

By the Committee on Education; and Senators Harrell and Perry

581-03022-20

20201438c1

1 A bill to be entitled
2 An act relating to dyslexia; creating s. 1001.2151,
3 F.S.; providing legislative intent; requiring public
4 schools to screen all students in kindergarten through
5 grade 3 for dyslexia within a certain timeframe;
6 requiring public school students with a substantial
7 deficiency in reading to be placed in an intensive
8 remedial intervention program; requiring parental
9 notification of dyslexia diagnoses and biweekly
10 progress reports; providing for subsequent diagnostic
11 assessment; requiring that intensive remedial
12 intervention meet certain requirements; requiring
13 remedial intervention to continue until the student
14 can perform at a certain level; requiring public
15 schools to have at least one person on staff with
16 specified certification in reading instruction for
17 students with dyslexia; requiring the State Board of
18 Education to adopt rules; amending s. 1003.01, F.S.;
19 defining the terms "dyscalculia," "dysgraphia," and
20 "dyslexia"; creating the Dyslexia Task Force within
21 the Department of Education; specifying the purpose
22 and membership of the task force; requiring the task
23 force members to be appointed by the Commissioner of
24 Education; requiring task force to consist of nine
25 members of certain backgrounds; requiring task force
26 to hold its first meeting within a certain timeframe;
27 providing that task force members serve without
28 compensation, but may receive reimbursement for
29 certain expenses; amending s. 1003.26, F.S.; removing

581-03022-20

20201438c1

30 a requirement for district school superintendents to
31 refer parents to a home education review committee;
32 removing a penalty for parents failing to provide a
33 portfolio to such committee; amending ss. 11.45,
34 39.0016, 414.1251, 1002.01, 1002.20, 1002.3105,
35 1002.33, 1002.385, 1002.42, 1002.43, 1003.03, 1003.21,
36 1003.26, 1003.4282, 1003.52, 1003.575, 1006.07,
37 1008.24, and 1012.2315, F.S.; conforming cross-
38 references; providing an effective date.

39
40 Be It Enacted by the Legislature of the State of Florida:

41
42 Section 1. Section 1001.2151, Florida Statutes, is created
43 to read:

44 1001.2151 LITERACY-BASED PROMOTION.—It is the intent of the
45 Legislature to ensure that each student's progression in
46 kindergarten through grade 3 is determined in part upon the
47 student's proficiency in reading. Local school board policies
48 shall facilitate this proficiency, and each student and the
49 student's parent or legal guardian shall be informed of the
50 student's academic progress.

51 (1) Within the first 30 days of the school year, each
52 public school shall screen each student in kindergarten through
53 grade 3 for dyslexia using a dyslexia diagnostic assessment
54 screeener.

55 (2) Each public school student in kindergarten through
56 grade 3 who exhibits a substantial deficiency in reading at any
57 time, as demonstrated through his or her performance on a
58 dyslexia diagnostic assessment screener approved and developed

581-03022-20

20201438c1

59 by the State Board of Education, must be placed in an intensive
60 remedial intervention program.

61 (3) The parent of any student in kindergarten through grade
62 3 who exhibits dyslexia shall be immediately notified by the
63 student's school of the student's deficiency pursuant to s.
64 1008.25(5) and the parent shall be provided a progress report
65 issued at 2-week intervals while the student continues to
66 exhibit dyslexia. The parent shall also be notified in writing
67 by the school of the process to request a special education
68 evaluation.

69 (4) The dyslexia diagnostic assessment screener may be
70 repeated at midyear and at the end of the school year to
71 determine student progression in reading. If it is determined
72 that the student continues to exhibit a reading deficiency, he
73 or she must be provided with continued intensive remedial
74 intervention by the school district until the deficiency is
75 remedied. Every public school must provide intensive
76 interventions for every student in kindergarten through grade 3
77 identified with a deficiency in reading or with dyslexia to
78 ameliorate the student's specific deficiency.

79 (5) The intensive remedial intervention program must
80 include evidence-based interventions specifically designed for
81 dyslexia utilizing a structured literacy, speech to print, or
82 structured word inquiry approach to assist the student in
83 becoming a successful reader able to read at or above grade
84 level and ready for promotion to the next grade. The intensive
85 remedial intervention program must be continued until the
86 student can maintain grade level performance in decoding,
87 encoding, reading fluency, and reading comprehension without

581-03022-20

20201438c1

88 continued supportive intervention and services.

89 (6) Every public school must employ one or more full-time
90 personnel certified through a nationally recognized organization
91 specializing in reading instruction for students with dyslexia
92 to provide structured literacy, speech to print, or structured
93 word inquiry intervention.

94 (7) The State Board of Education shall adopt rules that
95 require students to be evaluated for phonological awareness to
96 determine whether a student has a specific learning disability.

97 Section 2. Section 1003.01, Florida Statutes, is amended to
98 read:

99 1003.01 Definitions.—As used in this chapter, the term:

100 (6)~~(1)~~ "District school board" means the members who are
101 elected by the voters of a school district created and existing
102 pursuant to s. 4, Art. IX of the State Constitution to operate
103 and control public K-12 education within the school district.

104 (18)~~(2)~~ "School" means an organization of students for
105 instructional purposes on an elementary, middle or junior high
106 school, secondary or high school, or other public school level
107 authorized under rules of the State Board of Education.

108 (8) "Dyscalculia" means a specific learning disability that
109 is:

110 (a) Neurological in origin;

111 (b) Characterized by difficulties with learning and
112 comprehending arithmetic, understanding numbers, performing
113 mathematical calculations, and learning mathematics; and

114 (c) Often unexpected in relation to other cognitive
115 abilities and the provision of effective classroom instruction.

116 (9) "Dysgraphia" means a specific learning disability that

581-03022-20

20201438c1

117 is:

118 (a) Neurological in origin;

119 (b) Characterized by difficulties with accurate writing
120 abilities, spelling, handwriting, and putting thoughts on paper;
121 and

122 (c) Often unexpected in relation to other cognitive
123 abilities and the provision of effective classroom instruction.

124 (10) "Dyslexia" means a specific learning disability that
125 is:

126 (a) Neurological in origin;

127 (b) Characterized by difficulties with accurate and fluent
128 word recognition, spelling, and decoding which typically result
129 from a deficit in the phonological component of language; and

130 (c) Often unexpected in relation to other cognitive
131 abilities and the provision of effective classroom instruction.

132 Secondary consequences may include problems in reading
133 comprehension and reduced reading experience that can impede
134 growth of vocabulary and background knowledge.

135 (11)~~(3)~~ (a) "Exceptional student" means any student who has
136 been determined eligible for a special program in accordance
137 with rules of the State Board of Education. The term includes
138 students who are gifted and students with disabilities who have
139 an intellectual disability; autism spectrum disorder; a speech
140 impairment; a language impairment; an orthopedic impairment; any
141 ~~an~~ other health impairment; traumatic brain injury; a visual
142 impairment; an emotional or behavioral disability; or a specific
143 learning disability, including, but not limited to, dyslexia,
144 dyscalculia, or developmental aphasia; students who are deaf or
145 hard of hearing or dual sensory impaired; students who are

581-03022-20

20201438c1

146 hospitalized or homebound; children with developmental delays
147 ages birth through 5 years, or children, ages birth through 2
148 years, with established conditions that are identified in State
149 Board of Education rules pursuant to s. 1003.21(1)(e).

150 (b) "Special education services" means specially designed
151 instruction and such related services as are necessary for an
152 exceptional student to benefit from education. Such services may
153 include: transportation; diagnostic and evaluation services;
154 social services; physical and occupational therapy; speech and
155 language pathology services; job placement; orientation and
156 mobility training; braillists, typists, and readers for the
157 blind; interpreters and auditory amplification; services
158 provided by a certified listening and spoken language
159 specialist; rehabilitation counseling; transition services;
160 mental health services; guidance and career counseling;
161 specified materials, assistive technology devices, and other
162 specialized equipment; and other such services as approved by
163 rules of the state board.

164 (2)~~(4)~~ "Career education" means education that provides
165 instruction for the following purposes:

166 (a) At the elementary, middle, and high school levels,
167 exploratory courses designed to give students initial exposure
168 to a broad range of occupations to assist them in preparing
169 their academic and occupational plans, and practical arts
170 courses that provide generic skills that may apply to many
171 occupations but are not designed to prepare students for entry
172 into a specific occupation. Career education provided before
173 high school completion must be designed to strengthen both
174 occupational awareness and academic skills integrated throughout

581-03022-20

20201438c1

175 all academic instruction.

176 (b) At the secondary school level, job-preparatory
177 instruction in the competencies that prepare students for
178 effective entry into an occupation, including diversified
179 cooperative education, work experience, and job-entry programs
180 that coordinate directed study and on-the-job training.

181 (c) At the postsecondary education level, courses of study
182 that provide competencies needed for entry into specific
183 occupations or for advancement within an occupation.

184 (19)~~(5)~~ (a) "Suspension," also referred to as out-of-school
185 suspension, means the temporary removal of a student from all
186 classes of instruction on public school grounds and all other
187 school-sponsored activities, except as authorized by the
188 principal or the principal's designee, for a period not to
189 exceed 10 school days and remanding of the student to the
190 custody of the student's parent with specific homework
191 assignments for the student to complete.

192 (b) "In-school suspension" means the temporary removal of a
193 student from the student's regular school program and placement
194 in an alternative program, such as that provided in s. 1003.53,
195 under the supervision of district school board personnel, for a
196 period not to exceed 10 school days.

197 (12)~~(6)~~ "Expulsion" means the removal of the right and
198 obligation of a student to attend a public school under
199 conditions set by the district school board, and for a period of
200 time not to exceed the remainder of the term or school year and
201 1 additional year of attendance. Expulsions may be imposed with
202 or without continuing educational services and shall be reported
203 accordingly.

581-03022-20

20201438c1

204 (5)~~(7)~~ "Corporal punishment" means the moderate use of
205 physical force or physical contact by a teacher or principal as
206 may be necessary to maintain discipline or to enforce school
207 rule. However, the term "corporal punishment" does not include
208 the use of such reasonable force by a teacher or principal as
209 may be necessary for self-protection or to protect other
210 students from disruptive students.

211 (14)~~(8)~~ "Habitual truant" means a student who has 15
212 unexcused absences within 90 calendar days with or without the
213 knowledge or consent of the student's parent, is subject to
214 compulsory school attendance under s. 1003.21(1) and (2)(a), and
215 is not exempt under s. 1003.21(3) or s. 1003.24, or by meeting
216 the criteria for any other exemption specified by law or rules
217 of the State Board of Education. Such a student must have been
218 the subject of the activities specified in ss. 1003.26 and
219 1003.27(3), without resultant successful remediation of the
220 truancy problem before being dealt with as a child in need of
221 services according to the provisions of chapter 984.

222 (7)~~(9)~~ "Dropout" means a student who meets any one or more
223 of the following criteria:

224 (a) The student has voluntarily removed himself or herself
225 from the school system before graduation for reasons that
226 include, but are not limited to, marriage, or the student has
227 withdrawn from school because he or she has failed the statewide
228 student assessment test and thereby does not receive any of the
229 certificates of completion;

230 (b) The student has not met the relevant attendance
231 requirements of the school district pursuant to State Board of
232 Education rules, or the student was expected to attend a school

581-03022-20

20201438c1

233 but did not enter as expected for unknown reasons, or the
234 student's whereabouts are unknown;

235 (c) The student has withdrawn from school, but has not
236 transferred to another public or private school or enrolled in
237 any career, adult, home education, or alternative educational
238 program;

239 (d) The student has withdrawn from school due to hardship,
240 unless such withdrawal has been granted under the provisions of
241 s. 322.091, court action, expulsion, medical reasons, or
242 pregnancy; or

243 (e) The student is not eligible to attend school because of
244 reaching the maximum age for an exceptional student program in
245 accordance with the district's policy.

246

247 The State Board of Education may adopt rules to implement the
248 provisions of this subsection.

249 (1)~~(10)~~ "Alternative measures for students with special
250 needs" or "special programs" means measures designed to meet the
251 special needs of a student that cannot be met by regular school
252 curricula.

253 (15)~~(11)~~(a) "Juvenile justice education programs or
254 schools" means programs or schools operating for the purpose of
255 providing educational services to youth in Department of
256 Juvenile Justice programs, for a school year comprised of 250
257 days of instruction distributed over 12 months. At the request
258 of the provider, a district school board may decrease the
259 minimum number of days of instruction by up to 10 days for
260 teacher planning for residential programs and up to 20 days for
261 teacher planning for nonresidential programs, subject to the

581-03022-20

20201438c1

262 approval of the Department of Juvenile Justice and the
263 Department of Education.

264 (b) "Juvenile justice provider" means the Department of
265 Juvenile Justice, the sheriff, or a private, public, or other
266 governmental organization under contract with the Department of
267 Juvenile Justice or the sheriff that provides treatment, care
268 and custody, or educational programs for youth in juvenile
269 justice intervention, detention, or commitment programs.

270 (3)~~(12)~~ "Children and youths who are experiencing
271 homelessness," for programs authorized under subtitle B,
272 Education for Homeless Children and Youths, of Title VII of the
273 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et
274 seq., means children and youths who lack a fixed, regular, and
275 adequate nighttime residence, and includes:

276 (a) Children and youths who are sharing the housing of
277 other persons due to loss of housing, economic hardship, or a
278 similar reason; are living in motels, hotels, travel trailer
279 parks, or camping grounds due to the lack of alternative
280 adequate accommodations; are living in emergency or transitional
281 shelters; are abandoned in hospitals; or are awaiting foster
282 care placement.

283 (b) Children and youths who have a primary nighttime
284 residence that is a public or private place not designed for or
285 ordinarily used as a regular sleeping accommodation for human
286 beings.

287 (c) Children and youths who are living in cars, parks,
288 public spaces, abandoned buildings, bus or train stations, or
289 similar settings.

290 (d) Migratory children who are living in circumstances

581-03022-20

20201438c1

291 described in paragraphs (a)-(c).

292 (17)~~(13)~~ "Regular school attendance" means the actual
293 attendance of a student during the school day as defined by law
294 and rules of the State Board of Education. Regular attendance
295 within the intent of s. 1003.21 may be achieved by attendance
296 in:

297 (a) A public school supported by public funds;

298 (b) A parochial, religious, or denominational school;

299 (c) A private school supported in whole or in part by
300 tuition charges or by endowments or gifts;

301 (d) A home education program that meets the requirements of
302 chapter 1002; or

303 (e) A private tutoring program that meets the requirements
304 of chapter 1002.

305 (4)~~(14)~~ "Core-curricula courses" means:

306 (a) Courses in language arts/reading, mathematics, social
307 studies, and science in prekindergarten through grade 3,
308 excluding extracurricular courses pursuant to subsection (13)
309 ~~subsection (15)~~;

310 (b) Courses in grades 4 through 8 in subjects that are
311 measured by state assessment at any grade level and courses
312 required for middle school promotion, excluding extracurricular
313 courses pursuant to subsection (13) ~~subsection (15)~~;

314 (c) Courses in grades 9 through 12 in subjects that are
315 measured by state assessment at any grade level and courses that
316 are specifically identified by name in statute as required for
317 high school graduation and that are not measured by state
318 assessment, excluding extracurricular courses pursuant to
319 subsection (13) ~~subsection (15)~~;

581-03022-20

20201438c1

320 (d) Exceptional student education courses; and
321 (e) English for Speakers of Other Languages courses.

322
323 The term is limited in meaning and used for the sole purpose of
324 designating classes that are subject to the maximum class size
325 requirements established in s. 1, Art. IX of the State
326 Constitution. This term does not include courses offered under
327 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, 1002.45, and
328 1003.499.

329 (13)~~(15)~~ "Extracurricular courses" means all courses that
330 are not defined as "core-curricula courses," which may include,
331 but are not limited to, physical education, fine arts,
332 performing fine arts, career education, and courses that may
333 result in college credit. The term is limited in meaning and
334 used for the sole purpose of designating classes that are not
335 subject to the maximum class size requirements established in s.
336 1, Art. IX of the State Constitution.

337 (16) "Physical education" means the development or
338 maintenance of skills related to strength, agility, flexibility,
339 movement, and stamina, including dance; the development of
340 knowledge and skills regarding teamwork and fair play; the
341 development of knowledge and skills regarding nutrition and
342 physical fitness as part of a healthy lifestyle; and the
343 development of positive attitudes regarding sound nutrition and
344 physical activity as a component of personal well-being.

345 Section 3. The Dyslexia Task Force, a task force as defined
346 in s. 20.03, Florida Statutes, is established within the
347 Department of Education.

348 (1) The task force shall develop a dyslexia handbook that

581-03022-20

20201438c1

349 must include, but is not limited to, the following:

350 (a) Recommendations on how to identify dyslexia,
351 dysgraphia, and dyscalculia;

352 (b) Recommendations for appropriate goal writing for
353 individual education plans (IEPs) for students with dyslexia,
354 dysgraphia, or dyscalculia;

355 (c) Recommendations for interventions for dyslexia,
356 dysgraphia, and dyscalculia;

357 (d) Recommendations for provision of assistive technology
358 guidelines; and

359 (e) Recommendations for the creation of a parent handbook
360 regarding dyslexia, dysgraphia, and dyscalculia.

361 (2) The task force shall recommend amendments to uniform
362 IEP documents to require a drop-down menu under specific
363 learning disabilities which allows child study teams to check
364 all learning disabilities that are exhibited by the student,
365 including dyslexia, dysgraphia, and dyscalculia.

366 (3) The task force shall consist of the following nine
367 members appointed by the Commissioner of Education:

368 (a) Three members of organizations or nonprofits focused on
369 dyslexia and other specific learning disabilities.

370 (b) A faculty member or researcher from a university with a
371 program or department devoted to dyslexia and reading disorders.

372 (c) A neuropsychologist or clinical psychologist who
373 specializes in dyslexia evaluation and identification.

374 (d) A speech language pathologist with expertise in
375 dyslexia, phonological deficits, and language disorders.

376 (e) A parent of a child with dyslexia.

377 (f) A public school teacher.

581-03022-20

20201438c1

378 (g) A public school principal.

379 (4) Within 90 days after the effective date of this act, a
380 majority of the members of the task force must be appointed and
381 the task force shall hold its first meeting. The task force
382 shall elect one of its members to serve as chair. Members of the
383 task force shall serve for the duration of the existence of the
384 task force. Any vacancy that occurs shall be filled in the same
385 manner as the original appointment. Task force members shall
386 serve without compensation, but are entitled to reimbursement
387 for per diem and travel expenses as provided in s. 112.061,
388 Florida Statutes.

389 Section 4. Paragraph (k) of subsection (2) of section
390 11.45, Florida Statutes, is amended to read:

391 11.45 Definitions; duties; authorities; reports; rules.—

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

393 (k) Contact each district school board, as defined in s.
394 1003.01 ~~s. 1003.01(1)~~, with the findings and recommendations
395 contained within the Auditor General's previous operational
396 audit report. The district school board shall provide the
397 Auditor General with evidence of the initiation of corrective
398 action within 45 days after the date it is requested by the
399 Auditor General and evidence of completion of corrective action
400 within 180 days after the date it is requested by the Auditor
401 General. If the district school board fails to comply with the
402 Auditor General's request or is unable to take corrective action
403 within the required timeframe, the Auditor General shall notify
404 the Legislative Auditing Committee.

405
406 The Auditor General shall perform his or her duties

581-03022-20

20201438c1

407 independently but under the general policies established by the
408 Legislative Auditing Committee. This subsection does not limit
409 the Auditor General's discretionary authority to conduct other
410 audits or engagements of governmental entities as authorized in
411 subsection (3).

412 Section 5. Paragraph (b) of subsection (3) of section
413 39.0016, Florida Statutes, is amended to read:

414 39.0016 Education of abused, neglected, and abandoned
415 children; agency agreements; children having or suspected of
416 having a disability.—

417 (3) CHILDREN HAVING OR SUSPECTED OF HAVING A DISABILITY.—

418 (b)1. Each district school superintendent or dependency
419 court must appoint a surrogate parent for a child known to the
420 department who has or is suspected of having a disability, as
421 defined in s. 1003.01(11)(a) ~~s. 1003.01(3)~~, when:

422 a. After reasonable efforts, no parent can be located; or

423 b. A court of competent jurisdiction over a child under
424 this chapter has determined that no person has the authority
425 under the Individuals with Disabilities Education Act, including
426 the parent or parents subject to the dependency action, or that
427 no person has the authority, willingness, or ability to serve as
428 the educational decisionmaker for the child without judicial
429 action.

430 2. A surrogate parent appointed by the district school
431 superintendent or the court must be at least 18 years old and
432 have no personal or professional interest that conflicts with
433 the interests of the student to be represented. Neither the
434 district school superintendent nor the court may appoint an
435 employee of the Department of Education, the local school

581-03022-20

20201438c1

436 district, a community-based care provider, the Department of
437 Children and Families, or any other public or private agency
438 involved in the education or care of the child as appointment of
439 those persons is prohibited by federal law. This prohibition
440 includes group home staff and therapeutic foster parents.
441 However, a person who acts in a parental role to a child, such
442 as a foster parent or relative caregiver, is not prohibited from
443 serving as a surrogate parent if he or she is employed by such
444 agency, willing to serve, and knowledgeable about the child and
445 the exceptional student education process. The surrogate parent
446 may be a court-appointed guardian ad litem or a relative or
447 nonrelative adult who is involved in the child's life regardless
448 of whether that person has physical custody of the child. Each
449 person appointed as a surrogate parent must have the knowledge
450 and skills acquired by successfully completing training using
451 materials developed and approved by the Department of Education
452 to ensure adequate representation of the child.

453 3. If a guardian ad litem has been appointed for a child,
454 the district school superintendent must first consider the
455 child's guardian ad litem when appointing a surrogate parent.
456 The district school superintendent must accept the appointment
457 of the court if he or she has not previously appointed a
458 surrogate parent. Similarly, the court must accept a surrogate
459 parent duly appointed by a district school superintendent.

460 4. A surrogate parent appointed by the district school
461 superintendent or the court must be accepted by any subsequent
462 school or school district without regard to where the child is
463 receiving residential care so that a single surrogate parent can
464 follow the education of the child during his or her entire time

581-03022-20

20201438c1

465 in state custody. Nothing in this paragraph or in rule shall
466 limit or prohibit the continuance of a surrogate parent
467 appointment when the responsibility for the student's
468 educational placement moves among and between public and private
469 agencies.

470 5. For a child known to the department, the responsibility
471 to appoint a surrogate parent resides with both the district
472 school superintendent and the court with jurisdiction over the
473 child. If the court elects to appoint a surrogate parent, notice
474 shall be provided as soon as practicable to the child's school.
475 At any time the court determines that it is in the best
476 interests of a child to remove a surrogate parent, the court may
477 appoint a new surrogate parent for educational decisionmaking
478 purposes for that child.

479 6. The surrogate parent shall continue in the appointed
480 role until one of the following occurs:

481 a. The child is determined to no longer be eligible or in
482 need of special programs, except when termination of special
483 programs is being contested.

484 b. The child achieves permanency through adoption or legal
485 guardianship and is no longer in the custody of the department.

486 c. The parent who was previously unknown becomes known,
487 whose whereabouts were unknown is located, or who was
488 unavailable is determined by the court to be available.

489 d. The appointed surrogate no longer wishes to represent
490 the child or is unable to represent the child.

491 e. The superintendent of the school district in which the
492 child is attending school, the Department of Education contract
493 designee, or the court that appointed the surrogate determines

581-03022-20

20201438c1

494 that the appointed surrogate parent no longer adequately
495 represents the child.

496 f. The child moves to a geographic location that is not
497 reasonably accessible to the appointed surrogate.

498 7. The appointment and termination of appointment of a
499 surrogate under this paragraph shall be entered as an order of
500 the court with a copy of the order provided to the child's
501 school as soon as practicable.

502 8. The person appointed as a surrogate parent under this
503 paragraph must:

504 a. Be acquainted with the child and become knowledgeable
505 about his or her disability and educational needs.

506 b. Represent the child in all matters relating to
507 identification, evaluation, and educational placement and the
508 provision of a free and appropriate education to the child.

509 c. Represent the interests and safeguard the rights of the
510 child in educational decisions that affect the child.

511 9. The responsibilities of the person appointed as a
512 surrogate parent shall not extend to the care, maintenance,
513 custody, residential placement, or any other area not
514 specifically related to the education of the child, unless the
515 same person is appointed by the court for such other purposes.

516 10. A person appointed as a surrogate parent shall enjoy
517 all of the procedural safeguards afforded a parent with respect
518 to the identification, evaluation, and educational placement of
519 a student with a disability or a student who is suspected of
520 having a disability.

521 11. A person appointed as a surrogate parent shall not be
522 held liable for actions taken in good faith on behalf of the

581-03022-20

20201438c1

523 student in protecting the special education rights of the child.

524 Section 6. Subsection (1) of section 414.1251, Florida
525 Statutes, is amended to read:

526 414.1251 Learnfare program.—

527 (1) The department shall reduce the temporary cash
528 assistance for a participant's eligible dependent child or for
529 an eligible teenage participant who has not been exempted from
530 education participation requirements, if the eligible dependent
531 child or eligible teenage participant has been identified either
532 as a habitual truant, pursuant to s. 1003.01 ~~s. 1003.01(8)~~, or
533 as a dropout, pursuant to s. 1003.01 ~~s. 1003.01(9)~~. For a
534 student who has been identified as a habitual truant, the
535 temporary cash assistance must be reinstated after a subsequent
536 grading period in which the child's attendance has substantially
537 improved. For a student who has been identified as a dropout,
538 the temporary cash assistance must be reinstated after the
539 student enrolls in a public school, receives a high school
540 diploma or its equivalency, enrolls in preparation for the high
541 school equivalency examination, or enrolls in other educational
542 activities approved by the district school board. Good cause
543 exemptions from the rule of unexcused absences include the
544 following:

545 (a) The student is expelled from school and alternative
546 schooling is not available.

547 (b) No licensed day care is available for a child of teen
548 parents subject to Learnfare.

549 (c) Prohibitive transportation problems exist (e.g., to and
550 from day care).

581-03022-20

20201438c1

552 Within 10 days after sanction notification, the participant
553 parent of a dependent child or the teenage participant may file
554 an internal fair hearings process review procedure appeal, and
555 no sanction shall be imposed until the appeal is resolved.

556 Section 7. Section 1002.01, Florida Statutes, is amended to
557 read:

558 1002.01 Definitions.—

559 (1) A "home education program" means the sequentially
560 progressive instruction of a student directed by his or her
561 parent in order to satisfy the attendance requirements of ss.
562 1002.41, 1003.01(17) ~~1003.01(13)~~, and 1003.21(1).

563 (2) A "private school" is a nonpublic school defined as an
564 individual, association, copartnership, or corporation, or
565 department, division, or section of such organizations, that
566 designates itself as an educational center that includes
567 kindergarten or a higher grade or as an elementary, secondary,
568 business, technical, or trade school below college level or any
569 organization that provides instructional services that meet the
570 intent of s. 1003.01(17) ~~s. 1003.01(13)~~ or that gives
571 preemployment or supplementary training in technology or in
572 fields of trade or industry or that offers academic, literary,
573 or career training below college level, or any combination of
574 the above, including an institution that performs the functions
575 of the above schools through correspondence or extension, except
576 those licensed under the provisions of chapter 1005. A private
577 school may be a parochial, religious, denominational, for-
578 profit, or nonprofit school. This definition does not include
579 home education programs conducted in accordance with s. 1002.41.

580 Section 8. Paragraph (b) of subsection (2) of section

581-03022-20

20201438c1

581 1002.20, Florida Statutes, is amended to read:

582 1002.20 K-12 student and parent rights.—Parents of public
583 school students must receive accurate and timely information
584 regarding their child's academic progress and must be informed
585 of ways they can help their child to succeed in school. K-12
586 students and their parents are afforded numerous statutory
587 rights including, but not limited to, the following:

588 (2) ATTENDANCE.—

589 (b) *Regular school attendance*.—Parents of students who have
590 attained the age of 6 years by February 1 of any school year but
591 who have not attained the age of 16 years must comply with the
592 compulsory school attendance laws. Parents have the option to
593 comply with the school attendance laws by attendance of the
594 student in a public school; a parochial, religious, or
595 denominational school; a private school; a home education
596 program; or a private tutoring program, in accordance with the
597 provisions of s. 1003.01(17) ~~s. 1003.01(13)~~.

598 Section 9. Paragraph (d) of subsection (3) of section
599 1002.3105, Florida Statutes, is amended to read:

600 1002.3105 Academically Challenging Curriculum to Enhance
601 Learning (ACCEL) options.—

602 (3) STUDENT ELIGIBILITY CONSIDERATIONS.—When establishing
603 student eligibility requirements, principals and school
604 districts must consider, at a minimum:

605 (d) Recommendations from one or more of the student's
606 teachers in core-curricula courses as defined in s. 1003.01 ~~s.~~
607 ~~1003.01(14)(a)–(e)~~.

608 Section 10. Paragraph (a) of subsection (20) of section
609 1002.33, Florida Statutes, is amended to read:

581-03022-20

20201438c1

610 1002.33 Charter schools.—

611 (20) SERVICES.—

612 (a)1. A sponsor shall provide certain administrative and
613 educational services to charter schools. These services shall
614 include contract management services; full-time equivalent and
615 data reporting services; exceptional student education
616 administration services; services related to eligibility and
617 reporting duties required to ensure that school lunch services
618 under the National School Lunch Program, consistent with the
619 needs of the charter school, are provided by the school district
620 at the request of the charter school, that any funds due to the
621 charter school under the National School Lunch Program be paid
622 to the charter school as soon as the charter school begins
623 serving food under the National School Lunch Program, and that
624 the charter school is paid at the same time and in the same
625 manner under the National School Lunch Program as other public
626 schools serviced by the sponsor or the school district; test
627 administration services, including payment of the costs of
628 state-required or district-required student assessments;
629 processing of teacher certificate data services; and information
630 services, including equal access to student information systems
631 that are used by public schools in the district in which the
632 charter school is located. Student performance data for each
633 student in a charter school, including, but not limited to, FCAT
634 scores, standardized test scores, previous public school student
635 report cards, and student performance measures, shall be
636 provided by the sponsor to a charter school in the same manner
637 provided to other public schools in the district.

638 2. A sponsor may withhold an administrative fee for the

581-03022-20

20201438c1

639 provision of such services which shall be a percentage of the
640 available funds defined in paragraph (17)(b) calculated based on
641 weighted full-time equivalent students. If the charter school
642 serves 75 percent or more exceptional education students as
643 defined in s. 1003.01 ~~s. 1003.01(3)~~, the percentage shall be
644 calculated based on unweighted full-time equivalent students.
645 The administrative fee shall be calculated as follows:

646 a. Up to 5 percent for:

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

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

651 (A) Includes conversion charter schools and nonconversion
652 charter schools.

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

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

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

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

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

661 b. Up to 2 percent for enrollment of up to and including
662 250 students in a high-performing charter school as defined in
663 s. 1002.331.

664 3. A sponsor may not charge charter schools any additional
665 fees or surcharges for administrative and educational services
666 in addition to the maximum percentage of administrative fees
667 withheld pursuant to this paragraph.

581-03022-20

20201438c1

668 4. A sponsor shall provide to the department by September
669 15 of each year the total amount of funding withheld from
670 charter schools pursuant to this subsection for the prior fiscal
671 year. The department must include the information in the report
672 required under sub-sub-subparagraph (5)(b)1.k.(III).

673 Section 11. Paragraph (h) of subsection (5) and paragraph
674 (a) of subsection (11) of section 1002.385, Florida Statutes,
675 are amended to read:

676 1002.385 The Gardiner Scholarship.—

677 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
678 used to meet the individual educational needs of an eligible
679 student and may be spent for the following purposes:

680 (h) Tuition and fees for part-time tutoring services
681 provided by a person who holds a valid Florida educator's
682 certificate pursuant to s. 1012.56; a person who holds an
683 adjunct teaching certificate pursuant to s. 1012.57; a person
684 who has a bachelor's degree or a graduate degree in the subject
685 area in which instruction is given; or a person who has
686 demonstrated a mastery of subject area knowledge pursuant to s.
687 1012.56(5). As used in this paragraph, the term "part-time
688 tutoring services" does not qualify as regular school attendance
689 as defined in s. 1003.01 ~~s. 1003.01(13)(e)~~.

690
691 A provider of any services receiving payments pursuant to this
692 subsection may not share, refund, or rebate any moneys from the
693 Gardiner Scholarship with the parent or participating student in
694 any manner. A parent, student, or provider of any services may
695 not bill an insurance company, Medicaid, or any other agency for
696 the same services that are paid for using Gardiner Scholarship

581-03022-20

20201438c1

697 funds.

698 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 699 PARTICIPATION.—A parent who applies for program participation
 700 under this section is exercising his or her parental option to
 701 determine the appropriate placement or the services that best
 702 meet the needs of his or her child. The scholarship award for a
 703 student is based on a matrix that assigns the student to support
 704 Level III services. If a parent receives an IEP and a matrix of
 705 services from the school district pursuant to subsection (7),
 706 the amount of the payment shall be adjusted as needed, when the
 707 school district completes the matrix.

708 (a) To satisfy or maintain program eligibility, including
 709 eligibility to receive and spend program payments, the parent
 710 must sign an agreement with the organization and annually submit
 711 a notarized, sworn compliance statement to the organization to:

712 1. Affirm that the student is enrolled in a program that
 713 meets regular school attendance requirements as provided in s.
 714 1003.01(17)(b)-(d) ~~s. 1003.01(13)(b)-(d)~~.

715 2. Affirm that the program funds are used only for
 716 authorized purposes serving the student's educational needs, as
 717 described in subsection (5).

718 3. Affirm that the parent is responsible for the education
 719 of his or her student by, as applicable:

720 a. Requiring the student to take an assessment in
 721 accordance with paragraph (8)(b);

722 b. Providing an annual evaluation in accordance with s.
 723 1002.41(1)(f); or

724 c. Requiring the child to take any preassessments and
 725 postassessments selected by the provider if the child is 4 years

581-03022-20

20201438c1

726 of age and is enrolled in a program provided by an eligible
 727 Voluntary Prekindergarten Education Program provider. A student
 728 with disabilities for whom a preassessment and postassessment is
 729 not appropriate is exempt from this requirement. A participating
 730 provider shall report a student's scores to the parent.

731 4. Affirm that the student remains in good standing with
 732 the provider or school if those options are selected by the
 733 parent.

734

735 A parent who fails to comply with this subsection forfeits the
 736 Gardiner Scholarship.

737 Section 12. Subsection (7) of section 1002.42, Florida
 738 Statutes, is amended to read:

739 1002.42 Private schools.—

740 (7) ATTENDANCE REQUIREMENTS.—Attendance of a student at a
 741 private, parochial, religious, or denominational school
 742 satisfies the attendance requirements of ss. 1003.01(17) ~~ss.~~
 743 ~~1003.01(13)~~ and 1003.21(1).

744 Section 13. Subsection (1) of section 1002.43, Florida
 745 Statutes, is amended to read:

746 1002.43 Private tutoring programs.—

747 (1) Regular school attendance as defined in s. 1003.01 ~~s.~~
 748 ~~1003.01(13)~~ may be achieved by attendance in a private tutoring
 749 program if the person tutoring the student meets the following
 750 requirements:

751 (a) Holds a valid Florida certificate to teach the subjects
 752 or grades in which instruction is given.

753 (b) Keeps all records and makes all reports required by the
 754 state and district school board and makes regular reports on the

581-03022-20

20201438c1

755 attendance of students in accordance with the provisions of s.
756 1003.23(2).

757 (c) Requires students to be in actual attendance for the
758 minimum length of time prescribed by s. 1011.60(2).

759 Section 14. Subsection (6) of section 1003.03, Florida
760 Statutes, is amended to read:

761 1003.03 Maximum class size.—

762 (6) COURSES FOR COMPLIANCE.—Consistent with s. 1003.01(4)
763 ~~s. 1003.01(14)~~, the Department of Education shall identify from
764 the Course Code Directory the core-curricula courses for the
765 purpose of satisfying the maximum class size requirement in this
766 section. The department may adopt rules to implement this
767 subsection, if necessary.

768 Section 15. Subsection (4) of section 1003.21, Florida
769 Statutes, is amended to read:

770 1003.21 School attendance.—

771 (4) Before admitting a child to kindergarten, the principal
772 shall require evidence that the child has attained the age at
773 which he or she should be admitted in accordance with the
774 provisions of subparagraph (1)(a)2. The district school
775 superintendent may require evidence of the age of any child who
776 is being enrolled in public school and who the district school
777 superintendent believes to be within the limits of compulsory
778 attendance as provided for by law; however, the district school
779 superintendent may not require evidence from any child who meets
780 regular attendance requirements by attending a school or program
781 listed in s. 1003.01(17)(b)-(e) ~~s. 1003.01(13)(b)-(e)~~. If the
782 first prescribed evidence is not available, the next evidence
783 obtainable in the order set forth below shall be accepted:

581-03022-20

20201438c1

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

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

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

792 (d) A bona fide contemporary religious record of the
793 child's birth accompanied by an affidavit sworn to by the
794 parent;

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

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

800 (g) If none of these evidences can be produced, an
801 affidavit of age sworn to by the parent, accompanied by a
802 certificate of age signed by a public health officer or by a
803 public school physician, or, if these are not available in the
804 county, by a licensed practicing physician designated by the
805 district school board, which states that the health officer or
806 physician has examined the child and believes that the age as
807 stated in the affidavit is substantially correct. Children and
808 youths who are experiencing homelessness and children who are
809 known to the department, as defined in s. 39.0016, shall be
810 given temporary exemption from this section for 30 school days.

811 Section 16. Paragraph (f) of subsection (1) of section
812 1003.26, Florida Statutes, is amended to read:

581-03022-20

20201438c1

813 1003.26 Enforcement of school attendance.—The Legislature
814 finds that poor academic performance is associated with
815 nonattendance and that school districts must take an active role
816 in promoting and enforcing attendance as a means of improving
817 student performance. It is the policy of the state that each
818 district school superintendent be responsible for enforcing
819 school attendance of all students subject to the compulsory
820 school age in the school district and supporting enforcement of
821 school attendance by local law enforcement agencies. The
822 responsibility includes recommending policies and procedures to
823 the district school board that require public schools to respond
824 in a timely manner to every unexcused absence, and every absence
825 for which the reason is unknown, of students enrolled in the
826 schools. District school board policies shall require the parent
827 of a student to justify each absence of the student, and that
828 justification will be evaluated based on adopted district school
829 board policies that define excused and unexcused absences. The
830 policies must provide that public schools track excused and
831 unexcused absences and contact the home in the case of an
832 unexcused absence from school, or an absence from school for
833 which the reason is unknown, to prevent the development of
834 patterns of nonattendance. The Legislature finds that early
835 intervention in school attendance is the most effective way of
836 producing good attendance habits that will lead to improved
837 student learning and achievement. Each public school shall
838 implement the following steps to promote and enforce regular
839 school attendance:

840 (1) CONTACT, REFER, AND ENFORCE.—

841 (f)~~1~~. If the parent of a child who has been identified as

581-03022-20

20201438c1

842 exhibiting a pattern of nonattendance enrolls the child in a
843 home education program pursuant to chapter 1002, the district
844 school superintendent shall provide the parent a copy of s.
845 1002.41 and the accountability requirements of this paragraph.
846 ~~The district school superintendent shall also refer the parent~~
847 ~~to a home education review committee composed of the district~~
848 ~~contact for home education programs and at least two home~~
849 ~~educators selected by the parent from a district list of all~~
850 ~~home educators who have conducted a home education program for~~
851 ~~at least 3 years and who have indicated a willingness to serve~~
852 ~~on the committee. The home education review committee shall~~
853 ~~review the portfolio of the student, as defined by s. 1002.41,~~
854 ~~every 30 days during the district's regular school terms until~~
855 ~~the committee is satisfied that the home education program is in~~
856 ~~compliance with s. 1002.41(1)(d). The first portfolio review~~
857 ~~must occur within the first 30 calendar days of the~~
858 ~~establishment of the program. The provisions of subparagraph 2.~~
859 ~~do not apply once the committee determines the home education~~
860 ~~program is in compliance with s. 1002.41(1)(d).~~

861 ~~2. If the parent fails to provide a portfolio to the~~
862 ~~committee, the committee shall notify the district school~~
863 ~~superintendent. The district school superintendent shall then~~
864 ~~terminate the home education program and require the parent to~~
865 ~~enroll the child in an attendance option that meets the~~
866 ~~definition of "regular school attendance" under s.~~
867 ~~1003.01(13)(a), (b), (c), or (e), within 3 days. Upon~~
868 ~~termination of a home education program pursuant to this~~
869 ~~subparagraph, the parent shall not be eligible to reenroll the~~
870 ~~child in a home education program for 180 calendar days. Failure~~

581-03022-20

20201438c1

871 ~~of a parent to enroll the child in an attendance option as~~
872 ~~required by this subparagraph after termination of the home~~
873 ~~education program pursuant to this subparagraph shall constitute~~
874 ~~noncompliance with the compulsory attendance requirements of s.~~
875 ~~1003.21 and may result in criminal prosecution under s.~~
876 ~~1003.27(2). Nothing contained herein shall restrict the ability~~
877 ~~of the district school superintendent, or the ability of his or~~
878 ~~her designee, to review the portfolio pursuant to s.~~
879 ~~1002.41(1)(e).~~

880 Section 17. Paragraph (b) of subsection (1) of section
881 1003.4282, Florida Statutes, is amended to read:

882 1003.4282 Requirements for a standard high school diploma.—

883 (1) TWENTY-FOUR CREDITS REQUIRED.—

884 (b) The required credits may be earned through equivalent,
885 applied, or integrated courses or career education courses as
886 defined in s. 1003.01 ~~s. 1003.01(4)~~, including work-related
887 internships approved by the State Board of Education and
888 identified in the course code directory. However, any must-pass
889 assessment requirements must be met. An equivalent course is one
890 or more courses identified by content-area experts as being a
891 match to the core curricular content of another course, based
892 upon review of the Next Generation Sunshine State Standards for
893 that subject. An applied course aligns with Next Generation
894 Sunshine State Standards and includes real-world applications of
895 a career and technical education standard used in business or
896 industry. An integrated course includes content from several
897 courses within a content area or across content areas.

898 Section 18. Subsection (4) of section 1003.52, Florida
899 Statutes, is amended to read:

581-03022-20

20201438c1

900 1003.52 Educational services in Department of Juvenile
901 Justice programs.—

902 (4) Educational services shall be provided at times of the
903 day most appropriate for the juvenile justice program. School
904 programming in juvenile justice detention, prevention, day
905 treatment, and residential programs shall be made available by
906 the local school district during the juvenile justice school
907 year, as provided in s. 1003.01(15) ~~s. 1003.01(11)~~. In addition,
908 students in juvenile justice education programs shall have
909 access to courses offered pursuant to ss. 1002.37, 1002.45, and
910 1003.498. The Department of Education and the school districts
911 shall adopt policies necessary to provide such access.

912 Section 19. Section 1003.575, Florida Statutes, is amended
913 to read:

914 1003.575 Assistive technology devices; findings;
915 interagency agreements.—Accessibility, utilization, and
916 coordination of appropriate assistive technology devices and
917 services are essential as a young person with disabilities moves
918 from early intervention to preschool, from preschool to school,
919 from one school to another, from school to employment or
920 independent living, and from school to home and community. If an
921 individual education plan team makes a recommendation in
922 accordance with State Board of Education rule for a student with
923 a disability, as defined in s. 1003.01(11) ~~s. 1003.01(3)~~, to
924 receive an assistive technology assessment, that assessment must
925 be completed within 60 school days after the team's
926 recommendation. To ensure that an assistive technology device
927 issued to a young person as part of his or her individualized
928 family support plan, individual support plan, individualized

581-03022-20

20201438c1

929 plan for employment, or individual education plan remains with
930 the individual through such transitions, the following agencies
931 shall enter into interagency agreements, as appropriate, to
932 ensure the transaction of assistive technology devices:

933 (1) The Early Steps Program in the Division of Children's
934 Medical Services of the Department of Health.

935 (2) The Division of Blind Services, the Bureau of
936 Exceptional Education and Student Services, the Office of
937 Independent Education and Parental Choice, and the Division of
938 Vocational Rehabilitation of the Department of Education.

939 (3) The Voluntary Prekindergarten Education Program
940 administered by the Department of Education and the Office of
941 Early Learning.

942

943 Interagency agreements entered into pursuant to this section
944 shall provide a framework for ensuring that young persons with
945 disabilities and their families, educators, and employers are
946 informed about the utilization and coordination of assistive
947 technology devices and services that may assist in meeting
948 transition needs, and shall establish a mechanism by which a
949 young person or his or her parent may request that an assistive
950 technology device remain with the young person as he or she
951 moves through the continuum from home to school to postschool.

952 Section 20. Paragraph (d) of subsection (2) of section
953 1006.07, Florida Statutes, is amended to read:

954 1006.07 District school board duties relating to student
955 discipline and school safety.—The district school board shall
956 provide for the proper accounting for all students, for the
957 attendance and control of students at school, and for proper

581-03022-20

20201438c1

958 attention to health, safety, and other matters relating to the
959 welfare of students, including:

960 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
961 conduct for elementary schools and a code of student conduct for
962 middle and high schools and distribute the appropriate code to
963 all teachers, school personnel, students, and parents, at the
964 beginning of every school year. Each code shall be organized and
965 written in language that is understandable to students and
966 parents and shall be discussed at the beginning of every school
967 year in student classes, school advisory council meetings, and
968 parent and teacher association or organization meetings. Each
969 code shall be based on the rules governing student conduct and
970 discipline adopted by the district school board and shall be
971 made available in the student handbook or similar publication.
972 Each code shall include, but is not limited to:

973 (d)1. An explanation of the responsibilities of each
974 student with regard to appropriate dress, respect for self and
975 others, and the role that appropriate dress and respect for self
976 and others has on an orderly learning environment. Each district
977 school board shall adopt a dress code policy that prohibits a
978 student, while on the grounds of a public school during the
979 regular school day, from wearing clothing that exposes underwear
980 or body parts in an indecent or vulgar manner or that disrupts
981 the orderly learning environment.

982 2. Any student who violates the dress policy described in
983 subparagraph 1. is subject to the following disciplinary
984 actions:

985 a. For a first offense, a student shall be given a verbal
986 warning and the school principal shall call the student's parent

581-03022-20

20201438c1

987 or guardian.

988 b. For a second offense, the student is ineligible to
989 participate in any extracurricular activity for a period of time
990 not to exceed 5 days and the school principal shall meet with
991 the student's parent or guardian.

992 c. For a third or subsequent offense, a student shall
993 receive an in-school suspension pursuant to s. 1003.01 ~~s.~~
994 ~~1003.01(5)~~ for a period not to exceed 3 days, the student is
995 ineligible to participate in any extracurricular activity for a
996 period not to exceed 30 days, and the school principal shall
997 call the student's parent or guardian and send the parent or
998 guardian a written letter regarding the student's in-school
999 suspension and ineligibility to participate in extracurricular
1000 activities.

1001 Section 21. Subsection (5) of section 1008.24, Florida
1002 Statutes, is amended to read:

1003 1008.24 Test administration and security; public records
1004 exemption.—

1005 (5) Exceptional students with disabilities, as defined in
1006 s. 1003.01 ~~s. 1003.01(3)~~, shall have access to testing sites.
1007 The Department of Education and each school district shall adopt
1008 policies that are necessary to ensure such access.

1009 Section 22. Paragraph (c) of subsection (6) of section
1010 1012.2315, Florida Statutes, is amended to read:

1011 1012.2315 Assignment of teachers.—

1012 (6) ASSIGNMENT OF TEACHERS BASED UPON PERFORMANCE
1013 EVALUATIONS.—

1014 (c) For a student enrolling in an extracurricular course as
1015 defined in s. 1003.01 ~~s. 1003.01(15)~~, a parent may choose to

581-03022-20

20201438c1

1016 have the student taught by a teacher who received a performance
1017 evaluation of "needs improvement" or "unsatisfactory" in the
1018 preceding school year if the student and the student's parent
1019 receive an explanation of the impact of teacher effectiveness on
1020 student learning and the principal receives written consent from
1021 the parent.

1022 Section 23. This act shall take effect July 1, 2020.