5063 school has been identified by the State Board of Education
5064 pursuant to subsection (10).

5065 (a) The notice of intent must include:

5066 1. An academic focus and plan.

5067 2. A financial plan.

5068 3. Goals and objectives for increasing student achievement
5069 for the students from low-income families.

5070 4. A completed or planned community outreach plan.

5071 5. The organizational history of success in working with
5072 students with similar demographics.

5073 6. The grade levels to be served and enrollment
5074 projections.

5075 7. The proposed location or geographic area proposed for

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5076 | the school and its proximity to the persistently low-performing
 5077 | school.

5078 | 8. A staffing plan.

5079 | (b) Notwithstanding the requirements of s. 1002.33, a
 5080 | school district shall enter into a performance-based agreement
 5081 | with a hope operator to open schools to serve students from
 5082 | persistently low-performing schools.

5083 | (5) PERFORMANCE-BASED AGREEMENT.—The following shall
 5084 | comprise the entirety of the performance-based agreement:

5085 | (a) The notice of intent, which is incorporated by
 5086 | reference and attached to the agreement.

5087 | (b) The location or geographic area proposed for the
 5088 | school of hope and its proximity to the persistently low-
 5089 | performing school.

5090 | (c) An enumeration of the grades to be served in each year
 5091 | of the agreement and whether the school will serve children in
 5092 | the school readiness or prekindergarten programs.

5093 | (d) A plan of action and specific milestones for student
 5094 | recruitment and the enrollment of students from persistently
 5095 | low-performing schools, including enrollment preferences and
 5096 | procedures for conducting transparent admissions lotteries that
 5097 | are open to the public. Students from persistently low-
 5098 | performing schools shall be exempt from any enrollment lottery
 5099 | to the extent permitted by federal grant requirements.

5100 | (e) A delineation of the current incoming baseline

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5101 standard of student academic achievement, the outcomes to be
 5102 achieved, and the method of measurement that will be used.

5103 (f) A description of the methods of involving parents and
 5104 expected levels for such involvement.

5105 (g) The grounds for termination, including failure to meet
 5106 the requirements for student performance established pursuant to
 5107 paragraph (e), generally accepted standards of fiscal
 5108 management, or material violation of terms of the agreement. The
 5109 nonrenewal or termination of a performance-based agreement must
 5110 comply with the requirements of s. 1002.33(8).

5111 (h) A provision allowing the hope operator to open
 5112 additional schools to serve students enrolled in or zoned for a
 5113 persistently low-performing school if the hope operator
 5114 maintains its status under subsection (3).

5115 (i) A provision establishing the initial term as 5 years.
 5116 The agreement shall be renewed, upon the request of the hope
 5117 operator, unless the school fails to meet the requirements for
 5118 student performance established pursuant to paragraph (e) or
 5119 generally accepted standards of fiscal management or the school
 5120 of hope materially violates the law or the terms of the
 5121 agreement.

5122 (j) A requirement to provide transportation consistent
 5123 with the requirements of ss. 1006.21-1006.27 and s. 1012.45. The
 5124 governing body of the school of hope may provide transportation
 5125 through an agreement or contract with the district school board,

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5126 | a private provider, or parents of enrolled students.
 5127 | Transportation may not be a barrier to equal access for all
 5128 | students residing within reasonable distance of the school.
 5129 | (k) A requirement that any arrangement entered into to
 5130 | borrow or otherwise secure funds for the school of hope from a
 5131 | source other than the state or a school district shall indemnify
 5132 | the state and the school district from any and all liability,
 5133 | including, but not limited to, financial responsibility for the
 5134 | payment of the principal or interest.
 5135 | (l) A provision that any loans, bonds, or other financial
 5136 | agreements are not obligations of the state or the school
 5137 | district but are obligations of the school of hope and are
 5138 | payable solely from the sources of funds pledged by such
 5139 | agreement.
 5140 | (m) A prohibition on the pledge of credit or taxing power
 5141 | of the state or the school district.
 5142 | (6) STATUTORY AUTHORITY.—
 5143 | (a) A school of hope may be designated as a local
 5144 | education agency, if requested, for the purposes of receiving
 5145 | federal funds and, in doing so, accepts the full responsibility
 5146 | for all local education agency requirements and the schools for
 5147 | which it will perform local education agency responsibilities.
 5148 | Students enrolled in a school established by a hope operator
 5149 | designated as a local educational agency are not eligible
 5150 | students for purposes of calculating the district grade pursuant

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5151 | to s. 1008.34(5).

5152 | (b) For the purposes of tort liability, the hope operator,
5153 | the school of hope, and its employees or agents shall be
5154 | governed by s. 768.28. The sponsor shall not be liable for civil
5155 | damages under state law for the employment actions or personal
5156 | injury, property damage, or death resulting from an act or
5157 | omission of a hope operator, the school of hope, or its
5158 | employees or agents. This paragraph does not include any for-
5159 | profit entity contracted by the charter school or its governing
5160 | body.

5161 | (c) A school of hope may be either a private or a public
5162 | employer. As a public employer, the school of hope may
5163 | participate in the Florida Retirement System upon application
5164 | and approval as a covered group under s. 121.021(34). If a
5165 | school of hope participates in the Florida Retirement System,
5166 | the school of hope's employees shall be compulsory members of
5167 | the Florida Retirement System.

5168 | (d) A hope operator may employ school administrators and
5169 | instructional personnel who do not meet the requirements of s.
5170 | 1012.56 if the school administrators and instructional personnel
5171 | are not ineligible for such employment under s. 1012.315.

5172 | (e) Compliance with s. 1003.03 shall be calculated as the
5173 | average at the school level.

5174 | (f) Schools of hope operated by a hope operator shall be
5175 | exempt from chapters 1000-1013 and all school board policies.

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5176 | However, a hope operator shall be in compliance with the laws in
 5177 | chapters 1000-1013 relating to:
 5178 | 1. The student assessment program and school grading
 5179 | system.
 5180 | 2. Student progression and graduation.
 5181 | 3. The provision of services to students with
 5182 | disabilities.
 5183 | 4. Civil rights, including s. 1000.05, relating to
 5184 | discrimination.
 5185 | 5. Student health, safety, and welfare.
 5186 | 6. Public meetings and records, public inspection, and
 5187 | criminal and civil penalties pursuant to s. 286.011. The
 5188 | governing board of a school of hope must hold at least two
 5189 | public meetings per school year in the school district in which
 5190 | the school of hope is located. Any other meetings of the
 5191 | governing board may be held in accordance with s. 120.54(5)(b)2.
 5192 | 7. Public records pursuant to chapter 119.
 5193 | 8. The code of ethics for public officers and employees
 5194 | pursuant to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).
 5195 | (g) Each school of hope shall report its students to the
 5196 | school district as required in s. 1011.62, and in accordance
 5197 | with the definitions in s. 1011.61. The school district shall
 5198 | include each charter school's enrollment in the district's
 5199 | report of student enrollment. All charter schools submitting
 5200 | student record information required by the department shall

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5201 comply with the department's guidelines for electronic data
 5202 formats for such data, and all districts shall accept electronic
 5203 data that complies with the department's electronic format.

5204 (h) A school of hope shall provide the school district
 5205 with a concise, uniform, quarterly financial statement summary
 5206 sheet that contains a balance sheet and a statement of revenue,
 5207 expenditures, and changes in fund balance. The balance sheet and
 5208 the statement of revenue, expenditures, and changes in fund
 5209 balance shall be in the governmental fund format prescribed by
 5210 the Governmental Accounting Standards Board. Additionally, a
 5211 school of hope shall comply with the annual audit requirement
 5212 for charter schools in s. 218.39.

5213 (7) FACILITIES.—

5214 (a) A school of hope shall use facilities that comply with
 5215 the Florida Building Code, except for the State Requirements for
 5216 Educational Facilities. A school of hope that uses school
 5217 district facilities must comply with the State Requirements for
 5218 Educational Facilities only if the school district and the hope
 5219 operator have entered into a mutual management plan for the
 5220 reasonable maintenance of such facilities. The mutual management
 5221 plan shall contain a provision by which the district school
 5222 board agrees to maintain the school facilities in the same
 5223 manner as its other public schools within the district. The
 5224 local governing authority shall not adopt or impose any local
 5225 building requirements or site-development restrictions, such as

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5226 parking and site-size criteria, student enrollment, and occupant
 5227 load, that are addressed by and more stringent than those found
 5228 in the State Requirements for Educational Facilities of the
 5229 Florida Building Code. A local governing authority must treat
 5230 schools of hope equitably in comparison to similar requirements,
 5231 restrictions, and site planning processes imposed upon public
 5232 schools. The agency having jurisdiction for inspection of a
 5233 facility and issuance of a certificate of occupancy or use shall
 5234 be the local municipality or, if in an unincorporated area, the
 5235 county governing authority. If an official or employee of the
 5236 local governing authority refuses to comply with this paragraph,
 5237 the aggrieved school or entity has an immediate right to bring
 5238 an action in circuit court to enforce its rights by injunction.
 5239 An aggrieved party that receives injunctive relief may be
 5240 awarded reasonable attorney fees and court costs.

5241 (b) Any facility, or portion thereof, used to house a
 5242 school of hope shall be exempt from ad valorem taxes pursuant to
 5243 s. 196.1983. Library, community service, museum, performing
 5244 arts, theatre, cinema, church, Florida College System
 5245 institution, college, and university facilities may provide
 5246 space to schools of hope within their facilities under their
 5247 preexisting zoning and land use designations without obtaining a
 5248 special exception, rezoning, or a land use change.

5249 (c) School of hope facilities are exempt from assessments
 5250 of fees for building permits, except as provided in s. 553.80;

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5251 fees for building and occupational licenses; impact fees or
 5252 exactions; service availability fees; and assessments for
 5253 special benefits.

5254 (d) No later than October 1, each school district shall
 5255 annually provide to the Department of Education a list of all
 5256 underused, vacant, or surplus facilities owned or operated by
 5257 the school district. A hope operator establishing a school of
 5258 hope may use an educational facility identified in this
 5259 paragraph at no cost or at a mutually agreeable cost not to
 5260 exceed \$600 per student. A hope operator using a facility
 5261 pursuant to this paragraph may not sell or dispose of such
 5262 facility without the written permission of the school district.
 5263 For purposes of this paragraph, the term "underused, vacant, or
 5264 surplus facility" means an entire facility or portion thereof
 5265 which is not fully used or is used irregularly or intermittently
 5266 by the school district for instructional or program use.

5267 (8) NONCOMPLIANCE.—A school district that does not enter
 5268 into a performance-based agreement within 60 days after receipt
 5269 of a notice of intent shall reduce the administrative fees
 5270 withheld pursuant to s. 1002.33(20) to 1 percent for all charter
 5271 schools operating in the school district. Upon execution of the
 5272 performance-based agreement, the school district may resume
 5273 withholding the full amount of administrative fees, but may not
 5274 recover any fees that would have otherwise accrued during the
 5275 period of noncompliance. Any charter school that had

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5276 | administrative fees withheld in violation of this subsection may
 5277 | recover attorney fees and costs to enforce the requirements of
 5278 | this subsection. A school district subject to the requirements
 5279 | of this section shall file a monthly report detailing the
 5280 | reduction in the amount of administrative fees withheld.

5281 | (9) FUNDING.—

5282 | (a) Schools of hope shall be funded in accordance with s.
 5283 | 1002.33(17).

5284 | (b) Schools of hope shall receive priority in the
 5285 | department's Public Charter School Grant Program competitions.

5286 | (c) Schools of hope shall be considered charter schools
 5287 | for purposes of s. 1013.62, except charter capital outlay may
 5288 | not be used to purchase real property or for the construction of
 5289 | school facilities.

5290 | (d) Schools of hope are eligible to receive funds from the
 5291 | Schools of Hope Program.

5292 | (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
 5293 | is created within the Department of Education.

5294 | (a) A school of hope is eligible to receive funds from the
 5295 | Schools of Hope Program for the following expenditures:

5296 | 1. Preparing teachers, school leaders, and specialized
 5297 | instructional support personnel, including costs associated
 5298 | with:

5299 | a. Providing professional development.

5300 | b. Hiring and compensating teachers, school leaders, and

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5301 specialized instructional support personnel for services beyond
 5302 the school day and year.

5303 2. Acquiring supplies, training, equipment, and
 5304 educational materials, including developing and acquiring
 5305 instructional materials.

5306 3. Providing one-time startup costs associated with
 5307 providing transportation to students to and from the charter
 5308 school.

5309 4. Carrying out community engagement activities, which may
 5310 include paying the cost of student and staff recruitment.

5311 5. Providing funds to cover the nonvoted ad valorem
 5312 millage that would otherwise be required for schools and the
 5313 required local effort funds calculated pursuant to s. 1011.62
 5314 when the state board enters into an agreement with a hope
 5315 operator pursuant to subsection (5).

5316 (b) A traditional public school that is required to submit
 5317 a plan for implementation pursuant to s. 1008.33(4) is eligible
 5318 to receive up to \$2,000 per full-time equivalent student from
 5319 the Schools of Hope Program based upon the strength of the
 5320 school's plan for implementation and its focus on evidence-based
 5321 interventions that lead to student success by providing wrap-
 5322 around services that leverage community assets, improve school
 5323 and community collaboration, and develop family and community
 5324 partnerships. Wrap-around services include, but are not limited
 5325 to, tutorial and after-school programs, student counseling,

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5326 nutrition education, parental counseling, and adult education.
 5327 Plans for implementation may also include models that develop a
 5328 culture of attending college, high academic expectations,
 5329 character development, dress codes, and an extended school day
 5330 and school year. At a minimum, a plan for implementation must:
 5331 1. Establish wrap-around services that develop family and
 5332 community partnerships.
 5333 2. Establish clearly defined and measurable high academic
 5334 and character standards.
 5335 3. Increase parental involvement and engagement in the
 5336 child's education.
 5337 4. Describe how the school district will identify,
 5338 recruit, retain, and reward instructional personnel. The state
 5339 board may waive the requirements of s. 1012.22(1)(c)5., and
 5340 suspend the requirements of s. 1012.34, to facilitate
 5341 implementation of the plan.
 5342 5. Identify a knowledge-rich curriculum that the school
 5343 will use that focuses on developing a student's background
 5344 knowledge.
 5345 6. Provide professional development that focuses on
 5346 academic rigor, direct instruction, and creating high academic
 5347 and character standards.
 5348 (c) The state board shall:
 5349 1. Provide awards for up to 25 schools and prioritize
 5350 awards for plans submitted pursuant to paragraph (b) that are

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5351 based on whole school transformation and that are developed in
 5352 consultation with the school's principal.

5353 2. Annually report on the implementation of this
 5354 subsection in the report required by s. 1008.345(5), and provide
 5355 summarized academic performance reports of each traditional
 5356 public school receiving funds.

5357 (11) STATE BOARD OF EDUCATION AUTHORITY AND OBLIGATIONS.—
 5358 Pursuant to Art. IX of the State Constitution, which prescribes
 5359 the duty of the State Board of Education to supervise the public
 5360 school system, the State Board of Education shall:

5361 (a) Publish an annual list of persistently low-performing
 5362 schools after the release of preliminary school grades.

5363 (b) Adopt a standard notice of intent and performance-
 5364 based agreement that must be used by hope operators and district
 5365 school boards to eliminate regulatory and bureaucratic barriers
 5366 that delay access to high quality schools for students in
 5367 persistently low-performing schools.

5368 (c) Resolve disputes between a hope operator and a school
 5369 district arising from a performance-based agreement or a
 5370 contract between a charter operator and a school district under
 5371 the requirements of s. 1008.33. The Commissioner of Education
 5372 shall appoint a special magistrate who is a member of The
 5373 Florida Bar in good standing and who has at least 5 years'
 5374 experience in administrative law. The special magistrate shall
 5375 hold hearings to determine facts relating to the dispute and to

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5376 | render a recommended decision for resolution to the State Board
 5377 | of Education. The recommendation may not alter in any way the
 5378 | provisions of the performance-based agreement under subsection
 5379 | (5). The special magistrate may administer oaths and issue
 5380 | subpoenas on behalf of the parties to the dispute or on his or
 5381 | her own behalf. Within 15 calendar days after the close of the
 5382 | final hearing, the special magistrate shall transmit a
 5383 | recommended decision to the State Board of Education and to the
 5384 | representatives of both parties by registered mail, return
 5385 | receipt requested. The State Board of Education must approve or
 5386 | reject the recommended decision at its next regularly scheduled
 5387 | meeting that is more than 7 calendar days and no more than 30
 5388 | days after the date the recommended decision is transmitted. The
 5389 | decision by the State Board of Education is a final agency
 5390 | action that may be appealed to the District Court of Appeal,
 5391 | First District in accordance with s. 120.68. A charter school
 5392 | may recover attorney fees and costs if the State Board of
 5393 | Education determines that the school district unlawfully
 5394 | implemented or otherwise impeded implementation of the
 5395 | performance-based agreement pursuant to this paragraph.

5396 | (d) Provide students in persistently low-performing
 5397 | schools with a public school that meets accountability
 5398 | standards. The State Board of Education may enter into a
 5399 | performance-based agreement with a hope operator when a school
 5400 | district has not improved the school after 3 years of the

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5401 interventions and support provided under s. 1008.33 or has not
 5402 complied with the requirements of subsection (4). Upon the State
 5403 Board of Education entering into a performance-based agreement
 5404 with a hope operator, the school district shall transfer to the
 5405 school of hope the proportionate share of state funds allocated
 5406 from the Florida Education Finance Program.

5407 (12) RULES.—The State Board of Education shall adopt rules
 5408 pursuant to ss. 120.536(1) and 120.54 to implement this section.

5409 Section 44. Section 1001.292, Florida Statutes, is created
 5410 to read:

5411 1001.292 Schools of Hope Revolving Loan Program.—

5412 (1) The Schools of Hope Revolving Loan Program is
 5413 established within the Department of Education to provide
 5414 assistance to hope operators, as defined in s. 1002.333, to meet
 5415 school building construction needs and pay for expenses related
 5416 to the startup of a new charter school. The program shall
 5417 consist of funds appropriated by the Legislature, money received
 5418 from the repayment of loans made from the program, and interest
 5419 earned.

5420 (2) Funds provided pursuant to this section may not exceed
 5421 25 percent of the total cost of the project, which shall be
 5422 calculated based on 80 percent of the cost per student station
 5423 established by s. 1013.64(6)(b) multiplied by the capacity of
 5424 the facility.

5425 (3) The department may contract with a third-party

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5426 administrator to administer the program. If the department
 5427 contracts with a third-party administrator, funds shall be
 5428 granted to the third-party administrator to create a revolving
 5429 loan fund for the purpose of financing projects that meet the
 5430 requirements of subsection (4). The third-party administrator
 5431 shall report to the department annually. The department shall
 5432 continue to administer the program until a third-party
 5433 administrator is selected.

5434 (4) Hope operators that have been designated by the State
 5435 Board of Education and have executed a performance-based
 5436 agreement pursuant to s. 1002.333 shall be provided a loan of up
 5437 to the amount provided in subsection (2) for projects that are
 5438 located in the attendance area of a persistently low-performing
 5439 school or within a 5-mile radius of such school and primarily
 5440 serve students from the persistently low-performing school. A
 5441 hope operator is not eligible for funding if it operates in
 5442 facilities provided by the school district for a nominal fee, or
 5443 at no charge, or if it is directly or indirectly operated by the
 5444 school district.

5445 (5) The department shall post on its website the projects
 5446 that have received loans, the geographic distribution of the
 5447 projects, the status of the projects, the costs of the program,
 5448 and student outcomes for students enrolled in the school of hope
 5449 receiving funds.

5450 (6) All repayments of principal and interest shall be

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5451 returned to the loan fund and made available for loans to other
 5452 applicants.

5453 (7) Interest on loans provided under this program may be
 5454 used to defray the costs of administration and shall be the
 5455 lower of:

5456 (a) The rate paid on moneys held in the fund; or

5457 (b) A rate equal to 50 percent of the rate authorized
 5458 under the provisions of s. 215.84.

5459 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 5460 funds allocated for this purpose which are not disbursed by June
 5461 30 of the fiscal year in which the funds are allocated may be
 5462 carried forward for up to 5 years after the effective date of
 5463 the original appropriation.

5464 Section 45. Subsection (5) is added to section 1011.69,
 5465 Florida Statutes, to read:

5466 1011.69 Equity in School-Level Funding Act.—

5467 (5) After providing Title I, Part A, Basic funds to
 5468 schools above the 75 percent poverty threshold, school districts
 5469 shall provide any remaining Title I, Part A, Basic funds
 5470 directly to all eligible schools as provided in this subsection.
 5471 For purposes of this subsection, an eligible school is a school
 5472 that is eligible to receive Title I funds, including a charter
 5473 school. The threshold for identifying eligible schools may not
 5474 exceed the threshold established by a school district for the
 5475 2016-2017 school year or the statewide percentage of

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5476 economically disadvantaged students, as determined annually.
 5477 (a) Prior to the allocation of Title I funds to eligible
 5478 schools, a school district may withhold funds only as follows:
 5479 1. One percent for parent involvement, in addition to the
 5480 one percent the district must reserve under federal law for
 5481 allocations to eligible schools for parent involvement;
 5482 2. A necessary and reasonable amount for administration,
 5483 which includes the district's indirect cost rate, not to exceed
 5484 a total of 8 percent; and
 5485 3. A reasonable and necessary amount to provide:
 5486 a. Homeless programs;
 5487 b. Delinquent and neglected programs;
 5488 c. Prekindergarten programs and activities;
 5489 d. Private school equitable services; and
 5490 e. Transportation for foster care children to their school
 5491 of origin or choice programs.
 5492 (b) All remaining Title I funds shall be distributed to
 5493 all eligible schools in accordance with federal law and
 5494 regulation. An eligible school may use funds under this
 5495 subsection to participate in discretionary educational services
 5496 provided by the school district.
 5497 Section 46. Subsections (3), (4), (5), and (8) of section
 5498 1012.731, Florida Statutes, are amended to read:
 5499 1012.731 The Florida Best and Brightest Teacher
 5500 Scholarship Program.—

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5501 (3) (a) To be eligible for a scholarship in the amount of
 5502 \$6,000, a classroom teacher must:

5503 1. Have achieved a composite score at or above the 80th
 5504 percentile on either the SAT or the ACT based on the National
 5505 Percentile Ranks in effect when the classroom teacher took the
 5506 assessment and have been evaluated as highly effective pursuant
 5507 to s. 1012.34 in the school year immediately preceding the year
 5508 in which the scholarship will be awarded, unless the classroom
 5509 teacher is newly hired by the district school board and has not
 5510 been evaluated pursuant to s. 1012.34.

5511 2. Beginning with the 2020-2021 school year, have achieved
 5512 a composite score at or above the 77th percentile or, if the
 5513 classroom teacher graduated cum laude or higher with a
 5514 baccalaureate degree, the 71st percentile on either the SAT,
 5515 ACT, GRE, LSAT, GMAT, or MCAT based on the National Percentile
 5516 Ranks in effect when the classroom teacher took the assessment;
 5517 and have been evaluated as highly effective pursuant to s.
 5518 1012.34, or have been evaluated as highly effective based on a
 5519 commissioner-approved student learning growth formula pursuant
 5520 to s. 1012.34(8), in the school year immediately preceding the
 5521 year in which the scholarship will be awarded, unless the
 5522 classroom teacher is newly hired by the district school board
 5523 and has not been evaluated pursuant to s. 1012.34.

5524 (b) In order to demonstrate eligibility for an award, an
 5525 eligible classroom teacher must submit to the school district,

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5526 | no later than November 1, an official record of his or her
 5527 | qualifying assessment ~~SAT or ACT~~ score and, beginning with the
 5528 | 2020-2021 school year, an official transcript demonstrating that
 5529 | he or she graduated cum laude or higher with a baccalaureate
 5530 | degree, if applicable ~~the classroom teacher scored at or above~~
 5531 | ~~the 80th percentile based on the National Percentile Ranks in~~
 5532 | ~~effect when the teacher took the assessment.~~ Once a classroom
 5533 | teacher is deemed eligible by the school district, ~~including~~
 5534 | ~~teachers deemed eligible in the 2015-2016 fiscal year,~~ the
 5535 | teacher shall remain eligible as long as he or she remains
 5536 | employed by the school district as a classroom teacher at the
 5537 | time of the award and receives an annual performance evaluation
 5538 | rating of highly effective pursuant to s. 1012.34 or is
 5539 | evaluated as highly effective based on a commissioner-approved
 5540 | student learning growth formula pursuant to s. 1012.34(8) for
 5541 | the 2019-2020 school year or thereafter.

5542 | (c) Notwithstanding the requirements of this subsection,
 5543 | for the 2017-2018, 2018-2019, and 2019-2020 school years, any
 5544 | classroom teacher who:

5545 | 1. Was evaluated as highly effective pursuant to s.
 5546 | 1012.34 in the school year immediately preceding the year in
 5547 | which the scholarship will be awarded shall receive a
 5548 | scholarship of \$1200, including a classroom teacher who received
 5549 | an award pursuant to paragraph (a).

5550 | 2. Was evaluated as effective pursuant to s. 1012.34 in

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5551 the school year immediately preceding the year in which the
 5552 scholarship will be awarded a scholarship of up to \$800. If the
 5553 number of eligible classroom teachers under this subparagraph
 5554 exceeds the total allocation, the department shall prorate the
 5555 per-teacher scholarship amount.

5556
 5557 This paragraph expires July 1, 2020.

5558 (4) Annually, by December 1, each school district shall
 5559 submit to the department:

5560 (a) The number of eligible classroom teachers who qualify
 5561 for the scholarship.

5562 (b) The name and master school identification number
 5563 (MSID) of each school in the district to which an eligible
 5564 classroom teacher is assigned.

5565 (c) The name of the school principal of each eligible
 5566 classroom teacher's school if he or she has served as the
 5567 school's principal for at least 2 consecutive school years
 5568 including the current school year.

5569 (5) Annually, by February 1, the department shall disburse
 5570 scholarship funds to each school district for each eligible
 5571 classroom teacher to receive a scholarship in accordance with
 5572 this section ~~as provided in the General Appropriations Act. A~~
 5573 ~~scholarship in the amount provided in the General Appropriations~~
 5574 ~~Act shall be awarded to every eligible classroom teacher. If the~~
 5575 ~~number of eligible classroom teachers exceeds the total~~

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5576 ~~appropriation authorized in the General Appropriations Act, the~~
 5577 ~~department shall prorate the per-teacher scholarship amount.~~

5578 ~~(8) This section expires July 1, 2017.~~

5579 Section 47. Section 1012.732, Florida Statutes, is created
 5580 to read:

5581 1012.732 The Florida Best and Brightest Principal
 5582 Scholarship Program.—

5583 (1) The Legislature recognizes that the most effective
 5584 school principals establish a safe and supportive school
 5585 environment for students and faculty. Research shows that these
 5586 principals increase student learning by providing opportunities
 5587 for the professional growth, collaboration, and autonomy that
 5588 classroom teachers need to become and remain highly effective
 5589 educational professionals. As a result, these principals are
 5590 able to recruit and retain more of the best classroom teachers
 5591 and improve student outcomes at their schools, including schools
 5592 servicing low-income and high-need student populations. Therefore,
 5593 it is the intent of the Legislature to designate school
 5594 principals whose school faculty has a high percentage of
 5595 classroom teachers who are designated as Florida's best and
 5596 brightest teacher scholars pursuant to s. 1012.731 as Florida's
 5597 best and brightest principals.

5598 (2) There is created the Florida Best and Brightest
 5599 Principal Scholarship Program to be administered by the
 5600 Department of Education. The program shall provide categorical

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5601 funding for scholarships to be awarded to school principals, as
 5602 defined in s. 1012.01(3)(c)1., who have recruited and retained a
 5603 high percentage of best and brightest teachers.

5604 (3) A school principal identified pursuant to s.
 5605 1012.731(4)(c) is eligible to receive a scholarship under this
 5606 section if he or she has served as school principal at his or
 5607 her school for at least 2 consecutive school years including the
 5608 current school year and his or her school has a ratio of best
 5609 and brightest teachers to other classroom teachers that is at
 5610 the 80th percentile or higher for schools within the same grade
 5611 group, statewide, including elementary schools, middle schools,
 5612 high schools, and schools with a combination of grade levels.

5613 (4) Annually, by February 1, the department shall identify
 5614 eligible school principals and disburse funds to each school
 5615 district for each eligible school principal to receive a
 5616 scholarship. A scholarship of \$5,000 must be awarded to every
 5617 eligible school principal assigned to a Title I school and a
 5618 scholarship of \$4,000 to every eligible school principal who is
 5619 not assigned to a Title I school.

5620 (5) Annually, by April 1, each school district must award
 5621 a scholarship to each eligible school principal.

5622 (6) A school district must provide a best and brightest
 5623 principal with the additional authority and responsibilities
 5624 provided in s. 1012.28(8) for a minimum of 2 years.

5625 (7) For purposes of this section, the term "school

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5626 | district" includes the Florida School for the Deaf and the Blind
 5627 | and charter school governing boards.

5628 | Section 48. Paragraphs (i) and (j) of subsection (2) of
 5629 | section 1002.385, Florida Statutes, are redesignated as
 5630 | paragraphs (j) and (k), respectively, paragraph (d) of
 5631 | subsection (2), subsection (5), paragraph (b) of subsection (6),
 5632 | subsection (8), paragraphs (e) and (f) of subsection (11),
 5633 | paragraph (j) of subsection (12), and paragraph (a) of
 5634 | subsection (13) are amended, and a new paragraph (i) is added to
 5635 | subsection (2) of that section, to read:

5636 | 1002.385 The Gardiner Scholarship.—

5637 | (2) DEFINITIONS.—As used in this section, the term:

5638 | (d) "Disability" means, for a 3- or 4-year-old child or
 5639 | for a student in kindergarten to grade 12, autism spectrum
 5640 | disorder, as defined in the Diagnostic and Statistical Manual of
 5641 | Mental Disorders, Fifth Edition, published by the American
 5642 | Psychiatric Association; cerebral palsy, as defined in s.
 5643 | 393.063(6); Down syndrome, as defined in s. 393.063(15); an
 5644 | intellectual disability, as defined in s. 393.063(24); Phelan-
 5645 | McDermid syndrome, as defined in s. 393.063(28); Prader-Willi
 5646 | syndrome, as defined in s. 393.063(29); spina bifida, as defined
 5647 | in s. 393.063(40); being a high-risk child, as defined in s.
 5648 | 393.063(23) (a); muscular dystrophy; and Williams syndrome or
 5649 | identification as dual sensory impaired, as defined by rules of
 5650 | the State Board of Education and evidenced by reports from the

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5651 | local school district.

5652 | (i) "Inactive" means that no eligible expenditures have
 5653 | been made from an account funded pursuant to paragraph (13)(d).

5654 | (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must
 5655 | be used to meet the individual educational needs of an eligible
 5656 | student and may be spent for the following purposes:

5657 | (a) Instructional materials, including digital devices,
 5658 | digital periphery devices, and assistive technology devices that
 5659 | allow a student to access instruction or instructional content
 5660 | and training on the use of and maintenance agreements for these
 5661 | devices.

5662 | (b) Curriculum as defined in paragraph (2)(b).

5663 | (c) Specialized services by approved providers or by a
 5664 | hospital in this state that are selected by the parent. These
 5665 | specialized services may include, but are not limited to:

5666 | 1. Applied behavior analysis services as provided in ss.
 5667 | 627.6686 and 641.31098.

5668 | 2. Services provided by speech-language pathologists as
 5669 | defined in s. 468.1125.

5670 | 3. Occupational therapy services as defined in s. 468.203.

5671 | 4. Services provided by physical therapists as defined in
 5672 | s. 486.021.

5673 | 5. Services provided by listening and spoken language
 5674 | specialists and an appropriate acoustical environment for a
 5675 | child who is deaf or hard of hearing and who has received an

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5676 | implant or assistive hearing device.

5677 | (d) Enrollment in, or tuition or fees associated with
 5678 | enrollment in, a home education program, an eligible private
 5679 | school, an eligible postsecondary educational institution or a
 5680 | program offered by the institution, a private tutoring program
 5681 | authorized under s. 1002.43, a virtual program offered by a
 5682 | department-approved private online provider that meets the
 5683 | provider qualifications specified in s. 1002.45(2)(a), the
 5684 | Florida Virtual School as a private paying student, or an
 5685 | approved online course offered pursuant to s. 1003.499 or s.
 5686 | 1004.0961.

5687 | (e) Fees for nationally standardized, norm-referenced
 5688 | achievement tests, Advanced Placement Examinations, industry
 5689 | certification examinations, assessments related to postsecondary
 5690 | education, or other assessments.

5691 | (f) Contributions to the Stanley G. Tate Florida Prepaid
 5692 | College Program pursuant to s. 1009.98 or the Florida College
 5693 | Savings Program pursuant to s. 1009.981, for the benefit of the
 5694 | eligible student.

5695 | (g) Contracted services provided by a public school or
 5696 | school district, including classes. A student who receives
 5697 | services under a contract under this paragraph is not considered
 5698 | enrolled in a public school for eligibility purposes as
 5699 | specified in subsection (4).

5700 | (h) Tuition and fees for part-time tutoring services

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5701 provided by a person who holds a valid Florida educator's
5702 certificate pursuant to s. 1012.56; a person who holds an
5703 adjunct teaching certificate pursuant to s. 1012.57; or a person
5704 who has demonstrated a mastery of subject area knowledge
5705 pursuant to s. 1012.56(5). As used in this paragraph, the term
5706 "part-time tutoring services" does not qualify as regular school
5707 attendance as defined in s. 1003.01(13)(e).

5708 (i) Fees for specialized summer education programs.

5709 (j) Fees for specialized after-school education programs.

5710 (k) Transition services provided by job coaches.

5711 (l) Fees for an annual evaluation of educational progress
5712 by a state-certified teacher under s. 1002.41(1)(c), if this
5713 option is chosen for a home education student.

5714 (m) Tuition and fees associated with programs offered by
5715 Voluntary Prekindergarten Education Program providers approved
5716 pursuant to s. 1002.55 and school readiness providers approved
5717 pursuant to s. 1002.88.

5718 (n) Fees for services provided at a center that is a
5719 member of the Professional Association of Therapeutic
5720 Horsemanship International.

5721 (o) Fees for services provided by a therapist who is
5722 certified by the Certification Board for Music Therapists or
5723 credentialed by the Art Therapy Credentials Board, Inc.

5724
5725 A provider of any services receiving payments pursuant to this

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5726 subsection may not share, refund, or rebate any moneys from the
 5727 Gardiner Scholarship with the parent or participating student in
 5728 any manner. A parent, student, or provider of any services may
 5729 not bill an insurance company, Medicaid, or any other agency for
 5730 the same services that are paid for using Gardiner Scholarship
 5731 funds.

5732 (6) TERM OF THE PROGRAM.—For purposes of continuity of
 5733 educational choice and program integrity:

5734 (b)1. A student's scholarship account must be closed and
 5735 any remaining funds, including, but not limited to,
 5736 contributions made to the Stanley G. Tate Florida Prepaid
 5737 College Program or earnings from or contributions made to the
 5738 Florida College Savings Program using program funds pursuant to
 5739 paragraph (5) (f), shall revert to the state after ~~upon~~:

5740 a. Denial or revocation of program eligibility by the
 5741 commissioner for fraud or abuse, including, but not limited to,
 5742 the student or student's parent accepting any payment, refund,
 5743 or rebate, in any manner, from a provider of any services
 5744 received pursuant to subsection (5); ~~or~~

5745 b. ~~After~~ Any period of 3 consecutive years after high
 5746 school completion or graduation during which the student has not
 5747 been enrolled in an eligible postsecondary educational
 5748 institution or a program offered by the institution; or

5749 c. Three consecutive fiscal years in which an account has
 5750 been inactive.

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5751 2. The commissioner must notify the parent and the
5752 organization when a Gardiner Scholarship account is closed and
5753 program funds revert to the state.

5754 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An
5755 eligible private school may be sectarian or nonsectarian and
5756 shall:

5757 (a) Comply with all requirements for private schools
5758 participating in state school choice scholarship programs
5759 pursuant to s. 1002.421.

5760 (b) Provide to the organization, upon request, all
5761 documentation required for the student's participation,
5762 including the private school's and student's fee schedules.

5763 (c) Be academically accountable to the parent for meeting
5764 the educational needs of the student by:

5765 1. At a minimum, annually providing to the parent a
5766 written explanation of the student's progress.

5767 2. Annually administering or making provision for students
5768 participating in the program in grades 3 through 10 to take one
5769 of the nationally norm-referenced tests identified by the
5770 Department of Education or the statewide assessments pursuant to
5771 s. 1008.22. Students with disabilities for whom standardized
5772 testing is not appropriate are exempt from this requirement. A
5773 participating private school shall report a student's scores to
5774 the parent.

5775 3. Cooperating with the scholarship student whose parent

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5776 | chooses to have the student participate in the statewide
 5777 | assessments pursuant to s. 1008.22 or, if a private school
 5778 | chooses to offer the statewide assessments, administering the
 5779 | assessments at the school.

5780 | a. A participating private school may choose to offer and
 5781 | administer the statewide assessments to all students who attend
 5782 | the private school in grades 3 through 10.

5783 | b. A participating private school shall submit a request
 5784 | in writing to the Department of Education by March 1 of each
 5785 | year in order to administer the statewide assessments in the
 5786 | subsequent school year.

5787 | (d) Employ or contract with teachers who have regular and
 5788 | direct contact with each student receiving a scholarship under
 5789 | this section at the school's physical location.

5790 | (e) Provide a report from ~~Annually contract with~~ an
 5791 | independent certified public accountant who performs ~~to perform~~
 5792 | the agreed-upon procedures developed under s. 1002.395(6)(o) ~~and~~
 5793 | ~~produce a report of the results~~ if the private school receives
 5794 | more than \$250,000 in funds from scholarships awarded under this
 5795 | section in ~~the 2014-2015 state fiscal year or~~ a state fiscal
 5796 | year ~~thereafter~~. A private school subject to this paragraph must
 5797 | annually submit the report by September 15, ~~2015,~~ and ~~annually~~
 5798 | ~~thereafter~~ to the organization that awarded the majority of the
 5799 | school's scholarship funds. The agreed-upon procedures must be
 5800 | conducted in accordance with attestation standards established

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5801 by the American Institute of Certified Public Accountants.
 5802
 5803 If ~~The inability of~~ a private school is unable to meet the
 5804 requirements of this subsection or has consecutive years of
 5805 material exceptions listed in the report required under
 5806 paragraph (e), the commissioner may determine that ~~constitutes a~~
 5807 ~~basis for the ineligibility of~~ the private school is ineligible
 5808 to participate in the program ~~as determined by the commissioner.~~

5809 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 5810 PARTICIPATION.—A parent who applies for program participation
 5811 under this section is exercising his or her parental option to
 5812 determine the appropriate placement or the services that best
 5813 meet the needs of his or her child. The scholarship award for a
 5814 student is based on a matrix that assigns the student to support
 5815 Level III services. If a parent receives an IEP and a matrix of
 5816 services from the school district pursuant to subsection (7),
 5817 the amount of the payment shall be adjusted as needed, when the
 5818 school district completes the matrix.

5819 (e) The parent must annually renew participation in the
 5820 program. Notwithstanding any changes to the student's IEP, a
 5821 student who was previously eligible for participation in the
 5822 program shall remain eligible to apply for renewal. However, for
 5823 a high-risk child to continue to participate in the program in
 5824 the school year after he or she reaches 6 years of age, the
 5825 child's application for renewal of program participation must

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5826 contain documentation that the child has a disability defined in
 5827 paragraph (2) (d) other than high-risk status.

5828 (f) The parent is responsible for procuring the services
 5829 necessary to educate the student. If a parent does not procure
 5830 the necessary educational services for the student and the
 5831 student's account has been inactive for 2 consecutive fiscal
 5832 years, the student is ineligible for additional scholarship
 5833 payments until the scholarship funding organization verifies
 5834 that expenditures from the account have occurred. When the
 5835 student receives a Gardiner Scholarship, the district school
 5836 board is not obligated to provide the student with a free
 5837 appropriate public education. For purposes of s. 1003.57 and the
 5838 Individuals with Disabilities in Education Act, a participating
 5839 student has only those rights that apply to all other
 5840 unilaterally parentally placed students, except that, when
 5841 requested by the parent, school district personnel must develop
 5842 an individual education plan or matrix level of services.

5843
 5844 A parent who fails to comply with this subsection forfeits the
 5845 Gardiner Scholarship.

5846 (12) OBLIGATIONS OF SCHOLARSHIP-FUNDING ORGANIZATIONS.—An
 5847 organization may establish Gardiner Scholarships for eligible
 5848 students by:

5849 (j) Documenting each scholarship student's eligibility for
 5850 a fiscal year before granting a scholarship for that fiscal year

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5851 | pursuant to paragraph (3)(b). A student is ineligible for a
 5852 | scholarship if the student's account has been inactive for 2
 5853 | consecutive fiscal years. However, once an eligible expenditure
 5854 | is made pursuant to paragraph (11)(f), the student is eligible
 5855 | for a scholarship based on available funds.

5856 | (13) FUNDING AND PAYMENT.—

5857 | (a)1. The maximum funding amount granted for an eligible
 5858 | student with a disability, pursuant to subsection (3), shall be
 5859 | equivalent to the base student allocation in the Florida
 5860 | Education Finance Program multiplied by the appropriate cost
 5861 | factor for the educational program that ~~which~~ would have been
 5862 | provided for the student in the district school to which he or
 5863 | she would have been assigned, multiplied by the district cost
 5864 | differential.

5865 | 2. In addition, an amount equivalent to a share of the
 5866 | guaranteed allocation for exceptional students in the Florida
 5867 | Education Finance Program shall be determined and added to the
 5868 | amount in subparagraph 1. The calculation shall be based on the
 5869 | methodology and the data used to calculate the guaranteed
 5870 | allocation for exceptional students for each district in chapter
 5871 | 2000-166, Laws of Florida. Except as provided in subparagraph
 5872 | 3., the calculation shall be based on the student's grade, the
 5873 | matrix level of services, and the difference between the 2000-
 5874 | 2001 basic program and the appropriate level of services cost
 5875 | factor, multiplied by the 2000-2001 base student allocation and

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5876 | the 2000-2001 district cost differential for the sending
 5877 | district. The calculated amount must also include an amount
 5878 | equivalent to the per-student share of supplemental academic
 5879 | instruction funds, instructional materials funds, technology
 5880 | funds, and other categorical funds as provided in the General
 5881 | Appropriations Act.

5882 | 3. Beginning with the 2017-2018 fiscal year and each
 5883 | fiscal year thereafter, the calculation for a new student
 5884 | entering the program shall be based on the student's matrix
 5885 | level of services. The funding for a student without a matrix of
 5886 | services ~~Except as otherwise provided in subsection (7), the~~
 5887 | ~~calculation for all students participating in the program shall~~
 5888 | be based on the matrix that assigns the student to support Level
 5889 | III of services. If a parent chooses to request and receive a
 5890 | matrix of services from the school district, when the school
 5891 | district completes the matrix, the amount of the payment shall
 5892 | be adjusted as needed.

5893 | Section 49. Subsection (6) is added to section 1003.455,
 5894 | Florida Statutes, to read:

5895 | 1003.455 Physical education; assessment.—

5896 | (6) In addition to the requirements in subsection (3),
 5897 | each district school board shall provide at least 100 minutes of
 5898 | supervised, safe, and unstructured free-play recess each week
 5899 | for students in kindergarten through grade 5 so that there are
 5900 | at least 20 consecutive minutes of free-play recess per day.

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5901 This requirement does not apply to charter schools.

5902 Section 50. Paragraph (a) of subsection (8) and subsection
5903 (11) of section 1002.37, Florida Statutes, are amended to read:

5904 1002.37 The Florida Virtual School.—

5905 (8) (a) The Florida Virtual School may provide full-time
5906 and part-time instruction for students in kindergarten through
5907 grade 12. ~~To receive part-time instruction in kindergarten~~
5908 ~~through grade 5, a student must meet at least one of the~~
5909 ~~eligibility criteria in s. 1002.455(2).~~

5910 ~~(11) The Auditor General shall conduct an operational~~
5911 ~~audit of the Florida Virtual School, including Florida Virtual~~
5912 ~~School Global. The scope of the audit shall include, but not be~~
5913 ~~limited to, the administration of responsibilities relating to~~
5914 ~~personnel; procurement and contracting; revenue production;~~
5915 ~~school funds, including internal funds; student enrollment~~
5916 ~~records; franchise agreements; information technology~~
5917 ~~utilization, assets, and security; performance measures and~~
5918 ~~standards; and accountability. The final report on the audit~~
5919 ~~shall be submitted to the President of the Senate and the~~
5920 ~~Speaker of the House of Representatives no later than January~~
5921 ~~31, 2014.~~

5922 Section 51. Section 1002.455, Florida Statutes, is amended
5923 to read:

5924 1002.455 Student eligibility for K-12 virtual
5925 instruction.—

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5926 ~~(1)~~ All students, including home education and private
 5927 school students, are eligible to participate in any of the
 5928 following ~~A student may participate in virtual instruction in~~
 5929 ~~the school district in which he or she resides if the student~~
 5930 ~~meets the eligibility criteria in subsection (2).~~

5931 ~~(2)~~ ~~A student is eligible to participate in virtual~~
 5932 ~~instruction if:~~

5933 ~~(a)~~ ~~The student spent the prior school year in attendance~~
 5934 ~~at a public school in the state and was enrolled and reported by~~
 5935 ~~the school district for funding during October and February for~~
 5936 ~~purposes of the Florida Education Finance Program surveys;~~

5937 ~~(b)~~ ~~The student is a dependent child of a member of the~~
 5938 ~~United States Armed Forces who was transferred within the last~~
 5939 ~~12 months to this state from another state or from a foreign~~
 5940 ~~country pursuant to a permanent change of station order;~~

5941 ~~(c)~~ ~~The student was enrolled during the prior school year~~
 5942 ~~in a virtual instruction program under s. 1002.45 or a full-time~~
 5943 ~~Florida Virtual School program under s. 1002.37(8) (a);~~

5944 ~~(d)~~ ~~The student has a sibling who is currently enrolled in~~
 5945 ~~a virtual instruction program and the sibling was enrolled in~~
 5946 ~~that program at the end of the prior school year;~~

5947 ~~(e)~~ ~~The student is eligible to enter kindergarten or first~~
 5948 ~~grade; or~~

5949 ~~(f)~~ ~~The student is eligible to enter grades 2 through 5~~
 5950 ~~and is enrolled full-time in a school district virtual~~

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5951 ~~instruction program, virtual charter school, or the Florida~~
 5952 ~~Virtual School.~~

5953 ~~(3) The virtual instruction options for which this~~
 5954 ~~eligibility section applies include:~~

5955 (1)(a) School district operated part-time or full-time
 5956 kindergarten through grade 12 virtual instruction programs under
 5957 s. 1002.45(1)(b) ~~for students enrolled in the school district.~~

5958 (2)(b) Full-time virtual charter school instruction
 5959 authorized under s. 1002.33 to students within the school
 5960 district or to students in other school districts throughout the
 5961 state pursuant to s. 1002.31.

5962 (3)(e) Virtual courses offered in the course code
 5963 directory to students within the school district or to students
 5964 in other school districts throughout the state pursuant to s.
 5965 1003.498.

5966 (4) Florida Virtual School instructional services
 5967 authorized under s. 1002.37.

5968 Section 52. Subsection (5) and paragraph (b) of subsection
 5969 (6) of section 1002.45, Florida Statutes, are amended to read:
 5970 1002.45 Virtual instruction programs.—

5971 (5) STUDENT ELIGIBILITY.—A student may enroll in a virtual
 5972 instruction program provided by the school district or by a
 5973 virtual charter school ~~operated in the district in which he or~~
 5974 ~~she resides if the student meets eligibility requirements for~~
 5975 ~~virtual instruction pursuant to s. 1002.455.~~

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5976 (6) STUDENT PARTICIPATION REQUIREMENTS.—Each student
 5977 enrolled in a virtual instruction program or virtual charter
 5978 school must:

5979 (b) Take statewide assessments pursuant to s. 1008.22.
 5980 Statewide assessments may be administered ~~state assessment tests~~
 5981 within the school district in which such student resides, or as
 5982 specified in the contract in accordance with s. 1008.24(3). If
 5983 requested by the approved provider or virtual charter school,
 5984 the district of residence ~~which~~ must provide the student with
 5985 access to the district's testing facilities.

5986 Section 53. Paragraph (c) of subsection (2) and subsection
 5987 (11) of section 1002.20, Florida Statutes, are amended,
 5988 paragraph (d) of subsection (2) is redesignated as paragraph
 5989 (e), a new paragraph (d) is added to subsection (2), and a new
 5990 paragraph (m) is added to subsection (3), to read:

5991 1002.20 K-12 student and parent rights.—Parents of public
 5992 school students must receive accurate and timely information
 5993 regarding their child's academic progress and must be informed
 5994 of ways they can help their child to succeed in school. K-12
 5995 students and their parents are afforded numerous statutory
 5996 rights including, but not limited to, the following:

5997 (2) ATTENDANCE.—

5998 (c) *Absence for religious purposes.*—A parent of a public
 5999 school student may request and be granted permission for absence
 6000 of the student from school for religious instruction or

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6001 religious holidays, in accordance with the provisions of s.
 6002 1003.21(2)(b)1 ~~1003.21(2)(b)~~.

6003 (d) Absence for treatment of autism spectrum disorder.—A
 6004 parent of a public school student may request and be granted
 6005 permission for absence of the student from school for an
 6006 appointment scheduled to receive a therapy service provided by a
 6007 licensed health care practitioner or behavior analyst certified
 6008 pursuant to s. 393.17 for the treatment of autism spectrum
 6009 disorder pursuant to ss. 1003.21(2)(b)2. and 1003.24(4).

6010 (3) HEALTH ISSUES.—

6011 (m) Sun-protective measures in school.—A student may
 6012 possess and use a topical sunscreen product while on school
 6013 property or at a school-sponsored event or activity without a
 6014 physician's note or prescription if the product is regulated by
 6015 the United States Food and Drug Administration for over-the-
 6016 counter use to limit ultraviolet light-induced skin damage.

6017 (11) STUDENTS WITH READING DEFICIENCIES.—The parent of any
 6018 K-3 student who exhibits a substantial reading deficiency shall
 6019 be immediately notified of the student's deficiency pursuant to
 6020 s. 1008.25(5) and ~~with a description and explanation, in terms~~
 6021 ~~understandable to the parent, of the exact nature of the~~
 6022 ~~student's difficulty in learning and lack of achievement in~~
 6023 ~~reading;~~ shall be consulted in the development of a plan, as
 6024 described in s. 1008.25(4)(b); ~~and shall be informed that the~~
 6025 ~~student will be given intensive reading instruction until the~~

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6026 ~~deficiency is corrected. This subsection operates in addition to~~
6027 ~~the remediation and notification provisions contained in s.~~
6028 ~~1008.25 and in no way reduces the rights of a parent or the~~
6029 ~~responsibilities of a school district under that section.~~

6030 Section 54. Subsection (2) of section 1002.69, Florida
6031 Statutes, is amended to read:

6032 1002.69 Statewide kindergarten screening; kindergarten
6033 readiness rates; state-approved prekindergarten enrollment
6034 screening; good cause exemption.—

6035 (2) The statewide kindergarten screening shall provide
6036 objective data concerning each student's readiness for
6037 kindergarten and progress in attaining the performance standards
6038 adopted by the office under s. 1002.67(1). Data from the
6039 screening, along with other available data, must be used to
6040 identify students in need of intervention and support pursuant
6041 to s. 1008.25(5).

6042 Section 55. Subsection (3), paragraphs (a) and (c) of
6043 subsection (5), paragraph (b) of subsection (6), subsection (7),
6044 and paragraph (a) of subsection (8) of section 1008.25, Florida
6045 Statutes, are amended, paragraph (c) is added to subsection (4),
6046 to read:

6047 1008.25 Public school student progression; student
6048 support; reporting requirements.—

6049 (3) ALLOCATION OF RESOURCES.—District school boards shall
6050 allocate remedial and supplemental instruction resources to

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6051 students in the following priority:

6052 (a) Students in kindergarten through grade 3 who have a
 6053 substantial deficiency ~~are deficient~~ in reading as determined in
 6054 paragraph (5) (a) ~~by the end of grade 3~~.

6055 (b) Students who fail to meet performance levels required
 6056 for promotion consistent with the district school board's plan
 6057 for student progression required in subsection (2) ~~paragraph~~
 6058 ~~(2) (b)~~.

6059 (4) ASSESSMENT AND SUPPORT.—

6060 (c) A student who has a substantial reading deficiency as
 6061 determined in paragraph (5) (a) must be covered by a federally
 6062 required student plan, such as an individual education plan or
 6063 an individualized progress monitoring plan, or both, as
 6064 necessary.

6065 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

6066 (a) Any student in kindergarten through grade 3 who
 6067 exhibits a substantial deficiency in reading, ~~based upon~~
 6068 screening, diagnostic, progress monitoring, or assessment data;
 6069 ~~locally determined or statewide assessments; conducted in~~
 6070 ~~kindergarten or grade 1, grade 2, or grade 3, or through teacher~~
 6071 ~~observations,~~ must be provided given intensive, explicit,
 6072 systematic, and multisensory reading interventions ~~instruction~~
 6073 immediately following the identification of the reading
 6074 deficiency. A school may not wait for a student to receive a
 6075 failing grade at the end of a grading period to identify the

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6076 | student as having a substantial reading deficiency and initiate
6077 | intensive reading interventions. The student's reading
6078 | proficiency must be monitored and the intensive interventions
6079 | ~~instruction~~ must continue until the student demonstrates grade
6080 | level proficiency in a manner determined by the district, which
6081 | may include achieving a Level 3 on the statewide, standardized
6082 | English Language Arts assessment. The State Board of Education
6083 | shall identify by rule guidelines for determining whether a
6084 | student in kindergarten through grade 3 has a substantial
6085 | deficiency in reading.

6086 | (c) The parent of any student who exhibits a substantial
6087 | deficiency in reading, as described in paragraph (a), must be
6088 | notified in writing of the following:

6089 | 1. That his or her child has been identified as having a
6090 | substantial deficiency in reading, including a description and
6091 | explanation, in terms understandable to the parent, of the exact
6092 | nature of the student's difficulty in learning and lack of
6093 | achievement in reading.

6094 | 2. A description of the current services that are provided
6095 | to the child.

6096 | 3. A description of the proposed intensive interventions
6097 | ~~supplemental instructional services~~ and supports that will be
6098 | provided to the child that are designed to remediate the
6099 | identified area of reading deficiency.

6100 | 4. That if the child's reading deficiency is not

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6101 remediated by the end of grade 3, the child must be retained
 6102 unless he or she is exempt from mandatory retention for good
 6103 cause.

6104 5. Strategies, including multisensory strategies, through
 6105 a read-at-home plan the parent can ~~for parents to~~ use in helping
 6106 his or her ~~their~~ child succeed in reading ~~proficiency~~.

6107 6. That the statewide, standardized English Language Arts
 6108 assessment is not the sole determiner of promotion and that
 6109 additional evaluations, portfolio reviews, and assessments are
 6110 available to the child to assist parents and the school district
 6111 in knowing when a child is reading at or above grade level and
 6112 ready for grade promotion.

6113 7. The district's specific criteria and policies for a
 6114 portfolio as provided in subparagraph (6) (b)4. and the evidence
 6115 required for a student to demonstrate mastery of Florida's
 6116 academic standards for English Language Arts. A parent of a
 6117 student in grade 3 who is identified anytime during the year as
 6118 being at risk of retention may request that the school
 6119 immediately begin collecting evidence for a portfolio.

6120 8. The district's specific criteria and policies for
 6121 midyear promotion. Midyear promotion means promotion of a
 6122 retained student at any time during the year of retention once
 6123 the student has demonstrated ability to read at grade level.

6124 (6) ELIMINATION OF SOCIAL PROMOTION.—

6125 (b) The district school board may only exempt students

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6126 | from mandatory retention, as provided in paragraph (5) (b), for
6127 | good cause. A student who is promoted to grade 4 with a good
6128 | cause exemption shall be provided intensive reading instruction
6129 | and intervention that include specialized diagnostic information
6130 | and specific reading strategies to meet the needs of each
6131 | student so promoted. The school district shall assist schools
6132 | and teachers with the implementation of explicit, systematic,
6133 | and multisensory reading instruction and intervention strategies
6134 | for students promoted with a good cause exemption which research
6135 | has shown to be successful in improving reading among students
6136 | who have reading difficulties. Good cause exemptions are limited
6137 | to the following:

6138 | 1. Limited English proficient students who have had less
6139 | than 2 years of instruction in an English for Speakers of Other
6140 | Languages program based on the initial date of entry into a
6141 | school in the United States.

6142 | 2. Students with disabilities whose individual education
6143 | plan indicates that participation in the statewide assessment
6144 | program is not appropriate, consistent with the requirements of
6145 | s. 1008.212.

6146 | 3. Students who demonstrate an acceptable level of
6147 | performance on an alternative standardized reading or English
6148 | Language Arts assessment approved by the State Board of
6149 | Education.

6150 | 4. A student who demonstrates through a student portfolio

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6151 that he or she is performing at least at Level 2 on the
6152 statewide, standardized English Language Arts assessment.

6153 5. Students with disabilities who take the statewide,
6154 standardized English Language Arts assessment and who have an
6155 individual education plan or a Section 504 plan that reflects
6156 that the student has received intensive instruction in reading
6157 or English Language Arts for more than 2 years but still
6158 demonstrates a deficiency and was previously retained in
6159 kindergarten, grade 1, grade 2, or grade 3.

6160 6. Students who have received intensive reading
6161 intervention for 2 or more years but still demonstrate a
6162 deficiency in reading and who were previously retained in
6163 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
6164 years. A student may not be retained more than once in grade 3.

6165 ~~7. Students who have received intensive remediation in~~
6166 ~~reading or English Language Arts for 2 or more years but still~~
6167 ~~demonstrate a deficiency and who were previously retained in~~
6168 ~~kindergarten, grade 1, grade 2, or grade 3 for a total of 2~~
6169 ~~years. Intensive instruction for students so promoted must~~
6170 ~~include an altered instructional day that includes specialized~~
6171 ~~diagnostic information and specific reading strategies for each~~
6172 ~~student. The district school board shall assist schools and~~
6173 ~~teachers to implement reading strategies that research has shown~~
6174 ~~to be successful in improving reading among low-performing~~
6175 ~~readers.~~

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6176 (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
6177 STUDENTS.—

6178 (a) Students retained under ~~the provisions of~~ paragraph
6179 (5) (b) must be provided intensive interventions in reading to
6180 ameliorate the student's specific reading deficiency and prepare
6181 the student for promotion to the next grade. These
6182 interventions, as identified by a valid and reliable diagnostic
6183 assessment. This intensive intervention must include:

6184 1. Evidence-based, explicit, systematic, and multisensory
6185 reading instruction in phonemic awareness, phonics, fluency,
6186 vocabulary, and comprehension and other strategies prescribed by
6187 the school district. effective instructional strategies,

6188 2. Participation in the school district's summer reading
6189 camp, which must incorporate the instructional and intervention
6190 strategies under subparagraph 1, and appropriate teaching
6191 methodologies necessary to assist those students in becoming
6192 successful readers, able to read at or above grade level, and
6193 ready for promotion to the next grade.

6194 3. A minimum of 90 minutes of daily, uninterrupted reading
6195 instruction incorporating the instructional and intervention
6196 strategies under subparagraph 1. This instruction may include:

6197 ~~(b) Each school district shall:~~

6198 ~~1. Provide third grade students who are retained under the~~
6199 ~~provisions of paragraph (5) (b) with intensive instructional~~
6200 ~~services and supports to remediate the identified areas of~~

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6201 ~~reading deficiency, including participation in the school~~
 6202 ~~district's summer reading camp as required under paragraph (a),~~
 6203 ~~and a minimum of 90 minutes of daily, uninterrupted,~~
 6204 ~~scientifically research-based reading instruction which includes~~
 6205 ~~phonemic awareness, phonics, fluency, vocabulary, and~~
 6206 ~~comprehension and other strategies prescribed by the school~~
 6207 ~~district, which may include, but are not limited to:~~
 6208 a. Integration of content-rich texts in science and social
 6209 studies ~~content~~ within the 90-minute block.
 6210 b. Small group instruction.
 6211 c. Reduced teacher-student ratios.
 6212 d. More frequent progress monitoring.
 6213 e. Tutoring or mentoring.
 6214 f. Transition classes containing 3rd and 4th grade
 6215 students.
 6216 g. Extended school day, week, or year.
 6217 (b) Each school district shall:
 6218 ~~1.2.~~ Provide written notification to the parent of a
 6219 student who is retained under ~~the provisions of~~ paragraph (5) (b)
 6220 that his or her child has not met the proficiency level required
 6221 for promotion and the reasons the child is not eligible for a
 6222 good cause exemption as provided in paragraph (6) (b). The
 6223 notification must comply with paragraph (5) (c) ~~the provisions of~~
 6224 ~~s. 1002.20(15)~~ and must include a description of proposed
 6225 interventions and supports that will be provided to the child to

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6226 remediate the identified areas of reading deficiency.

6227 ~~2.3.~~ Implement a policy for the midyear promotion of a
6228 student retained under ~~the provisions of~~ paragraph (5) (b) who
6229 can demonstrate that he or she is a successful and independent
6230 reader and performing at or above grade level in reading or,
6231 upon implementation of English Language Arts assessments,
6232 performing at or above grade level in English Language Arts.
6233 Tools that school districts may use in reevaluating a student
6234 retained may include subsequent assessments, alternative
6235 assessments, and portfolio reviews, in accordance with rules of
6236 the State Board of Education. Students promoted during the
6237 school year after November 1 must demonstrate proficiency levels
6238 in reading equivalent to the level necessary for the beginning
6239 of grade 4. The rules adopted by the State Board of Education
6240 must include standards that provide a reasonable expectation
6241 that the student's progress is sufficient to master appropriate
6242 grade 4 level reading skills.

6243 ~~3.4.~~ Provide students who are retained under ~~the~~
6244 ~~provisions of~~ paragraph (5) (b), including students participating
6245 in the school district's summer reading camp under subparagraph
6246 (a)2., with a highly effective teacher as determined by the
6247 teacher's performance evaluation under s. 1012.34, and,
6248 beginning July 1, 2020, the teacher must also be certified or
6249 endorsed in reading.

6250 ~~4.5.~~ Establish at each school, when applicable, an

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6251 intensive reading acceleration course ~~Class~~ for any student
 6252 retained in grade 3 who was previously retained in kindergarten,
 6253 grade 1, or grade 2 students who subsequently score Level 1 on
 6254 the required statewide, standardized assessment identified in s.
 6255 1008.22. The focus of the Intensive Acceleration Class shall be
 6256 to increase a child's reading and English Language Arts skill
 6257 level at least two grade levels in 1 school year. The intensive
 6258 reading acceleration course must provide the following ~~Class~~
 6259 ~~shall:~~

- 6260 a. Uninterrupted reading instruction for the majority of
 6261 student contact time each day and opportunities to master the
 6262 grade 4 Next Generation Sunshine State Standards in other core
 6263 subject areas through content-rich texts.
- 6264 b. Small group instruction.
- 6265 c. Reduced teacher-student ratios.
- 6266 d. The use of explicit, systematic, and multisensory
 6267 reading interventions, including intensive language, phonics,
 6268 and vocabulary instruction, and use of a speech-language
 6269 therapist if necessary, that have proven results in accelerating
 6270 student reading achievement within the same school year.
- 6271 e. A read-at-home plan.

6272 ~~a. Be provided to a student in grade 3 who scores Level 1~~
 6273 ~~on the statewide, standardized English Language Arts assessment~~
 6274 ~~and who was retained in grade 3 the prior year because of~~
 6275 ~~scoring Level 1.~~

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6276 ~~b. Have a reduced teacher-student ratio.~~

6277 ~~e. Provide uninterrupted reading instruction for the~~

6278 ~~majority of student contact time each day and incorporate~~

6279 ~~opportunities to master the grade 4 Next Generation Sunshine~~

6280 ~~State Standards in other core subject areas.~~

6281 ~~d. Use a reading program that is scientifically research-~~

6282 ~~based and has proven results in accelerating student reading~~

6283 ~~achievement within the same school year.~~

6284 ~~e. Provide intensive language and vocabulary instruction~~

6285 ~~using a scientifically research-based program, including use of~~

6286 ~~a speech-language therapist.~~

6287 (8) ANNUAL REPORT.—

6288 (a) In addition to the requirements in paragraph (5) (b),

6289 each district school board must annually report to the parent of

6290 each student the progress of the student toward achieving state

6291 and district expectations for proficiency in English Language

6292 Arts, science, social studies, and mathematics. The district

6293 school board must report to the parent the student's results on

6294 each statewide, standardized assessment. The evaluation of each

6295 student's progress must be based upon the student's classroom

6296 work, observations, tests, district and state assessments,

6297 response to intensive interventions provided under paragraph

6298 (5) (a), and other relevant information. Progress reporting must

6299 be provided to the parent in writing in a format adopted by the

6300 district school board.

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6301 Section 56. Subsection (2) of section 1011.67, Florida
 6302 Statutes, is amended to read:
 6303 1011.67 Funds for instructional materials.—
 6304 (2) Annually by July 1 and before ~~prior to~~ the release of
 6305 instructional materials funds, each district school
 6306 superintendent shall certify to the Commissioner of Education
 6307 that the district school board has approved a comprehensive
 6308 staff development plan that supports fidelity of implementation
 6309 of instructional materials programs, including. ~~The report shall~~
 6310 ~~include~~ verification that training was provided; and that the
 6311 materials are being implemented as designed; and, beginning July
 6312 1, 2021, for core reading materials and reading intervention
 6313 materials used in kindergarten through grade 5, that the
 6314 materials meet the requirements of s. 1001.215(7). This
 6315 paragraph does not preclude school districts from purchasing or
 6316 using other materials to supplement reading instruction and
 6317 provide additional skills practice.

6318 Section 57. Subsection (8) is added to section 1002.51,
 6319 Florida Statutes, to read:

6320 1002.51 Definitions.—As used in this part, the term:

6321 (8) "Public school prekindergarten provider" includes a
 6322 traditional public school or a charter school that is eligible
 6323 to deliver the school-year prekindergarten program under s.
 6324 1002.63 or the summer prekindergarten program under s. 1002.61.

6325 Section 58. Paragraph (b) of subsection (2) of section

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6326 | 1003.21, Florida Statutes, is amended to read:

6327 | 1003.21 School attendance.—

6328 | (2)

6329 | (b) Each district school board, in accordance with rules

6330 | of the State Board of Education, shall adopt policies

6331 | authorizing a policy that authorizes a parent to request and be

6332 | granted permission for absence of a student from school for:

6333 | 1. Religious instruction or religious holidays.

6334 | 2. An appointment scheduled to receive a therapy service

6335 | provided by a licensed health care practitioner or behavior

6336 | analyst certified pursuant to s. 393.17 for the treatment of

6337 | autism spectrum disorder, including, but not limited to, applied

6338 | behavioral analysis, speech therapy, and occupational therapy.

6339 | Section 59. Subsection (4) of section 1003.24, Florida

6340 | Statutes, is amended to read:

6341 | 1003.24 Parents responsible for attendance of children;

6342 | attendance policy.—Each parent of a child within the compulsory

6343 | attendance age is responsible for the child's school attendance

6344 | as required by law. The absence of a student from school is

6345 | prima facie evidence of a violation of this section; however,

6346 | criminal prosecution under this chapter may not be brought

6347 | against a parent until the provisions of s. 1003.26 have been

6348 | complied with. A parent of a student is not responsible for the

6349 | student's nonattendance at school under any of the following

6350 | conditions:

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6351 (4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—
 6352 Attendance was impracticable or inadvisable on account of
 6353 sickness or injury, as attested to by a written statement of a
 6354 licensed practicing physician, or was impracticable because of
 6355 some other stated insurmountable condition as defined by and
 6356 attested to in accordance with rules of the State Board of
 6357 Education. If a student is continually sick and repeatedly
 6358 absent from school, he or she must be under the supervision of a
 6359 physician, or if the absence is related to the student having
 6360 autism spectrum disorder, receiving services from a licensed
 6361 health care practitioner or behavior analyst certified pursuant
 6362 to s. 393.17, in order to receive an excuse from attendance.
 6363 Such excuse provides that a student's condition justifies
 6364 absence for more than the number of days permitted by the
 6365 district school board.

6366
 6367 Each district school board shall establish an attendance policy
 6368 that includes, but is not limited to, the required number of
 6369 days each school year that a student must be in attendance and
 6370 the number of absences and tardinesses after which a statement
 6371 explaining such absences and tardinesses must be on file at the
 6372 school. Each school in the district must determine if an absence
 6373 or tardiness is excused or unexcused according to criteria
 6374 established by the district school board.

6375 Section 60. Paragraph (c) of subsection (1) of section

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6376 | 1003.4156, Florida Statutes, is amended to read:

6377 | 1003.4156 General requirements for middle grades
6378 | promotion.—

6379 | (1) In order for a student to be promoted to high school
6380 | from a school that includes middle grades 6, 7, and 8, the
6381 | student must successfully complete the following courses:

6382 | ~~(c) One course in career and education planning to be~~
6383 | ~~completed in 6th, 7th, or 8th grade. The course may be taught by~~
6384 | ~~any member of the instructional staff. At a minimum, the course~~
6385 | ~~must be Internet-based, easy to use, and customizable to each~~
6386 | ~~student and include research-based assessments to assist~~
6387 | ~~students in determining educational and career options and~~
6388 | ~~goals. In addition, the course must result in a completed~~
6389 | ~~personalized academic and career plan for the student; must~~
6390 | ~~emphasize the importance of entrepreneurship skills; must~~
6391 | ~~emphasize technology or the application of technology in career~~
6392 | ~~fields; and, beginning in the 2014-2015 academic year, must~~
6393 | ~~include information from the Department of Economic~~
6394 | ~~Opportunity's economic security report as described in s.~~
6395 | ~~445.07. The required personalized academic and career plan must~~
6396 | ~~inform students of high school graduation requirements,~~
6397 | ~~including a detailed explanation of the diploma designation~~
6398 | ~~options provided under s. 1003.4285; high school assessment and~~
6399 | ~~college entrance test requirements; Florida Bright Futures~~
6400 | ~~Scholarship Program requirements; state university and Florida~~

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6401 ~~College System institution admission requirements; available~~
 6402 ~~opportunities to earn college credit in high school, including~~
 6403 ~~Advanced Placement courses; the International Baccalaureate~~
 6404 ~~Program; the Advanced International Certificate of Education~~
 6405 ~~Program; dual enrollment, including career dual enrollment; and~~
 6406 ~~career education courses, including career-themed courses and~~
 6407 ~~courses that lead to industry certification pursuant to s.~~
 6408 ~~1003.492 or s. 1008.44.~~

6409
 6410 ~~Each school must inform parents about the course curriculum and~~
 6411 ~~activities. Each student shall complete a personal education~~
 6412 ~~plan that must be signed by the student and the student's~~
 6413 ~~parent. The Department of Education shall develop course~~
 6414 ~~frameworks and professional development materials for the career~~
 6415 ~~and education planning course. The course may be implemented as~~
 6416 ~~a stand-alone course or integrated into another course or~~
 6417 ~~courses. The Commissioner of Education shall collect~~
 6418 ~~longitudinal high school course enrollment data by student~~
 6419 ~~ethnicity in order to analyze course-taking patterns.~~

6420 Section 61. Subsection (3) of section 1003.57, Florida
 6421 Statutes, is amended to read:

6422 1003.57 Exceptional students instruction.—

6423 (3) (a) For purposes of this subsection and subsection (4),
 6424 the term:

6425 1. "Agency" means the Department of Children and Families

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6426 or its contracted lead agency, the Agency for Persons with
 6427 Disabilities, and the Agency for Health Care Administration.

6428 2. "Exceptional student" means an exceptional student, as
 6429 defined in s. 1003.01, who has a disability.

6430 3. "Receiving school district" means the district in which
 6431 a private residential care facility is located.

6432 4. "Placement" means the funding or arrangement of funding
 6433 by an agency for all or a part of the cost for an exceptional
 6434 student to reside in a private residential care facility and the
 6435 placement crosses school district lines.

6436 (b) Within 10 business days after an exceptional student
 6437 is placed in a private residential care facility by an agency,
 6438 the agency or private residential care facility licensed by the
 6439 agency, as appropriate, shall provide written notification of
 6440 the placement to the school district where the student is
 6441 currently counted for funding purposes under s. 1011.62 and the
 6442 receiving school district. The exceptional student shall be
 6443 enrolled in school and receive a free and appropriate public
 6444 education, special education, and related services while the
 6445 notice and procedures regarding payment are pending. This
 6446 paragraph applies when the placement is for the primary purpose
 6447 of addressing residential or other noneducational needs and the
 6448 placement crosses school district lines.

6449 (c) Within 10 business days after receiving the
 6450 notification, the receiving school district must review the

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6451 student's individual educational plan (IEP) to determine if the
 6452 student's IEP can be implemented by the receiving school
 6453 district or by a provider or facility under contract with the
 6454 receiving school district. The receiving school district shall:

- 6455 1. Provide educational instruction to the student;
- 6456 2. Contract with another provider or facility to provide
- 6457 the educational instruction; or
- 6458 3. Contract with the private residential care facility in
- 6459 which the student resides to provide the educational
- 6460 instruction; ~~or~~
- 6461 ~~4. Decline to provide or contract for educational~~
- 6462 ~~instruction.~~

6463
 6464 ~~If the receiving school district declines to provide or contract~~
 6465 ~~for the educational instruction, the school district in which~~
 6466 ~~the legal residence of the student is located shall provide or~~
 6467 ~~contract for the educational instruction to the student. The~~
 6468 receiving school district providing ~~that provides~~ educational
 6469 instruction or contracting ~~contracts~~ to provide educational
 6470 instruction shall report the student for funding purposes
 6471 pursuant to s. 1011.62.

6472 (d)1. The Department of Education, in consultation with
 6473 the agencies and school districts, shall develop procedures for
 6474 written notification to school districts regarding the placement
 6475 of an exceptional student in a residential care facility. The

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6476 | procedures must:

6477 | a. Provide for written notification of a placement that
6478 | crosses school district lines; and

6479 | b. Identify the entity responsible for the notification
6480 | for each facility that is operated, licensed, or regulated by an
6481 | agency.

6482 | 2. The State Board of Education shall adopt the procedures
6483 | by rule pursuant to ss. 120.536(1) and 120.54, and the agencies
6484 | shall implement the procedures.

6485 |

6486 | The requirements of paragraphs (c) and (d) do not apply to
6487 | written agreements among school districts which specify each
6488 | school district's responsibility for providing and paying for
6489 | educational services to an exceptional student in a residential
6490 | care facility. However, each agreement must require a school
6491 | district to review the student's IEP within 10 business days
6492 | after receiving the notification required under paragraph (b).

6493 | Section 62. Paragraph (a) of subsection (3) of section
6494 | 1006.40, Florida Statutes, is amended to read:

6495 | 1006.40 Use of instructional materials allocation;
6496 | instructional materials, library books, and reference books;
6497 | repair of books.—

6498 | (3) (a) Except for a school district or a consortium of
6499 | school districts that implements an instructional materials
6500 | program pursuant to s. 1006.283 ~~Beginning with the 2015-2016~~

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6501 ~~fiscal year~~, each district school board shall use ~~at least 50~~
 6502 ~~percent~~ of the annual allocation only for the purchase of
 6503 ~~digital or electronic~~ instructional materials that align with
 6504 state standards and are included on the state-adopted list,
 6505 except as otherwise authorized in paragraphs (b) and (c).

6506 Section 63. Subsections (1) and (4) of section 1009.60,
 6507 Florida Statutes, are amended to read:

6508 1009.60 Minority teacher education scholars program.—There
 6509 is created the minority teacher education scholars program,
 6510 which is a collaborative performance-based scholarship program
 6511 for African-American, Hispanic-American, Asian-American, and
 6512 Native American students. The participants in the program
 6513 include Florida's Florida College System institutions and its
 6514 public and private universities that have teacher education
 6515 programs.

6516 (1) The minority teacher education scholars program shall
 6517 provide an annual scholarship in an amount that shall be
 6518 prorated based on available appropriations and may not exceed
 6519 \$4,000 for each approved minority teacher education scholar who
 6520 is enrolled in one of Florida's public or private colleges or
 6521 universities, in the junior year and is admitted into a teacher
 6522 education program, and has not earned more than 18 credit hours
 6523 of upper-division-level courses in education.

6524 (4) A student may receive a scholarship from the program
 6525 for 3 consecutive years if the student remains enrolled full-

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6526 | time in the program and makes satisfactory progress toward a
 6527 | baccalaureate degree with a major in education or a graduate
 6528 | degree with a major in education, leading to initial
 6529 | certification.

6530 | Section 64. Paragraph (a) of subsection (2) of section
 6531 | 1009.605, Florida Statutes, is amended to read:

6532 | 1009.605 Florida Fund for Minority Teachers, Inc.—

6533 | (2) (a) The corporation shall submit an annual budget
 6534 | projection to the Department of Education to be included in the
 6535 | annual legislative budget request. The projection must be based
 6536 | on the cost to award up to 350 scholarships to new scholars ~~in~~
 6537 | ~~the junior year~~ and up to 350 renewal scholarships ~~to the 350~~
 6538 | ~~rising seniors.~~

6539 | Section 65. Committee on Early Grade Success.—The
 6540 | Committee on Early Grade Success, a committee as defined in s.
 6541 | 20.03, Florida Statutes, is created within the Department of
 6542 | Education to develop a proposal for establishing and
 6543 | implementing a coordinated child assessment system for the
 6544 | School Readiness Program, the Voluntary Prekindergarten
 6545 | Education Program, and the Kindergarten Readiness Assessment
 6546 | and, except as otherwise provided in this section, shall operate
 6547 | consistent with s. 20.052, Florida Statutes.

6548 | (1) The committee's proposal must include legislative
 6549 | recommendations for the design and implementation of a
 6550 | coordinated child assessment system, including, but not limited

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6551 to:

6552 (a) The purpose of a child assessment, with a focus on
 6553 developmentally appropriate learning gains.

6554 (b) Attributes for tool selection that provide guidance on
 6555 procurement policies.

6556 (c) An implementation schedule and protocols, including
 6557 the frequency of data collection and a timeline for training to
 6558 ensure reliability of the system.

6559 (d) The methodology for collecting and analyzing data that
 6560 define reporting requirements.

6561 (e) A budget for the system, including cost analyses for
 6562 purchasing materials and the necessary technology, training to
 6563 ensure reliability, and data system management.

6564 (f) Considerations for student privacy and tracking child
 6565 development over time.

6566 (2) The committee is composed of 17 members who are
 6567 residents of the state and appointed as follows:

6568 (a) Three members appointed by the Governor:

6569 1. One representative from the Office of Early Learning.

6570 2. One representative from the Department of Education.

6571 3. One parent of a child who is 3 to 6 years of age.

6572 (b) Fourteen members jointly appointed by the President of
 6573 the Senate and the Speaker of the House of Representatives:

6574 1. One representative of an urban school district.

6575 2. One representative of a rural school district.

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- 6576 3. One representative of an urban early learning
 6577 coalition.
- 6578 4. One representative of a rural early learning coalition.
- 6579 5. One representative of an early learning provider.
- 6580 6. One representative of a faith-based early learning
 6581 provider.
- 6582 7. One representative who is a kindergarten teacher with
 6583 at least 5 years of teaching experience.
- 6584 8. One representative who is an elementary school
 6585 principal.
- 6586 9. Four representatives with subject matter expertise in
 6587 early learning, early grade success, or child assessments. The
 6588 four representatives may not be direct stakeholders within the
 6589 early learning or public school systems or potential recipients
 6590 of a contract resulting from the committee's proposal.
- 6591 10. One member of the Senate.
- 6592 11. One member of the House of Representatives.
- 6593 (3) The committee shall elect a chair and vice chair. The
 6594 chair must be one of the four members with subject matter
 6595 expertise in early learning, early grade success, or child
 6596 assessments. The vice chair must be a member appointed by the
 6597 President of the Senate and the Speaker of the House of
 6598 Representatives, who is not one of the four members who are
 6599 subject matter experts in early learning, early grade success,
 6600 or child assessments. Members of the committee shall serve

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6601 without compensation but are entitled to reimbursement for per
 6602 diem and travel expenses pursuant to s. 112.061, Florida
 6603 Statutes.

6604 (4) The committee must meet at least three times and shall
 6605 meet by teleconference or other electronic means, if possible,
 6606 to reduce costs.

6607 (5) A majority of the members constitutes a quorum.

6608 (6) The University of Florida Lastinger Center for
 6609 Learning shall provide the committee with staff necessary to
 6610 assist the committee in the performance of its duties.

6611 (7) The committee shall submit a report of its findings
 6612 and recommendations to the Governor, the President of the
 6613 Senate, and the Speaker of the House of Representatives by
 6614 December 1, 2017. Upon submission of the report, the committee
 6615 shall expire.

6616 (8) The State Board of Education may adopt rules to
 6617 implement and administer this section.

6618 Section 66. Section 1013.101, Florida Statutes, is created
 6619 to read:

6620 1013.101 Shared use agreements.-

6621 (1) LEGISLATIVE FINDINGS AND INTENT.-The Legislature finds
 6622 that greater public access to recreation and sports facilities
 6623 is needed to reduce the impact of obesity, diabetes, and other
 6624 chronic diseases on personal health and health care
 6625 expenditures. Public schools are equipped with taxpayer-funded

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6626 | indoor and outdoor recreation facilities that offer easily
 6627 | accessible opportunities for physical activity for residents of
 6628 | the community. The Legislature also finds that it is the policy
 6629 | of the state for district school boards to allow the shared use
 6630 | of school buildings and property by adopting policies allowing
 6631 | for shared use and implementing shared use agreements with local
 6632 | governmental entities and nonprofit organizations. The
 6633 | Legislature intends to increase the number of school districts
 6634 | that open their playground facilities to community use outside
 6635 | of school hours.

6636 | (2) DEFINITIONS.—As used in this section, the term:

6637 | (a) "High-need communities" means communities in which at
 6638 | least 50 percent of children are eligible to receive free or
 6639 | reduced-price meals at the school that will be the subject of
 6640 | the shared use agreement.

6641 | (b) "Shared use" means allowing access to school
 6642 | playground facilities by community members for recreation or
 6643 | another purpose of importance to the community through a shared
 6644 | use agreement or a school district or school policy that opens
 6645 | school facilities, including, but not limited to charter schools
 6646 | and Florida College System institutions, for use by government
 6647 | or nongovernmental entities or the public.

6648 | (c) "Shared use agreement" means a written agreement
 6649 | between a school district, a charter school, or a Florida
 6650 | College System institution, and a government or nongovernmental

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6651 entity which defines the roles, responsibilities, terms, and
 6652 conditions for community use of a school-owned facility for
 6653 recreation or other purposes.

6654 (3) PROMOTION OF COMMUNITY USE OF SHARED FACILITIES.—The
 6655 department shall provide technical assistance to school
 6656 districts, including, but not limited to, individualized
 6657 assistance, the creation of a shared use technical assistance
 6658 toolkit containing useful information for school districts, and
 6659 the development of a publicly accessible online database of
 6660 shared use resources and existing shared use agreements.

6661 Section 67. Shared Use Task Force.—The Shared Use Task
 6662 Force, a task force as defined in s. 20.03, Florida Statutes, is
 6663 created within the Department of Education. The task force is
 6664 created to identify barriers in creating shared use agreements
 6665 and to make recommendations to facilitate the shared use of
 6666 school facilities generally and in high-need communities.

6667 (1) The task force is composed of seven members appointed
 6668 by the department, as follows:

6669 (a) Two representatives from school districts, including
 6670 one representative from school districts 1 through 33 and one
 6671 representative from school districts 34 through 67;

6672 (b) One representative from a public health department;

6673 (c) Two representatives from community-based programs in
 6674 high-need communities; and

6675 (d) Two representatives from recreational organizations.

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6676 (2) The task force shall elect a chair and vice chair. The
 6677 chair and vice chair may not be representatives from the same
 6678 member category. Members of the task force shall serve without
 6679 compensation, but are entitled to reimbursement for per diem and
 6680 travel expenses pursuant to s. 112.061, Florida Statutes.

6681 (3) The task force shall meet by teleconference or other
 6682 electronic means, if possible, to reduce costs.

6683 (4) The department shall provide the task force with staff
 6684 necessary to assist the task force in the performance of its
 6685 duties.

6686 (5) The task force shall submit a report of its findings
 6687 and recommendations to the President of the Senate and the
 6688 Speaker of the House of Representatives by June 30, 2018. Upon
 6689 submission of the report, the task force shall expire.

6690 Section 68. Paragraph (b) of subsection (1) of section
 6691 125.901, Florida Statutes, is amended to read:

6692 125.901 Children's services; independent special district;
 6693 council; powers, duties, and functions; public records
 6694 exemption.—

6695 (1) Each county may by ordinance create an independent
 6696 special district, as defined in ss. 189.012 and 200.001(8)(e),
 6697 to provide funding for children's services throughout the county
 6698 in accordance with this section. The boundaries of such district
 6699 shall be coterminous with the boundaries of the county. The
 6700 county governing body shall obtain approval, by a majority vote

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6701 of those electors voting on the question, to annually levy ad
6702 valorem taxes which shall not exceed the maximum millage rate
6703 authorized by this section. Any district created pursuant to the
6704 provisions of this subsection shall be required to levy and fix
6705 millage subject to the provisions of s. 200.065. Once such
6706 millage is approved by the electorate, the district shall not be
6707 required to seek approval of the electorate in future years to
6708 levy the previously approved millage.

6709 (b) However, any county as defined in s. 125.011(1) may
6710 instead have a governing body consisting of 33 members,
6711 including: the superintendent of schools, or his or her
6712 designee; two representatives of public postsecondary education
6713 institutions located in the county; the county manager or the
6714 equivalent county officer; the district administrator from the
6715 appropriate district of the Department of Children and Families,
6716 or the administrator's designee who is a member of the Senior
6717 Management Service or the Selected Exempt Service; the director
6718 of the county health department or the director's designee; the
6719 state attorney for the county or the state attorney's designee;
6720 the chief judge assigned to juvenile cases, or another juvenile
6721 judge who is the chief judge's designee and who shall sit as a
6722 voting member of the board, except that the judge may not vote
6723 or participate in setting ad valorem taxes under this section;
6724 an individual who is selected by the board of the local United
6725 Way or its equivalent; a member of a locally recognized faith-

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6726 | based coalition, selected by that coalition; a member of the
 6727 | local chamber of commerce, selected by that chamber or, if more
 6728 | than one chamber exists within the county, a person selected by
 6729 | a coalition of the local chambers; a member of the early
 6730 | learning coalition, selected by that coalition; a representative
 6731 | of a labor organization or union active in the county; a member
 6732 | of a local alliance or coalition engaged in cross-system
 6733 | planning for health and social service delivery in the county,
 6734 | selected by that alliance or coalition; a member of the local
 6735 | Parent-Teachers Association/Parent-Teacher-Student Association,
 6736 | selected by that association; a youth representative selected by
 6737 | the local school system's student government; a local school
 6738 | board member appointed by the chair of the school board; the
 6739 | mayor of the county or the mayor's designee; one member of the
 6740 | county governing body, appointed by the chair of that body; a
 6741 | member of the state Legislature who represents residents of the
 6742 | county, selected by the chair of the local legislative
 6743 | delegation; an elected official representing the residents of a
 6744 | municipality in the county, selected by the county municipal
 6745 | league; and 4 members-at-large, appointed to the council by the
 6746 | majority of sitting council members. The remaining 7 members
 6747 | shall be appointed by the Governor in accordance with procedures
 6748 | set forth in paragraph (a), except that the Governor may remove
 6749 | a member for cause or upon the written petition of the council.
 6750 | Appointments by the Governor must, to the extent reasonably

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6751 possible, represent the geographic and demographic diversity of
 6752 the population of the county. Members who are appointed to the
 6753 council by reason of their position are not subject to the
 6754 length of terms and limits on consecutive terms as provided in
 6755 this section. The remaining appointed members of the governing
 6756 body shall be appointed to serve 2-year terms, except that those
 6757 members appointed by the Governor shall be appointed to serve 4-
 6758 year terms, and the youth representative and the legislative
 6759 delegate shall be appointed to serve 1-year terms. A member may
 6760 be reappointed; however, a member may not serve for more than
 6761 three consecutive terms. A member is eligible to be appointed
 6762 again after a 2-year hiatus from the council.

6763 Section 69. Section 1003.481, Florida Statutes, is created
 6764 to read:

6765 1003.481 Early Childhood Music Education Incentive Pilot
 6766 Program.—

6767 (1) Beginning with the 2017-2018 school year, the Early
 6768 Childhood Music Education Incentive Pilot Program is created
 6769 within the Department of Education for a period of 3 school
 6770 years. The purpose of the pilot program is to assist selected
 6771 school districts in implementing comprehensive music education
 6772 programs for students in kindergarten through grade 2.

6773 (2) In order for a school district to be eligible for
 6774 participation in the pilot program, the superintendent must
 6775 certify to the Commissioner of Education, in a format prescribed

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6776 by the department, that each elementary school within the
 6777 district has established a comprehensive music education program
 6778 that:

6779 (a) Includes all students at the school enrolled in
 6780 kindergarten through grade 2.

6781 (b) Is staffed by certified music educators.

6782 (c) Provides music instruction for at least 30 consecutive
 6783 minutes 2 days a week.

6784 (d) Complies with class size requirements under s.
 6785 1003.03.

6786 (e) Complies with the department's standards for early
 6787 childhood music education programs for students in kindergarten
 6788 through grade 2.

6789 (3) (a) The commissioner shall select school districts for
 6790 participation in the pilot program, subject to legislative
 6791 appropriation, based on the school district's proximity to the
 6792 University of Florida and needs-based criteria established by
 6793 the State Board of Education. Selected school districts shall
 6794 annually receive \$150 per full-time equivalent student in
 6795 kindergarten through grade 2 who is enrolled in a comprehensive
 6796 music education program.

6797 (b) To maintain eligibility for participation in the pilot
 6798 program, a selected school district must annually certify to the
 6799 commissioner, in a format prescribed by the department, that
 6800 each elementary school within the district provides a

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6801 comprehensive music education program that meets the
6802 requirements of subsection (2). If a selected school district
6803 fails to provide the annual certification for a fiscal year, the
6804 school district must return all funds received through the pilot
6805 program for that fiscal year.

6806 (4) The University of Florida's College of Education shall
6807 evaluate the effectiveness of the pilot program by measuring
6808 student academic performance and the success of the program. The
6809 evaluation must include, but is not limited to, a quantitative
6810 analysis of student achievement and a qualitative evaluation of
6811 students enrolled in the comprehensive music education programs.

6812 (5) The State Board of Education may adopt rules to
6813 administer this section.

6814 (6) This section expires June 30, 2020.

6815 Section 70. If any provision of this act or its
6816 application to any person or circumstance is held invalid, the
6817 invalidity does not affect the remaining provisions or
6818 applications of the act which can be given effect without the
6819 invalid provision or application, and to this end the provisions
6820 of this act are severable.

6821 Section 71. For the 2017-2018 fiscal year, \$413,950,000 in
6822 recurring funds from the General Revenue Fund and \$5 million in
6823 nonrecurring funds from the General Revenue Fund are
6824 appropriated to the Department of Education to implement this
6825 act. Of these funds, \$233,950,000 shall be used to implement the

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6826 | Best and Brightest Teacher Scholarship Program pursuant to s.
 6827 | 1012.731, Florida Statutes, and the Best and Brightest Principal
 6828 | Scholarship Program pursuant to s. 1012.732, Florida Statutes,
 6829 | \$30 million shall be used to implement the Gardiner Scholarship
 6830 | Program pursuant to s. 1002.385, Florida Statutes, and \$10
 6831 | million in recurring funds and \$5 million in nonrecurring funds
 6832 | shall be used to implement the provisions of this act relating
 6833 | to statewide student assessments. The remaining funds shall be
 6834 | used to implement the remaining provisions of this act, except
 6835 | for the implementation of the Early Childhood Music Education
 6836 | Incentive Pilot Program, as created by s. 1003.481, Florida
 6837 | Statutes, the Committee on Early Grade Success, as created by
 6838 | section 65 of this act, and the Shared Use Task Force, as
 6839 | created by section 67 of this act.

6840 | Section 72. Except as otherwise expressly provided in this
 6841 | act and except for this section, which shall take effect upon
 6842 | this act becoming a law, this act shall take effect July 1,
 6843 | 2017.